2006

Committee and Section Annual Reports
2006 Committee and Section Annual Reports

The Oregon State Bar would like to thank all Committee and Section volunteers for their service. Committees and Sections are vital to the ability of the bar to provide both member and public services, and to keep the organization responsive to the needs of its members, the courts, and the bar. To all 2006 Committee and Section members, thank you for your time and expertise.

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Affirmative Action Committee

Activities and accomplishments:

The OSB Affirmative Action Committee spearheaded efforts to reauthorize the Affirmative Action Program scheduled to sunset in 2006. On September 16, 2006, the House of Delegates voted almost unanimously to reauthorize the program for another 15 years with an assessment of $30 per member per year. The vote followed a day-long series of diversity CLEs and an evening social that drew about 200 AAP supporters. Over 200 supporters also witnessed the actual vote. While the reauthorization required considerable effort and attention, AAC was concurrently active in the following AAP programs:

SCHOLARSHIP PROGRAM: The Scholarship Subcommittee scored 70 applications, and awarded 10 scholarships in the amount of $2000 each.

FIRST YEAR INTERNSHIP PROGRAM (FYIP): Twenty nine first-year law students submitted applications, and seven students were placed with firms that covered internship salaries: Black Helterline, Bullivant Houser Bailey PC, Dunn Carney, Jordan Schrader, Schwabe Williamson Wyatt PC, and Stoel Rives LLP.

CLERKSHIP STIPEND PROGRAM: Forty-seven students applied for 20 stipends designated to secure clerkships with employers who could match at least the $5.00/hour stipend. Stipend recipients worked for Alleman Hall McCoy et al, Barton Bobbitt PC, Brindle McCaslin & Lee PC, Jon Weiner, Juvenile Rights Project, Lane County Office of Legal Services, Oregon Advocacy Center, Oregon Law Center, Reynolds & Griffin, St Andrew Legal Clinic, Standard Insurance and Tri Met.

PUBLIC HONORS FELLOWSHIP PROGRAM: The Public Honors Subcommittee reviewed 12 applications for six positions. For the past five years, the AAP embedded the ABA Environmental Law Grant into the Public Honors Fellowship Program to create a 7th position. In 2006, the AAP did not participate in the ABA Grant, a first since the grant’s inception, because recipients were restricted to only ethnic minorities. (The ABA Section sponsoring the grant was working on expanded eligibility criteria for 2007). The 2006 fellowship recipients clerked for the Oregon Supreme Court, Oregon Court of Appeals, Office of the Governor, Oregon Law Center, Marion County DA and Multnomah DA.

BAR EXAM GRANT: The Bar Exam Subcommittee reviewed 19 applications for both the February and July bar examinations to award 9 grants. The OMLA Annual Auction raised funds to award Bar Exam Preparation Course scholarships for ethnic minority graduates who did not receive awards through the Bar Exam Grant program.

OLIO:

The bar’s Affirmative Action Program includes OLIO (Opportunities for Law in Oregon), a recruitment/retention strategy for Oregon’s ethnic minority law students. All entering ethnic minority law students are invited to participate in the OLIO Orientation. All students, regardless of ethnicity and who are committed to advancing OLIO objectives can participate in OLIO activities. The following are OLIO activities:

EMPLOYMENT RETREAT (OLIO): Fifty five students and 21 attorneys participated in the Eighth Annual Employment Retreat at Lewis & Clark Law School. The Retreat culminated in an Employer Forum which drew 36 (a record number) of private and public sector firms. The participating firms paid a $50 fee to help cover Retreat expenses.

CLERKSHIP LUNCHES - LEGAL WRITING AND RESEARCH AND BAR EXAM WORKSHOPS: The Legal Writing workshops are designed to transition ethnic minority law students from classroom Legal Writing/Research to LWR in practice. David Bartz and Judge Dick Baldwin conducted the workshop hosted by the Schwabe Williamson Wyatt firm in Portland. Judge Virginia Linder and Bob Rocklin conducted the workshop at Willamette in Salem, hosted by Tonkon Torp LLP. Joe Richards hosted and conducted the workshop along with Judge Cynthia Carlson at the
Luvaas Cobb firm in Eugene. The second luncheon focused on the MPT portion of the Bar Exam. Hosting firms were Harrang Long Gary Rudnick PC, Davis Wright Tremaine LLP, and Bullivant Houser Bailey PC.

BAR EXAM WORKSHOP: Stella Manabe and Jim Bailey presented this workshop in Eugene for OLIO participants. The workshop is a comprehensive approach to bar exam study with focus also on cultural issues ethnic minority applicants may experience. New information included exam diagnostics and tips to improve performance on the exam.

OLIO ORIENTATION: The Ninth Annual OLIO Orientation took place in Bend, with 62 students and 36 judges and lawyers participating (a record attendance). Chief Justice Paul De Muniz was the keynote at an evening social. The Orientation also included two diversity CLEs which OLIO and Bend-area lawyers and judges attended.

4th ANNUAL BOWLIO: BOWLIO is a fundraiser for OLIO. The 2006 event brought over 200 law students, lawyers, and judges participated. After expenses, BOWLIO raised $1,401.83.

Recommendations for 2007:

The AAP Reauthorization experience highlighted the need to better educate the membership about AAP's accomplishments and value to the bar. The 2007 AAC will focus on providing such education.

Respectfully submitted:

Bar Press Broadcasters Council

Activities and accomplishments:

The Bar Press Broadcasters Council has adopted a mission of "Building a Culture of Dialogue" among lawyers, judges and journalists. The Council held its annual Build the Culture roundtable in May at Portland State University. The facilitated program dissected one case - the LaDon Stephens Trial in Multnomah County - and the tensions that arose between the court, the lawyers, and the press. The program brought together some of the most prominent judges, lawyers, and journalists from print, radio and television to talk about the process of covering high-profile crime and court stories. The goal was for all parties to learn from other constituencies about their concerns, and to gain perspective that will inform future decision-making in courtrooms, law offices and newsrooms.

The Council continues work on a major project to replace the Bar Press Guidelines, considered to be outdated. The Council is drafting a comprehensive booklet to be used as a resource for bar members and journalists involved in legal issues coverage. The booklet will track the chronology of a criminal case, and address the concerns of each constituent group at each stage. Development of that book is underway. Publication expected in 2007.

In 2006, the Council requested a formal ethics opinion about the pre-trial publicity ethics rule. That opinion is forthcoming.

The Council voted in September to file and amicus brief in Klamath v Teamey, a case that could affect public records law and lawyer-client privilege protections. The Supreme Court has now decided not to hear the case. The Council now is focused on helping to shape legislation to address the issue.

Recommendations for 2007:

Plans for 2007 include Building the Culture events (outlined above) in Portland, Eugene and possibly Bend, publication of the Bar Press Guidebook, additional programs brought directly into print, radio and TV news departments. Additionally, the Council will be involved with the legislature in addressing the issues raised in Klamath v. Teamey.

Respectfully submitted:
Duane A. Bosworth (CH), Allie O’Connor, Daniel L. Keppler, David C. Wang, Hon Ronald D. Thom, Janine Robben, Jim Losk, John S. Foote, Laura Graser, Marc Sussman, Michael D. Schrunk, Stephen A. Houze, Steven M. Wilker, Dennis P. Rawlinson (BC), Kateri Walsh (BL).
Certified Public Accountants—Joint Committee

Activities and accomplishments:

- The committee regularly held meetings in February, April, June, August and December for approximately 1 hour at the Oregon State Bar offices.

- Committee members and other legal and accounting professionals wrote Professional Insight articles for the OSCPA magazine. The magazine is published 11 times during the calendar year and Professional Insight articles are in every other issue. The articles covered items of interest to both accountants and attorneys, and dealt with issues such as nonprofit executive compensation, self employment taxes, the throw back rule, and health savings accounts.

- The Committee cancelled its annual golf tournament because the tournament lost money in 2004. The subcommittee formed to reevaluate the golf tournament recommended against holding it during 2006 or into the future due to the lack of interest from the MBA and the difficulty involved with organizing the tournament.

- The Committee cancelled its fall retreat.

- The Committee had several discussions and made changes to the Committee’s assignment regarding pro bono work and informational public speaking.

- The Committee worked to update its website hosted at OSCPA.com. The Committee provided information about its assignment and meeting schedule, and copies of past minutes are available for viewing by members and non-members.

Recommendations for 2007:

Continue the following goals:

- Provide social and networking opportunities for lawyers and accountants

Additional goals for 2007:

- Promote low/no cost legal accounting services and provide information on the OSCPA website.

- Promote additional opportunities for accountants and attorneys to socialize.

- Discuss establishing a list server for accountants and attorneys to discuss cross-discipline questions.

- Discuss the whether to plan a CLE program for lawyers and accountants.

- Evaluate the future of the fall retreat.

Respectfully submitted:

Client Security Fund Committee

Activities and accomplishments:

The Client Security Fund Committee (“CSF Committee”) is responsible for the review and recommendation to the Board of Governors of claims made by the public which involve the funds received by Oregon attorneys. The CSF Committee discharges its duties by assigning claims that are received to individual committee members. The committee member is responsible for reviewing the materials received, contacting the complainant and the attorney to determine the scope and nature of the complaint. Information is gathered from a variety of sources to allow for a review of the inquiry. The committee member then assimilates the information in the form of a report to the committee as a whole in the form of a
written memorandum. The claim is then considered at the next full committee meeting with either a recommendation that the Board of Bar Governors pays the claim, does not pay the claim or that further investigative work be done on the claim. In rare instances the claim is tabled pending action by another interested party.

In addition, the CSF Committee reviewed the rules and regulations regarding the definition of “dishonest conduct” to determine whether the current definition is definitive enough for the purposes of claims evaluation. After the committee then met and discussed the options available and determined that no recommendation would be made.

**Recommendations for 2007:**

The CSF Committee exists for the purposes of reviewing claims made against the Client Security Fund. I am pleased to report that during 2006 that the number of claims made were at the lower end of the scale. This is certainly good for the health of the Oregon State Bar. The limited amount of claims does make for a challenge for the committee to keep itself fully engaged during the committee year. In writing this report I do not see any recommendations for next years goals or activities that would be helpful.

Respectfully submitted:

C Scott Howard (CH), Jennifer F. Kimble (SEC), Constantin Severe, Dennis McCaffrey, Mitzi M. Nauler, Rhonda Lee Antell, Scott Erik Asphaug, Sean L. Hartfield, Thomas J. Moore, William B. Crow, Bonita Joy Merten (PM), Mark B. Comstock (BC), Sylvia E. Stevens (BL).

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**Federal Practice and Procedure Committee**

The Federal Practice and Procedure Committee (“Committee”) met five times at noon in the federal courthouse. The Committee’s major activities are outlined below.

**Activities and accomplishments:**

The Standing Subcommittee on Proposed Rule Amendments continued to monitor and report to the full Committee on proposed changes in federal and local rules. The Subcommittee also gave an overview of the new local rules that went in effect this year. Judge Stewart and Kary Pratt, both members of the Local Rules Committee, provided valuable insight to the changes.

The Committee followed up on the recommendation of last year’s Committee and sought funding to update the Oregon Economic Bar Survey. The Economic Bar Survey is a study of Oregon practitioners’ hourly rates for specific areas of law. This was needed because the most recent update was 2002. The update was originally due in 2004 but was cut from the Bar’s budget. Both practitioners and judges expressed frustration that the Survey was outdated and both desired more guidance when submitting and determining attorney fee petitions. Among the actions taken by the Committee was a letter to the Oregon State Bar president, Dennis Rawlinson asking that the Bar find funding for the update. In addition, the Committee identified and contacted other possible sources to fund the update to the Survey. By bringing the concerns of practitioners and judges to the attention of the Bar, it is my understanding that the update to the Survey was added to the Bar’s 2007 budget.

The Committee continued to discuss the need for greater participation by federal practitioners in the “Saturday Session.” This is an annual meeting that is well attended by the federal judiciary and it provides a valuable opportunity for interaction between the bench and the bar. In addition, the Committee discussed ways to make the Federal Summary Judgment procedure more efficient and less expensive for litigants.

Respectfully submitted:

Michelle Holman Kerin (CH), Kathryn M. Pratt (SEC), Charles Edward Fletcher, Dana L. Jeff C Duncan Brecht, Joel I. Bruhn, John F. McGrory Jr, Mark L. Stermitz, Matthew J. Lynne, Michael C. Zusman, Thad M. Guyer, Thomas K. Doyle, Vishnu N. Jetmalani, Zachary J. Kelton, Sullivan, Garr M. King (ADV), Janice M. Stewart (ADV), Randall L. Dunn (ADV), Albert A. Menashe (BC), Chris L. Mullmann (BL).
Judicial Administration Committee

Activities and accomplishments:

Updated the JAC’s judicial outreach notebook - “Strong Courts Build Strong Communities” and provided a revised copy of the notebook to each judicial district in the state.

Committee members undertook a rigorous effort to contact all local courts to provide support for the courts’ judicial outreach efforts and encourage enhancements and improvements in courts’ judicial outreach efforts. The JAC initiated the creation of a Lotus Notes Judicial Outreach data base by the Judicial Department. The JAC provided the Chief Justice with its “Strong Courts Build Strong Communities” notebook, as the Judicial Department prepared to assume responsibility for the outreach program.

Initiated an electronic Juror Appreciation Certificate that the State Court Administrator’s office provided to local courts.

Provided each state court with a Juror Appreciation Proclamation (2005) poster for hanging in jury assembly rooms or other court locations.

Continued its interest and support in court facilities improvements.

Closely monitored political and other issues impacting the judiciary and judicial administration.

Matters considered/Pending matters:

The only matter that is pending is court facilities improvements work.

Recommendations for 2007:

Work with court facilities group; and during the 2007 legislative session review and testify (if determined necessary by JAC and BOG) on legislation impacting Judicial Administration, judicial and public defense funding, continue support of enhanced judicial outreach, track work and support Problem Solving Courts (see below).

Additional comments:

The JAC carefully reviewed and revised the committee’s Charge as follows:

General:

Study and make recommendations to the Board of Governors on matters concerning state judicial administration and the judiciary. Monitor and recommend improvements in technology, operation, discipline and funding within the judicial system.

Specific:

1. Review relevant past and future legislation affecting the justice system and coordinate with Public Affairs Committee of BOG.
2. Continue to study and consider judicial selection and judicial campaign proposals. Support public awareness including community outreach by judges.
3. Relate the above activities to court accessibility.
4. Continue involvement in judicial appointments and new judgeships.
5. Monitor and provide recommendations to BOG regarding ballot measures and issues of special interest affecting judicial administration and Oregon Judicial Department funding.
6. Work with the Legislature, the Judicial Department, and local counties on court facilities issues.
8. Track relevant work on and support Problem Solving Courts, including Drug Courts, Family Courts, DUII Courts, and Mental Health Courts.
9. Solicit nominations for the OSB Award of Merit, the President’s Public Service Award, Membership Service Award, Affirmative Action Awards, the Joint Bench Bar Professionalism Award and any other state, local and national awards for lawyers who contribute to serving the legal needs of Oregonians.

Respectfully submitted:

Legal Ethics Committee

Activities and accomplishments:

The committee met five times during 2006. The committee’s work focused on the drafting of Formal Ethics Opinions in response to suggestions from committee members and requests from third parties. Among new opinions which were approved or which were in the final drafting stages as of December 1, 2006 are opinions which address the ethical considerations for the following:

- A lawyer who proposes to engage in entrepreneurial activities in which the lawyer would act as an attorney but would also perform other roles, including real estate salesperson and mortgage broker;
- A lawyer who comes into actual or potential evidence of a crime;
- A lawyer who wishes to create pretrial publicity in either a civil or a criminal action;
- A lawyer who wishes to participate in a bankruptcy referral service.

Additional comments:

During the upcoming year, the committee plans to continue responding to requests for opinions.

Respectfully submitted:

Legal Heritage Interest Group

Activities and accomplishments:

During 2006, the Legal Heritage Interest Group scheduled four regular business meetings. Highlights included a tour conducted by Judge Dairmuid O’Scannlain of the recently-renovated Pioneer Courthouse, and a briefing on archiving best practices by the Lewis & Clark College archivist Doug Erickson.

Marketing of the Oregon State Bar’s history, Serving Justice, A History of the Oregon State Bar 1890-2000 continued to be an emphasis. In co-sponsorship with Oregon Women Lawyers, on October 11th, a low-cost CLE, featuring the book as an integral part of the written materials, was held in downtown Portland. Introduced by Katherine O’Neil, presenters included former Chief Justice Edwin Peterson, Law Professor Paula Abrams and attorney Fred Granata. Attendees received three hours of Oregon MCLE elimination of bias credit.

We maintained liaison with other groups interested in Oregon legal history, notably the US District Court of Oregon Historical Society, the Multnomah Bar Association’s 100th anniversary celebration history subcommittee and the Queen’s Bench history committee.

In addition, the group continued its efforts to develop ideas and recruit authors for articles of historical interest in the OSB Bulletin.

Recommendations for 2007:

In the planning of the new OSB Center, consideration should be given to showcasing Oregon legal history.

An archive policy should be developed by the OSB, to ensure the safe keeping of items of future historic interest.

The Legal Heritage Committee should be continued through the next membership year.

Additional comments:

The Committee wishes to recognize the generous assistance and hard work of the BOG liaison Bette Worcester and OSB staff liaisons Marlyce Gholston and Paul Nickell.

Respectfully submitted:
Legal Services Program Committee

Activities and accomplishments:
The committee met in February and November and took the following action:

- The committee recommended that CCLA start a priority setting process in conjunction with LASO using LASO's priority setting methods. Once the priority setting process is complete, LASO and CCLA will work together to establish an integrated service plan, which will include staffing, using the current and surplus revenue resources available to CCLA. CCLA will have 6 months from the date of this letter to comply with the LSP Committee's directive.

- The LSP Committee approved a waiver of Legal Aid Services of Oregon's peer review until 2007. The basis for the request was that LASO had just completed a merger of Marion Polk Legal Aid Services and was in the process of merging with Lane County Legal Aid Services with an anticipated completion date of June 30, 2006. Because of the changes LASO was undertaking it made sense to conduct the peer review in 2007 next year when these changes are complete. The LSP Administrator indicated that there had been no significant issues in LASO's last peer review.

- Columbia County Legal Aid asked the LSP Committee to extend its deadline for submission of a service delivery plan. The LSP Committee extended the deadline until November 30, 2007.

Matters considered/Pending matters:
The LSP Committee will meet in the beginning of 2007 to make a recommendation on the service delivery plan submitted by Columbia County Legal Aid on November 30, 2006.

Recommendations for 2007:
To continue to work with Columbia County Legal Aid to bring it into compliance with the LSP Standards and Guidelines.

Respectfully submitted:
Stephen S. Walters (CH), Samuel E. Tucker (SEC), Audrey B. Hirsch, Bob Turner, Douglass H. Schmor, Hon Francisco J. Yraguen, Kent B. Thurber, Ron Chase (PM), David Thornburgh (ADV), Debra FJ Lee (ADV), Jenefer Stenzel Grant (ADV), Laurence H. Hamblen (ADV), Michael Allen Keeney (ADV), Ralph Saltus (ADV), Thomas J. Matsuda (ADV), Linda K. Eyerman (BC), Judith Baker (BL).

Minimum Continuing Legal Education Committee

Activities and accomplishments:
- The committee reviewed and made decisions on requests for review of MCLE Administrator decisions;
- The committee considered and recommended changes to the MCLE Rules and Regulations; and
- The committee continued to develop expertise regarding the MCLE programs in Oregon and in other jurisdictions.

Matters considered/Pending matters:
At its March meeting, the committee discussed proposing changes to MCLE Regulation 1.110(c), regarding the manner of filing compliance reports. MCLE Regulation 1.110(c) states:

Timely filing of a completed compliance report as required by Rule 7.1 and 7.4(a)(2) is defined as the actual physical receipt of the signed original thereof at the MCLE office, regardless of the date of posting or postmark, or the date of delivery to a delivery service of any kind. Facsimile transmission of compliance reports shall not be accepted. The MCLE office shall date stamp every completed compliance report immediately upon which receipt, which stamp shall be conclusive evidence of the date of receipt. If the due date for anything to be filed under the MCLE Rules is a Saturday or legal holiday, including Sunday, or a day that the Oregon State Bar office is closed, the due date shall be the next regular business day.

The committee recommended changing the MCLE Regulation 1.110(c) to read:
Timely filing of a completed compliance report as required by Rule 7.1 and 7.4(a)(2) is defined as the actual physical receipt of the signed report at the MCLE office, regardless of the date of posting or postmark, or the date of delivery to a delivery service of any kind. Facsimile or electronic transmissions constitute physical receipt. If the due date for anything to be filed under the MCLE Rules is a Saturday or legal holiday, including Sunday, or a day that the Oregon State Bar office is closed, the due date shall be the next regular business day.

At its June meeting, the committee discussed proposing changes to MCLE Rule 5.2(d), regarding allowing ethics MCLE credit to volunteer counsel representing an accused in a bar disciplinary matter. MCLE Rule 5.2(d) states:

Legal Ethics Service. A member serving on the Oregon State Bar Legal Ethics Committee, Client Security Fund Committee, Commission on Judicial Fitness & Disability, Local Professional Responsibility Committees, State Professional Responsibility Board, and Disciplinary Board or serving as volunteer bar counsel in Oregon disciplinary proceedings may earn two ethics credits for each twelve months of service.

The committee recommended expansion of the Rule to include those members who serve a volunteer counsel for an accused, but requested suggestions from Staff regarding a way to ensure those who requested such credit were, in fact, not compensated for their service. At its December meeting, the committee recommended a verification process by which those members requesting ethics MCLE credit for volunteer service to an accused must sign a form indicating they were not paid for their work.

At its December meeting, the committee recommended changing MCLE Rule 4.3(e) regarding the time within which Staff have to respond to requests for MCLE accreditation. MCLE Rule 4.3(e) states:

Applications for accreditation shall be deemed approved unless the MCLE Administrator, within 14 days after receipt of the application, sends a notice that the application is questioned. The applicant shall have 14 days to respond to the MCLE Administrator’s questions and the MCLE Administrator shall make a determination as to the accreditation within 21 days after receiving the applicant’s response.

Given the increasing number of accreditation requests received by the MCLE Administrator, the 14-day response deadline is very difficult to meet. The committee recommended deleting MCLE Rule 4.3(e) in its entirety and amending MCLE Regulation 4.300, as follows:

Applications for accreditation shall be deemed approved unless the MCLE Administrator, within 30 days after receipt of the applications, sends a notice that the application is questioned or that additional time is required for approval. The applicant shall have 14 days to respond to the MCLE Administrator’s questions. The applicant’s response to a questioned application shall be reviewed by the MCLE Administrator and the applicant shall be notified of the decision no later than 21 days after submission of the response.

The committee also considered requests for review of the MCLE Administrator’s decisions from the following people/entities:

March
- Kevin Keaney
- Daniel Barnhart
- Paul Tiger

June
- Pete Fowler Construction Services
- Danny Lang on behalf of the Douglas County Bar Association
- Portland State University
- Oregon Department of Justice
- Katie Aldassy
- Alejandro Tosi

December
- Dean DeChaine
- Melinda Wilde
- Alycia Sykora on behalf of the Dechutes County Bar Association
- Mark Mackler
Recommendations for 2007:

In the year ahead, the committee should continue to assist the MCLE Administrator in interpreting and applying MCLE Rules and Regulations, and developing and carrying out a comprehensive plan to meet performance measures and to achieve goals set by the BOG. Meetings should continue to be quarterly, or at the call of the MCLE Administrator or the chair.

Respectfully submitted:
Ellen M. Voss (CH), Kara K. Davis (SEC), Donald P. Bourgeois, Pamela Palmer, Saville W. Easley, Stace B. Gordon (PM), Carol DeHaven Skerjanec (BC), Denise Cline (BL).

Pro Bono Committee

Activities and accomplishments:

The committee met 11 times this year. The committee had five subcommittees, each with its own project. Projects included efforts to increase judicial involvement in promoting pro bono, establish pro bono policies in law firms statewide, develop tangible incentives for attorneys to increase their pro bono services, increase opportunities for government attorneys to perform pro bono services, and situate the OSB as the information clearinghouse for lawyers, pro bono service providers, and the public on the coordination of pro bono services. The committee also assists with the annual Pro Bono Roll Call, helps plan the annual Pro Bono Fair, and coordinates with other pro bono committees.

Matters considered/Pending matters:

The committee worked closely with the Self-Represented Legal Services Subcommittee of the State Family Law Advisory Committee to explore the allowable role of judges in promoting pro bono. A proposal will be submitted to the Chief Justice to establish a task for on judicial involvement in pro bono that would complete its work by June 2008.

The committee hosted a pilot project of its Model Pro Bono Policy Initiative, in which five firms worked with the committee’s model policy and template to develop or revise their pro bono policies. The committee will improve and expand these policy development tools and establish a Marketing Committee to implement the initiative statewide in 2007. The Multnomah Bar Association Young Lawyers Section will collaborate on this project.

The committee considered several incentives to encourage pro bono service by attorneys and researched the provision of MCLE credit for pro bono in other states. Whether to pursue this idea in Oregon will be considered further in 2007.

The committee researched barriers to pro bono by government attorneys in Oregon and ways in which other states have overcome similar barriers. Depending on priorities for 2007, the committee may develop a model policy for government agencies on pro bono activities by government lawyers.

The committee also considered and ultimately rejected an idea to explore the possibility of promoting pro bono opportunities in criminal law. The committee decided to maintain its focus on civil law.

Recommendations for 2007:

The Committee will continue its efforts to expand programs and activities designed to provide access to the justice system for Oregonians unable to pay for attorneys’ services and assist members of the bar in understanding and fulfilling their responsibility to provide pro bono legal services. With these goals in mind, the subcommittees will focus on the following areas:

- Judicial Involvement Subcommittee: Collaborate with Chief Justice’s Task Force on Judicial Support for Pro Bono
- Law Firm Support for Pro Bono: Continue development and marketing of model pro bono policy for law firms statewide
- Incentives Subcommittee: Continue exploring options for encouraging pro bono service; e.g., CLE credits or vouchers
- Pro Bono Opportunities for Government Lawyers: Identify barriers and options for government lawyers to perform pro bono services; Discuss marketing strategies
- Information Clearinghouse: Develop written and website materials re: pro bono; Collaborate on creation of guides and guidelines for attorney assistance programs and unbundling services, etc.
• Revise OSB Aspirational Standard: Make recommendations for improving language and clarity

Respectfully submitted:
Jeff S. Pitzer (CH), BeaLisa Sydlik (SEC), Amity L. Clausen, Beverly C. Pearman, Bradley D. Maier, Daniel K. Reising, J Clay McCaslin, Jacinta Wang Kilber, Jeanette Eileen Bello, Laura L. Schantz, Mark A. Friel, Michael S. Guy, Phillip M. Bender, Tim McNeil, Catherine L. Keenan (ADV), Maya Crawford (ADV), Linda K. Eyerman (BL), Debra Cohen Maryanov (BL).

Procedure & Practice Committee

Activities and accomplishments:

The Procedure & Practice Committee has been monitoring and reviewing legislative proposals that affect Procedure and Practice issues in Oregon.

The Procedure & Practice Committee proposed and had drafted by Legislative counsel LC 700, which proposes to modify ORS 12.060 concerning the tolling of the statutes of limitations for claims by minors. Our proposal would make clear that the statute is also tolled on claims for the recovery of medical expense incurred in an injury to the minor. We believed it would clarify the law and avoid possible duplicative litigation. We also consulted with the Council on Court Procedure on a possible amendment to ORCP 9 to permit service of papers via e-mail if all parties consent. Since it was a non-session year, there was little monitoring to be done as new bills were not being generated. In the late fall, as legislative counsel began to generate the text of bills proposed by other groups, we provided comments. We made comments on LC 700, LC 701, LC 702 and LC 703.

Additional comments:

Along with the proposal we submitted, the Procedure & Practice Committee has liaison assignments with the following groups:

• Uniform Trial Court Rules (UTCR),
• Council on Court Procedures (CCP) and the
• Chief Justice’s Civil Law Advisory Committee (CJCLAC).

Each of these committees had meetings in which P&P members attended and participated.

Recommendations for 2007:

The committee will continue to explore issues that affect the practice of law that arise out of the legislative process and case law. Furthermore, the committee will continue to provide liaison to the Council on Court Procedures, Chief Justice’s Civil Law Advisory Committee, and the Oregon Law Commission. Since the legislature will be in session during 2007, we also spent time discussing the role of the P&P committee in appearing before legislative committees and the work load anticipated during 2007.

Respectfully submitted:

Public Service Advisory Committee

The Public Service Advisory Committee advises the Board of Governors and Oregon State Bar staff on public service issues to assist the Bar in achieving its public outreach and education goals. Generally, the Public Service Advisory Committee acts as a sounding board and provides advice primarily in two areas:

• Educating the public regarding available legal resources; and,
• Effectively providing legal services to the public.

Activities and accomplishments:

During its 2006 session, the Public Service Advisory Committee provided advice regarding the following topics, among others:

• Lawyer Referral Service Program
  • Increase staff training, support and development; and,
  • Recommended increase in member registration fees
Military Assistance Panel

- Call out for much need Pro Bono assistance for military families

Tel-Law

- Recommended thorough review of foreign-language offerings to ensure all languages are still needed.

Public Survey of Lawyers completed in July. Last completed several years ago. Results published and distributed. Statistics tallied on Public’s general impression of lawyers and lawyer services.

Recommendations for 2007:

- Citizen’s Justice Conference. Successfully held several years ago. Potential concentration on Children and Families; Possible ABA funding.

- Voter’s guide for judicial elections.

Respectfully submitted:
Craig M. Hopkins (CH), Youlee Y. You (SEC), Bruce A. Bornholdt, C Robert Steringer, Charles C. Reynolds, Cheryl A. Albrecht, Douglas L. Tookey, Jason L. Posner, Joel C. Corcoran, John L. Schroedel, Sonya Fischer, Bruce Anderson (PM), Donald Earl Hopkins (PM), Robert L. Vieira (BC), Jon Benson (BL), Kay Pulju (BL).

Quality of Life Committee

Activities and accomplishments:

The Quality of Life Committee held six meetings during 2006 (a scheduled 7th meeting was cancelled for lack of a quorum). At the start of the year, the Committee’s goals were:

- Continue to work on outreach to members of local Bar Associations and create materials to capitalize on speaking opportunities via the Community Building Subcommittee;

- Submit one article for publication in the Bulletin or other OSB publication;

- Make presentations to Oregon law schools concerning financial planning and maintaining life balance; and

- Update and maintain Quality of Life website.

Substantial progress was made in the following areas:

- The Community Building Subcommittee began preparation of a PowerPoint presentation to be used for outreach to local bar associations. The presentation, once finalized, will allow future QOL members to timely respond to local bar association requests for speakers.

- The Articles Subcommittee has nearly completed the research and writing and will seek to publish an article about how fitness improves quality of life, how attorneys can incorporate a fitness routine in their schedules, and how to go about developing a fitness routine.

- The Law School Presentation Subcommittee continued to work on making presentations to law school students concerning quality of life issues. The Subcommittee created a presentation outline and a step-by-step “how to” binder for future presentations. Additionally, this Subcommittee intends to expand the scope of future presentations and will work on developing that scope during 2006.

- The Quality of Life website was further updated to improve ease of access, and direct links to other quality of life-related websites and to the article published by the Articles Subcommittee were added.

- The Committee made multiple efforts to get involved with the Access to Justice Committee’s development and implementation of the LRAP program. The Committee attended one of the initial Access to Justice Committee meetings to formulate the LRAP program, reviewed the draft LRAP proposals, and provided comments to the proposed program before it was submitted to the BOG. To the extent LRAP continues to be a viable program, the Committee has volunteered to participate in any manner the Access to Justice Committee designates.

Respectfully submitted:
Elizabeth A. Semler (CH), Edward B. Anderson (SEC), Douglas Scott Sedwick, Herbert Leland Harry, James H. Curtis, Jerry B. Hodson, Mary A. Overgaard, Tonya M. Alexander, Mary D. McCourt (PM), Michael P. Long (PLF), Shari R. Gregory (PLF), S. Ward Greene (BC), Stacy J. Hankin (BL).
State Lawyers’ Assistance Committee

Activities and accomplishments:

During 2006, the committee received new referrals from judges, attorneys, and the Bar. Each referral was investigated in accordance with the OSB Bylaws and the SLAC authorizing statute, ORS 9.568. The committee continues to accept jurisdiction and to monitor remedial programs for several attorneys. Additionally, the committee evaluates and monitors lawyers who are referred through the diversion process from Discipline. Other investigations resulted in the committee declining jurisdiction. Much of the business conducted by the committee involved confidential discussions surrounding cases assigned to each member. Those confidential discussions cannot be revealed in this report.

The committee contributed ideas, feedback and authors for the August/September Bulletin issue on impaired lawyers and the legal profession. This was the first time in 15 years the Bulletin had addressed drug and alcohol dependency issues among bar members. The result was that it raised the profile of this issue among the bench and bar and helped to educate bar members about the role of SLAC.

The committee took significant steps to reach different bar constituencies in 2006. Committee members attended and spoke at an annual state wide conference for District Attorneys. Committee members also attended and networked at a conference for State Court judges. At both of these conferences a primary goal was to raise awareness of the committee’s activities and help increase the volume of referrals to the committee.

The committee formalized some of its processes for monitoring lawyers under their jurisdiction. They completed several documents, including the Monitoring Agreement, which is used with a lawyer under SLAC’s jurisdiction. The committee also developed a new print advertisement which has run in the Bulletin and other publications.

Matters considered/Pending matters:

The committee considered a proposal to change the ethics rules to require lawyers to self-report convictions for DUII and other drug offenses. This proposal is currently pending.

The committee considered and rejected a proposal to expand the definition of misconduct under the ethics rules to include the habitual use of drugs or alcohol.

Retiring BOG member, Jack Enbom, sent an open letter to the OSB President recommending several steps to encourage greater communication and cooperation between the committee and the Oregon Attorney Assistance Program (OAAP). This matter is still pending.

Recommendations for 2007:

Increase efforts already underway to promote the profile of SLAC and conduct outreach with various bar constituencies.

Reach a decision on the proposal for self-reporting of DUII and other drug convictions.

Evaluate the suggestions by Jack Enbom to improve coordination with OAAP. The goal of these proposals is to improve efforts to assist impaired lawyers and to protect the public.

Respectfully submitted:
Calvin N. Souther Jr (CH), Douglas S. Querin (SEC), Bruce M. Howlett, Gregory J. Hazarabedian, Henry C. Breithaupt, Laura B. Rufolo, Michael C. Lewton, Robert M. Lusk, Stephen J. Williams, Susan R. Gerber, Ted E. Grove, Donald Muccigrosso (PM), Shane Haydon (PM), Meloney Crawford Chadwick (PLF), Michael P. Long (PLF), John A. Enbom (BC), Jonathan P. Benson (BL).

Uniform Civil Jury Instruction Committee

Activities and accomplishments:

Last year the UCJI committee completed a three year process which involved a complete revision of the "red book." At the outset of this year, we identified instructions that still needed attention following the red book revisions and identified some areas where perhaps new instructions were appropriate. We successfully revised several instructions and drafted several new contract law instructions addressing...
contract interpretation. Additionally, after consideration and research, we rejected some new employment instructions recommended to the committee in past years. The committee also considered whether new ELA instructions were warranted and decided against new instructions in that area. We also continued to monitor and evaluate the punitive damage instruction, an instruction that right now is nearly impossible to draft because of seemingly inconsistent Oregon and Supreme Court case law. Unfortunately, although there are cases pending in Oregon that may offer insight into an appropriate punitive damage instruction, none were handed down this year. The committee did, however, revise the comment to the punitive damage instruction to acknowledge the current state of the law.

**Recommendations for 2007:**

Now that the red book revision and “tightening” is completed, I would suggest the committee focus on two goals next year:

- Committee recruitment.
- Reaching out to practitioners and judges to identify instructions that need further attention (for example, ask the court if there is an instruction that is almost always argued and/or which the court rejects outright in nearly every instance) to identify areas where additional instructions might be appropriate.

With regard to the first goal, the number of practitioners asking to sit on the UCJI committee appears to dwindle each year. Because of the very important work this committee does, it is imperative that the make-up of the committee be the highest caliber practitioners with diverse legal backgrounds and an equal number of members from both sides of the bar. In the past year, in particular, the committee has begun to feel dominated by plaintiffs’ attorneys, in part because of the dwindling number of volunteers to serve on the committee. I think it will eventually make the committee much stronger if they engage in some recruitment and encourage those practitioners to submit their names to the bar for consideration to sit on the UCJI committee.

Respectfully submitted:


**Uniform Criminal Jury Instructions Committee**

**Activities and accomplishments:**

In 2006, the committee met monthly and added new instructions regarding arson when methamphetamine is involved, encouraging child sexual abuse in the second and third degrees, dangerous offender, sexually violent dangerous offender, and custodial sexual misconduct in the first and second degrees. The committee also created a new chapter for instructions related to jury sentencing proceedings in cases other than capital murder. The committee continued its ongoing review of the entire book for the purpose of updating outdated material and finding errors in existing instructions including updated controlled substance offense instructions to reflect statutory changes made by the 2005 legislature.

Respectfully submitted:


**Unlawful Practice of Law Committee**

**Activities and accomplishments:**

The Unlawful Practice of Law (UPL) Committee met each month during 2006, except for August, to discuss UPL issues, present the findings of Committee member investigations, and recommend action based on those findings. Actions that the Committee may recommend on a UPL complaint are dismissal, notice,
admonition, a cease and desist agreement, and prosecution. The prosecution of a UPL case, and signed Cease and Desist agreements, must be approved by the Board of Governors (BOG). The recommended action turns on the facts of each case as applied to the law and precedent.

The Committee has greatly expanded its membership in recent years, because of the increase in UPL complaints that have been forwarded to it by the Oregon State Bar. The complexity of those complaints further necessitated a substantial increase in membership due to the time required for each investigation. However, the total number of members on the Committee did not increase, and actually declined slightly due to attrition in 2006. The UPL Committee is one of the largest committees of the Bar.

The UPL Committee strives for diversity in its membership. For example, two public members, which included a paralegal, sat on the Committee during 2006. These non-attorneys added a unique and invaluable perspective during the meetings of the Committee. Geographic diversity in membership is also desirable, because many UPL complaints come from areas outside of the Portland metropolitan area. Consequently, the public is best served by having Committee members from across the state to investigate and report on UPL complaints. In regard to its attorney members, the committee attempts to strike a balance between seasoned and newly admitted lawyers.

The Committee saw a variety of UPL complaints in 2006, which included multijurisdictional practice by lawyers licensed in other states, professionals in law-related fields, such as accounting, tax advice and financial services, non-lawyer bankruptcy preparers, and debt collectors. As in 2005, the Committee saw a significant number of complaints concerning non-lawyers performing legal services for immigrant populations and independent paralegals performing a variety of legal services. The Committee also saw a number of UPL complaints involving former attorneys during 2006.

As of the date of this report, approximately 62 new complaints have been referred to the Committee for investigation since the beginning of 2006. This is roughly the same number of UPL complaints that were referred to the Committee as of this date last year. Prior to 2005, the number of complaints increased substantially. The decrease in the past couple of years, however, has not resulted in less work for the Committee. That’s because some cases under investigation from prior years were carried over into 2006, and the complexity of several new and old cases required significant time commitments by Committee members.

In recent years-and in 2006 there was a significant increase in the number of people contesting their admonition for the unlawful practice of law. These contested admonitions also consumed more of the Committee’s time.

In addition to investigating and recommending action on UPL complaints, one subcommittee was formed in 2006. This subcommittee was charged with the task of advising the Land Use Board of Appeals (LUBA) regarding the unlawful practice of law. The work of the subcommittee is ongoing at this writing.

In 2006-as in years past-the UPL Committee diligently protected the public from those who would practice law without a license. In doing so, the Committee continued to play a vital role in Oregon.

Respectfully submitted:
Bruce A. Bornholdt (CH), Noel Snyder (CH-Elect), Alan K. Brickley (SEC), Alice M. Bartelt, Brent J. Goodfellow, C Lane Borg, Clayton Huntley Morrison, Frederic E. Cann, J O’Shea Gumusoglu, Jane E. Mopper, Jeffery W. Ring, Jennifer F. Kimble, Matthew C. McKean, Roland A. Johnson, Ronald M. Somers, Dean Dailey Hollomon (PM), Deanne Snedeker (PM), Gregory A. Sackos (PM), Theresa L. Wright (BC), Linn D. Davis (BL).
Administrative Law Section

Activities and accomplishments:

Annual Business Meeting, November 1, 2006

The annual business meeting was called to order at Hayden's in Tualatin, Oregon, by Chair Fisher. Mike Lilly arranged for food and beverages for the meeting.

Prior to the beginning of the business portion of the meeting, Steve Duin, political columnist for the Oregonian, shared his perspective on Oregon politics. He also addressed how to effectively access the media for law improvement.

New officers and members-at-large were elected unanimously. The Executive Committee will continue to have members with diverse backgrounds in both government and private practice.

2007 Executive Committee

Chair: Steve Rissberger
Chair Elect: Thomas M. Cooney
Treasurer: Janice Krem
Secretary: Thomas E. Ewing
Immediate Past Chair: Ann L. Fisher
Bar Liaison: David Nebel

Members-at-Large:
Kathryn A. Logan
Frank Mussell
Jonathan M. Norling
Steven R. Schell
Irene Bustillos Taylor
Karen Berkowitz
William J. Boyd
Michael J. Lilly
Kathryn A. McDowell

Executive Committee

The Executive Committee met five times during the year at the offices of the Oregon State Bar and several times by telephone.

Subcommittees

The newsletter committee, chaired by Janice Krem, produced four outstanding newsletters. Three legislative proposals were developed and substantial efforts for outreach and consensus were made without success. While the majority of the Executive Board supported the proposals (dealing with ex-parte contacts, assessment of fees, and order in instances when a mental evaluation was required) there was not unanimous agreement.

Continuing Legal Education

The Section did not sponsor due to its focus upon building agreement re legislative proposals.

Budget:

The section expects to close the year with an estimated carry-over balance of $5100.

Recommendations for 2007:

The section intends to continue publication of newsletters and make improvements to its website. It also hopes to sponsor additional opportunities for section members to socialize and CLEs reflecting changes in the Model Rules.

Respectfully submitted:
Ann L. Fisher (CH), Steve Rissberger (CH-Elect), Lorey H. Freeman (Past CH), Thomas E. Ewing (TR), Janice Krem (SEC), Katherine A. McDowell, Louis D. Savage, Michael J. Lilly, Philip Schradle, Sandra A. Hansberger, Thomas M. Cooney, William J. Boyd, Jonathan P. Hill (BC), David W. Nebel (BL).

Admiralty Law Section

Activities and accomplishments:

On Thursday, November 9, 2006, the section held its annual meeting and CLE at the Port of Portland headquarters. The CLE has been approved for 1 hr. general credit.

Barry Horrowitz of the Port staff presented a summary of the Port’s international trade activities, focusing primarily on the shipping activities of interest to the Admiralty Section. Section Acting Chair Breiling gave an introduction describing the multiple legal and partnering relationships between the Port and other federal and state agencies in support of Oregon’s
and Washington’s international trade and Columbia River commerce, as well as future construction plans (for Construction Section members invited to the presentation) and copies and introduction of the Port of Portland’s key statutory authorities. Barry Horrowitz traced the growth and international connections and trade relationships involved in the Port’s maritime commerce, and led a lively discussion about Oregon’s economic future in the area of international trade and international maritime commerce. Oregon, in fact, trades with all of the major international economic regions of the world, involving the section’s lawyers in international and admiralty law issues all over the globe. Both Mr. Breiling and Mr. Horrowitz also discussed growing environmental concerns and restrictions affecting the future of admiralty law and Pacific Coast maritime commerce and competition. The CLE achieved its purpose of updating section members on future maritime industry and legal challenges that section members will be called upon to deal with.

The annual meeting also produced a proposal for a late Spring to early Fall additional CLE to held on a river cruise ship, both for education and fun. The section executive committee will pursue this proposal which, although more modest than some past section CLE proposals, has excellent prospects of being carried to fruition in the warmer months of 2007. It should be noted that California is leading the way on imposing additional air quality environmental restrictions on maritime commerce, and consequently 2007 promises to be a lively legal environment in the Pacific Coast maritime legal community. In addition, there is a continuing amount of litigation activity in the admiralty world in Oregon and Washington to report on also.

**Budget:**

As to budget matters, the section continues its low dues.

Some of the accumulated budget surplus will be used to partially finance planned CLE activities in 2007, while maintaining a reserve for future years’ CLE’s. While at this point of time it is too early to point to specific multi-state CLE opportunities, the major environmental cleanup programs currently being initiated in Central and Southern California ports, plus the Puget Sound region, will generate future opportunities for Pacific Coast admiralty CLE opportunities as the maritime industry as a whole is forced to clean up its air quality act. California alone has announced billion dollar air quality cleanup programs for its port programs, and Puget Sound governments are moving in the same direction because of massive toxic sediment problems that threaten the entire Puget Sound fishery. Meanwhile the Portland Harbor superfund cleanup goes forward also. Another future topic of intense local and international interest is the ongoing efforts to enlarge the Panama Canal to handle the larger vessels in use today in international maritime commerce. A number of Portland entities are involved in this Canal project.

**Legislative issues:**

As to legislative matters, the section in January 2006 initiated proposed legislative changes to broaden the statutory bases for collecting attorney fees in maritime litigation. After strong support by most of the section, these legislative changes were forwarded to the Bar for passing along to the Oregon legislature.

**Recommendations for 2007:**

Proposed goals and activities for 2007 have been described above in describing planned future CLE activities. As should be obvious from the approach taken in the CLE’s in the last 2 years, the admiralty section is broadening its CLE focus to attract interest and participation by members from other sections whose legal and economic interests are also tied to Oregon’s maritime legal and economic interests. No legal specialty exists in a legal island anymore, and building bridges across legal specializations benefits both the Bar and the State of Oregon, as well as the region.

**Additional comments:**

Oregon has a well deserved reputation for taking a leadership role in national and regional challenges and issues. Energy and water issues involve the admiralty section’s members in a wide range of pioneering activities, including many that receive national and international recognition. Our Bar colleagues in other sections are similarly involved in building Oregon’s and the world’s future. The recent Summer 2006 HydroVision worldwide hydropower conference in Portland was an example of the way the world comes to
Portland and Oregon to learn about and build the future.

Finally, one of the major challenges for all of Oregon's and American institutions is to provide a smooth transition as the Baby-Boomer generation slips into retirement and younger generations come to the fore. The mid-year retirement of section chair Craig Murphy was an example of this generational shift. Consequently, admiralty section CLE's will continue to focus on developing members to better face the new challenges coming at the section, the legal profession, and the Nation and world in coming years. As the 2005 CLE demonstrated in part, the world of admiralty and maritime law has exploded in its breadth in the last 40 years, and future regulatory and technological trends point to continued growth in breadth and complexity as the maritime world, along with the rest of the world, grows itself into the future. As has been often stated in recent decades and centuries, we live in exciting and challenging times. The future belongs to those who plan and build for it.

Respectfully submitted:
John J. Breiling (CH), Dennis R. VavRosky (Past CH), Ky Fullerton (TR), Darien S. Loiselle (SEC), M Christie Helmer, Nancy R. Walseth, Linda K. Eyerman (BC), Sarah Hackbart (BL).

Agricultural Law Section

The Agricultural Law Section of the Oregon State Bar consists of a diverse group of attorneys who tackle the unique legal issues faced by farmers and ranchers throughout Oregon.

Activities and accomplishments:

The Executive Committee held monthly telephone conferences rather than face to face meetings since the members are widely dispersed throughout the metro and rural areas of the state. These telephone conferences were well attended and participants often shared weather and crop status reports from one end of the State to the other.

The primary activity for the year was a section meeting held in the Dalles. Various section members helped prepare and present an educational program including a handout comparing the agricultural lien statutes of Oregon, Washington and Idaho. Speakers included guests who are members of the Washington Bar Association. OSB CLE credit was given for attendance.

Budget:

As of the end of September 2006, the Section had an ending fund balance of $4,169. In 2006, $1,965 of income was received—$1665 from dues received from 111 members and $300 from the OSB Environmental Law Section. The $300 was a contribution toward the Agricultural Law Section's water law project which was completed in 2005. Expenses for the year totaled $1,076, with $433 spent on the agricultural lien seminar in the Dalles, $444 for OSB support and $189 for telephone conferencing.

For the projected 2007 budget the Section anticipates income consisting of $1665 in dues. Projected expenses include a $588 Bar assessment, $500 in phone conferencing costs, $1,000 for a CLE program or project and $100 in miscellaneous other expenses.

Additional comments:

The Agricultural Law Section remains healthy, and participation and interest in our programs is strong. Our revenues remain stable, and the Section is fiscally solid at year-end with a healthy fund balance to carry us into 2006.

Recommendations for 2007:

The Executive Committee is considering developing a CLE presentation on the unique aspects of drafting a lease of agricultural land in Oregon. We are discussing the possibility of making that presentation a part of a larger CLE, possibly in conjunction with the Real Estate and Land Use Section at one of its section sponsored CLEs. Other topics are also under discussion.

Respectfully submitted:
Joseph H. Hobson Jr (CH), David W. Smiley (CH-Elect), Jean Underhill Wilkinson (Past CH), George L. Anderson (TR), Elizabeth Howard (SEC), Charles K. Toole, David R. Simon, Jesse D. Lyon, Lawrence B. Rew, Scott Warner, Steven J. Joseph, Steven L. Shropshire, Timothy J. Bernasek, Carol DeHaven Skerjanec (BC), Barbara Buehler (BL).
Antitrust Trade Regulation Section

The membership of the Section remained relatively stable in 2006, with only a slight decline in its numbers. The Executive Committee hopes to offer greater value to Section members and, in turn, expand membership in coming years.

Activities and accomplishments:

2006 CLEs

The Executive Committee determined that it wanted to continue to focus its efforts on offering excellent and timely CLEs. We offered two CLEs this year. Each program is described below.

June 8, 2006: “Litigating Antitrust Claims Arising from Patent Licenses and Settlements”

Following a hypothetical case study, a panel of practitioners offered insight into hearing and trying antitrust and intellectual property cases. The substance of the presentation focused on recent developments in patent and antitrust law related to the interplay between enforcement of patent rights and the risk of monopolization claims. Other topics included practical IP-antitrust litigation “dos and don'ts.”

October 12, 2006: “Crime-Fraud Exception to the Attorney-Client Privilege.”

A panel of attorneys presented oral argument in a hypothetical antitrust-patent litigation where certain documents were withheld during the discovery process. It was an interesting presentation exploring the lengths to which the attorney-client privilege does and does not apply to communications between attorney and client when there is an allegation of fraud or misrepresentation in obtaining a patent.

Update Section Website

The Section made a dedicated effort to improve the section’s website in order to make material more readily available to section members and others.

Annual Meeting

The annual meeting was held on October 12, 2006. The Section voted to increase annual dues by $5.00.

Recommendations for 2007:

In 2007 the Section hopes to continue to provide high quality, relevant CLEs to the Section. The Section hopes to have three CLES, with at least one providing a Judge as a panelist to provide the judicial perspective on the issue. The section hopes to continue to improve its access to information, particularly to members outside the Portland area, who often cannot participate in our programs live. In addition, the section is considering publishing, in some form, a Section newsletter.

Respectfully submitted:
Thomas Russell Johnson (CH), Scott G. Seidman (CH-Elect), Kristin Lee Cleveland (Past CH), Christina L. Beatty-Walters (TR), Kenneth Ray Davis II (SEC), Andrew E. Aubertine, Ben C. Fetherston Jr, Chin See Ming, David L. Silverman, David Stanley Aman, James H. Denham, Sarah J. Adams, Vincent F. Chiappetta, Carol DeHaven Skerjanec (BC), Chris L. Mullmann (BL).

Appellate Practice Section

Activities and accomplishments:

Thanks to the hard work of the members of the Appellate Practice Section’s Executive Committee, section members, and others, 2006 was a particularly eventful year for the section. Primary among the section’s various accomplishments was the production and publication of Volume I of the Oregon Appellate Almanac, a 322-page collection of various articles, ephemera, and other items of interest to the appellate bench and bar. Think of it as Oregon’s Green Bag. Thanks go out to all of the contributing authors, with a special thanks to Court of Appeals staff attorney Lora Keenan for her efforts above and beyond the call as one of the Almanac’s editors. One outgrowth of the distribution of the Almanac was an invitation from the Ninth Circuit Court of Appeals to hold one of the section’s executive committee meetings at the newly remodeled Pioneer Courthouse, an invitation that the committee quickly accepted. Our October meeting was held in one of the building’s magnificent conference rooms.

The section also co-sponsored, together with the American Constitution Society, an October forum for
Supreme Court candidates Judge Virginia Linder and former Oregon Labor Commissioner Jack Roberts. Special thanks for that event are owing to Scott Shorr - who also moderated the forum - and to Kay Pulju for overseeing the videography and distribution, both on the Bar’s website and local access cable.

The section also co-hosted in October, together with the American Constitution Society and the Oregon State Bar, a televised debate concerning the judicial districting initiative, Ballot Measure 40 (2006). Moderated by former OSB President Nena Cook, Scott Shorr and Kay Pulju again took up the laboring oar to provide a public forum for this important ballot proposal.

On the lighter side, Robert Udziela and Marjorie Spears coordinated this year’s social event, a two-plus hour cruise on the Willamette with Oregon’s appellate judges. Stoel Rives graciously hosted the bar, and it is safe to say that a good time was had by all.

Finally, in October, the executive committee agreed to explore working with the United States District Court of Oregon Historical Society to make sure that oral histories of state appellate judges are taken and preserved, and, as well, to begin preliminary work on at least two CLE presentations for 2007.

Respectfully submitted:
Keith M. Garza (CH), Walter J. Ledesma (CH-Elect), Robert K. Udziela (Past CH), Thomas W. Sondag (TR), Scott Shorr (SEC), Charles F. Adams, Jeffrey C. Dobbins, Judith Giers, Lisa E. Lear, Marc D. Brown, Marjorie A. Speirs, Mary M. Reese, Meagan A. Flynn, Wendy M. Margolis, David W. Hittle (ADV), Jacqueline L. Koch (ADV), James W. Nass (ADV), Jane Ellen Stonecipher (ADV), M Elizabeth Duncan (ADV), Thomas W. Brown (ADV), Richard S. Yugler (BC), M Kay Pulju (BL).

Activities and accomplishments:
- Held its annual meeting at Oswego Lake Country Club.
- Section members, led by Alan Leiman, presented an aviation law course at the Law School in the 2006 Spring semester.
- Held a noon CLE with Keith Crimin, FAA Inspector.
- Held a fall Hangar party at Tim Miller’s hangar, with airplane rides for all.
- The Section continues to be interactive with the Lawyer Pilot Bar Association, a national association of lawyers specializing in Aviation Law and related fields, the National Association of Insurance Adjusters and the Aviation Section of the King County, Washington State Bar Association.
- Field trips to Seattle ATC and Columbia Aviation.

Respectfully submitted:

Aviation Section

The Aviation Law Section meets at noon on the last Tuesday of each month at the Oswego Lake Country Club. The Section discusses issues germane to aviation law specifically and the practice of law generally. The Section co-sponsors the annual Pacific Northwest Aviation Law Conference with the Seattle-King County Bar Association - Aviation Section.

Business Law Section

The mission of the Business Law Section is to provide excellent service and value to the diverse group of business law practitioners throughout the State of Oregon by
- Providing regular, timely and useful information about the practice of business law.
- Promoting good business lawyering and professionalism.
- Fostering communication and networking among its members.
Advocating improvement of business law.

Supporting Oregon’s business infrastructure and business community.

In 2006, the Section fulfilled that mission through the activities of the Executive Committee and other Committees; the Section's newsletter, the Oregon Business Lawyer; and through the Section's web site, www.orbuslaw.org.

Budget:

The Section has approximately 1140 members and expects to continue at that level. Expenses in 2006 were substantially below those of 2005, in part because 2005 expenses included a major payment to the web site design and hosting firm serving the Section. The Executive Committee has budgeted for increased expenses in 2007, including increased web site costs and increased program activity. The Section has a large fund balance that will carry over into 2007.

Activities and accomplishments:

Web site and Listserv

The Section web site continues to be a key element of the Section’s activities. The site includes a variety of tools to assist members in their practices, including a series of checklists for transactions and issues that are frequently encountered by practitioners, a variety of legal research and other links, current news items of interest to business lawyers, and copies of the Section newsletter. The Section contracts with a web site administrator on a part-time basis to update the site. The Section also maintains an active listserv which allows members to post questions and raise issues for discussion by section members.

Newsletter

The Oregon Business Lawyer is usually published 2-3 times per year with articles and case law summaries of interest to business lawyers. One issue was published in Spring, 2006, and another issue is in process.

Annual Meeting/CLE

The Section’s annual meeting was held in October and included a presentation on by Tom Lindley of Perkins Coie LLP regarding new standards for environmental due diligence entitled “Buying Dirty Property the Clean Way.” The Section has done extensive planning for a Business Lawyer University; a multi-session training program for young business lawyers.

Networking/Regional Outreach

The Section has members throughout the state and seeks opportunities to involve members outside the Portland metropolitan area and the Willamette Valley in its activities. The Section's Executive Committee retreat was held in Bend in July and included a reception to which Central Oregon business lawyers were invited. The Section also sponsored a reception for law students working as summer associates in Portland interested in business law. To encourage participation in the Section, new admittees are offered a free Section membership for the balance of their year of admission.

Other Committees

The Financial Institutions/Commercial Finance Committee meets regularly to discuss issues affecting business lawyers representing financial institutions and other commercial and consumer lenders. The Legislative Committee was reorganized in 2006, to expand membership and create a series of subcommittees to more effectively evaluate the need for additional legislation, particularly amendments to the business organization statutes, and to review legislation in the 2007 session. In 2006, the Section re-established an Opinion Committee to review Oregon opinion practice and to consider and report on standards of practice that vary from national practice.

Recommendations for 2007:

In 2007, the Section will continue its efforts to improve the Section web site and the Oregon Business Lawyer, particularly through an improved system of providing case law updates. Other activities will include additional continuing legal education activity and development of the Business Lawyer University for new business lawyers. The Section will also review 2007 legislation of interest to business lawyers and provide reports about that legislation to Section members.

Respectfully submitted:
Andrew J. Morrow Jr (CH), Jason M. Brauser (CH-Elect), Timothy J. O’Hanlon (Past CH), Brenda L. Meltebeke (TR), Vicki A. Ballou (SEC), Andrew H. Ognall, Claire J. Philpott, M Christopher Hall, Melissa A. Boge, Michelle S. Druce, Neil A. Cole, Patricia Lockary Chapman, Paul J. Taylor, Peter
Business Litigation Section

Activities and accomplishments:

During 2006 the Business Litigation Section continued its CLE programs and presented four CLEs. All CLEs were held in Portland at the Governor Hotel. These were:

- 3/22/06  
  Will Outrageous Government Conduct Save Your Client from Prison?  
  Speaker: Bob Weaver

- 6/21/06  
  How to Build a Business Litigation Practice: Tips from the Experts  
  Speakers: Chris Helmer and Dan Skerritt

- 9/13/06  
  New Developments in Business Tort Law  
  Speaker: Peter Glade

- 12/06/06  
  Hot Ethics Issues for Commercial Litigators  
  Speaker: Brad Tellam

Additional comments:

A new slate of officers has been elected effective January 1, 2007. The Board will meet January of 2007 for the annual planning session. Topics will include CLE topics for 2007 and holding a CLE out of the Portland area, perhaps in Eugene.

Respectfully submitted:  

Civil Rights Section

Activities and accomplishments:

- hosted a successful full-day CLE regarding Employment Discrimination under Title VII and the ADA;
- planned a public forum with Reed College featuring Ret. Gen. Thomas Fiscus regarding JAG lawyers’ roles in the age of terrorism;
- continued planning a public forum with Reed College to have Senator Patrick Leahy give a keynote address on Torture in Democracies and to have a panel of experts debate the issues;
- continued planning a CLE on evidentiary issues in civil rights trials;
- produced three newsletters and the fourth will be published in December;
- maintained a solid financial structure and donated $500 to the Campaign for Equal Justice.

Recommendations for 2007:

For 2007, the section plans to continue its tradition of publishing the newsletter, hosting a CLE regarding Evidentiary Issues in Civil Rights Cases; co-sponsoring a public forum with Reed College featuring Senator Leahy, contributing to the Campaign for Equal Justice, and monitoring legislation that affects civil rights.

Respectfully submitted:  

Computer and Internet Law Section

Activities and accomplishments:

The Computer and Internet Law Section (CILS) strives to further the continuing education and enhance the effectiveness of attorneys whose practices involve computer and internet related issues. At its January 2006 kick-off meeting, the Executive Committee of the
CILS agreed to concentrate on determining the most relevant topics to all practitioners because of the rapid changes in this area of the law. This Report provides an overview of the Section's goals and activities to meet that end.

In 2006, the section accomplished a great deal. In addition to the monthly lunches and annual CLE in the fall, the section embarked to improve its website and publish a desk book on electronic commerce in both electronic and hard form. We expect the desk book to be published in 2007.

**LUNCHEON CLES**

During 2006 the attendance at our 8 luncheon CLE’s remained strong, with the number of attendees generally ranging between 25 and 38. Among the best attended CLEs were ones on Blog Law, Loss of Data, and Fair Use as determined by the Google cases.

**ANNUAL CLE: THE LIFE CYCLE OF AN E-COMMERCE COMPANY**

The annual CLE was a success with around 80 registered, not the highest attendance but acceptable nonetheless. This CLE deal was acted out by a fictional attorney-client advice session. The “client” was the owner of an existing business and wanted to get a web presence. Throughout the day materials were presented by leading speakers on topics such as entity formation, name choice, litigation, and winding up the business. There has been follow-up, including the addition of several active members following the CLE.

**LEGISLATIVE COMMITTEE**

The committee had a chairperson who left the private practice of law in the early part of the year and the new chair of the committee was appointed in November. Among the issues addressed were network neutrality and data privacy. The chairman had an editorial published in the Oregonian about the network neutrality issue, which pits content providers over telecommunications and cable carriers. Oregon’s federal delegation was also active in this area, and no changes in the legislation have been signed into law.

**CILS WEBSITE**

We increased the reach of our membership through a revision and new contract to maintain our website, as the previous company experienced performance issues. The website was made available to better serve the members. We have also revitalized the listserve after a lapse.

**E-COMMERCE DESK BOOK**

This project was started by Martin Medeiros to better help prevent practitioners from making basic mistakes, as many clients now have a web presence and are subject to the liabilities such presence creates. The articles are in the editing process and we expect publication in the first quarter of 2007. The intent of this work is to help practitioners to spot issues and is not intended as a comprehensive treatise.

**STUDENT AND YOUNG ATTORNEY INVOLVEMENT**

The Executive Committee increased the contact and its visibility with law students by offering a CLE scholarship, reduced rates and invitations to the annual meeting.

**THE ANNUAL MEETING**

The annual meeting was held in the wine cellar at Pazzo’s, as is the tradition. The annual report was delivered and minutes were accepted as was the slate of new officers with provisions for two at-large committee members to be added, one of which was added at the November meeting.

**Budget:**

Although there has been a reduction in membership to 258, we have had a number of new attorneys approach us with interest, primarily younger attorneys and new admittees as this area of the law increases in complexity. The finances remain strong and we look forward to publication of the desk book and website maintenance utilizing those funds.

**Additional comments:**

The Executive Committee believes, given the complexities of this area of law and the increase in youth interest, that membership and education are critical to its success. As many terms come up in 2007, a full slate of “new blood” has been attending Executive Committee meetings. Although these new monthly meeting attendees are not on the committee, their presence indicates their desire to be involved in this rapidly evolving area of information law.

Respectfully submitted:
Martin Francis Medeiros II (CH), Thomas E. Bahman (CH-Elect), Timothy E. Siegel (Past CH), Renee E. Rothauge (TR), Jacob J. Carroll (SEC), Anne E. Koch, Anthony Edward McNamer,
Constitutional Law Section

Activities and accomplishments:

The Constitutional Law Section exists to provide a forum for its members to expand their familiarity and involvement with state and federal constitutional law issues, to improve their knowledge of constitutional law, and to interact with one another in those pursuits. The principal activity of the Section this year was the planning and presentation in November 2006, in partnership with the Oregon State Bar, of the annual day long constitutional law CLE. This year as in the past, the CLE included a faculty of nationally known federal constitutional scholars (including Professors Erwin Chemerinsky, Philip Cooper, and Douglas Kmiec) and the best known experts on Oregon constitutional law (most prominently Justice Hans Linde). The large attendance was proof of the drawing power of a constitutional law CLE in Oregon.

The Section continued its constitutional law weblog (http://orconlawblogs.com), diligently and expertly maintained by Executive Committee member Erin Lagesen and others. We are monitoring the readership of the blog, which has been modest. The 2007 Executive Committee will consider ways to improve participation in this worthwhile and potentially valuable service to the bar and the public.

Budget:

The Section remained solvent in 2006, with a year end fund balance of approximately $9,000. To offset a reduction in Bar funding for the annual CLE, the Section voted to increase its annual dues to $25. Expenditures for 2007 are budgeted to be close to those of the current year. The Section expects to end 2007 with a fund balance little changed from that at year's end 2006.

Recommendations for 2007:

The Section plans to sponsor another constitutional law CLE in the fall of 2007, and to that end it has already appointed a CLE planning committee. The Section is establishing an amicus committee which will monitor cases being reviewed or considered for review by the Oregon Supreme Court and to report to the Section on its possible amicus curiae participation, or on solicitation of other parties as amici, in selected cases. The Section does not intend this list to be exhaustive; it will maintain an open door for ideas and suggestions to increase the value of the Section to its members, the bench, the bar, and the public.

Respectfully submitted:


Construction Law Section

Activities and accomplishments:

CLE Programs

On February 10, 2006, the section sponsored a CLE titled Construction Defect, Water Intrusion, and Health Issues presented by James M. Selzer, MD. The CLE was held at Miller Nash, 111 SW 5th Avenue, Portland.

On April 27, 2006, the section sponsored a CLE titled The Construction Claims Task Force and You: Practical Insight and New Developments from the Chair and Vice Chair of Oregon's Task Force to Address the Laws Governing Construction Claims. The CLE was held at the Sweetbrier Inn & Suites, 7125 SW Nyberg Road, Tualatin.

On July 13, 2006, the section sponsored a CLE titled Sticks and Bricks Project Walk presented by Howard S. Wright Construction which was a presentation and walk through of the Elliot Tower Project in Portland.

On December 8, 2006, the section sponsored a CLE titled Construction Contractors Board CLE in connection with the section's annual meeting. The CLE was held at the Embassy Suites Hotel, 9000 SW Washington Square Road, Portland.
Referee Program for Construction Litigation

The Section conducted a one year review of the Multnomah County Referee Program (implemented in 2005) by meeting with Multnomah County judges Koch and Wittmayer. The judges reported that the program is working to their satisfaction.

Respectfully submitted:

Consumer Law Section

Activities and accomplishments:

The Executive Committee has met monthly since its formation. Executive Committee meetings are generally held from noon to 1:00 p.m. on the third Wednesday of each month at the Lew & Clark Legal Clinic, 310 SW 4th Ave., Suite 1018, Portland, Oregon.

Subcommittees

The Section currently has four standing Subcommittees: CLE, Legislative, Newsletter/Website, and Social. Each of these meets periodically as needed.

Continuing Legal Education

The Section presented a CLE entitled “The Good, the Bad, and the Ugly: Using Consumer Protection Laws to Clean up the Mess” on November 17, 2006. The CLE was attended by approximately 63 people. The Section’s annual meeting and election of officers was held in conjunction with the CLE.

Newsletter and Website

The Section publishes a newsletter on topics of interest to Oregon consumer lawyers, with the mailing assistance of the Oregon Department of Justice. Two issues of the newsletter were published in 2006. The Section also maintains a website, which was substantially overhauled and improved in 2006. It can be viewed at www.osbconsumerlaw.homestead.com/.

Legislative issues:

The Section is sponsoring a bill in the 2007 legislative session that would create a judgment and bankruptcy exemption for funds received under the federal additional child tax credit. Members of the Section have also participated in a workgroup formed by the Governor to develop a bill that would address the problem of identity theft.

Recommendations for 2007:

In 2007, the Section will begin offering its members a lending library of the National Consumer Law Center’s manuals on the practice of consumer law. The Section also intends to hold one or two CLEs in 2007 centered on consumer law topics. The Executive Committee is also considering an extended annual meeting, if enough interest exists.

Additional comments:

The Section currently has 139 members. Annual Section dues are $15.00. In 2006, the Section voted to approve dues-free membership to judges, judicial staff, and members of the Oregon State Bar admitted to practice for fifty years or more. The Section also voted to extend one year of free membership to any Bar member who has not previously been a member of the Section. The estimated end of year account balance for the Section is $14,800.00.

Respectfully submitted:
Hope A. Del Carlo (CH), Pamela E. Yee (CH-Elect), Justin Michael Baxter (Past CH), Brett A. Knewtson (TR), Lara M. Gardner (SEC), Eva Novick, Greta E. Gibbs, Margareta Eakin, Moloy K. Good, Phil Goldsmith, Richard A. Slottee, Robert S. Sola, Ronald J. Rubino, Terrance J. Slominski, Tim Alan Quenelle, Truman A. Stone, Jason Reynolds (ADV), Theresa L. Wright (BC), David W. Nebel (BL). 

Corporate Counsel Section

Activities and accomplishments:

The Executive Committee of the Section meets the first Wednesday of each month, except for July and August. A primary goal of the committee is to provide value to the section membership in the forms of CLEs, a more informal group of roundtables and a yearly networking luncheon. In addition, the section's
Roundtables consist of short topics of general interest to in-house counsel, one hour in length. The section sponsored two this past year. The April Roundtable topic was In-House Legal Department Management. The subject of the October Roundtable was a review of arbitration provisions. Both roundtables were free to the membership and included a continental breakfast.

The committee sponsored three CLEs in 2006. The May CLE is typically one hour in length. The topic was the Effective Management of Disputes: the Role of Special Settlement Counsel. The charge to the membership was nominal and included a lunch. The fall CLE, held in November, was one of the best attended events the section has sponsored in recent years. There were over 85 people signed up to listen to a panel composed of legal and non legal professionals discussing how to deal with Corporate Disaster and Working with the Media. Again, this CLE was provided at a nominal charge to the membership and included breakfast.

The final CLE was a one hour presentation in December on Ethics and the Attorney/Client Privilege. The presentation was free and well attended.

In June, the committee sponsored a luncheon, free to the membership. The purpose of this gathering is to provide an opportunity for in-house counsel to meet, mix and network with their peers.

Budget:

The section ended the year with a positive balance of $9500 which was $600 over the same period for 2005. This included a $1000 contribution to the Campaign for Equal Justice. Consequently, the executive committee recommended no dues increase for the year 2007.

Recommendations for 2007:

The Executive Committee will continue to meet on the first Wednesday of each month except for July and August. In addition to the spring and fall CLEs, the committee will sponsor a December CLE on one of the following topics: ethics, child abuse or diversity. The committee expects to continuing offering two to three roundtables throughout the year, the networking luncheon and the website newsletter.

Respectfully submitted:

Criminal Law Section

The Criminal Law Section was created to provide a forum for the discussion of issues affecting practitioners in the criminal justice system and to educate the members of the Section on current issues in the field. The Section has more than 600 members, including defense attorneys, prosecutors, and judges. The Executive Committee is made up of twelve members, always consisting of six from the defense and six from the prosecution.

The Section is funded through dues and the income from its annual Continuing Legal Education (CLE) program. Bradley Berry was the treasurer in 2006 and Marc Sussman will be the treasurer in 2007. The section will be using its funds to put on the CLE and improve its website so that the website provides useful and current information and links to the Section's membership.

Activities and accomplishments:

In April 2006, the Section held its 19th Annual Contemporary Issues in Criminal Justice CLE. As in years past, the CLE included a review of recent state and federal appellate decisions relevant to criminal law. It also included an opportunity to hear from current and prospective members of Oregon's appellate courts. Chief Judge David Brewer of the Oregon Court of Appeals made the keynote address, and the three candidates for the open Oregon Supreme Court position made presentations and took questions during the lunch hour. Other components of the program included an overview of computer forensics, a
presentation on the cultural and legal differences that affect how Mexican nationals experience the American judicial system, and a panel discussion of ethical issues relating to trial publicity.

Following the 2006 CLE, the Executive Committee began planning the 2007 CLE. Again, the CLE will serve to provide information about developments in the law and practice tips. In 2007, we will have a presentation about effective presentations to jurors in which we will hear from persons who have served as jurors in recent criminal cases in the state.

The Executive Committee has a tradition of meeting at least once a year outside the Portland area to accommodate those members who travel monthly to the Bar office from the far-flung corners of Oregon. In 2006, the Executive Committee met in Bend in June and in Astoria in September.

Respectfully submitted:
Rebecca A. Duncan (CH), Janelle Factora Wipper (CH-Elect), Daniel Ousley (Past CH), Bradley C. Berry (TR), Gregory B. Scholl (SEC), Gregory D. Horner, Joseph A. O’Leary, Lindsay R. Partridge, Marc Sussman, Peter L. Deuel, Tahra Sinks, Timothy A. Sylwester, Robert L. Vieira (BC), Kateri Walsh (BL).

Debtor-Creditor Section

Activities and accomplishments:

The Debtor-Creditor Section operates primarily through its Subcommittees described below. The Section conducts an Annual Meeting and CLE program and co-sponsors the Northwest Bankruptcy Institute with the Washington State Bar Creditor-Debtor Section on topics relevant to the debtor-creditor practice. The Section provides service to the public primarily through its pro-bono bankruptcy clinic and C.A.R.E. program. It publishes a newsletter, is active in legislative matters, and maintains a Section website.

Active Subcommittees

- Annual Meeting—Organizes and Conducts Annual Meeting, 2006 Annual Meeting held on September 29-30 at Mount Bachelor Village
- C.A.R.E. Program—Conducts Credit Information Programs at High Schools throughout the Portland and Eugene areas
- Consumer Bankruptcy—Meets regularly to discuss issues affecting the consumer bankruptcy practice
- CLE—Conducts CLE programs in conjunction with Annual Meeting and at other times on topics relevant to the Section’s membership
- ECF—Addresses current issues with Bankruptcy Court’s ECF filing system
- Legislative—Proposes legislation and comments on legislative proposals applicable to Debtor-Creditor practice. During the year the committee considered potential legislative proposals for the 2007 legislative session.
- New Lawyers—Conducts networking and CLE programs for newer members of the Section
- Newsletter - Publishes three issues per year containing topics relevant to the Section’s membership
- Nominating—Proposes nominees to fill vacancies on Section’s Executive Committee
- Northwest Bankruptcy Institute—Co-Sponsors Annual CLE Program with Washington State Bar Creditor-Debtor Section. Venue alternates between Portland and Seattle. 2006 session held in Portland with the 2007 Institute scheduled for Vancouver, B.C.
- Pro Bono—Conducts bankruptcy clinics and provides volunteer lawyers for low income bankruptcy clients
- Saturday Session—Conducts annual meeting between Bankruptcy Court judges and staff and bankruptcy practitioners on current issues relevant to local practice
- Website—Maintains the Section's website at www.osb-dc.org

CLE Programs

- January 10: Panel Discussion on New Bankruptcy Laws and how they Affect Chapter 7 Trustees. Eugene and Portland. Jointly hosted by the Lane County Bar Association Debtor/Creditor Section and the OSB Debtor/Creditor Section New Lawyers Division.
- February 14: Lane County Bar Association Debtor/Creditor Section and the OSB Debtor/Creditor Section New Lawyer’s Division
hosted a discussion on changes related to small business bankruptcies associated with the new bankruptcy laws.

- February 25 (Sat): The Annual Saturday Session of the Oregon Bankruptcy bench and bar was held on February 25, 2006 at the Salem Conference Center.

- March 14 (Tuesday), noon: Culture and Language Issues in Bankruptcy, Portland Bankruptcy Court, 1001 SW 5th Avenue, 8th floor Conference Room, Presented by the Young Lawyers Committee.


- April 26. New Lawyers Committee presented a judges panel on Wednesday, April 26th at Noon in the video conference room at the Bankruptcy Court in Eugene and the 8th Floor Conference room at the Bankruptcy Court in Portland.


**Newsletters**

The Winter 2006 Edition included:

- Tax Changes to the Bankruptcy Code
- Attorneys Just Say No to New Regulations on Debt Relief Agencies
- Some Thoughts about Debt Relief Agencies
- The New Bankruptcy Means Test
- Selected Court Case Notes

The Fall 2006 Edition included:

- Federal Judges Strike Down Portions of BAPCPA as Unconstitutional
- C.A.R.E. Program
- Selected Court Case Notes

**Budget:**

The section has been operating within its proposed budget for 2006. As of October 31, 2006, the section has an ending fund balance of $55,538

**Legislative issues:**

The Oregon Legislature was not in session during 2006. The Section’s Legislative Subcommittee has submitted the following law improvement proposals for consideration by the 2007 Legislature:

- ORS 18.625 re writs of garnishment with respect to wages paid by employer using direct deposit or third-party payroll administrator services
- ORS 18.312 re writs of execution in foreclosures of liens against property of decedents
- ORS 86.750 re nonjudicial trust deed foreclosure procedures
- ORS 78.5010 re technical correction to ORS 79.0102(2) to add cross reference to securities account definition in ORS 78.5010

**Recommendations for 2007:**

Continue with all programs outlined above. Add a Public Education Subcommittee. Provide additional programs to benefit the Section’s membership and the public as needs are identified.

Respectfully submitted:
Disability Law Section

Activities and accomplishments:

The Disability Law Section Executive Committee met approximately every month during 2006. Meetings were generally held at the Bar headquarters in Lake Oswego, with meetings also taking place at the Oregon Advocacy Center in downtown Portland.

Outreach/Development: This year, for the first time, the Executive Committee took its “show on the road,” with well attended meetings in Salem and Eugene. By holding meetings in various locations in the state, the Executive Committee hopes to demonstrate that we serve the membership throughout the state, not just in Portland or Lake Oswego. And, by exposing the inner workings of the Executive Committee to the membership at large, we hope to generate interest in service on the Executive Committee, and thereby cultivate a pipeline of future Section and Bar leaders.

The Executive Committee welcomed a new Committee member, Eugene attorney Heidi von Ravensberg, who joined us mid-year. In addition, Portland attorney Barbara Fields has agreed to join the Committee.

Continuing Legal Education: In addition to these outreach and development activities, we participated in two CLEs this year which have introduced the Disability Law Section to a broad spectrum of Oregon lawyers. On September 15, 2006, Linda Ziskin and Bob Joondeph, along with Dan Arkin, a retired lawyer and disability advocate, and Deborah Olsen, Professor of Education at the University of Oregon, participated in a panel presentation at the Affirmative Action Program’s day long CLE in Eugene. Stella Manabe, Affirmative Action Director of the OSB, intended for these CLEs to “set the momentum for a favorable outcome” of the House of Delegates AAP Reauthorization vote the following day. However, the CLEs did more than that. Stella, thanking the Disability Law Section participants for contributing to the synergy of the event, told us that, based on audience comments, the day-long CLE was a personal and professional “life altering” day.

On October 21, 2006, Executive Committee members Heidi von Ravensburg, Alice Plymell, and Linda Ziskin were joined by Dan Arkin in a panel presentation and discussion for the New Lawyers Division at their day long CLE in Lake Oswego. We endeavored to pique the interest of new lawyers in the wide variety of disability law issues, and how to spot those issues in any field of practice. We were asked to participate again next year, and we will be happy to do so.

In 2005, the Section participated jointly with the Oregon Social Security Claimants’ Representatives (OSSCR) in a CLE covering the new Medicare Part D. A CLE with OSSCR did not take place in 2006, but one is planned for early 2007, also involving Oregon Advocacy Center, likely covering issues having to do with Supplemental Security Income (SSI) work incentive programs. In addition, a CLE covering changes in Special Education Laws (IDEIA) is tentatively planned for the first half of 2007.

Newsletter/Website: Members have expressed interest in a tangible, print newsletter in addition to a website. One of Linda's goals for this year was to develop, and keep dynamically updated, a comprehensive website including CLE content, links to other websites of interest, links to cases of importance and other research materials, and an archive of past print newsletters. This website should be updated continually, as needed. In addition, the Section should produce a print newsletter, perhaps quarterly. While this goal was not completely met in 2006, considerable progress has been made, thanks to the efforts of Ted Wenk and Neisha Saxena. We look forward to continuing to work on this in 2007.

Disability Studies: Executive Committee member Heidi von Ravensburg has been instrumental in beginning implementation of the Disability Studies Initiative (DSI) at University of Oregon. In 2006, the University of Oregon Disability Studies Initiative Subcommittee on Law made progress towards its goals to

- raise awareness of DS and disability law issues on campus and in the community, and
- infuse disability law content into the UO School of Law curriculum, and
- establish a disability law center and clinic.

The DSI is encouraged by its partnership with the OSB Disability Law Section and the mutually beneficial projects that are underway as a result (i.e., information exchange, mentoring, opportunity to present at CLEs). Next steps for DSI are to continue
partnering with the section and dialogs with the UO School of Law to the meeting of goals.

**Budget:**

Our ending balance was $5,283 and we were under budget for the year.

**Legislative issues:**

Bob Joondeph served as our legislative liaison during 2006, and he kept the Section membership well-informed as to legislative news and developments, emailing the membership regularly.

The Disability Law Section Executive Committee voted to take a position opposing the removal of the mandatory Elimination of Bias CLE requirement. On September 19, Bob Joondeph spoke on behalf of the Section at a meeting of the Oregon Supreme Court that was gathering public input on the EOB issue. Bob relayed the position of the Section and conveyed the importance of the EOB requirement to attorneys and other Oregonians with disabilities.

Executive Committee members Alice Plymell and Heidi Ravensberg worked with Bob Joondeph to draft proposed legislation for the 2007 session. The legislation would create a regulatory body to license prostheticists and would create a minimum warranty for prosthetic devices. These two bills will be introduced during the session.

The President's Public Service Award is given to attorneys who have made substantial contributions to the public through recent efforts involving pro bono services, the legislative/public affairs process, law-related education, coordination of public service law-related events, service with community boards or organizations, or similar activities that benefit the public. Robert C. Joondeph received this award at the bar's annual Awards Dinner in December, 2006.

Robert C. Joondeph has dedicated his career to public service. He began as a VISTA volunteer for legal aid in Klamath Falls, later working as a staff attorney for Metropolitan Public Defenders and in various positions with Oregon Legal Services. Mr. Joondeph joined the board of the Oregon Advocacy Center (OAC) in 1983, ending his term as president. He left that position to become managing attorney of the center.

Under Mr. Joondeph's longtime direction, OAC provides legal advice and information about the rights of people with disabilities. This includes civil rights, special education, health care, rights to public and private services, guardianship and rights in care facilities. OAC has received public service awards from the United Cerebral Palsy Association, the Metropolitan Human Rights Center, the Community Partnerships Project and the Oregon Trial Lawyers Association.

Mr. Joondeph is also an active bar and community volunteer, primarily in roles that further his public service commitment. He serves on the executive committees of the OSB's Disability Law Section and the Diversity Section, and is a member of the OSB House of Delegates. He sits on the board of directors for the Center for Disability and Health and is a member of the Mental Health Planning and Management Advisory Council.

**Recommendations for 2007:**

SSI and IDEIA CLEs as described above, as well as participation in the New Lawyer CLE day CLEs in other areas of Oregon, primarily Eugene; possibly a conference at UO Law School involving implementation of the Courthouse Access Task Force's recommendations;

- Development and maintenance of a Section website, and production of a print newsletter;
- Continue outreach in the form of Committee meetings in Salem and Eugene, and possibly other cities, depending on the location of our members;
- Continue development by recruiting new Executive Committee members.

*Respectfully submitted:*

Linda Ziskin (CH), Neisha A. Saxena (CH-Elect), Theodore E. Wenk (SEC), Alice M. Plymell (TR), Heidi von Ravensberg, Margaret J. Nightingale, Robert C. Joondeph, John A. Enbom (BC), Margaret Robinson (BL).
Diversity Section

Activities and accomplishments:

The OSB Diversity Section envisions a bar that reflects Oregon’s diversity. Further, the Section leads the effort to recognize and eliminate barriers in Oregon's legal system. The Section's Executive Committee includes representation from specialty bars, local bars, and sections that also strive to increase diversity in the Oregon bar. This Section has 214 members. The activities of the Section during 2006 included the following:

Executive Committee Meetings

Except for a retreat held jointly with the OSB Affirmative Action Committee at the Oregon Bar Center, the executive committee met monthly at the offices of Black Helterline LLP in downtown Portland. Black Helterline LLP was also the site for the section's annual meeting on November 8, 2006.

Elimination of Bias (EOB) MCLE Workgroup

The DSEC requested and was granted a seat on the EOB Workgroup which proposed to the Oregon Supreme Court a course of action pursuant to the membership vote regarding the EOB requirement. In October, the DSEC addressed the Supreme Court to support maintaining the EOB requirement. The DSEC also solicited other individuals and bar groups to speak at the hearing.

OSB Affirmative Action Program Reauthorization

The DSEC supported OSB Affirmative Action Committee efforts to educate House of Delegates members about the AAP accomplishments and the need to continue the AAP.

OSB AAP Reunion CLEs

The DSEC participated in the September 15 AAP Reunion CLEs by hosting Judge Richard Baldwin’s session entitled “Professional Responsibility and the Elimination of Bias.”

OLIO Calendar

The DSEC supported the OSB AAP OLIO program as a sponsor for the 2007 OLIO fundraiser calendar.

The DSEC financially supported diversity efforts and groups in 2006 including the Oregon Chapter of the National Bar Association, OLIO fundraising calendar, and the AAP Reauthorization.

Recommendations for 2007:

The DSEC will continue to solicit other specialty bars, local bars, and sections to join the Executive Committee. A known activity for 2007 is continued work to resolve the Elimination of Bias MCLE issue.

Respectfully submitted:

David R. Simon (CH), Robert C. Joondeph (CH-Elect/SEC), Janna Beth M. Kim (Past CH), Mary Crawford (TR), Akira Heshiki, Andrea J. Anderly, Anthony A. Padilla, Beth A. Allen, Cheryl A. Albrecht, Diane Schwartz Sykes, Hon Richard C. Baldwin, Jeanne F. Loftis, Joshua S. Williams, Liane I. Richardson, Renee S. Moore, Vishnu N. Jetmalani, Theresa L. Wright (BC), Stella K. Manabe (BL).

Elder Law Section

Membership in the Elder Law Section continues has been steady in the last couple of years. There were 563 members as of November 17, 2006.

2006 Section Subcommittee Activities:

- Continuing Legal Education. The Section's annual CLE program was held at the Oregon Convention Center on October 6, 2006. The program entitled “The Elder Law Experience” was highly rated by registrants, as were previous CLE programs. Attendance was good. This year the program was geared toward issues for more experienced elder law attorneys. Topics included fiduciary responsibility, Uniform Trust Code drafting tips, dementia information from a medical perspective, the Deficit Reduction Act and administrative hearings and ethics.

In May, the section held its fourth UnCLE in Eugene. Based upon a format taken from the National Academy of Elder Law Attorneys, the UnCLE provides a relaxed and unstructured shared discussion format of current substantive and practice topics. Attendance increased this year, and the unCLE was profitable for the first time.

- Newsletter. The newsletter began being electronically distributed during 2005 for cost-saving purposes. The quarterly newsletter continues to provide valuable and up-to-date
articles and information for elder law attorneys. There is a paid editor, Carole Barkley. The continuing chair of the subcommittee is Prof. Leslie Harris.

- Agency and Professional Relations. The Agency and Professional Relations subcommittee continued to meet with officials from Department of Human Services to discuss pending rule changes and current issues, and to advocate for continued funding and services for medical and long-term care for seniors and the disabled.

- Computer and Technology. The Elder Law Section's list serve is very active and has become one of the most significant resources for elder law attorneys around the state. Multiple topics are posted and discussed daily. The section also maintains a website.

- Legislative. The subcommittee, ably chaired by Ryan E. Gibb, has two proposed bills that will be presented during the 2007 legislative session. The executive committee also reviewed proposed legislation from other groups for possible comments and action.

Annual Meeting

The Section Annual Meeting was held during the lunch break of the October 6, 2006 CLE program, making it convenient for program registrants to attend.

Executive Committee Retreat

The Executive Committee held a planning retreat on October 7, 2006 at the Overlook House in Portland. We pondered ways that the Section could positively impact the elder law practice as well as services to participants in the legal system and victims of elder abuse. Our goal is to have a long-term impact on the system by working with other agencies, groups and the courts to address common issues.

Budget:

Due to the electronic transmittal of the newsletter, the number of members of the Section, and good attendance at the unCLE, our revenues were more than projected, and our expenses were less, so we will have net revenue for 2006. We kept our dues at $25.

Recommendations for 2007:

The unCLE is scheduled for May 4, 2007. The annual CLE will be scheduled in October 2007, probably October 5, 2007. The Executive Committee will monitor legislation of interest to the Section throughout the 2007 legislative session. The quarterly newsletter will continue to be distributed in electronic format, and along with the Section list serve, the Section facilitates invaluable information-sharing among its members. The Section will form new subcommittees to address issues that elder law practitioners face around the state.

Respectfully submitted:

Energy, Telecommunications & Utility Law Section

Activities and accomplishments:

In April, the section co-hosted a reception with the young lawyers committee of the bar, on the topic of the kinds of careers available within the energy and telecommunications business.

In June, the section hosted a one and one-half day CLE at the Resort at the Mountain. The CLE covered topics such as renewable energy technology development, emerging state laws regarding renewable portfolio standards, key regulatory updates since the 2005 Energy Policy Act, liquefied natural gas development in the region, ethics and integrity in government service, and telecommunications law updates. The conference was attended by about 35 people.

In September, the section voted to increase its annual dues to $25 and discussed smaller educational efforts rather than a large CLE for 2007. The section began work on a practice manual for regulatory practice in Oregon.
Respectfully submitted:
Susan L. Ackerman (CH), Lawrence H. Reichman (CH-Elect), Edward A. Finklea (Past CH), James Richard George (TR), Ann L. Fisher (SEC), Chad M. Stokes, Christina M. Hayes, David F. White, Melinda J. Davison, Stephen C. Hall, Gerry Gaydos (BC), Cheryl L. McCord (BL).

Environmental & Natural Resources Section

Activities and accomplishments:
The Executive Committee published one hardcopy edition of its OUTLOOK newsletter this year.

We sponsored three interesting afternoon CLEs on a range of subjects: “Oregon Aspects & Implications of EPA’s All Appropriate Inquiry Rule” (3/9/2006); “Who’s Contributing to Cleanups in Oregon Post-Aviall v. Cooper” (4/6/2006); and “Sustainability, Lawyers, and Justice” (5/16/2006). We also presented a half-day CLE seminar at the Hatfield Marine Science Center in Newport, Oregon. The seminar was split between two topics: first, a lecture “Update on Oregon's Oil and Gas Legislation by Barbara Seymour” and second, a viewing of a documentary film, “Common Ground - Oregon's Ocean Diversity,” followed by a panel discussion by experts in ocean science and policy.

During the year, we sent an E-OUTLOOK internet mailing to section members, which analyzed two recent state court decisions addressing environmental insurance issues.

Finally, we completed a two-year project that involved writing and editing a supplement to the Environmental and Natural Resources Law Desk Book. The Oregon State Bar published the supplement in late November 2006.

Budget:
The Section's ending balance for 2006 was $8,193. The Section had budgeted to spend $11,250 in 2006, but only spent $6,161 primarily because we did not publish as many newsletters as we originally anticipated. Much of that budget carryover will go towards financing newsletter publications in 2007 that are nearing completion. Having a positive end-of-year balance will also mean that we can continue to organize CLEs at a lower cost to the membership.

Recommendations for 2007:
The Executive Committee has plans to publish OUTLOOK newsletters in early 2007 on the topics of Environmental Justice, Pesticides, and Supplemental Environmental Projects. We anticipate the Section will also present several lunchtime seminars on environmental topics of interest, such as “Who Owns Our Rivers,” and “New Developments in Citizen Suits.”

Respectfully submitted:
Donald H. Pyle (CH), Renee Moulun (CH-Elect), Kristen Tsehai Bonanno (Past CH), William Sherlock (TR), Diane Henkels (SEC), Anita MA Winkler, David Ashton, Donald B. Potter, James D. Williams, Jas Jeffrey Adams, Kenneth P. Dobson, Laura Maffei, Leslie A. Carlough, Peggy Hennessy, Steven L. Shropshire, S Ward Greene (BC), Scott A. Morrill (BL).

Estate Planning and Administration Section

Activities and accomplishments:
In 2006 the section had 1,065 members. The Executive Committee held the sections annual meeting November 3, 2006 at the Oregon Convention center.

CLE Programs
June 9, 2006: Cosponsored with the Oregon State Bar, “Hot Topics in Estate Planning” at the Oregon Convention Center. This CLE provided 3.5 general CLE credits.
November 3, 2006: Cosponsored with the Oregon State Bar, “Planning the Basic Estate” at the Oregon Convention Center. This CLE provided 5.75 general CLE credits and 1 ethics credit.

Newsletters
In 2006, the Section published four newsletters

January 2006 issue included the following articles:
Measure 37: An Important Consideration for All Owners of Real Property; New IRS Revenue Procedure Regarding Charitable Remainder Trusts Could Adversely Affect Your Clients; and When the Fiduciary Wears two Hats, To Whom Does One Account?
April 2006 issue included the following articles: Want Higher Ed? Better Plan Ahead;
Less than the Kitchen Sink: Planning with an Eye to a Possible Dissolution of a Beneficiary’s Marriage; Anatomical Gift Changes; Should Oregon Permit Beneficiary Deeds; Busch v. Farmington Centers Beaverton: It’s Not settled Until the Court Says It's Settled; and Judgments and Orders in Probate Court.

July 2006 issue included the following articles: In re Dobyns Revoking the “Irrevocable”; Drafting for the Oregon Uniform Trust Code; and Creditor Claims and the Oregon Uniform Trust Code.

October 2006 issue included the following articles: Oregon Special Marital Property Election Replaces Oregon QTIP; Portland and Multnomah County Business Taxes: “Doing Business as FLPs. Trusts and Estates; and Practice Tip: Oregon Inheritance Tax for Residents of Other States.

In 2006, complimentary copies of Willamette Law Review’s “Oregon Uniform Trust Code and Comments” provided.

The Section provided complimentary copies, at the expense of the Section, of Willamette Law Review Oregon Uniform Trust Code and Comments, Special Issue, Volume 42, Number 2, Spring 2006 to all members of the Estate Planning and Administration Section.

Respectfully submitted:

Family Law Section

Activities and accomplishments:

The Family Law Section continues to be active and successful. Section membership has increased to just over 1,000 members.

The Section successfully conducted its annual three day Annual Meeting and CLE Conference at Salishan by presenting 11.5 hours of high quality CLE to nearly 400 participants. The program included an opportunity for participants to get Elimination of Bias and Child Abuse Reporting credits as well.

The Section Listserv is increasingly active and continues to be a forum through which members can get practice advice on many topics. The Family Law Forum, the section Website, and the section Newsletter continue to be useful practice aids to section members. The new section newsletter editor has taken the newsletter to a new level of excellence, and is working to implement a plan for alternative delivery methods of the newsletter such as email.

Budget:

The financial position of the section remains strong, particularly with the increased membership. The small profits from the annual CLE program augment the resources for producing the newsletter.

Legislative issues:

The standing committee on legislation continued its work on getting the section to be proactive in addressing legislative issues for the section. For the first time in many years the section submitted to the BOG legislation it wanted to include in the Bar-sponsored bills.

Additional comments:

The Executive Committee continued with its practice of bi-monthly meetings with two face-to-face meetings, one occurring in Salem and the other at the Salishan conference. These provided an opportunity for those members in all areas of the state to come together and meet personally, socialize, and conduct section business.
Respectfully Submitted: Jeffrey F. Renshaw (CH), Mary Lois Wagner (CH-Elect), Ronald Allen Johnston (Past CH), Gordon L. Dick (TR), John H. Case (SEC), Carl R. Stecker, David E. Hull, Elizabeth A. Trainor, Gwenen Burgess-Thompson, Marcia Buckley, Melissa P. Lande, Michael J. Bandonis, Michele Grable, Robert C. McCann Jr, David G. Gannett (ADV), Albert A. Menashe (BC), Susan Evans Grabe (BL).

Government Law Section

Activities and accomplishments:

The Government Law Section had another successful year supporting those who practice government law. As of July 2006, we have 430 members. The Section held its full-day CLE in February at the Inn at Spanish Head in Lincoln City. It was very well attended. Topics included municipal water law, electronic public records in light of the Nike-Beaverton dispute, condemnation after Kelo, and a presentation by the Department of Justice on the Oregon Law Commission’s work on public employee ethics laws.

The Executive Committee has continued its outreach efforts by holding its May meeting in Eugene and scheduling the Fall CLE and Executive Committee Meeting in Salem. The CLE is entitled Elections Today: Initiative, Referendum, Recall and Ethics. It is followed by a social with Chief Justice DeMuniz as our special guest and an informal discussion on the future of the judiciary. Special efforts have been made to encourage circuit court judges to attend.

The section no longer publishes a hard-copy newsletter. It uses an e-mail communication system to provide more timely notice of important recent developments on government law issues, such as pending legislation and important court decisions.

The section’s website has been updated. (www.osbgovlaw.homestead.com) It provides links to sample contract forms and other useful information for government law practitioners. The executive committee takes on special projects from time to time.

Budget:

The section was a major contributor ($5000 over 3 years) to the International Municipal Lawyers Association 2006 national conference in Portland. It continues to contribute to the Campaign for Equal Justice and other groups, including for minority outreach.

Annual dues have been $10.00 for many years - one of the lowest section rates. The State Bar has proposed a $1.25/member increase in its administrative support charge. At its September 22, meeting the Executive Committee may adopt an increase for consideration by the membership at the annual meeting.

Respectfully submitted:

Health Law Section

Activities and accomplishments:

For 2006, the Health Law Section had 275 members, up 19 members from 2005. The Executive Committee met the third Thursday of every other month at the Oregon State Bar offices. The Section annual meeting was held October 19, 2006 at the Ecotrust building in Portland.

The primary Section activities for 2006 were:

- CLE Programs. In 2006, the Section sponsored the following programs:
  - October 19: 2006 Medicaid Update (3.5 CLEs)
  - September 22: “HIPAA - What Every Litigator Needs to Know,” (1 CLE)
  - December 1: co-sponsored OHLA annual CLE event.

- Newsletter. In 2006, the Section published one issue of its Newsletter in the Fall. Articles included Sereboff v. Mid Atlantic Medical Services, Inc. (ERISA); Medicaid 101, Navigating the Labyrinth; Medicare Prescription Drug Plan (Medicare Part D); Coded and Anonymous Genetics Research; and

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Indian Law Section

Activities and accomplishments:

The section's greatest accomplishment of 2006 was putting on a daylong CLE (co-sponsored by the OSB) entitled “Solutions for the Generations.” The section also co-sponsored another CLE with the Center for Water Advocacy, and published two issues of our section newsletter, The Arrow's Edge. In addition, the executive committee conducted an online poll of the section membership. The section also submitted to the bar's Public Affairs and Legislation Office three proposals for legislative improvement.

Solutions for the Generations

This CLE was held on October 20 at the World Forestry Center. It was planned and organized by a subcommittee of the executive committee consisting of Jennifer Amiott, Lisa Bluelake, Deneen Aubertin Keller and Naomi Stacy. The OSB CLE Seminars Office provided expert support to this effort. The CLE included panels on tribal courts, on-reservation methamphetamine issues, the American Indian Probate Reform Act, jurisdictional conflicts and solutions, cigarette and gas tax agreements, off-reservation gaming, and a legislative update. The CLE got high ratings from the approximately 80 people who attended.

The section conducted its annual meeting at the CLE, following the luncheon speaker and before the afternoon presentations.

As we have the past two years, the section co-sponsored the "Third Annual Northwest Tribal Water Rights Conference" with the Center for Tribal Water Advocacy. This CLE was held on October 26 and 27 at the University of Oregon School of Law.

The Arrow's Edge

The section also produced two issues of our newsletter, edited by section member Starla Roels. The March issue contained articles on the American Indian Probate Reform Act, the Doctrine of Discovery and its relationship to the Lewis and Clark expedition, and Indian programs in the latest federal Transportation Act (SAFETEA-LU). The November issue contained a review of Professor Robert Miller's new book on Lewis and Clark and the Doctrine of Discovery, a pair of articles on the role of Indian tribes in western water crises, and a review of professor Charles Wilkinson's book on the rise of modern Indian nations.

Legislative issues:

In response to the request by the bar for proposals for “law improvement” amendments to Oregon statutes, the section submitted three proposed sets of legislative amendments. All three were aimed at modifying state law to give the same degree of recognition to the public documents of Indian tribes as is given to those of other governments. The one proposal would amend the Oregon Evidence Code to allow judicial notice of the law of tribal governments (ORS 40.090). Another would amend the Evidence Code to allow tribal government documents to qualify for various exceptions to the hearsay rule (ORS 40.406). The final proposal would amend the Uniform Law of Notarial Acts to recognize documents notarized by tribal government officials (ORS 194.505 to 194.595). The bar's Legislation Office accepted all three amendments and will submit them to the Oregon Legislative Assembly in January.

Budget:

As of the end of November, the section's membership had dropped off slightly from the year-end totals from the past two years. Membership was 164 people, as compared to 172 people at the end of 2005 and 174 people at the end of 2004. The section's already significant budget surplus grew this year, as income from our main CLE exceeded the costs.

Recommendations for 2007:

In the early part of next year, the section will be expected to present testimony in support of its legislative proposals. It is anticipated that the person who will then be the Immediate Past Chair,
Christopher Burford, will take the lead on this. In addition, the executive committee has discussed the possibility of having several small meetings at the state's law schools, to meet with Indian law students and discuss the profession. We also anticipate publishing two more issues of The Arrow's Edge. The executive committee will use the results of the section survey conducted in 2006 to develop new activities. Moreover, as next year’s Executive Committee will contain several people new to the committee, it is likely that they will have new ideas for other new activities as well.

Additional comments:

In the spring the executive committee prepared and circulated an online survey of the section membership for the purpose of learning more about the membership and how to better serve it. The committee received 57 responses, which it will use for planning section activities in 2007.

Respectfully submitted:
Christopher Linton Burford (CH), Melissa Masat Robertson (CH-Elect), Deneen Aubertin Keller (Past CH), John M. Schultz (TR), Naomi Stacy (SEC), David D. Shaw, Douglas C. MacCourt, Harold S. Shepherd, Jennifer A. Amiott, Lee Kevin Shannon, Lisa Jean Bluelake, Starla K. Roels, Carol DeHaven Skerjanec (BC), Peggy Miller (BL).

Intellectual Property Section

Activities and accomplishments:

On the communications front, Lewis & Clark Law School students continued to do an outstanding job of editing and publishing the Intellectual Property Section newsletter, for which the Section is ever grateful. The Section made major improvements to its website in 2006. The Section engaged a developer to make improvements and handle ongoing site maintenance. Job postings and CLE listings were added to the site.

The Section organized and co-sponsored several CLEs in 2007, including the following:

- The Section Annual Meeting featured guest speaker Prof. Eric Goldman
- An overnight CLE organized and sponsored entirely by the Section took place in Bend in February 2007
- Co-sponsored CLE with the Antitrust Section
- Co-sponsored CLE, “The Unique Features of Patent Prosecution in China”

The Section continued its support of intellectual property law students and the law schools as follows:

- Sent representatives to Lewis & Clark Law School legal specialties lunch
- Participated in “IPA” mixer with intellectual property Attorneys and students at Lewis & Clark Law School
- Sponsored and participated in intellectual property panel and reception at Willamette University Law School

The Section organized a no-host Happy Hour social in downtown Portland, which was quite well-attended and received.

Recommendations for 2007:

Building on the success of last year’s Section website efforts, the Section plans to continue developing its site to be an ever-greater resource and clearinghouse for practitioners and others. Outreach continues to be a significant focus, including continued outreach beyond the Portland metro area, as well as expanded outreach to nonlawyers. The Section will continue developing greater social networking opportunities for intellectual property practitioners and students, such as the happy hour social.

The Section organized the February 2007 CLE in Bend to see whether an intellectual property CLE outside the Portland metropolitan area could be successful. Attendees deemed the event a great success and worth repeating. At the same time, the Section recognizes that an increasing number of intellectual property-related CLE events are put on by different organizations. Rather than adding more competing events, the Section is interested in organizing fewer but perhaps more ambitious or targeted CLE’s in the future,
while expanding its overall CLE coordination, cosponsorship and outreach efforts.

Respectfully submitted:
Anne W. Glazer (CH), Gregory A. Zafiris (CH-Elect), Craig Rogers (Past CH), B Anna McCoy (TR), Christopher J. Lewis (SEC), Ambyr M. O’Donnell, Bartley F. Day, Britt Bachtel Browning, Carol A. Busby, Daniel P. Larsen, James A. Hilsenteger, Joseph S. Miller, Karen Wetherell Davis, Michael Heilbronner, Michelle C. Craig, Paul L. Havel, Thomas L. Evans, Jonathan P. Hill (BC), Mark Saltveit (BL).

International Law Section

The International Law Section was formed with the intent of fostering the study of international law among the members of the Oregon State Bar and educating and assisting the public at large with international legal matters. The ILS members engage in the practice of private international law, international alternative dispute resolution, international commercial transactions, immigration law, international litigation, and a wide variety of associated fields.

Activities and accomplishments:

Membership has remained reasonably stable over the last few years. As of December, membership is 120.

Because attendance was low at luncheon CLEs during 2005, the Section decided not to offer luncheon CLEs in 2006. Instead the Section planned to present two half-day CLEs with other sections. ILS coordinated with the Computer and Internet Law Section and the Intellectual Property Section. However, because of scheduling and speaker conflicts, the joint CLEs could not be offered in 2006.

The ILS website was completely redesigned and upgraded. The result is a very user-friendly site that includes updated contact information, articles on international law, and links to other international law resources. The cost of the complete upgrade was quite reasonable at a budget of $900. The website includes updated contact information, articles on international law, and links to other international law resources.

This year the members of the Executive Committee published two articles on the ILS website, an article about recent changes in China's law for access of foreign business and an article on international accounting firm liability.

Budget:

The Section is financially sound, with a projected year-end fund balance of $6,500. Revenues for 2006 were approximately $3,000 and expenses were approximately $3,646. The budget for 2007 projects revenues of $4,000 and expenses of $5,780, with a year-end fund balance net of $4,774.

Recommendations for 2007:

- Review of CLE program
- Survey members regarding CLE preferences
- Use of computer and phone conferencing for CLE programs
- Continue publishing articles on the website

Respectfully submitted:

Juvenile Law Section

In 2006 the section had 255 members. The Executive Committee met the third Saturday of most months at the OSB Offices. The annual meeting was held on October 28, 2006.

Activities and accomplishments:

- CLE Program

On January 27, 2006, the section co-sponsored a CLE with the Oregon State Bar titled “Everything You Always Wanted to Know about Juvenile Law, But Were Afraid to Ask.” The seminar occurred at the World Forestry Center in Portland, Oregon and provided 6.75 general credits. The program featured a presentation on psychotropic medication issues, third-party rights, legislation and case law updates, and an overview
of adoption. The Executive Committee awarded four scholarships to members to attend the CLE. The Section has also partnered with the Juvenile Law Training Academy to improve the quality of attorney representation in juvenile court cases.

- Tracking Legislation and Events Impacting Juvenile Law Practitioners

The Section's legislative liaisons have reported on proposed legislation and monitored progress of the bills. Executive Committee members have also participated in the Attorney General's Child Welfare Advisory Committee and the House of Delegates Public Defense Task Force to provide information to the section.

- Recognition for Exemplary Juvenile Court Practitioners

The Section made a donation in the memory of Judge Stephen Herrell to the National Council of Juvenile and Family Law Judges. This was done to honor Judge Herrell's work on the Family Violence Coordinating Council and to establish the CASA program in Oregon. The section also joined the sponsorship of the retirement reception for Judge Elizabeth Welch, which is to be held on December 14, 2006. Judge Welch has been the Presiding Family Law Judge in Multnomah County since 1993. She has mentored many juvenile court judges and attorneys throughout her career.

Respectfully submitted:
Kristy Kay Barrett (CH), Emily S. Cohen (CH-Elect), Douglas P. Killian (TR), Hon Kirsten E. Thompson (SEC), Angela Sherbo, Cara J. Smith, Cathy M. Ouellette, Christina L. McMahen, Christine Kantas Herbert, Ingrid Swenson, Janie M. Burcart, Karen Rose McClintock, Katherine B. Lieber, Leslie J. Harris, Robin J. Wright, Victoria Short Baum (ADV), Jonathan P. Hill (BC), Cynthia L. Easterday (BL).

Labor and Employment Section

Activities and accomplishments:

The Labor and Employment Section maintains a membership of 801 members as of November 30, 2006. Attorneys who passed the Oregon State Bar during 2006 were invited to join the section at no cost for the 2006 membership year.

The section continued its practice of sponsoring “Breakfast Briefing” seminars in Portland. Programs were held on December 12 concerning the topic “An Enforceable Non-Competition Agreement: An Oxymoron?” with speaker Amy Joseph Pedersen and on October 2 on the topic “The medical marijuana card - Terminate or Accommodate?” with speaker and Lynda J. Hartzell.

On November 2, 2006 the section held its annual meeting and CLE program in Portland.

Speakers and topics covered were as follows: Dan Norris spoke on the Persuasive Techniques. Rick Liebman gave what has become his annual Employment Law Update, Richard Ahern from the National Labor Relations Board spoke on current NLRB topics, Brad Tellam hosted a panel with Allyson Krueger and Scott Hunt on ethical concerns in employment law, Michael Moffitt hosted a panel with Dan Skerritt and Susan Leeson on ADR issues, and later Brad Tellum hosted a panel with Michael Tedesco and Amy Alpern on ethical issues in labor law. The program was very well received and approximately 70 persons registered for the program.

On December 5, 2006 the section conducted a program regarding the Fair Labor Standards Act and the Family Medical Leave Acts in Portland. This program was attended by 51 persons.

The section was instrumental in adding labor relations resources to the Casemaker research tool that is available to members of the bar. As a result of the efforts of the section, labor arbitrations in the public sector are being added to the Casemaker web site.

Additional comments:

Craig Armstrong will become the section chair on January 1, 2007. Newly elected officers are:
Chair: Craig R. Armstrong  
Chair-Elect: Giles Gibson  
Past-Chair: Michael J. Tedesco  
Treasurer: Allyson S. Krueger  
Secretary: Karin Louise Guenther

New Members-At-Large  
(Two-Year Terms Ending 12/31/08)  
- Alice L. Dale  
- Thomas K. Doyle  
- Henry H. Drummonds  
- Stephanie M. Harper  
- Noreen K. McGraw

Continuing Members-At-Large  
(Terms Ending 12/31/07)  
- Adam D. Morrison  
- Vickie Cowan

Recommendations for 2007:

The section has decided that 2007 should accomplish two things. First, it should maintain the section's commitment to having a significant CLE relating to law practice management. Second, the newsletter has suffered from not having a dedicated editor. This problem is apparently not unique to the LPM, however, and other organizations have (anecdotally) indicated issues with obtaining editors for their newsletters. LPM executive committee decided that it would be more efficient to have a section website that is more comprehensive than the existing website. The new website would be set up to have a web log so that articles could be posted on an ongoing basis rather than having a quarterly newsletter. The creation of this site will be a significant priority for the section in the coming year.

Respectfully Submitted:  
- David L. Carlson (CH), Dawnne L. Linenbrink (CH-Elect), M David Daniel (Past CH), Craig K. Edwards (TR), Carol Decker (SEC), Daniel A. Hill, Dawna Mason, Dee Crocker, Jay Richardson, Mary Patricia Sauer, Robert D. Butler, John A. Enbom (BC), Margaret Robinson (BL).

Law Practice Management

Activities and accomplishments:

During the year the Section focused on having a significant CLE on Law Practice Management. This was accomplished in September 2006 when the section hosted world renowned practice management speaker Gerry Riskin. The attendees were highly involved in an interactive CLE with Mr. Riskin and the CLE was universally praised as being one of the best CLE’s that the attendee’s had been to in a long time.

Section membership has increased from last year (at 171) to 222. This is better than the goal set by the section to increase membership.

Budget:

The section has not budgeted for an increase in the budget for this upcoming year and expects its budget to be nearly identical to the 2006 budget.

Respectfully submitted:  
- Michael J. Tedesco (CH), Craig R. Armstrong (CH-Elect), Nancy Elizabeth Brown (Past CH), Karin Louise Guenther (TR), Giles Gibson (SEC), Adam D. Morrison, Allyson S. Krueger, David A. Snyder, Michael Holland, Scott N. Hunt, Susan M. Hammer, Vickie Stilley-Cowan, Timothy C. Gerking (BC), Christine Kennedy (BL).

Litigation Section

Activities and accomplishments:

The litigation Section remains the largest section of the Oregon State Bar. It is comprised of attorneys practicing in diverse areas of litigation, ranging from civil to criminal, plaintiff to defense, personal injury to commercial, consumer to business, and real estate to family litigation. General activities include publication of the Litigation Journal, sponsorship of the annual Litigation Institute and Retreat and the biennial Fundamentals of Oregon Civil Trial Procedure CLE, frequent sponsorship of speakers at other CLE events, maintenance of a section web site, and promotion of communication, camaraderie, and professionalism within the bench and bar. Specific activities in the past year have included:

- Publication of three issues of the Litigation Journal;
- Sponsorship and presentation of the 13 Annual Litigation Institute and Retreat at Skamania.
Lodge on March 10 and 11, 2006 (including the award of four scholarships);

- Planning and preparation for the 13 Annual Litigation Institute and Retreat to be held at Skamania Lodge on March 2 and 3, 2007.
- Initial planning for the 14 Annual Litigation Institute and Retreat in 2008.
- Administering and awarding the annual Owen M. Panner Professionalism Award;
- Planning, preparation, and presentation of the Fundamentals of Oregon Civil Trial Procedure CLE held October 2007 (a practical skills CLE);
- Providing support for an OSB CLE program on evidence topics;
- Support of pro bono support activities, such as the Campaign for Equal Justice;
- Participation in the OSB’s Casemaker Evaluation Group;
- Appointment of a liaison to the Civil Law Advisory Committee; and
- Creating, expanding, and maintaining the section’s web page.
- Providing links for other sections through the web page.

Respectfully submitted:
Marc A. Spence (CH), Nancie K. Potter (CH-Elect), Raymond D. Crutchley (TR), John A. Berge (SEC), Benjamin M. Bloom, Judy Danelle Snyder, Kathryn P. Salyer, Lindsey H. Hughes, Michael R. Mahony, Sarah Rhoads Troutt, Simeon D. Rapoport, Stephen K. Bushong, Tracy A. Prall, W Eugene Hallman, Linda K. Eyerman (BC), Karen D. Lee (BL).

Products Liability Section

Activities and accomplishments:
This is a small section with about 175 members. The Executive Committee held twelve meetings during 2006. Meetings were held at noon on the third Tuesday of every month in the conference rooms at the law offices of Lindsay, Hart, Neil and Weigler.

The primary activities of the Products Liability Section in 2006 were:

- Annual CLE Program
  The Products Liability Section continued its tradition of presenting high-quality CLE programs, focusing on topics of particular interest to Section members. The 2006 program was entitled “Dealing with Experts: Offering and Challenging Scientific and Technical Experts.” The CLE was held on November 10, 2006 at the Governor Hotel in downtown Portland and was preceded by a catered Section meeting.

- Products Liability Newsletter
  In 2006, the Section published three issues of the Products Liability Newsletter. The issues had an average length of 21 pages, a professionally designed logo, and professional typesetting and printing.

- Products Liability Section Essay Contest
  The Section is sponsoring an essay contest at the three Oregon law schools. Contestants must submit an essay not to exceed fifteen pages addressing the topic: “What should be the role of the products liability law in regulating the manufacture and/or sale of obviously dangerous albeit traditional consumer products such as alcohol, tobacco and fatty foods?” Prizes will be awarded for first through third place finishers.

Budget:
Section membership and revenues remained stable. The Section accumulated a surplus over the prior three years. This surplus will be used as prize money for the essay contest in 2007. Section revenues came from members' dues and the annual CLE.
Recommendations for 2007:

The anticipated primary activities of the Section in 2007 will be the annual meeting and CLE, publication of the newsletter, the essay contest, and updating and maintaining the Products Liability Committee website.

Respectfully submitted:

Real Estate and Land Use Section

Activities and accomplishments:

2006 was a typically busy year for RELU. During the course of the year, RELU's Executive Committee created and coordinated subcommittees that met regularly to address matters of importance to the Section.

Education of our members continues to be the primary goal of the section. The RELU section held its annual 2-day annual conference/seminar in August and a day-long, OSB co-sponsored real estate CLE in October (thanks mainly to the work of the Section's Annual Meeting and CLE subcommittees), as well as several luncheon seminars (thanks mainly to the work of the Portland Luncheon subcommittee).

The Section's flagship Digest was published electronically for the entire year. The Section continues to work on ways to make the transition to electronic publication convenient and useful, as the Digest is a treasured resource for Section members. Kathryn Beaumont remains at the helm as Digest editor.

The Section's nominating subcommittee met electronically and recommended a slate of candidates for next year based on the Section's nominating committee guidelines; the slate was unanimously confirmed by the Executive Committee and approved by the membership at the annual meeting in August.

The Executive Committee met 10 times during the course of the year. Two of those meetings were held outside the Portland metro area. One was held in Ashland, the other in Tillamook. The annual meeting was in Salishan, and the October CLE was in downtown Portland. A quorum was present for every meeting, with some members attending by phone and others in person.

Budget:

2006 revenue and expenditures were generally within budget (with the notable exception being higher than budgeted revenue from the annual meeting); the Section's cash carryover from 2006 into 2007 is expected to more than budgeted but is a reasonable amount given the size of the Section's annual budget. The 2007 budget is similar to the 2006 budget, with adjustments in the revenue and expense anticipated for the 2007 annual meeting (since annual meeting alternates every year between an inland location and the coast, with next year's inland meeting expected to both generate less revenue and cost less than a meeting at the coast).
Recommendations for 2007:

In the year to come, the Section intends to continue producing up to 6 Digest issues; to have an annual meeting (in 2007 it will be at the new conference center at the RiverHouse in Bend); to have an October CLE; to host luncheon CLEs in Portland; to monitor and report on legislation proposed in the 2007 legislature; to enhance and upgrade our website; to continue to provide the listserv for our members; and to continue the long-range planning and member outreach/development efforts initiated in 2006.

Respectfully submitted:

Activities and accomplishments:
The Securities Regulation Section held monthly luncheons in Portland at the Governor Hotel with continuing legal education and other speakers of interest to its members. A list of the monthly lunch speakers and the dates and subjects of their presentations held to date follows:

- Jan. 18, 2006: A Round-Table Discussion of How Federal Securities Law Reforms Have Affected Corporate Executives and Shareholders - The Positive and the Negative
  Lois Rosenbaum of Stoel Rives and Gary Grenley of Grenley, Rotenberg, Evans, Bragg & Bodie, P.C.

  Danielle Benderly of Perkins Coie LLP

- April 19, 2006: Revisiting Securities Fraud Investigations By the Government: Lessons Learned From The Stringer Case
  Ronald H. Hoevet of Hoevet Boise & Olson, P.C.

  Kevin Anselm, Chief of Enforcement Division of Finance and Corporate Securities

- June 21, 2006: How Portland Attorneys Can Help Address the Issues Facing the City
  Will Glasgow of Perkins Coie LLP

- Aug. 16, 2006: Arbitrating Securities Claims
  Richard “Mike” Layne

- Sept. 20, 2006: Divining Attorney Fees in Derivative Cases - Closing the Books on Willamette Industries in the Oregon Supreme Court
  Scott A. Schorr and John F. Neupert

- Oct. 19, 2006: Working at the SEC and Beyond Annual Mtg. Meyer (Mike) Eisenberg, Giovanni Prezioso and David Becker former Deputy General Counsel at the SEC

- Nov. 15, 2006: What’s a Horny Book? And Other Tales From Siberia
  William F. “Rick” Martson, Jr. of Tonkon Torp LLP

In addition, the section's annual meeting was held on October 19, 2006. As indicated in the table above, Meyer (Mike) Eisenberg, Giovanni Prezioso and David Becker spoke to the group about their experiences working at the SEC. Mssrs. Prezioso and Becker are each a former General Counsel at the SEC, while Mr. Eisenberg served at the SEC as Deputy General Counsel and in other positions.

Finally, the Section co-sponsored and participated in the Northwest Securities Institute, which was held in Seattle in February of 2006.

Budget:
The Section continues to enjoy a positive financial situation. The Section has a projected surplus in excess of $6,800 which it has maintained for several years, and the cash flow from membership fees and other revenue sources is sufficient or nearly sufficient to cover the expenses relating to luncheons and the section's other activities. For 2007, the section has budgeted a surplus of a few hundred dollars.

In 2006, the section awarded a $500 scholarship to a top student at each of Oregon's three law schools who chosen by the professor who teaches securities
regulation at each school. The Section also contributed $500 to the Campaign for Equal Justice.

**Recommendations for 2007:**

In 2007, the Section expects to continue its monthly luncheons, its scholarships and its sponsorship of and participation in the Northwest Securities Institute.

Respectfully submitted:

**Taxation Section**

The Executive Committee meets four times a year. The membership is fairly stable at around 450 members thus creating the stable revenue base. The Section is financially healthy and anticipates using funds to increase the quality of CLE by bringing in speakers from out of town for the Tax Institute and an occasional luncheon program as a benefit to members. In addition, funds have been authorized for the improvement and maintenance of the Section's web site. This report provides more details on the Section's activities and goals.

**Activities and accomplishments:**

Luncheon Series: Tax luncheons are held in both Portland and Salem for local practitioners. The Portland series included sessions throughout the entire year. Salem had six lunches through date of this writing and plans another prior to the end of the calendar year. Both lunches make a some profit, but the primary focus is education of members.

Annual Oregon Tax Institute: The Section held the 6th annual Tax Institute, and was able to make a profit again this year. Our marks for the seminar were very high. The preliminary plan for the 2007 Tax Institute includes some changes. The Committee wanted a day and a half conference on a Thursday-Friday. However, forums were not available for those dates. As such the OTI subcommittee has tentatively scheduled a one day conference with three well known high quality speakers. The Committee will follow up a contact received from the Washington State Tax Section and a possible interest in co-sponsoring the Tax Institute in the future. The Committee is planning for the 2007 Tax Institute to be held in May.

Broad Brush Taxation Seminar. The Broad Brush Taxation Seminar which is held every other year was held in October 2005. The Seminar is aimed at those Bar members who are not tax experts. The next Broad Brush seminar is scheduled to be held in the fall of 2007.

Web Site. The Committee has recently authorized Spotted Horse Software to redesign and administer the Tax Section web site in the future. Spotted Horse does work for other sections of the Oregon Bar. The change will enhance the usefulness of the web site. It will also allow the newsletter to go electronic thus saving the cost of printing and mailing. The new web site hosting will allow posting of the newsletter but password restrict access to members.

Newsletter: The section continued to produce a newsletter to our members, with articles of interest to Tax Section members. A Newsletter subcommittee meets via teleconference about once a month. Two newsletter have been drafted this year for mailing. The next Newsletter is likely to be complete in January of 2007. The Committee expects to issue either 3 or 4 newsletters in 2007. In addition, it is projected that the newsletter will be electronic in 2007 as mentioned above in the web site paragraph. The access to the newsletter will likely be restricted to Tax Section members via a password.

Tax Section ListServ: The Committee authorized the Tax Section ListServ in 2006. The activity has begun fairly light but with the addition of a newly designed Web Site and encouragement to use the ListServ, the Committee is hopeful that it will gain momentum in 2007.

IRS Practitioner’s Forum. The Committee participates in the IRS Practitioner’s Forum held annually. Some of the funds that have accumulated in the past from the Forum were used for scholarships for tax law students to the conference this year. The Committee plans on continuing this practice and participating in this Forum.
Legislative issues:

The Tax Section proposed reviews legislation and discusses possible proposals. None have been proposed for the near future. The Legislative subcommittee meets periodically with heads of the Department of Revenue to discuss ongoing tax issues and keep open lines of communication. The Department forwards proposed administrative rule changes to the subcommittee which are then forwarded to executive committee members for review and comment. The Committee has had success in communicating comments and issues concerning proposed rule changes. This fall has seen additional proposed rule changes that the Committee is currently reviewing.

Respectfully submitted:
C Jeffrey Abbott (CH), Marc K. Sellers (CH-Elect), Karey A. Schoenfeld (Past CH), Katherine O. VanZanten (TR), Mark L. Huglin (SEC), Barbara J. Smith, David C. Streicher, Ian I. Richardson, Jeffrey S. Tarr, Larry Joseph Brant, Neil D. Kimmelfield, Philip N. Jones, Robert T. Manicke, Thomas J. Sayeg, Valerie Sasaki, Mark B. Comstock (BC), Karen D. Lee (BL).

Workers Compensation Section

Activities and accomplishments:

Monthly Section Executive Committee meetings were held, with the exception of July, and September, 2005 due to a lack of a quorum. Minutes of each meeting have been submitted to the Oregon State Bar in accordance with the Section Bylaws. The Minutes were taken by Holly J. Somers, Secretary, and can be accessed on the Section's Website.

The Section's 24th Annual Meeting was held on May 19, 2006 at the Salishan Lodge at Glenden Beach, Oregon. The meeting is coupled with a two-day CLE, which was held on May 19-20, 2006. This CLE was, as usual, very well-attended by both sides of the bar, judges and Board members. The CLE was approved for 8.5 MCLE credits. The program included one elimination of bias credit and one ethics credit. The program included various legal and medical speakers covering topics relevant to practitioners on both sides of the Bar.

The Section also sponsored a Bench/Bar Ethics CLE on November 17, 2006. The CLE was held at the Willamette Valley Vineyards in Salem, Oregon. The conference covered three hours of discussion regarding ethics as it relates to the practice of workers' compensation law. The seminar was once again very well attended and was approved for 3.00 ethics credits. This seminar, which included lunch, was provided free of charge to members.

The section membership elected officers and executive committee members for 2007 at the 2006 Annual Meeting held at Salishan Lodge. Terms of office for these members start January 1, 2007:

Officers for 2007:
Linh Vu, Chair
Holly Somers, ALJ, Chair-Elect
Matthew Roy, Secretary
Meg Carman, Treasurer
Martin Alvey, Past Chair

Committee Members for 2007:
Geoffrey Wren, ALJ
Dean Lederer
Marcos Thesing
Jennifer Roumell
Arthur Stevens, III
Chuck Mundorff
ALJ Jill Reichers
Julie Masters
Matthew Fisher
Rob Guarassi
Mustafa Kasubhai, WCB Member

Recommendations for 2007:

The Executive Committee will continue with monthly meetings held in accordance with the Section Bylaws.

The standing committees will continue to meet on an as needed basis to function with the following general goals:

- Legislative:
  Monitor proposed and potential legislation; give advice to the committee regarding the advisability of proposed legislation, and review current workers' compensation laws to keep the committee apprised of new developments.
• Rules:
Monitor proposed and potential rules under the Board and Department; advise the committee regarding the advisability of proposed rules; and review the current rules of the Board and the Department in consideration of suggestions for the improvement of current rules.

• Professionalism:
Advance the interests of section members by sponsoring seminars and programs dealing with professionalism and ethics; consider means by which the Section can improve relations between the membership and those providing services to injured workers and employers, clients and members of the public. The goal for 2007 is to put on at least one Bench/Bar ethics CLE at Willamette Valley Vineyards.

• Race/Ethnic:
Identify means by which the Section can facilitate the use of the workers' compensation forum by practitioners and members of the public; Educate lawyers, judges and those providing services to injured workers and employers regarding the potential impact of cultural differences upon use of the workers' compensation system.

• Salishan/CLE:
Plan and coordinate the annual section business meeting and CLE. The section voted to hold the 2007 annual meeting/CLE at Salishan Lodge. Sally Curey has agreed to chair the subcommittee and the committee already has the process of planning the 2007 event largely completed.

• Communications:
Monitor the development and production of the Section Website, the Section Newsletter, and continue efforts in getting relevant practice information to all section members. The Section thanks Julie Masters for her work in keeping the website up to date.

• Douglas Daughtry Award Committee:
This committee is made of the most recent three past section chairs and meets to make recommendations to the full committee on the merit of nominations for the award. This committee will begin meeting in January, 2007 to start accepting nominations and making recommendations to the full committee for the award, which, if given, will be presented at Section's Annual Meeting at Salishan in May, 2007.

Budget:
The 2006 Section budget was presented to the committee via e-mail as Section Treasurer, Matthew Roy could not be in attendance for the November meeting. The budget was approved by the Executive Committee membership by an e-mail vote and was submitted directly to the Board of Governor's Budget and Finance Committee for its approval.

Respectfully submitted: