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Of Attorneys for Amici Curiae
Basic Rights Oregon

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

PHILLIP LEMONS et al,

Civil No. 3:07-CV-01782-MO

Plaintiffs,

v.

**BILL BRADBURY, Secretary of the
State of Oregon, in his official capacity,
et al,**

**DECLARATION OF
FRANK DIXON**

Defendants.

I, FRANK DIXON, make this declaration on behalf of Basic Rights Oregon,
amicus curiae, in this case.

1. I am board member of Basic Rights Oregon. I have been on the board since 2001.

2. I have also been a member of the Oregon State Bar since 1979 and was admitted to the U.S. District Court of Oregon in 1980. Although I do not currently represent clients, I have maintained my status as an “active” attorney with the Oregon State Bar.
3. Basic Rights Oregon is the state's largest grassroots organization working to end discrimination on the basis of sexual orientation and gender identity. We represent tens of thousands of fair-minded Oregonians across the state.
4. As a board member of Basic Rights Oregon, I have been overseeing the organization's enormous efforts during the past year to pass the Oregon Family Fairness Act in order to provide much needed protections for same-sex couples and their families.
5. The effort lead by Basic Rights Oregon included enlisting the support of private businesses, religious leaders, and opinion makers throughout the state. Even more importantly, we led a grassroots lobbying effort to educate family, friends, and communities about this important legislation. Thousands of volunteers contacted their legislators via phone, mail and email and many traveled great distances to meet with legislators personally.
6. Once HB 2007 was enacted, our efforts have shifted to implementation. For the last six months, Basic Rights Oregon and our supporters have

worked to prepare for the implementation of this law. This work represents a significant investment of time, tens of thousands of dollars in resources for support staff, travel throughout the state, and educational materials.

7. We have been working actively with dozens of organizations around the state, as well as working with print, radio, and TV media to ensure the public understands when the law goes into effect and how to access the rights and responsibilities offered through Oregon's Domestic Partnership law.
8. These efforts include presentations throughout the state, in which participants find out how the law works. Specifically, staff have made the following presentations:
 - A. Presented three times in Portland with more than 250 participants.
 - B. Presented twice in Eugene with more than 100 participants.
 - C. Presented twice in Corvallis with more than 80 participants.
 - D. Presented twice in Salem with more than 35 participants.
 - E. Presented once in Bend (23), Florence (22), Ashland (32), Pendleton (16), Medford (15), and Grants pass (15).

9. In addition, our staff has contacted County Clerks and their staff in all thirty-six Oregon counties to discuss the new law. County clerks are responsible for registering domestic partnerships. In Multnomah, Lane, Jackson, Benton, Josephine, and Deschutes counties (counties that are more populous), we have had extensive discussions and meetings in order to adequately prepare for implementation of the law.
10. Based on hundreds of hours of legal research, we have developed a Domestic Partnership Resource Guide, distributed electronically to more than 19,000 supporters and viewed on our web site thousands of times, and distributed hard copies to hundreds of supporters throughout the state. This resource guide provides specific information about eligibility requirements and process for registering domestic partnerships in each county. It includes the name, address and contact information for each County Clerk, fees and accepted methods of payments, availability of Notaries Public and other essential information. A copy is available on BRO's website at:
http://www.basicrights.org/?page_id=101.
11. In addition, we have developed a "Frequently Asked Questions" resource, which has similarly been electronically distributed to supporters and accessed on our website.
http://www.basicrights.org/?page_id=101.

12. In Multnomah County alone, we have recruited over 80 volunteers for the first week of January, including volunteer Notaries Public who have committed their time to support registering couples. We have also recruited dozens of volunteers, including Notaries Public, in Benton, Deschutes, Lane, and Jackson Counties. We have organized this effort because our members have indicated their desire to register as domestic partners as soon as the law becomes effective. In fact, through an on-line survey (in which we have received 507 responses as of December 21, 2007), we know that at least 181 members intend to register on January 2nd; another 141 plan to register later in January.
13. We have organized and marketed community gatherings on the first day of implementation (Jan. 2) in five cities with a budget outlay of over \$3,000. These gatherings involve local businesses who have set aside space, scheduled staff, and begun making their own preparations for the events.
14. We have developed, scheduled, and marketed two CLE (Continuing Legal Education) seminars in early 2008 in Portland and Eugene in which we expect scores of attorneys practicing family law, estate planning, elder law, employment law and civil rights law, as well as law students to attend.

15. In addition, BRO has a legal work group of volunteer attorneys from some of the largest firms in the state. I am aware that firms throughout the state are advising clients to change policies and procedures prior to January 2, 2008.
16. The legal community at large is also gearing up for implementation of HB 2007. The cover article for the December 2007 Oregon State Bar Bulletin is about HB 2007. "Understanding Oregon's Family Fairness Act," Janine Robben, Oregon State Bar Bulletin, 2007.
17. BRO has also worked closely with those state agencies affected by the law to help develop rules, procedures and policies and to publicize those rules or policies elsewhere. These efforts include:
 - A. The Registrar's Office at the Department of Human Services.
This office is responsible for producing the forms and documents for domestic partnership registration and declaration of domestic partnership.
 - B. The Bureau of Labor and Industries and its rules regarding Oregon's Family Medical Leave Act.
 - C. The Oregon Department of Transportation to ensure that procedures are in place to allow for change of surname for

domestic partners who present a certified copy of their domestic partnership registration.

D. Department of Consumer and Business Services. Distributing a memo to insurance providers to ensure equal provision of insurance.

18. Based upon these efforts, thousands of Oregon citizens are poised to register as domestic partners and receive the benefits of that registration. If HB 2007 were enjoined, many individuals would be harmed as a result of losing the benefits of registering as domestic partners. BRO has identified over 500 different rights and responsibilities available to opposite sex couples under state law, that will be available to committed same-sex couples under HB 2007. Some of the more important rights that HB 2007 confers include:

- A. the automatic right to make health care decisions for partner or having the right to visit a partner in the hospital;
- B. Not having to undertake time consuming and expensive proceedings to have a partner be a designated parent;
- C. Having the automatic right of survivorship for jointly owned property.

19. By waiting until less than two weeks before HB 2007 is set to take to effect, plaintiffs have increased the harm of enjoining HB 2007. Public

agencies and individuals are prepared to implement HB 2007.

Enjoining the implementation of HB 2007 at this late date would cause an enormous amount of confusion and anxiety to the public. In addition, much of the done by Basic Rights Oregon would be wasted.

I declare under penalty of perjury under the laws of the United States and the State of Oregon that the foregoing is true and correct.

DATED this 21st day of December, 2007.

By: /s/ Frank Dixon
Frank Dixon