

Oregon State Bar



2012 SECTION
Annual Reports

2012 Section Annual Reports

The Oregon State Bar would like to thank all Section volunteers for their service. 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 2012 Section members, thank you for your time and expertise.

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Administrative Law Section

Activities and accomplishments:

The Section regularly published its newsletter and distributed the newsletter to section members electronically.

The Section started the pilot project for the publication of agency orders on FastCase. The section published 2010 and 2011 orders from the Board of Dentistry, Physical Therapy Board, Board of Pharmacy, Medical Board and Oregon Liquor Control Commission.

The Section explored future funding partners for publication of other agency orders. Specifically the Section reached out to BOLI, the Environmental and Natural Resource Section, Labor and Industry Section, the Health Law Section and the Agricultural Law Section.

The Section prepared and submitted proposed legislation to facilitate publication of agency orders online.

The Section held a CLE entitled "Oregon Administrative Law: What's New in 2012".

The Section maintained its website.

The Section held executive committee meetings every other month and FastCase "sub-committee" meetings in every other month.

The Section held its annual business meeting

Budget:

The Section maintained a budget during 2012. The Section ended the 2012 with \$10,541.

Legislative issues:

The Section prepared and submitted proposed legislation to help facilitate the FastCase pilot project and publication of agency orders online. The Section will monitor and support the legislation in 2013. The Section will monitor the 2013 Session and analyze those bills that may affect the section's members.

Matters considered/Matters pending:

The Section's FastCase Legislation is the major issued considered in 2012 and pending for 2013.

Recommendations for 2013:

Hold executive committee meetings.

Publish and expand the Section's newsletter.

Increase membership.

Continue to seek other financial partners for the FastCase pilot project on a short term basis.

Monitor the FastCase Legislation.

Maintain the Section's website.

Consider a joint CLE with the Washington Administrative Law Section.

Hold an Annual Business Meeting .

Respectfully submitted: Courtney D. Duke (CH), James E. Mountain (CH-Elect), Dennis Koho (Past CH), William J. Boyd (TR), Sara R. Robinson-Glasser (SEC), Allan J. Arlow, Karen Ann Berkowitz, Denise G. Fjordbeck, Karla Forsythe, Janice Krem, Jeffery B. Litwak, Caroline Lobdell, Norman R. Williams, Ann L. Fisher (BC), and David W. Nebel (BL).

Alternative Dispute Resolution Section

Activities and accomplishments:

Continuing Legal Education: The ADR Section continued to focus on offering low cost/ no cost CLE's to ADR Section members. The following CLE's were hosted or co-sponsored by the ADR Section in 2012:

ADR 2012: What You Need to Know. Held on May 3, 2012 in Portland, OR.

Advanced Mediation Training. Co-sponsored with the Oregon Mediation Association on March 9, 2012.

Ethical Situations in Labor and Private Arbitrations. Conducted as part of the ADR Section annual meeting on November 6, 2012.

State of Oregon Foreclosure Mediation Program. Conducted as part of the ADR Section annual meeting on November 6, 2012.

Awards: The following awards were presented at the ADR Section annual meeting on November 6, 2012:

The Carlton B. Snow Award for Excellence in Arbitration was awarded to the Honorable Edward J. Jones.

The Sidney Lezak Award for Excellence in ADR was awarded to Jane Gordon, Director of the University of Oregon School of Law Appropriate Dispute Resolution Center and Associate Dean for Student and Program Affairs.

The Interdisciplinary Cooperation Award recognizes the efforts of ADR professionals who are not members of the Oregon State Bar, but

who work cooperatively with attorneys, judges and court administrators toward the core values held by members of the Section. The 2012 Interdisciplinary Cooperation Award was awarded to state court staff working in the mandatory arbitration and mediation programs throughout the state.

Newsletters: The ADR Section published newsletters in January, April, and September 2012.

Promoting Diversity in the ADR Field: The ADR Section worked with OSB's Director of Diversity and Inclusion to increase diversity in the membership and leadership of the ADR Section. The ADR Section provided five free ADR Section memberships and five scholarships to ADR Section CLE's to the Oregon Minority Lawyers Association (OMLA). The Executive Committee worked on increasing diversity on the committee. A subcommittee will be working on a plan to increase diversity within the section membership and further increase diversity on the Executive Committee.

Contributions and Donations: The ADR Section made contributions to the Campaign for Equal Justice, the Oregon Mediation Association and the Oregon Peacemakers Association. In addition, the ADR Section donated five free Section memberships and 5 free CLE certificates to the Oregon Minority Lawyers Association (OMLA) and provided free ADR Section memberships to new attorneys admitted to the bar in October 2012.

Legislative issues:

Senate Bill 1552 (Oregon Laws 2012 chapter 112) directed the Oregon Attorney General to establish a residential Foreclosure Avoidance Mediation Program (FAMP). The ADR Section:

Provided a representative to the Oregon Attorney General's FAMP Advisory Committee.

Provided notice to ADR Section members about the training offered by the Oregon Attorney General in the summer of 2012 for mediators interested in mediating foreclosure cases under the new FAMP program.

Published an article about the FAMP in the September 2012 ADR Section newsletter.

Conducted a CLE on the FAMP at the ADR Section annual meeting on November 6, 2012.

Respectfully submitted: Helle Rode (CH), Gail A. McEwen (CH-Elect), Lisa A. Amato (Past CH), Sharon A. Williams (Past CH), Peter R. Chamberlain (TR),

Nancy E. Hochman (SEC), Albert J. Bannon, Melinda J. Baxter, Charles E. Corrigan, Honorable Mary J. Deits, Mark A. Friel, Frank C. Gibson, Judy Shipler Henry, Nathan G. Law, O Meredith Wilson, Forrest R. Collins (ADV), Jane Gordon (ADV), Richard G. Spier (BC), Amber Autumn Hollister (BL).

Animal Law Section

Activities and accomplishments:

The section has worked all of 2012 to implement both an externship and an "independent study" in conjunction with the Center for Animal Law at Lewis & Clark Law School.

The section sponsored two externs this year and each received credit from Lewis & Clark. The externs worked on Public Outreach and Professional Outreach. The program was well received and the Committee is pursuing extending the program to the University of Oregon and Willamette law schools.

Professional Outreach is held 1 CLE in 2012 with the focus on the origins of animal law and regulations. We have recruited four student members (who have membership fees waived by the Bar at our request). We have participated in the swearing in ceremony reception for the first time this year and have a very nice postcard summarizing the benefits of section membership (see me for a copy).

The Legislative/Law Improvement group advanced through the Bar two pieces of law improvement one of which was adopted by the BOG for referral to the Legislature this session. ORS 133.033 was proposed to be amended to add a definition to the current language that expressly recognizes an animal as "property" under the statute. This clarification was thought to be sufficient to encourage law enforcement personnel to safe guard animals when the circumstances of endangerment exist.

The Section leadership continues without significant change though with some new faces on the Executive Committee for 2013:

Chairperson: Kathryn A. Hall

Secretary: Robert S. Simon

Treasurer: Michael B. Gottlieb

Member: Amy L. Davidson

Member: Nick Kahl

Member: Alissa Migliore Weaver

Member: Shawna Meyer

Member: Lydia Godfrey

Member: Stephanie J. Engelsman

Member: Dane E. Johnso

Member Patricia Lulay

Advisory Member: Scott Beckstead

Advisory Member: Pamela D. Frasch

Advisory Member: Holly Anne Gibbons

Advisory Member: J Alan Jensen

Advisory Member: Gregory P. Lynch

Advisory Member: Terrence D. Mahr

Advisory Member: Andrew N. Moore

Advisory Member: Todd A. Peterson

Advisory Member: Emily Elison

Annual meeting: The annual membership meeting was held at the Oregon State Bar Center in Portland on December 1, 2012.

Budget:

The budget was approved at the September 23, 2011 Executive Committee meeting.

We have 79 members and anticipate the same membership for 2013 with membership revenue of \$1,225. We have \$4,300 in the bank and plan \$2,314 in 2013 expenses which includes a new Committee initiative for \$1,500 of public and professional outreach. We have zero dollars in sponsorships for the web site and the annual CLE which is something the Committee hopes to change with this outreach program. www.OregonAnimalLaw.com

Legislative issues:

The Legislative liaisons hope to advance an agenda of law reform. Discussions were held throughout the year.

Respectfully submitted: Kathryn A. Hall (CH), Michael B. Gottlieb (TR), Robert S. Simon (SEC), Amy L. Davidson, Stephanie J. Engelsman, Dane E. Johnson, Nick Kahl, Patricia Lulay, Alissa Migliore Weaver, Scott Beckstead (ADV), Pamela D. Frasch (ADV), Holly Anne Gibbons (ADV), J. Alan Jensen (ADV), Gregory P. Lynch (ADV), Terrence D. Mahr (ADV), Andrew N. Moore (ADV), Todd A. Peterson (ADV), Hunter B. Emerick (BC), M. Kay Pulju (BL).

Appellate Practice Section

Activities and accomplishments:

In 2012, the Appellate Practice Section remained on a mostly steady course. Section membership dropped to 350 paid members, a net loss of approximately 35 members. In addition, the section had 10 new lawyers accept complimentary memberships, also a decrease from 2011 numbers.

The section offered three CLEs: The first, held in June, was organized primarily by executive committee members Robin Aoyagi and Jona Maukonen and presented information on interim changes to the ORAP involving eFiling. The second was held in November, in conjunction with an annual appellate bench/bar social event, and featured retiring justices Durham and De Muniz reflecting on the changes they have seen in the Court. This CLE was primarily organized by executive committee member Jona Maukonen and past-chair Harry Auerbach. Schwabe Williamson donated space for the event and the firms of Harrang Long Gary Rudnick and Cosgrave Vergeer Kester co-sponsored the tab for beer and wine. The section also co-sponsored the O'Connell Conference (run primarily by the University of Oregon School of Law, with the organizational aid of Past Chair Judith Giers) in May.

In addition, the section co-sponsored (with the American Constitution Society) an April debate among the three primary candidates for the contested Supreme Court seat. The section intends to mail out the 2011-12 Appellate Almanac by the end of the year. Finally, the section continues to coordinate the Appellate Court Pro Bono Program, which has a roster of approximately 100 attorneys.

Budget:

The section ended 2011 with a fund balance of \$3,733.60. In 2012 it repeated donations of \$500 each to the Classroom Law Project and Campaign for Equal Justice. The section projects an end-of year fund balance of approximately \$4,500.

At the final meeting of the year, the executive committee approved a 2013 budget projected to include the same expenses and revenues as actual for 2012.

Legislative issues:

The section did not deal with any appellate legislative issues this year.

Matters considered/Matters pending:

At the final executive committee meeting of 2012, the committee addressed issues that will require further attention during the course of 2013.

The section will aim to provide 2 CLE's plus an annual social event with the appellate judges. The committee will query the judges about when, where and what type of event would produce the best attendance.

Recommendations for 2013:

The above discussion notes several issues that will deserve continued attention for 2013.

The incoming executive committee members will be:

Chair – Julene Quinn

Chair-Elect – Ted Heus

Past Chair – Megan Flynn

Secretary – Robyn Ridler Aoyagi

Treasurer – Jona Maukonen

Member – Neil Byl (needs to be voted into new term)

Member – Lisa Lear (needs to be voted into new term, which must end 12/31/13)

Member – Lora Keenan (needs to be voted into new term)

Member – P.K. Runkles-Pearson (continuing)

Member – Paul Smith (continuing)

Member – Eli Stutsman (continuing)

Member – Sara Kobak (new)

Member – Cody Hoesly (new)

Member – Sarah Peterson (new)

Member – Julie A. Smith (new)

Respectfully submitted: Meagan A. Flynn (CH), Julene M. Quinn (CH-Elect), Harry Michael Auerbach (Past CH), Lora E. Keenan (TR), Theodore P. Heus (SEC), Robyn Ridler Aoyagi, Neil Francis Byl, Lisa E. Lear, Wendy M. Margolis, Jona Jolyne Maukonen, P K Runkles-Pearson, Paul L. Smith, Eli D. Stutsman, Jeffrey C. Dobbins (ADV), M Elizabeth Duncan (ADV), Keith M. Garza (ADV), Judith Giers (ADV), James W. Nass (ADV), Scott Shorr (ADV), Thomas W. Sondag (ADV), Jane Ellen Stonecipher (ADV), Jenifer S. Billman (BC), Julie Hankin (BL).

Aviation Law Section

Activities and accomplishments:

The Section held a monthly Executive Committee lunch meeting, to which all Section members were invited, as an open forum for practitioners with cases or questions of common interest to other aviation lawyers.

The Section co-sponsored the 39th Annual Aviation Law and Insurance Seminar, held on October 12-14, 2012 at the Westin Bayshore Hotel, Vancouver, British Columbia.

The Section also joined with the Litigation and Product Liability Sections in putting on a joint half-day CLE event on October 5, 2012.

The Section hosted an observation site and reception for the 2012 Hillsboro Air Show at Global Aviation, Inc.

Budget:

The Section received approximately \$1,150 in dues during the year. Revenues were used to underwrite the cost of the annual meeting, the cost of the joint CLE, and administrative support fees assessed by OSB.

Matters considered/Matters pending:

Pending matters include support of the biennial Aviation Law Seminar at Lewis & Clark Law School to be held in 2014 and co-sponsoring the Annual Pacific Northwest Aviation Law Seminar, and holding an upcoming Seminar held at a location in Oregon.

Recommendations for 2013:

The Section will continue to support the Lewis & Clark Law School Aviation Law class.

The Section will monitor the Oregon legislative session for matters of import to the aviation community.

The Section will co-sponsor the Annual Pacific Northwest Aviation Law CLE in 2013 with the King County Bar association.

The Section will continue to hold open meetings on a generally monthly basis.

Respectfully submitted: Matthew K. Clarke (CH), Steven L. Myers (CH-Elect), Sue McKeon (Past CH), Timothy E. Miller (TR), Stuart W. Smith (SEC), Roderick A. Boutin, Alfred Frank Bowen, Thomas E. Cooney, Thomas J. Flaherty, Robert B. Hopkins, Barbara Ann Jacobson, Christine Tracey, A Richard

Vial, John R. Barker (ADV), Donald B. Bowerman (ADV), Jonathan M. Hoffman (ADV), John C. Hutchison (ADV), Philip A. Rush (ADV), David J. Sweeney (ADV), Michelle Castano Garcia (BC), Sarah Hackbart (BL).

Civil Rights Section

Activities and accomplishments:

This year we continued publication of the Civil Rights Section's Newsletter. By the end of the year we will have published four issues; one is forthcoming. The September issue was co-published by the Labor & Employment Section.

We organized a Public Forum entitled "Our Streets: The Police, The Public, & The Law," which covered a broad range of current issues related to police practices and accountability. Addressing the topics of mental health, public protest, homelessness and racial profiling, the forum provided a unique opportunity for a diverse cross-section of the Portland community to share perspectives. The event was held at Portland State University and drew a sizable audience including lawyers, activists, students, and city government. Committee members made a concerted effort to publicize the event widely, since lack of publicity affected turnout in prior years. The event was recorded by the Flying Focus Video Collective and aired on cable access television. It was also approved by the Bar for 1.5 General MCLE credits.

We organized and co-sponsored an all-day CLE with the Federal Bar Association and the National Bar Association entitled: Litigating Section 1983 Civil Rights Cases: Current Issues & Trends. The CLE was held in the jury assembly room at the federal courthouse and was very well attended. The seminar explored a range of hot topics in civil rights litigation, including racial and religious profiling, Section 1983 employment claims, recent developments in civil rights law, petitions for attorney fees, rights and resources for mentally ill persons involved with law enforcement, and litigation tips from a panel of federal judges. Thanks in part to contributions from several law firms, the CLE grossed over \$6,000, to be divided among the three sponsoring organizations. In past years, the section has partnered with the OSB in planning the annual CLE. Partnering with the FBA required more involvement from committee members in the details and logistics of the event, but was very successful and lucrative.

We made contributions to the Oregon Minority

Law Association auction and to the Campaign for Equal Justice.

Budget:

We adhered to our budgetary goals. The \$2,000 generated by the CLE this year constitutes a significant increase in our revenue as compared to past years.

Legislative issues:

We did not actively communicate with our membership this year on legislative issues.

Matters considered/Matters pending:

The Labor & Employment Section co-sponsored one issue of the newsletter this year. The content focused on labor and employment issues in the civil rights arena, and was funded by L&E and distributed to their members as well as ours. The L&E section has proposed to expand this partnership and that is still under discussion.

The section has discussed strategies for expanding and diversifying Oregon's civil rights bar. Ashlee has taken the lead in creating a partnership with various organizations to plan a civil rights CLE and to link new civil rights practitioners with mentors experienced in this field. This may tie in with an idea from 2011 that has not been actualized - that of partnering and coordinating (scheduling and publicizing events, for example) with the specialty bar associations.

Recommendations for 2013:

Consider possible ways to increase membership, such as sending a recent issue of the newsletter to another section's membership. Again plan a Public Forum that will attract a sizable audience and provide a public service. Plan a CLE that will provide useful information and attract a sizable audience. Consider alternative locations and co-sponsoring organizations.

Coordinate planning, scheduling, and publicizing events with specialty bar associations and community groups. Utilize the section listserv to publicize events of interest (such as speakers and trials).

Respectfully submitted: Sarah Radcliffe (CH), J Ashlee Albies (CH-Elect), Sally A. Carter (Past-CH), Marianne G. Dugan (TR), Adrian Lee Brown (SEC), Cynthia Botsios Danforth, John B. Dudley, Alec L. Esquivel, Julia S. Olsen, Sean Patrick Ray, Diane Schwartz Sykes, Elizabeth N. Wakefield, Audrey T. Matsumonji (BC), Paul Nickell (BL).

Computer & Internet Law Section

Activities and accomplishments:

As in years past, the Computer & Internet Law Section continued to focus on providing quality CLEs on topics of interest to our membership. During the course of the year, we sponsored or co-sponsored several one-hour luncheon CLEs on a variety of topics, including: (i) the implications of the America Invents Act on how lawyers may seek to protect innovations in the technology world; (ii) labor relations issues arising from the use by employees of social media; (iii) the constitutional and privacy implications of emerging invasive technologies employed by law enforcement; (iv) the ethical implications of lawyers' using technologies that are vulnerable to high-tech snooping. We have continued to make written materials from those CLEs available to CILS members on our Section website, and have also continued to make audio recordings of our luncheon CLEs available for purchase and download by members of the Oregon State Bar through the Oregon State Bar's website.

For our 2012 annual CLE, "Privacy, Piracy and Patents: Computer Law 2012," we brought in talented speakers from across the country to examine a wide range of cutting edge topics, including the troubling intersection of first amendment rights and defamation in the context of blogging, the emerging conundrum of how to sort out the rights of heirs to the digital assets of the deceased (such as social media accounts), and the ever-present evaluation of privacy law in the context of invasive technologies. As usual, the Section hosted the Annual CLE speakers at the Sections' dinner following the annual meeting.

The CILS executive committee met monthly to manage the projects of the committee. In 2012 the executive committee made donations to The Campaign for Equal Justice and the Oregon Minority Lawyers Association.

Budget:

Membership revenue has declined slightly during the tight economy, but the Section's finances remain healthy. CILS continues to offset some of its expenses with revenue generated by the luncheon CLEs. The executive committee decided to reduce its year-end balance slightly by investing more funds in its out-of-town speakers for the annual CLE. The executive committee decided to continue this budget reserve strategy for the upcoming year to help reduce our fund balance by allocating more funds for bringing in

high-quality speakers of interest to our membership. We will continue to assess how much of a reserve we need to maintain, and whether, based on that assessment, we can continue to make one or more contributions to appropriate law-related organizations as we have done in the past.

Legislative issues:

The Section has not been the driving force in any legislative initiatives this year, but has provided feedback and advice to the OSB Estate Planning Section's proposed legislation dealing with administering the "digital assets" in the estates of the deceased.

Matters considered/Matters pending:

During the year, the executive committee has considered and decided upon a variety of matters related to the normal operation of the Section, such as CLE presentations, operation of the CILS website, collaboration with other OSB Sections on CLEs or legislative matters, outreach efforts to potential new members, and revenue and expense management.

Matters still pending before the executive committee include: decisions on new outreach efforts to potential new Section members, the appointment of subcommittee chairs and members for 2013, the completion of its 2013 slate of executive officers, and the selection of new CLE topics and speakers for the upcoming year.

Recommendations for 2013:

The CILS executive committee is recommending, for 2013, that: (i) the Section should seek new opportunities for co-sponsoring events with other Sections; (ii) the Section should consider initiating some "non-traditional" outreach events, such as evening socials that might be of interest to our membership; and (iii) the Section should consider utilizing more social media tools to reach potential new CILS members and to provide services to the CILS membership.

Respectfully submitted: Charles R. Bowers (CH), Chad M. Colton (CH-Elect), Marc Visnick (Past CH), Marti McCausland (TR), Travis J. Benn (SEC), Michael A. Cohen, Marinus Damm, Joseph Durkee, Brenna Legaard, Karen Dana Oster, Emilee S. Preble, Heather R. Self, David P. Smith, Joshua W. Smith, C Kalei L. Taylor, Tom Kranovich (BC), Michael Legleiter (BL).

Constitutional Law Section

Activities and accomplishments:

The Section hosted its annual CLE, which it cosponsored with the Bar, on November 30, 2012.

The CLE featured three panels of speakers. First, Dean and Professor Erwin Chemerinsky gave his comprehensive review and preview of the U.S. Supreme Court. He joined University of Oregon School of Law Professor Ofer Raban and Lewis & Clark School of Law Professor Paula Abrams to discuss constitutional interpretation and legitimacy. Judges Jack Landau, David Schuman and attorney Alycia Sykora reviewed the Oregon Constitution and recent cases, including the debate clause, open courts, and the right to counsel. Judge Anna Brown and attorneys Jim Rice and Elden Rosenthal discussed civil rights cases, procedural differences between federal and state courts, and how a potential immunity defense impacts litigation.

A Section subcommittee completed selection of authors for a new State Constitutional Law Bar Book, wrote and/or edited the text, and submitted virtually all chapters to OSB staff for publication by OSB. The project should be complete within the first few months of 2013.

In April 2012, the Section distributed an electronic newsletter to its members. The link to that newsletter is: http://www.osbar.org/_docs/sections/constitution/ConLawSpring2012.pdf

Budget:

The Section's projected year-end balance is \$11,199. For 2013, the Section has budgeted \$3,875 in revenues and \$5,088 in expenses, with a projected year-end balance of \$9,987.

Legislative issues:

2012 was not a year with a full legislative session, so the Section Executive Committee took no action on any bills presented to the Legislative Assembly. At least two executive committee members participated, one as a voting member, and the other as an advisor, in a work group formed by the Oregon Law Commission to examine and recommend, if appropriate, changes to the way appellate judges are chosen in Oregon. The work group will recommend action to OLC.

Matters considered/Matters pending:

The State Constitutional Law Bar Book is an

ongoing project and the members of the planning subcommittee will serve as the editors for the book.

The Section will begin planning its 2013 CLE in early 2013.

Recommendations for 2013:

Issue a newsletter for 2013.

Regenerate interest in the section's blog (which was not very active in 2012) at: <http://orconlaw.blogs.com/>

Respectfully submitted: Edward H. Trompke (CH), Honorable David Schuman (CH-Elect), Chin See Ming (Past-CH), Gregory A. Chaimov (TR), Erin J. Snyder (SEC), Robert M. Atkinson, Honorable Henry C. Breithaupt, John Paul (Toby) Graff, Matthew J. Kalmanson, Erin C. Lagesen, Honorable Jack L. Landau, Maureen Leonard, Jennifer Middleton, C Robert Steringer, Les Swanson, Alycia N. Sykora, Ethan D. Knight (BC), Paul Nickell (BL).

Construction Law Section

Activities and accomplishments:

Expansion of website: The Section is in the process of updating its website to make it more user friendly.

Newsletters: The Section publishes a quarterly newsletter on various construction law topics. That is sent to members by email and posted on the website. The newsletter is very thorough and covers a variety of topics in great detail. IT is one of the Section's best accomplishments.

The section holds ongoing CLE activities. This year, the Section will host a CLE on the Construction Contractors Board in December. Next year, a CLE on the Construction Manager/General Contractor form of construction contracting will be held.

The section holds on-going "Brown Bag" lunches providing free CLE credits in Portland. The CLEs are recorded and posted on the website.

The Section has decided to offer a number of free admissions to the Section's CLEs to newly admitted members of the Bar. The Section will continue to explore the extent to which the waiver program should be expanded.

Budget:

The membership voted to increase the dues of the Section from \$11.50 to \$15.00 for 2013. This was the first dues increase in approximately 20 years.

The Section projects an ending balance of approximately \$8900 at the end of 2013.

Legislative issues:

One of our executive board members heads the Sections' Legislative Subcommittee. He has been working with an interim Legislative committee in regard to the use of CM/GC projects. It is likely the Section will not formally sponsor any legislation on this topic, however, as the interests of Section members are not identical

Members of the Executive Committee provided input to bills that arose during the 2013 Legislative session. Again, however, the Section did not take a formal position on that legislation. Nonetheless it seems clear that members of the Legislature like to hear from Executive Board members in regard to proposed legislation and we will continue to work with them on that.

Matters considered/Matters pending:

CM/GC CLE for 2013 to be finalized after proposed legislation is accepted or rejected by the Legislature. Anticipated date of CLE is late summer or early fall.

A CLE seminar involving renowned construction attorney Philip Bruner may be scheduled.

Recommendations for 2013:

Continue to maintain and expand the usefulness of the Section's website.

Continue to post the Section's newsletter on the Section's website and encourage more submissions from Section members at large.

Continue to sponsor Brown Bag CLEs at no cost to Section members and explore making them available on the website with both video and audio.

Provide other CLEs of use to members, probably on an every other year basis. A CM/GC CLE for 2014 would satisfy this goal.

Continue to host CLEs outside the Portland metro area if feasible. The Section's Bend CLE was well attended; the Section's Eugene CLE was not.

Sponsor a "Sticks and Bricks" CLE to address the practical skills application. This did not occur in 2013.

Respectfully submitted: James H. Van Dyke (CH), Peter J. Vitezniak (CH-Elect), Darien S. Loisselle (Past CH), John Daniel Gragg (TR), Jason W. Alexander (SEC), Frederick A. Batson, William J. Boyd, Timothy

M. Dolan, Daniel L. Duyck, Doug L. Gallagher, Erika J. George, Tara M. Johnson, Robert L. O'Halloran, Thomas A. Ped, Tyler James Storti, Jeremy T. Vermilyea, Curtis A. Welch, Alan L. Mitchell (ADV), Scot A. Sideras (ADV), David Wade (BC), Sarah Hackbart (BL).

Consumer Law Section

Activities and accomplishments:

The Consumer Law Section presented the CLE Consumer Law for the Oregon Lawyer in 2012.

Budget:

The section's projected year-end balance for 2012 is \$2,196. The section's 2012 CLE generated no revenue. Anticipated expenses for 2013 include sponsoring or co-sponsoring one or more CLEs, updating and circulating the section's lending library of consumer law related books and materials that are available to section members at no cost, and making a contribution to one or more charitable organizations that work to protect consumer rights.

Legislative issues:

The section plans to monitor bills presented in the 2013 session and participate in any bills of interest to the extent permitted by the OSB Board of Governors.

The section is also convening a legislative subcommittee and plans to consider sponsoring consumer-related legislation in the 2014 regular session.

Matters considered/Matters pending:

The executive committee considered contribution of charitable funds and ways to reduce expenses and increase revenue. The Section is considering whether to co-sponsor a foreclosure law CLE. Also pending is a vote on whether to approve the minutes from the November 21, 2012 executive committee meeting.

Recommendations for 2013:

The Consumer Law Section plans to sponsor one or more CLEs in the upcoming year.

As mentioned above, the Consumer Law Section plans to monitor the 2012 special legislative session and consider working on one or more legislative proposals to be introduced in the 2014 session.

The section hopes to increase member use of its lending library.

Potential plans for 2013 also include updating or

improving the Section's website and web presence, and/or distributing a section newsletter and providing an opportunity for members or others to write and publish articles of interest to the membership.

Respectfully submitted: David L. Koen (CH), Nanina D. Takla (CH-Elect), Brenda M. Bradley (Past CH), Joshua L. Ross (TR), Anna Braun (SEC), Kirsten Nicole Baxter, Mark Coleman, Hope A. Del Carlo, Michael Fuller, John Gear, Keith D. Karnes, Lissa K. Kaufman, Bret A. Knewtson, Louis D. Savage, Andrew U. Shull, Robert S. Sola, David W. Venables, Travis S. Prestwich (BC), David W. Nebel (BL).

Criminal Law Section

Activities and accomplishments:

On April 6, 2012 we held the 25th Annual Contemporary Issues in Criminal Justice CLE at the Oregon State Bar Center. 108 people attended the live seminar. This is the first year that we provided webcasting. 13 people attended via the webcast.

The CLE included a panel presentation entitled "Victims as Parties in a Criminal Case;" our annual appellate and legislative updates; a lunch presentation from the attorney general candidates; a presentation the death penalty in Oregon, including arguments for and against changing the death penalty process; a presentation on the ethics involved in the mentor-mentee relationship; and a presentation on the intersection of criminal and immigration law.

On November 15, 2012 we co-sponsored a half-day CLE at the Oregon State Bar Center entitled "Defending DUII Cases in Oregon." 38 people attended the live session of the seminar while 5 attended via the live webcast.

Budget:

The section continues to be fiscally responsible. The cost of membership remained the same. The cost for the annual CLE also remained the same, although there was some modification to allow for the expense of web-casting.

Legislative issues:

The Executive Committee was briefed on legislative issues relevant to criminal law by Matt Shields. Specific issues arose during the year regarding (1) a proposal by the Animal Law Section to amend the "community caretaking" statute to allow peace officers to enter a home for purposes of preventing the abuse of an animal; (2) a proposal amend sentencing statutes to allow for mitigation

based on post-traumatic stress disorder for veterans. The Executive Committee discussed, but took no action regarding these issues.

Matters considered/Matters pending:

The committee continues to look for ways to expand service to members. Toward that end, the committee decided to hold a fall 2013 CLE, either a half-day or a full day, with the strong suggestion that it be held east of the Cascades.

The April 2013 Contemporary Issues CLE will feature a national speaker on technology and will otherwise focus on technology in the courtroom as well as other technology related issues.

Recommendations for 2013:

Continue with planning the Spring Contemporary Issues and fall CLE's. Continue to look for ways to make our CLE's more accessible to our members via the use of technology.

Respectfully submitted: Samuel C. Kauffman (CH), Timothy A. Sylvester (CH-Elect), Gregory D. Horner (Past CH), Peter L. Deuel (TR), Beth L. Roberts (SEC), Bradley C. Berry, Aaron L. Breneman, Milan E. Castillo, Steven H. Gorham, Jamie S. Kilberg, Gregory B. Scholl, Shawn Evans Wiley, Daniel Ousley (ADV), Honorable Janelle Factora Wipper (ADV), Ethan D. Knight (BC), Molly Whiteside (BL).

Debtor-Creditor Section

Activities and accomplishments:

The Debtor-Creditor Section had 721 members in 2012 and carried out its work primarily through its subcommittees as described below. The Section conducts an annual meeting and CLE program and co-sponsors the Northwest Bankruptcy Institute CLE program with the Washington State Bar Creditor-Debtor Section on topics relevant to the debtor-creditor practice. The Section conducts the Saturday Session meeting between the bench and bar. The Section provides service to the public in a variety of ways, including its pro-bono bankruptcy clinic, legislative committee, public education committee, and the C.A.R.E. presentations to local high schools. The Section publishes a newsletter three times a year, is very active in legislative matters, and maintains a Section website.

Annual Meeting: Organizes and conducts the annual meeting. The 2012 annual meeting and CLE were held on October 19 and 20, 2012, at the Governor Hotel in Portland, Oregon. The 2013 annual

meeting will be held at Salishan on September 27 and 28.

Award of Merit: Seeks out persons who deserve special recognition for extraordinary contributions in the debtor-creditor area. This year the committee proposed that an award would not be made in 2012 for the Award of Merit.

C.A.R.E. Program (Portland and Eugene): Organizes and presents educational programs to high school students throughout Oregon on the responsible use of credit.

Consumer Bankruptcy: Meets regularly to discuss issues affecting consumer bankruptcy practice.

Continuing Legal Education: Conducts CLE programs in conjunction with Annual Meeting and at other times on topics relevant to the Section's membership.

Donation Requests: This is a new committee created in 2012 to address donation requests that come to the Section and to make a decision on those requests in conformance with the policy adopted by the Executive Committee of the Section regarding such requests.

Federal Bar Association: Usually comprised solely of the Chair of the Executive Committee. Attends the FBA Section meetings to represent the bankruptcy bar at the FBA level.

Legislative: Sponsors new legislation and comments on legislative proposals applicable to debtor-creditor practice.

Local Rules: The committee reviewed existing forms and rules and provided the bankruptcy court with substantial input on proposed changes to rules and forms.

New Lawyers: Conducts networking and CLE programs for members of the Section new to practicing debtor-creditor law.

Newsletter: Publishes three issues per year on debtor-creditor 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. The 2012 Institute was held in Seattle, Washington. The 2013 Institute is

scheduled to be held in Vancouver, Washington.

Pro Bono (Portland and Eugene): 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 bankruptcy practice. The 2013 meeting will be held at the Salem Conference Center on March 9.

Website: Maintains the Section's website at www.osb-dc.org.

Budget:

For 2012 the Section operated with a positive ending fund balance projected to be over \$34,000.00 and for 2013 has provided for a budget that will carry out the work of the Section while maintaining for positive fund balance.

Legislative issues:

OSB Board of Governors has approved the section's sponsorship of two bills, which are now numbered LCs 454 and 455, to be considered in the legislature's 2013 session, both dealing with Deeds of Trust.

Matters considered/Matters pending:

A pro bono committee is being formed in the Bend area, which increased the pro bono budget.

Recommendations for 2013:

The Section is considering a dues increase for next year.

Respectfully submitted: Tara J. Schleicher (CH), Susan S. Ford (CH-Elect), Patrick W. Wade (Past CH), M Caroline Cantrell (TR), David W. Hercher (SEC), Honorable Frank R. Alley III, E Clarke Balcom, Christopher N. Coyle, Wayne Godare, Keith D. Karnes, Justin D. Leonard, Howard J. Newman, Karen M. Oakes, Thomas M. Orr, Milly Whatley, Hunter B. Emerick (BC), Karen D. Lee (BL).

Disability Law Section

Activities and accomplishments:

The Disability Law Section Executive Committee met approximately five times during 2012. Meetings were held via the available conference call technology allowing members from across a wide geographical area to participate by telephone. The number reflected above does not take into account

the countless hours that Executive Committee members spent in informal discussions regarding the CLEs and e-newsletter.

Mid-year, Chair Sherri Rita stepped down to accept her new position with the ABA's Commission on Disability Rights in Washington D.C. We thank Sherri for her great service to the Section and Executive Committee and we wish her well in her new endeavor. Sherri continues her contributions through her ABA list serve postings and as a 2013 Member At Large.

Chair Elect Heidi von Ravensberg completed the year as Chair.

At the suggestion of Section member Sarah Robinson Glasser, George Wolff, OSB director of referral and information services discussed Social Security Insurance and Social Security Disability Insurance programs being a part of the modest means program at the bar with the Executive Committee. Section member Cheryl Coon who practices Social Security law contributed a practitioner's viewpoint to the discussion.

Executive Committee member Renee Caubisens wrote a book review of *Lawyers Lead On: Lawyers with Disabilities Share Their Insights* (Carrie G. Basas, Rebecca S. Williford and Stephanie L. Enyart, Editors) ABA Publishing 2011 for the Section newsletter.

CLEs: The Executive Committee presented a CLE on "Trends in Disability Law" in April 2012 with extensive support from Section member Bob Joondeph, Executive Director, Disability Rights Oregon.

The Executive Committee co-sponsored a CLE with the OSB about important changes in the law that affect the Oregon State Hospital in June 2012 with extensive help from Executive Committee members Beth Englander and Micky Logan and Executive Director of the Psychiatric Security Review Board MaryClaire Buckley.

Budget:

The Disability Law Section's expenses remained under-budget. The budget balance remains strong for the upcoming year and should allow for webpage revision, newsletter(s), and conducting CLE event(s).

Legislative issues:

The Executive Committee (thru Bob Joondeph) tracked and discussed legislative issues.

The Executive Committee plans to track what is happening in legislation and new policy regarding people with mental illness who were not able to aid and assist in their criminal defense, but who may no longer be appropriate for civil commitment. District Attorneys, state hospitals, family members, and advocates are all considering these issues right now.

Matters considered/Matters pending:

The Executive Committee is planning a CLE on Social Security.

The Executive Committee is working with the OSB's Opportunities for Law in Oregon (OLIO) program to present at its Aug. 8-11, 2013 CLE.

The Executive Committee is addressing physical difficulties and dangers faced by people with disabilities in accessing the Social Security Office of Disability Adjudication and Review (hearings office) in Salem where disability benefits hearings are held.

The Executive Committee is working on a question and answer session with the OSB Admission's Department to get an update on its current policies and practices concerning applicants with disabilities.

Executive Committee member Adrian Brown represented the Section at the OSB Legal Job Opportunities Task Force meeting on Oct. 31, 2012 providing input on disability access. The Executive Committee, through Adrian, will continue to participate at future Task Force meetings.

Newsletter: The Executive Committee expects to publish its e-newsletter (electronic format) in early 2013.

Recommendations for 2013:

Develop and foster outreach or opportunities for Section Members who live outside the Portland metro area.

With the aging baby-boom generation and its attendant increase in age-related impairments, develop and foster outreach and/or opportunities for attorneys with disabilities.

Revisit the "Matters Considered/Matters Pending" in early 2012.

Continue outreach to law students and support removal of barriers to bar examination and admission.

Track pertinent legislation for Oregon's upcoming legislative session.

Continue to follow and support Universal Design

issues as set forth in previous years (particularly 2009).

Review the Section's webpage to determine what revisions, if any, need to occur.

Respectfully submitted: Heidi von Ravensberg (CH), Micky Feusse Logan (Past CH), Amrit K. Sidhu (TR), Beth Englander (SEC), Adrian Lee Brown, Renee Lucia Caubisens, Margaret Rabin, Audrey T. Matsumonji (BC), Toni Kelich (BL).

Diversity Section

Activities and accomplishments:

Broad Representation: The OSB Diversity Section Executive Committee (DSEC) continues to reflect a broad representation of the OSB membership with executive committee members from specialty bars, Oregon law schools, small/med-sized/large law firms and diversity-related bar sections.

Collaboration and Communications Sub-committee: The subcommittee, chaired by Audrey Hirsch and Claudia Groberg, continues its efforts to more effectively communicate with section membership by updating the website, sending email letters to non-renewing members and new admittees. This subcommittee also supplied information brochures, pens and magnets for distribution to new admittees at swearing-in ceremonies as well as advertising of section sponsored events. Other members of this sub-committee are: Randy Arthur, Judge Cheryl Albrecht, Megan Livermore, Denise Keppinger, Gabriela Sanchez

Judicial Recognition Sub-committee: Judge Angel Lopez and 2011 Chair, Diane Schwartz Sykes designed a certificate to recognize the achievement of those minority and diverse attorney appointed or elected to the judiciary in the state of Oregon.

Convocation on Equality Sub-committee: Though the Convocation took place in late 2011, this sub-committee composed of co-organizers Akira Heshiki, 2009 Chair and Emilie Edling, Chair-Elect 2013. Both continued on to oversee the production of a video and finalization of a "toolkit" of best practices for recruitment, retention and hiring of diverse candidates to include recommendations by conference participants.

OSB Diversity & Inclusion Department – Diversity Branding: Chair, Andrea Anderly participated in the D&I Branding meeting on February 23 and in the finalization of the branding protocol approved by the BOG.

OSB New Lawyer Mentoring Program. DSEC continues to support this important program to encourage diverse lawyers to serve as mentors. Andrea Anderly is the liaison.

Lewis & Clark Law School. Chair, Andrea Anderly attended a meeting with law school students interested in developing programs related to diversity and race on February 26.

Opportunities for Lawyers in Oregon (OLIO). DSEC Secretary Yesenia Guterrez co-presented a seminar on Bullying with OGALLA at the annual OLIO retreat in Hood River in early August. Other members attended and volunteered as well.

Sponsorship and Contributions. DSEC co-sponsored Oregon Legal Aid at the OLIO Employment Retreat on January 21, 2012 by paying the \$75 fee, DSEC contributed funds to help with the D&I Legal Heritage (Story Wall) project, DSEC made contributions of \$250 each to the following groups: OLIO, Campaign for Equal Justice, Oregon Minority Lawyers Association, House of Delegates (HOD). DSEC Chair Andrea Anderly attended the HOD meeting on November 2, 2012.

Budget:

Randy Arthur, Treasurer, submitted an approved 2013 budget to the OSB. The projected balance for December 31, 2012 is \$6,699.

Matters considered/Matters pending:

Memorandum of Understanding (MOU). DSEC prepared a draft Memorandum of Understanding recognizing the roles of the Advisory Committee on Diversity & Inclusion (ACD&I), fka the Affirmative Action Committee and the Diversity Section and their on-going commitment to communicate, cooperate and collaborate in all matters regarding diversity and inclusion within the OSB membership. Recently, the draft was circulated to the ACD&I for review. The next step will be a joint meeting with the ACD&I at the December 12, 2012 meeting of the DSEC. It is expected the MOU will be finalized at the DSEC/ACD&I Joint Retreat on January 12, 2013.

Self-Development Workshops. At the November 14, 2012, DSEC members discussed the need to provide training to minority and diverse lawyers on how to market themselves within the legal profession. Sponsoring self-development workshops to assist in this regard is under consideration by the DSEC.

Convocation on Equality. Completion and

implementation of the legal employer's tool kit.

Recommendations for 2013:

In addition to matters considered and pending in Section 6, DSEC intends to: Work with the law schools on the creation of diversity coursework, continue to actively participate in OSB mentorship programs, work on pipeline projects in conjunction with ACD&I (fka, AAC), continue to support, participate in and financially support diversity relevant events and specialty bar programs, develop protocols for working in collaboration with specialty bars, etc., continue to advise OSB on matters involving diversity and inclusion.

Other comments:

After the success of the Convocation of Equality in November 2011, and realizing the increased support of diversity advocates, the Diversity Section in 2012, continued its efforts to provide a platform for issues of diversity and inclusion within the OSB membership. In 2013, the DSEC is poised to complete and implement the recommendations, tools and skills developed at the Convocation and further define and develop its role with regard the ACD&I and other OSB and specialty bar organizations.

Respectfully submitted: Andrea J. Anderly (CH), Emilie K. Edling (CH-Elect), Diane Schwartz Sykes (Past CH), Randy L. Arthur (TR), Yesenia Gutierrez (SEC), Honorable Cheryl A. Albrecht, Nicole Rachael Commissioning, Rima I. Ghandour, Shari R. Gregory, Akira Heshiki, Matthew W. Johnson, Janna Beth M. Kim, Megan I. Livermore, Julia Philbrook, Daniel P. Santos, Ali D. Seals, Jessica A. Asai (ADV), Honorable Angel Lopez (ADV), Linda Meng (ADV), Hunter B. Emerick (BC), Mariann Hyland (BL).

Energy, Telecommunications & Utility Law Section

Activities and accomplishments:

In 2012, the Section held three CLEs and the Annual Meeting. The Section's CLEs included: 1) an OPUC Bench and Bar; 2) a Telecommunications Universal Service Funding panel; and 3) a Natural Gas in the Electric Supply Portfolio panel. The Executive Committee changed the dues structure to waive the fees for certain members of the Bar (e.g., Judges, ALJs, senior members, etc.). The Section made charitable contributions to the Campaign for Equal Justice (\$1,000) and the Classroom Law Project (\$1,000).

Budget:

The Section ended 2012 with a surplus.

Legislative issues:

There were no legislative issues from the prior year, and the Section initiated no new legislative activity.

Matters considered/Matters pending:

The Executive Committee continued work on: 1) a Section publication (summary of/digest of Energy, Telecommunications and Utility Law in Oregon); and 2) enhancing the Section's website.

Recommendations for 2013:

The Executive Committee recommends continuing with at least 3 CLEs for 2013 and continued work on the publication and website.

Respectfully submitted: Mark P. Trincherro (CH), Sarah E. Edmonds (CH-Elect), Stephanie S. Andrus (Past CH), Jeffrey S. Lovinger (TR), Scott M. Rickard (SEC), James Richard George, Amie Jamieson, Katherine A. McDowell, Jonathan M. Norling, David C. Olson, Lawrence H. Reichman, Mark R. Thompson, Henry R. Tilghman, David F. White, Matthew D. Yates, Ann L. Fisher (BC), Cheryl L. McCord (BL).

Environmental and Natural Resources Section

Activities and accomplishments:

The Section continued its emphasis on education, with its programs of newsletters, casenotes, brown bags CLEs, field trips, annual CLEs, and Deskbook revision.

Newsletters: The E-Outlook has become the predominate form for publishing articles on topics relevant to Section members. In addition to addressing timely legal issues, the E-Outlook articles work in concert with the Brownbag CLE topics.

Five newsletters were published this year: Water Takings Update, by Sarah Liljefelt (May 2012), Oregon 2012 Legislative Round-Up, by Laura Maffei (June 2012), Oregon's Prospective Purchaser Agreement Program: A Tool to Manage Liability When Acquiring or Leasing Contaminated Properties, by Cheyenne Chapman (August 2012), Maximizing the Benefit of Appropriate Inquiry: CERCLA & Prospective Purchaser Considerations, by Lawrence Burke & John Foxwell (October 2012), DC Circuit Strikes Down EPA Cross-State Air Pollution Rules, by Dustin Till (November 2012).

Brownbag CLEs: The Section held its popular Brownbag CLE sessions on a variety of timely topics. This year, the promotion of the Brownbag sessions extended beyond the E&NR Section to include the Sustainable Future and the Real Estate and Land Use Sections. The sessions are free of charge to E&NR Section members. For non-Section members, the cost is \$10, which could be applied towards the E&NR Section membership fee of \$15.

The following four Brownbag sessions were held: *NEDC v. Decker* - Clean Water Act & Logging Roads, presented by Daniel Mensher & Paul Garrahan (April 26, 2012), DEQ's Prospective Purchaser Program, presented by Cheyenne Chapman (August 20, 2012), Prospective Purchaser Agreements Part II, presented by Lawrence Burke & John Foxwell (October 17, 2012), Electronic Resources and Cost-Effective Research, presented by Rob Truman & Ansley Nelson (November 28, 2012).

Casenotes: This year, the Section's Casenotes are published with greater efficiency and at less cost. This is a result of the Section's partnership with Willamette Law Online, where law students provide summaries of relevant cases issued by the US Supreme Court, Ninth Circuit Court of Appeals, and the Oregon Appellate Courts. The Casenote Editor independently searches for and solicits summaries of relevant federal rules, Oregon rules, and cases from the U.S. District Court of Oregon.

The Casenotes were timely published in the following months of this year: February, May, August, and October.

Field Trips: Coming off the success of recent years, the Section's Field Trip program continues this year with two significant trips. Those trips were as follows:

The Port of Portland International Airport (February 10, 2012)—participants viewed the Airport's wildlife mitigation areas, noise mitigation structure, and new stormwater management facility.

The Bonneville Dam (May 17, 2012)—participants viewed the dam's juvenile and adult fish passage facilities and observed fish sampling in progress.

Annual CLE: The Section put on its annual CLE for the third year at McMenamin's Edgefield Manor in Troutdale as an update on natural resource and environmental law. This is intended to be a high quality program at an affordable price to meet the needs of all Section members, including recent

law graduates as well as practitioners in solo, government, and nonprofit practice. This year's keynote speaker was Dick Pedersen, the Director of Oregon Department of Environmental Quality.

Deskbook Revision: The deskbook revision is underway this year. Several chapters for Volumes 1 and 2 have been written, which are currently being reviewed by the editors.

Budget:

The Section looks to end 2012 with a budget surplus in the vicinity of \$12,700. The plan for the 2013 budget is to allocate financial resources so as to reduce the surplus, with a smaller reserve, by year's end.

Recommendations for 2013:

In 2013, the Section intends to continue to implement its mission of provide Section members an opportunity to develop and improve skills in environmental and natural resource law, provide a forum for communication and action in matters of common interest, and foster professionalism through a broad variety of activities.

Respectfully submitted: Hong N. Huynh (CH), Laura Maffei (CH-Elect), Jas Jeffrey Adams (Past CH), John H. Marsh (TR), Patrick G. Rowe (SEC), Lawrence B. Burke, Regina Marie Cutler, Lawson E. Fite, Brett V. Kenney, Sarah R. Liljefelt, Daniel Mensher, Kate LaRiche Moore, Karen L. Moynahan, L Ansley Nelson, Kimberlee A. Stafford, Dustin Trowbridge Till, Sarah A. Winter Whelan, Michael E. Haglund (BC), Scott A. Morrill (BL).

Estate Planning & Administration Section

Activities and accomplishments:

The Section sponsored two CLE programs in 2012, as follows: On June 22, 2012, the Section sponsored the program entitled "Advanced Estate Planning." On November 16, 2012, the Section sponsored the program entitled "Administering Oregon Estates."

The Section coordinated a complete revision and update of the probate handbook for attorneys entitled "Administering Oregon Estates."

The Section published four issues of its newsletter that were distributed electronically to all members of the Section and is available to Section members on the Section website. The Section continues to solicit topics and writers for newsletter articles. Sheryl

McConnell continues as the editor of the newsletter.

The Section undertook a project to obtain ethics guidance from the Bar related to the representation of married couples considering elective share issues and gift and estate planning. That project is on-going.

Budget:

The Section had 1,263 members as of October 31, 2012. The Section had a beginning fund balance of \$13,677 as of January 1, 2012. For the year to date through October 31, 2012, the Section had total revenue of \$24,240, and total expenses of \$21,973, resulting in an ending fund balance of \$15,943. The Section decided not to change its membership dues this year.

Legislative issues:

The Section is sponsoring one bill in the 2013 Oregon legislative session on digital asset access and control in estate administration.

The Section proposed two projects for consideration by the Oregon Law Commission. One is a complete review and update of Oregon probate law. The other is to consider a proposed list of modifications to the Oregon Uniform Trust Code. Both projects include key policy decisions that are best resolved by the Commission rather than the Section.

Respectfully submitted: D Charles Mauritz (CH), Marsha Murray-Lusby (CH-Elect), Eric H. Vetterlein (Past CH), Jeffrey M. Cheyne (TR), Matthew Whitman (SEC), Amy E. Bilyeu, Eric R. Foster, Janice E. Hatton, Amelia E. Heath, Melanie E. Marmion, Holly N. Mitchell, Jeffrey G. Moore, Timothy O'Rourke, Ian T. Richardson, Erik S. Schimmelbusch, Kenneth Sherman Jr, Margaret Vining, Michelle Castano Garcia (BC), Matthew Shields (BL).

Family Law Section

Activities and accomplishments:

The Family Law Section continues to be well regarded throughout the State of Oregon.

The Annual Meeting and CLE Conference at Salishan Lodge broke OSB records, with 471 in attendance, which is nearly half the Family Law Section membership. The conference was well organized and had a panel of top notch speakers.

Budget:

The Section continues to be in a strong financial

position as a result of membership dues and the annual conference. Our section dues are still at \$25.00 per member and we have another surplus to our budget going into 2013. It is anticipated that some of this surplus will be spent updating our Section Webpage.

Legislative issues:

The Section was not very busy with this legislative session. Currently the subcommittee is preparing for what is expected to be an active 2013 session.

Matters considered/Matters pending:

The Child Support Guidelines Advisory Committee completed their work, and new child support guidelines are expected to go into effect in 2013.

A new Family Law Section webpage is being developed and is expected to be unveiled late 2012/early 2013. Additional content, such as an expert database, will be developed in 2013.

A section member requested her conference fee be reduced due to high expenses from medical issues, and the committee will be considering implementing a fee reduction program where members can request fee reductions for various hardships. The committee did consider and implement a fee reduction for new lawyers for 2012.

Recommendations for 2013:

As mentioned above, the section will be improving the webpage and considering a fee reduction program for attorneys with hardships for future conferences.

Any other comments:

The Section started a Professionalism Award in 2011, and the first recipient was Ronald Hergert. In 2012, it was determined that this would not be an annual award, and no further awards are currently scheduled.

Respectfully submitted: Laura B. Rufolo (CH), Kristen Sager-Kottre (CH-Elect), Anthony H B. Wilson (Past CH), Marcia Buckley (TR), Lauren Saucy (SEC), Sean E. Armstrong, Jacy F. Arnold, Debra Dority, Christopher J. Eggert, Richard William Funk, Laura Graser, Andrew D. Ivers, M Scott Leibenguth, Gregory P. Oliveros, Theresa M. Kohlhoff (BC), Susan Evans Grabe (BL).

Government Law Section

Activities and accomplishments:

The Executive Committee planned two CLEs in 2012.

The section's annual mid-year CLE was held in February 2012 at Salishan Spa and Golf Resort. The CLE was well-attended and well-received. The Executive Committee awarded five scholarships to government law practitioners who have limited means to attend CLEs. The executive committee also obtained sponsorships to hold a hosted social hour at the conclusion of the CLE. The social was well-attended and provided an opportunity for public law practitioners to socialize in a relaxed, collegial setting.

The section co-sponsored a fall CLE with the Indian Law Section and the Oregon State Bar on October 19 2012. The CLE was well attended and well-received. At the conclusion of the CLE, section members adjourned for the Section's annual meeting and then met for an informal social event at the Oregon State Bar center.

The committee also continued to send out periodic email updates and alerts to Section members on legal developments and topics of interest to public law practitioners.

The committee continued to work on the Section website.

Finally, the executive committee voted at the November, 2012 meeting to continue to extend up to 25 free section memberships to new OSB admittees who are (a) unemployed, and (b) have a sincere desire to practice government law. As of December 2012, three new admittees have requested the opportunity to join the government law section for 2012.

Budget:

As of December, 2012, 2012 revenue is \$13,860 and expenses are \$11,445, for net revenue in the amount of \$2,405. The section made charitable contributions in the amount of \$3,000. The Government Law Section submitted a budget for 2013 on November 27, 2012. The Budget shows a beginning fund balance in the amount of \$12,709, and projected ending fund balance in the amount of \$15,264. The Section projects revenues in the amount of \$14,250 and expenses in the amount of \$13,488. The Section will make a \$2,000 contribution to the Campaign for Equal Justice and a \$1,000 contribution to the Oregon Minority Lawyers

Association. The section expects to have 475 total members in 2013.

Matters considered/Matters pending:

The matter pending before the committee is the finalization of arrangements for the February 22, 2013 CLE and social. That event will again be held at Salishan Spa and Golf Resort

Recommendations for 2013:

For the past several years, the executive committee has extended for each of its CLEs a small, limited number of fee waivers/scholarships for public employees of public agencies that have reduced or eliminated CLE or training budgets and therefore cannot fund the CLE fees of section member(s) who wish to attend. This program has been helpful to section members employed by agencies that have been negatively affected by the current economic downturn. Future executive committees may wish to continue this program until the economy stabilizes.

The Executive Committee may also wish to consider whether to pursue an update to the Oregon State Bar Government Law publication.

Respectfully submitted: Sarah E. Hanson (CH), William K. Kabeiseman (CH-Elect), Lisa M. Umscheid (Past CH), Kathryn A. Short (TR), Alan Andrew Rappleyea (SEC), Alison Kean Campbell, Laurie E. Craghead, David N. Eder, Virginia L. Gustafson, Stephanie M. Harper, John Robert Hutt, Kimberly Anne Medford, Diana L. Moffat, Terence L. Thatcher, Heather A. Vogelsong, Benjamin Walters, Richard. G. Spier (BC), Denise Cline (BL).

Indian Law Section

Activities and accomplishments:

Conferences

The ILS hosted two CLEs this year. The first CLE was held on July 25, 2012 in conjunction with the Lewis and Clark Indian Law summer program. It consisted of a presentation by Professor Skibine, a renowned Indian law expert. His lecture focused on four recent United States Supreme Court decisions: *Salazar v. Patchak*, *Salazar v. Ramah Navajo, U.S. v. Jicarilla Apache Nation*, and *Carcieri v. Salazar*. It is estimated that 18 Indian Law Section members attended in addition to the law students. This was very successful and money will be set aside in next year's budget to participate in a similar program next year.

The second CLE was co-sponsored with

the Government Law Section. It was entitled, "Government Law and Indian Law: Critical Issues and Recent Developments." It was held on October 19, 2012 and focused on the intersection of Indian law and Government law practice. It is estimated that 66 people attended, with some attending via webcast. The general consensus was that it was very successful and the ILS should continue to foster a positive relationship with members of the Government Law Section.

Special Meetings

The Section co-sponsored a social with the Government Law Section following the joint CLE. This event advanced the efforts of the Section to improve relations with Government Law Section members. There was also a lunch with law students held in conjunction with the Lewis and Clark CLE and provided law students an opportunity to interact with Indian law practitioners.

Web Publications

The ILS continued to post information of interest to the Section on the ILS website, including job opportunities in Indian Law, events and conferences concerning Indian Law and tribal activities. The Executive Committee voted to approve including information on the website in the OSB Knowledge Bank.

Budget:

The Section adopted a budget for 2013 of \$4,504. Included in the budget is \$500 for a Campaign for Equal Justice contribution, \$1000 for a general contribution, \$904 for Bar support assessments, 500 for an ILS conference/CLE associated with Lewis and Clark's summer law program, and \$500 for miscellaneous in anticipation of potentially doing more outreach, writing competitions, or other projects to add value to membership in the section.

Legislative issues:

The section tracked Senate Bill 412, which was approved. It ensures tribal officers receive the same protections as other law enforcement officers under Oregon law. In future years the ILS may want to weigh in on removing the bill's 2015 sunset provision.

Senate Bill 1505 was also tracked and passed. It relates to civil commitments on the Warm Springs Reservation and may be an opportunity to expand in future years to all non-PL 280 tribes that exercise civil

commitment authority in their courts.

Matters considered/Matters pending:

The Section discussed whether to push for the inclusion of Indian law questions on the Oregon bar exam. Ultimately, the Executive Committee voted not to pursue the matter at this time.

There is a Lewis and Clark Law School sponsored NALSA Moot Court competition coming up next year, and they are in need of judges. The ILS will assist them by encouraging members to volunteer.

The ILS participated in the Bar's Diversity Branding session.

The ILS was informed that they could not formally support the efforts of Lewis and Clark law students in their attempt to develop an Indian Law Certificate program at the Lewis and Clark School of Law. Instead of sending an official letter of support on behalf of the section as a whole, individual executive committee members were encouraged to do send letters if they believed it to be a worthy effort.

Recommendations for 2013:

The ILS will assist in providing judges to Lewis and Clark's NALSA Moot Court competition next year. The ILS will look at conducting a CLE next year in conjunction with Lewis and Clark's summer law program similar to the event we sponsored this year. Ideas for improved, and continued, coordination with the Government Law Section members may become a continuing agenda item.

Respectfully submitted: M. Brent Leonhard (CH), Stephen P. Kelly (CH-Elect), David D. Shaw (Past CH), Michael J. Grieser (TR), Jennifer Biesack (SEC), Jennifer A. Amriott, Craig J. Dorsay, Lauren J. Lester, Douglas C. MacCourt, Melissa Masat Robertson, Starla K. Roels, John M. Schultz, Lee Kevin Shannon, Stephanie Striffler, Carl V. Ullman, Audrey T. Matsumonji (BC), Michelle Lane (BL).

Intellectual Property Section

Activities and accomplishments:

The Executive Committee established "subcommittees" to oversee issues relevant to the Section, specifically: CLEs; Happy Hour/Outreach; Brown Bag Series; Legislative; Scholarship; and Website. The Section held its annual "Year in Review" CLE at the Bar Center on February 3, 2012, and it continued the monthly Brown Bag CLE series at the Ace Hotel/The Cleaners in Portland throughout the

year. The Annual Meeting was held on October 3, 2012, at the Governor Hotel, with Lynn Beresford from WIPO speaking. The Section has been active in outreach, specifically, events at University of Oregon Law School and Willamette University Law School, at each of which 4-6 attorneys attended to discuss their IP practices with students. The Section has held quarterly Happy Hour events in Portland for Section members to meet in an informal atmosphere. The Section website has been significantly updated. The Section and the Computer and Internet Law Section have collaborated more closely to coordinate events, and the sections co-sponsored a Brown Bag in August. Attorneys from the Executive Committee have been working with students from Lewis & Clark Law School to oversee research projects as part of the Oregon Intellectual Property Network.

Budget:

The Section is on track with its budget projections for 2012, although Section enrollment is lower than anticipated. The 2013 budget will be adjusted to account for lower membership.

Legislative issues:

No legislative issues relevant to the Section have arisen until recent potential court rules changes have been proposed. The Section has not yet decided whether to take action on those.

Matters considered/Matters pending:

The Annual "Year In Review" CLE will be held on February 15, 2013 at the Bar Center, and a 10 month contract was renewed with The Ace Hotel/The Cleaners for the monthly brown bag series. The Section likely will continue the quarterly Happy Hours, and an event with Lewis & Clark Law School should be scheduled for the winter or spring. The U of O and Willamette Law School events likely will repeat in the Fall of 2013. The Section is considering offering an annual scholarship to an Oregon law student – a final decision is anticipated by the end of 2012, and if approved, a committee will be established in early 2013. The Section also is considering holding a CLE event in Eastern or Central Oregon in the winter or early spring 2013, and discussion is ongoing. The Section is considering its website hosting options.

Recommendations for 2013:

Recommend continuing cooperation with CILS, and continued outreach to students and to attorneys in other areas of Oregon, outside of Portland.

Recommend establishment of a committee and protocols for awarding an annual IP scholarship to an OR law student.

Respectfully submitted: Karen Wetherell Davis (CH), Devon Zastrow Newman (CH-Elect), Michael Heilbronner (Past CH), Thomas L. Evans (TR), Timothy S. DeJong (SEC), David Stanley Aman, Allen Field, Ian D. Gates, Amanda L. Gratchner, Kevin M. Hayes, Bryan D. Kirkpatrick, Anne E. Koch, Lydia Pallas Loren, David C. Ripma, Thomas J. Romano, John D. Russell, Thomas E. Vesbit, Tom Kranovich (BC), Dustin Dopps (BL).

Labor & Employment Section

Activities and accomplishments:

The Section held its annual meeting and CLE on October 4, 2012 in Portland, Oregon. There were 161 attendees, 31 of which were complimentary. The Section continued its sponsorship of student attendees (14 this year), a program started in 2010. The CLE program had a keynote panel presentation on "Microinequity in the Workplace" in the morning, which was very well received. In addition, the afternoon program was expanded to have two breakout sessions each focused on labor or employment law issues. After the program, a hosted cocktail hour was available for networking opportunities, which was provided through the generous sponsorship of several law firms. Feedback received was extremely positive.

The Section designed and instituted a form to be used by other entities asking for charitable contributions. The form is intended to add fairness and transparency to the process.

A general theme addressed throughout the year was declining Section membership. In order to provide more service and value to the members (and thus stem the decline and ultimately increase membership) the Board took a number of steps.

The Section established an advisory non-voting group of volunteers to work on organizing and presenting mini CLEs throughout the year. The goal is to present multiple (6 to 12) one hour CLE programs during different times of the day - breakfast, lunch or early evening - each focused on a specific topic and often targeted for different experience levels.

Although a website was not created during the year (a goal identified in 2010), a subcommittee to try to establish one in 2013 did start working with

OSB representatives and is proceeding with the project.

The Board drafted and initiated a survey, which is intended to be used yearly, to determine membership interest and desires, and to help identify social and other networking opportunities.

Budget:

The 2013 budget was adjusted to reflect decrease revenue due to decreased membership (745). A new line item was added to the budget for the expense of co-sponsoring the Civil Rights Section newsletter. The Board had approved sponsorship of one newsletter in 2012 and based upon the positive response, budgeted funds to cover two newsletters in 2013. The Board also increased the budgeted amount for the mini CLE or seminars to be put on in 2013.

The Board examined the charitable contributions process, recipients, and amounts allocated and after designing a system and form to be used to request such contributions ultimately decided to maintain the past level of contributions to The Campaign For Equal Justice (\$1,500) and the Oregon Minority Lawyers Association (\$500).

Finally, the Board considered increasing members' dues and decided to leave dues at the current level for 2013.

Recommendations for 2013:

The Section started planning its 2013 CLE, which is anticipated to be held in Sunriver, Oregon in the fall. The planning process started at the November 2012 Board meeting, and it was decided a greater emphasis on marketing and outreach to firms was needed to increase attendance. The Board will continue to strive to increase service to the members and value to membership through the various efforts continued or initiated this year, which are described above. The inclusion of more volunteers and the addition of more social/networking events should continue to be a focus. Co-sponsorship of activities and/or events with other sections, such as that done with the newsletter, should be expanded.

Respectfully submitted: Scott N. Hunt (CH), Brenda K. Baumgart (CH-Elect), Jennifer L. Bouman (Past CH), Jason Michael Weyand (TR), Paul M. Ostroff (SEC), Lisa A. Amato, Clarence M. Belnavis, Barbara J. Diamond, Thomas K. Doyle, Sarah K. Drescher, Paul B. Gamson, Jeffrey Douglas Jones, Susan L. Stoner, Nathan Schwartz Sykes, Katherine C. Tank, Julia

Williams, Steve D. Larson (BC), Christine Kennedy (BL).

Litigation Section

Activities and accomplishments:

Comprised of attorneys practicing in areas ranging from civil to criminal, plaintiff to defense, personal injury to commercial, consumer to business, and real estate to family litigation, the Litigation Section remains the largest section of the Oregon State Bar. Our signature activities continue to be publication of the Litigation Journal, selection of the annual Owen M. Panner Professionalism Award recipient, and co-sponsorship of the annual Litigation Institute and Retreat and the biennial Fundamentals of Oregon Civil Trial Procedure CLE. Once again, the Litigation Section was pleased to offer scholarships to the Litigation Institute and Retreat, which enabled public service attorneys and those with financial need to attend this important event. As is our tradition, members of the Executive Committee paired up with scholarship recipients to personally host them at the Institute and Retreat. We still maintain a website, assist in providing speakers for other CLE events, and work to promote communication, camaraderie, and professionalism within the bench and bar. Here are some further details:

Litigation Journal: We produced three issues of the Litigation Journal this year, coming in under budget for this project, primarily due to our switch from paper format to electronic format. Immediate Past Chair Sim Rappoport headed the project to move to electronic format. Editor Denny Rawlinson continues to spearhead this first-rate publication. We believe the Journal is a valuable resource and an important reason to join the Section.

2012 Litigation Institute and Retreat: 2012 marked our 19th annual Litigation Institute and Retreat, which we co-sponsor with the Oregon State Bar. This year, the Litigation Section provided seven scholarships to the Institute. Four of these were awarded on the basis of financial need, and three "Dennis Rawlinson Scholarship" was awarded to attorneys working in the public sector. Dennis Rawlinson Scholarships are given each year to honor the tremendous contribution that Dennis Rawlinson has made to the Litigation Institute. Denny and his committee always do an excellent job in locating national and regional speakers for the Institute. At the 2012 Institute, we were fortunate to have Hon. Mark Drummond of the Eight Judicial Circuit of Illinois as

our keynote speaker.

2013 Litigation Institute and Retreat: Planning is in progress for the 20th annual Litigation Institute and Retreat, and we are very pleased to report that the very popular Hon. Mark Drummond is returning as the keynote speaker. Once again, we expect to have a stellar program, with this year's focus on witness preparation. A decision as to how many scholarships, and of which scholarships to offer, will be made in the January 2013 Executive Committee meeting.

Owen Panner Professionalism Award: On the Friday evening of the Litigation Institute and Retreat, we hold an annual banquet and present the Owen Panner Professionalism Award to a deserving recipient. We were thrilled to present the 2012 Panner Award to Judge Lynn Nakamoto, who was appointed to the Oregon Court of Appeals in January 2011. Prior to that, she was the managing partner of the Markowitz Herbold Glade & Mehlhaf firm, one of the top litigation boutiques in the state. Her practice was mostly employment litigation (plaintiff and defense) and civil appeals. Before joining the Markowitz firm in 1994, she was a legal aid attorney in the Bronx and in Marion County.

As usual, we had a number of outstanding nominees for the 2013 Panner Award, making the selection a difficult decision. However, the Executive Committee voted unanimously to award Newport lawyer Bill Barton with the award.

Oregon Trial Practice - Joint CLE: We, along with the Products Liability and Aviation sections, offered a joint CLE in Portland on October 5, 2012, which focused on multi-jurisdictional issues and conflict of laws for the trial lawyer. It was a three hour seminar, and included a lunch. While the numbers of attendees was less than hoped for, the presentation itself was excellent and well received by those in attendance. The cost was \$45 per person. With 42 in attendance, each section absorbed a roughly \$900 net loss. However, it served as invaluable experience to allow us to continue joint CLEs in the future, should the Executive Section so choose.

Fundamentals of Civil Trial Procedure Seminar: This two day seminar will be held in the fall of 2013. We have created a sub-committee to plan and update this CLE and our goal is to keep the CLE as practical and useful as possible, particularly for newer attorneys.

Website: We have worked to update and improve

the content of our website. A sub-committee has been formed to maintain the website, and works to update the site so that it remains a relevant source of information for our members and the community.

Budget:

We expect to end the year with a surplus of nearly \$3,400, resulting in a fund carryover balance in excess of \$17,600. We have experienced a substantial decrease in our publication expenses, due to moving to an electronic format for our newsletter. We have set a conservative budget for 2013, in the event our membership continues to drop as it has in the last couple of years. The Executive Committee will continue to monitor expenses carefully to be sure that we are staying within our budgeted surpluses.

Legislative issues:

We did not find any legislative issues that concerned the section in 2012, and are currently unaware of any in 2013. However, as the session draws closer, we will be sure to monitor and discuss any legislation that would affect our members and consider how to appropriately respond.

Matters considered/Matters pending:

We are continually interested in the quality of the educational seminars that we present or participate in presenting, and work hard to ensure the highest quality education for our section members.

We currently have several openings on the Executive Committee, and are hopeful to have some new members join our ranks next year. We continue our effort to attract members from diverse geographic locations. However, work demands and travel make it difficult to attract new committee members from outlying areas.

Recommendations for 2013:

The outgoing Chair recommends that the Executive Committee continue its work on the planning of the next Fundamentals of Oregon Civil Trial Procedure CLE, the updating of the website, and the recruitment of new Executive Committee members with an eye toward diversity in terms of geographic location, ethnic and gender diversity, and practice areas. It is also recommended that the Executive Committee focus on membership recruitment so that it has the budget in years to come to offer the substantial benefits the Section provides its members.

Any other comments:

The outgoing Chair has been elected to the Oregon State Bar Board of Governors. However, he plans to serve as the BOG liaison with the Litigation Section so as to maintain institutional knowledge and help the Section continue to thrive in 2013.

Respectfully submitted: Timothy L. Williams (CH), Kimberly D'Aquila (CH-Elect), Simeon D (Sim) Rapoport (Past CH), Yael Livny (TR), Melinda Thomas (SEC), John R. Bachofner, Peter L. Barnhisel, Honorable Benjamin M. Bloom, Eric L. Dahlin, Honorable Brian C. Dretke, Pamela S. Hediger, Lindsey H. Hughes, Steven T. Lovett, Scott C. Lucas, Renee E. Rothauge, Steve D. Larson (BC), Karen D. Lee (BL).

Nonprofit Organization Law Section**Activities and accomplishments:**

During 2012, the first year of the newly formed Nonprofit Organizations Law Section (NOLS), the Executive Committee met monthly and formed three committees, which have been working on their respective responsibilities and tasks: the NOLS CLE Planning Committee, the NOLS Legislative Affairs Committee, and the NOLS Online Journal & Website Committee. The Section's CLE Planning Committee polled all of the Section members about their wishes for CLEs, both this year and in the future, and successfully organized a popular, well attended CLE on "Advising Nonprofit Organizations" that was co-sponsored by the OSB. It was held in September at the Oregon Convention Center in Portland. The Annual Business Meeting of the Section was held in conjunction with the CLE, and the new officers and Executive Committee members for 2013 were elected. The Section's Online Journal & Website Committee has now developed the section's website, which is up and running, and is working to launch the initial electronic publication of its online journal, which will be called simply "NOLS Online." The Section worked with the OSB staff to establish a Section Listserv to facilitate communication between section members. At the end of the NOL Section's first year we now have 100 Section members.

Respectfully submitted: David E. Atkin (CH), Mark Louis Katzman (TR), Susan N. Gary (SEC), Richard Baroway, Ross A. Day, John Gear, Jann P. Lane, Nancy B. Murray, Barbara Smythe, Theresa M. Kohlhoff (BC), Michelle M. Peterson (BL).

Products Liability Section**Activities and accomplishments:**

Newsletter: Patrick Angel served as newsletter editor this year. Two newsletters were published, and there is hope that at least one more will be published soon after the new year.

CLE: A CLE program was held in October, and judged a success by the committee. Thanks to accumulated funds in our account and our joint efforts with the Litigation and Aviation section the CLE subcommittee was able to secure prominent local attorneys and California attorney, Christopher Hickey, to speak on the subjects of Conflicts of Law, Jurisdiction, Admissibility of NTSB and Government Reports, Evidence Spoliation, and MDL Proceeding/Coordination of State and Federal Proceedings. The program was well-attended and reviews were positive.

Happenings of Interest: The committee is continuing with its new program to send committee members to the three law schools for an "informal CLE" on products liability law in Oregon. Events are being planned for February 2013 at Willamette, University of Oregon and Lewis and Clark.

Nominating Committee and Annual Meeting: The 2013 officer slate is complete. The slate is evenly balanced to provide practitioners from both sides of the bar. The 2012 Annual business meeting, including election of officers and at-large members, was held via conference call on Tuesday November 13, 2012.

Budget:

The balance at the end of September was \$6,688. The CLE exposure will be just under \$5,000, and the revenue will be just under \$2,000. The products liability section will, therefore, be attributed a loss of approximately \$1,000 for the CLE (the \$3,000 total loss will be split between the aviation, litigation, and product liability sections).

A proposed annual budget for 2012 was approved by the committee and has been submitted to the Bar. No dues increase was proposed for 2013.

Recommendations for 2013:

Membership in the section is down slightly. The committee may undertake a study to determine whether steps should be taken to increase the membership.

The section continues to carry a surplus in its account. As noted above, the committee plans to spend down some of the funds to retain a national speaker again for the 2013 CLE. While this takes care of the surplus, the CLE does not pay for itself and there are not sufficient funds coming in from dues alone to maintain this practice. The committee will need to address whether to increase membership and/or dues, and also look for other ways to defray the cost of the CLE, if we intend to continue to offer “free lunch” and low cost education.

Respectfully submitted: Deanna L. Wray (CH), Jeffrey A. Bowersox (CH-Elect), Todd Bradley (Past CH), Andrew Lee (TR), Rachel A. Robinson (SEC), Patrick D. Angel, Brian Campf, Matthew K. Clarke, Travis Eiva, Scott F. Kocher, Blake J. Robinson, David Casby Rocker, Michele C. Smith, Stephen P. Yoshida, Travis S. Prestwich (BC), Camille Greene (BL).

Real Estate & Land Use Section

Activities and accomplishments:

Summary – RELU’s Executive Committee and its subcommittees worked actively throughout 2012. The Executive Committee met monthly except in the month of July (and combined it’s November and December into a single November 30th meeting this year). Subcommittees met as needed. Subcommittees consisted of Education, Real Property Legislation, and Land Use Legislation. Subcommittees reported regularly to the Executive Committee through their Subcommittee Chairs (who are also members of the Executive Committee)

Education – Continuing legal education concerning a variety of topics related to Oregon real estate and land use law remains one of RELU’s primary goals.

RELU Annual SummerConference. The RELU Annual Meeting/Summer Conference was held August 9th through 11th at The Salishan Resort near Lincoln City. Registered attendance was about 180 attendees, which was again still slightly below the historic average of about 200 attendees over the last few years, although the Section had only 189 attendees at the 2012 Summer Conference in Bend. RELU understands the small drop in attendance numbers is consistent with similar CLE events held by other OSB sections during the past few years – and is likely based, at least in part, on Oregon’s economic conditions during the past few years. The Summer Conference Subcommittee, with assistance from

Norma Freitas, was responsible for organizing and executing the Summer Conference and continuing education programs presented, providing 10.5 credits for those attending all the Summer Conference sessions.

RELU Annual Fall CLE. The section also held a one-day CLE on October 12th at the Oregon State Bar Center in Tigard, providing 6.5 general CLE credits to attendees. In addition the section sponsored several lunch-hour continuing education programs in Portland that drew about 100 attendees.

RELU Digest – The Real Estate & Land Use Digest continues to publish five or six times a year. At this writing in 2012, RELU Digest issues were published in January, March, June and September (with one more 2012 issue to be published in December). RELU began publishing the RELU Digest in 1978. Since then, RELU has consistently produced a high-quality Digest publication, with its primary emphasis on summarizing and discussing developments in Oregon Real Estate legislation, Oregon appellate case law concerning real estate and land use issues, and Oregon LUBA decisions. The RELU Digest is ably edited by Kathryn Beaumont and has a number of volunteer co-editors who write the reviews. The Digest is distributed electronically to all members unless requested otherwise and copies are sent to judges and law librarians. Publications are archived back to 2000.

RELU Website – The section website is periodically updated by RELU’s webmaster, Paul Tichy of Appaloosa Business Services and includes a calendar increased to show other bar related activities that would be of interest to members of the section. Past RELU Digest issues are available to RELU members in the Website’s archives, providing a data base of articles and summaries covering a wide variety of real estate and land use topics going back to the year 2000 are also available to members on the RELU Website.

RELU Listserve – The listserv continues to provide a useful communication tool for section members to exchange ideas and to post questions on legal issues. The Executive Committee appoints a list serve moderator, but the RELU Listserve is largely self-governing. It is one of the most beneficial and widely-used services provided by the Section to RELU members. 2011 there were over 24,000 visits by members, averaging about 2,000 visits per month, which is an increase of about 500 visits per month

over last year.

Membership and Volunteer Development – The Executive Committee continues to focus on membership development and attempts to encourage new and continuing section members to volunteer opportunities. New initiates to the Bar are offered a free membership for the balance of the year of swearing-in. Sign-up sheets are distributed at the annual meeting encouraging participation in the subcommittees.

Budget:

2011 revenues and expenditures will be generally within budget. Membership is slightly down probably due to the economy and retiring members. Reserves remain at a reasonable level and are intended to cover the cost of RELU’s two major CLEs should there be a dramatic downturn in attendance or a cancellation.

Legislative issues:

RELU tracked a number of bills during the 2012 legislative session. Both subcommittees track all bills relating to real estate and land use. Typically 200-300 bills of that nature will be introduced during a legislative session.

Recommendations for 2013:

The Section will continue planning for two major CLE sessions, one in combination with the Summer Conference. Continuation of the Digest as a benefit to our members at no additional cost is another recommendation. The Committee will continue to monitor related bills and receive reports from its active subcommittees. The RELU Listserve will continue to enjoy a high level of use. The Website will continue to provide useful and pertinent information and will increase the calendar of activities. A long-range planning session was included in June of 2012 at the Committee’s annual Ashland meeting in June of 2012, and should again go forward in June of 2013.

Respectfully submitted: Christian E. Hearn (CH), Jeffrey B. Litwak (CH-Elect), John C. Pinkstaff (Past CH), Thomas E. Bahrman (TR), Tod A. Bassham (SEC), Dina E. Alexander, Jennifer M. Bragar, Joshua A. Clark, Laura Craska Cooper, Laurie E. Craghead, Liz Fancher, Patricia A. Ihnat, Dustin R. Klinger, Norma S. Freitas (ADV), Patrick Joseph Ehlers (BC), Michelle M. Peterson (BL).

Sole & Small Firm Practitioners Section

Activities and accomplishments:

The Executive Committee held meetings on the first Saturday of each month throughout the year. Section members and their guests also attended monthly networking lunches at the Old Spaghetti Factory on the south waterfront in Portland. There were also networking meetings focused on marketing and promoting law offices held on a monthly basis at a restaurant in SE Portland.

The listserv continues to be active and in addition to providing resources to members on substantive and procedural issues, it serves as the primary form of communication about section news, programs and upcoming events.

The section website, found at www.ssfps.org, continues to develop into a dynamic practice management aid and marketing tool for section members. Plans are in place to further develop the lawyer profile pages of the website so that the public may be made better aware of the services offered by section members.

The section sponsored various CLE’s throughout the year, all of which were free for its members. The section’s annual meeting included a bagel breakfast and a 1-hour CLE about creating a paperless office.

Budget:

Only minor revisions were made to the budget and the dues will remain at \$15.00.

Legislative issues:

There were no legislative issues that the committee wanted to engage in this year in particular. We do not foresee any for the 2013 year at this point.

Matters considered/Matters pending:

The committee is working diligently to provide a better website for its membership. Some members of the executive committee are meeting with some of the Oregon State Bar, Board of Governor (BOG) subcommittees to get some preliminary thoughts on the direction the website should take. Once that is accomplished, the committee will work toward those goals and approach the BOG for final approval.

Recommendations for 2013:

Continue to develop and encourage use of the section website and make greater efforts to solicit

content contributions from the membership. Sponsor CLE and networking events outside the Portland metro area. Achieve a tech and vendor fair as have been done in the past.

Respectfully submitted: Myah (Osher) Kehoe (CH), Gary Underwood Scharff (CH-Elect), David H. Madden (TR), Barbara Smythe (SEC), Heather A. Brann, Erin Cecil-Levine, Michael L. Cooper, Vincent A. Deguc, Kelly Michael Doyle, W Scott Phinney, Roger D. Scarbrough, Jaculin L. Smith, Joshua S. Williams, Laurie H. Zwingli, Tom Kranovich (BC), Rod Wegener (BL).

Sustainable Future Section

Activities and accomplishments:

The Sustainable Future Section was created at the end of 2009. In 2010, the Executive Committee devoted considerable attention to organizational activity, including attracting members, adopting a mission statement, developing a web site, creating a newsletter, identifying program concepts, and establishing objectives and priorities. Building on this organizational activity, the Executive Committee refined and vigorously pursued its primary objectives in 2011. In 2012, the Executive Committee continued to providing programs and information, raise awareness and recognize sustainable law office practices, grow Section membership and advance the dialogue about the intersection between the law and sustainability.

Newsletter: During 2012, The Long View was published quarterly (with the fourth edition of the newsletter to be published in December 2012). The Long View has featured a variety of authors and a wide array of sustainability topics. Except for an initial paper edition, The Long View is distributed electronically to minimize paper use and reduce production expenses. The Long View continues to be edited by Michelle Slater, who is assisted by an Editorial Board comprised of Executive Committee members.

Programs: During 2012, the Section presented the following six programs:

Coal Export Terminals in Oregon: The Section hosted a debate at noon on November 14, 2012 about the proper scope of environmental review for the five proposed coal export terminals in Washington and Oregon. Brett VandenHeuvel of Columbia Riverkeeper argued for an area-wide review and Greg Peden of the Coalition for Jobs & Growth

argued for a facility-by-facility review.

Connecting Children to Real Food: On September 4, 2012, the Section presented a brown bag lunch discussion "FoodCorps – Connecting Children to Real Food." Curt Ellis, the co-creator of the documentary King Corn and co-founder of FoodCorps, shared his vision for FoodCorps as an antidote to the epidemic of childhood obesity and as an engine for supporting local food producers.

Governor's Future Energy Action Plan: The Section presented a Brown Bag presentation on June 20, 2012 with Margi Hoffman, Gov. Kitzhaber's Energy Policy Advisor, on the Governor's Future Energy Action Plan. Click here for more information and for the materials from the event.

June 20, 2012, Portland

Economic Growth, Natural Capital and Sustainability: On April 11, 2012, the Section presented a CLE on this topic featuring noted economists Ed Whitelaw and Bryce Ward from ECONorthwest. Focusing on the Pacific Northwest, this program discussed the importance of economic growth, how natural capital contributes to economic growth, and what it means for an economy to grow sustainably.

Climate Change Impact: On the evening of March 13, 2012, Prof. Andreas Schmittner of OSU discussed the recent National Science Foundation study that indicated that climate change will be less severe than predicted by the International Panel on Climate Change (IPCC).

Wave Energy: On February 29, 2012, the Section offered a presentation by Oregon Wave Energy Trust (OWET), a nonprofit public-private partnership funded by the Oregon Innovation Council. This program discussed the State's ongoing efforts to attract and build the ocean renewable energy industry in Oregon.

National Exposure: In January 2012, the Section participated in a program presented at the National Association of Bar Executives' mid-year meeting. The program was titled "Green With Envy? Your Bar Should Be" and featured a panel that included Michelle Slater, Section Chair, Sylvia Stevens, Oregon State Bar Executive Director, and Jennifer Berg, a California attorney that is the Sustainable Practice Leader at Northgate Environmental Management, an environmental engineering firm in Oakland, California. The panel was moderated by Rod Wegner,

Chief Financial Officer of the Oregon State Bar. The panel afforded the Section to discuss before a national audience (i) the process utilized in Oregon to advance an interest in sustainability among lawyers and (ii) the respective activities of the Bar and the Section relating to sustainability.

In April 2012, the Section participated in a national webinar organized by the Law Firm Sustainability Network, which featured state bar sustainability efforts and programs in California, Massachusetts, Oregon, and Pennsylvania. This afforded the Section another opportunity to highlight this one-of-a-kind Section together with the advances being made in and around the Oregon State Bar.

Awards: In January 2012, the Section launched the "Oregon State Bar Partners in Sustainability Program." In August 2012, the Section recognized the Founding Partners in the Program, those law offices certifying for the Program prior to June 30, 2012. The Founding Partners are: Ater Wynne, LLP, Portland office; Bend Oregon Lawyers, LLC

Barry T. Woods, Attorney at Law, LLC; Office of General Counsel for Beau Delicious! International, LLC franchisor of Café Yummi!; Diane Henkels, Attorney at Law; Gaddis Law LLC; Gund Law PC; Intelekia Law Group, LLC; K&L Gates, Portland office; Kennedy & Kennedy LLP; Lane Powell, PC, Portland office; Lindsay Hart Neil & Weigler LLP; Markowitz Herbold Glade & Mehlhaf, PC; Merrill Property Law, LLC; Metcalfe & Peterson LLC; Michelle Slater Law, LLC; Northwest Business Law Group; Office of Washington County Counsel; Rizzo Mattingly Bosworth PC; Schwabe, Williamson & Wyatt, PC, Portland office; Stoel Rives, LLP, Portland office

Two other law offices joined the program subsequent to June 30, 2012. Each of these Oregon law offices have shown commitment to operating sustainably and provide valuable leadership to others as law offices throughout the State move toward office practices that conserve resources and reduce waste.

In 2012, the Section presented its third annual Sustainable Law Office Leadership Award to recognize the exceptional contributions of a law firm in advancing sustainability. Stoel Rives LLP received the 2012 Award and was honored at an event in November 2012.

Also in 2012, the Section joined the President of the Oregon State Bar in congratulating Section

member Diane Henkels on receiving the President's Sustainability Award.

Study groups and outreach: The Section has continued several study groups from 2011. One study group continued to study the feasibility and effect of creating a state office of legal guardian to analyze how proposed legislation and administrative rules might impact the environmental interests of future generations. It is anticipated that the findings of this study group will be covered in articles in *The Long View* or in the Section's programs in 2013.

In 2012, the study group formed in 2011 to study the emergence of sustainability criteria in requests for proposals involving legal services completed its work and the results of its work were published in *The Long View*.

Pro Bono Services: In 2012, the Section assisted Paul Majkut and Nancy Duhnkrack in the creation of a group of volunteer lawyers to provide pro bono services to Oregon land trusts and donors of conservation easements. The group's activities are contemplated to begin in 2013.

Budget:

As of December 7, 2012, the Section's projected 2012 expenses were \$5,787 with a projected year-end balance of \$3,475. As in prior years, the Executive Committee continued to spend Section funds conservatively in 2012. The largest expenditures were for the OSB services assessment, gifts and awards and special project. The special project for the Section this year was the launch of its Partners in Sustainability program. Together with the announcements related to the Sustainable Law Office Leadership Award, the new program and the award accounted for larger proportions of the expenses this year due primarily to the increasing costs of publishing advertisements in the *Bulletin* and increased outreach in the Multnomah Bar Association periodical.

For 2013, major budgeted expenses again include special projects and gifts and awards (\$1,000 each) and an increase in the CLE program budget (\$2,000). With the surplus the Section anticipates at the end of 2012, we are feeling more comfortable with launching an effort toward more costly CLE programs, potentially including a day-long program focusing on a broader topic of interest.

Legislative issues:

The Section did not propose any legislation for the 2012 session of the Oregon Legislature. The Section's legislative activity has been limited to monitoring legislation that pertains to sustainability.

Recommendations for 2013:

In early 2013, the Executive Committee plans to review and evaluate its Sustainable Law Office Award process and criteria to look for ways to ensure its future vitality and a high level of participation among law firms. Also in 2013, the Executive Committee will be developing strategies for promoting the Partners in Sustainability program to attract greater participation by Oregon law offices.

The Long View will continue to be published electronically on a quarterly basis during 2013. The Section is continuing with its efforts to expand the distribution list for the newsletter. All editions of The Long View will continue to be available on the Section's web site.

The Section anticipates offering between six and eight programs for CLE credit in 2013. Many of the programs are anticipated to be in the brown bag lunch format successfully utilized by the Section in 2011 and 2012.

During 2013, the Section's current study groups will complete their work on how the environmental rights of future generations might be protected by the establishment of an state office of legal guardian. Findings of this study group may be covered in articles in The Long View or in the Section's programs. In addition, the Section intends to collaborate with the Animal Law Section on a study that evaluates the animal welfare requirements of the Global Animal Partnership relative to principles of sustainability. The study group is not anticipated to complete its work until 2014.

The Section will revisit the proposal to add a "Sustainable Tips" feature to its web site and newsletter. If adopted, the tips will be written by Oregon lawyers (or law office staff) and describe the first-hand experiences of law firms in implementing various sustainable office practices of general interest.

In 2013, the Executive Committee intends to broaden its outreach to law firms to create greater awareness of the benefits offered by the Section, the purposes for the Section and how the Section and law firms may work together to advance those purposes,

increase participation in Section events, and grow Section membership.

Respectfully submitted: Michelle Slater (CH), James M. Kennedy (Past CH), Robin Bellanca Seifried (TR), Janna A. Aginsky (SEC), Dallas Steven DeLuca, Jennifer L. Gates, Ellen H. Grover, Diane Henkels, Robert Lloyd Mauger Jr, Richard E. Roy, Barry T. Woods, David Wade (BC), Rod Wegener (BL).

Taxation Section

Activities and accomplishments:

New Tax Lawyers Committee. This year, the New Tax Lawyers Committee (NTLC) was chaired by Bernard Chamberlain, and Jennifer Woodhouse acted as liaison between the NTLC and the Executive Committee. Activities organized and managed by the NTLC included a Mentor Program (in which Dan Eller was named 2012 Mentor of the Year), a CLE Speaker Series (which provides tax lawyers relatively new to speaking and teaching with opportunities to present on topics of interest), a Pub Talk Series (which provides networking opportunities anchored by presentations by experienced tax lawyers), a Public Service Stipend Program (which provides \$1,600 summer stipends to J.D. or LL.M. students who serve in positions involving taxation or the administration of tax law with a pre-selected non-profit organization, state agency, or state court), and a Law Student Outreach Program (in which panels of tax practitioners give presentations at Oregon law schools to educate law students about the practice of tax law and opportunities to volunteer with the Taxation Section). Two Public Service stipends were awarded in 2012.

Laws Committee. The Laws Committee (LC), which is chaired by Robert Manicke, acts as a liaison between the Taxation Section and the taxing authorities. As part of that function, the LC meets with leaders of the Oregon Department of Revenue several times each year to discuss policy issues, including legislative and rulemaking proposals, program changes within the Department, and ways to work together to communicate with taxpayers effectively about state tax law. The LC, through volunteers from the Taxation Section, also reviews Oregon tax bills as they work their way through the legislative process. The LC's goals are to minimize confusing or ambiguous language and to alert responsible persons in the Legislature and the Department of Revenue to provisions that may have consequences not intended by the proponents.

The LC also reviews draft proposals of Oregon Administrative Rules with similar goals.

In 2012, because of the short Legislature's session, the LC did not have the opportunity to review legislative proposals as thoroughly as it does during regular legislative sessions. The LC met with administrative officials on several occasions to discuss legislative concepts.

Award of Merit. The Executive Committee of the OSB Taxation Section recognizes and honors those who exemplify professionalism in the practice of tax law in the State of Oregon with the Award of Merit. The Award is granted to the candidate whom the EC believes to best personify the Oregon State Bar's Statement of Professionalism, and best serves as a role model for other lawyers. Factors considered include reputation, conduct, leadership activities, service within the bar or the community in general, and pro bono service. Award of Merit nominations are screened by a committee chaired by Jeffrey Tarr.

In 2012, the Executive Committee granted the Award of Merit to John Draneas.

Monthly Luncheon CLEs. The Section hosts monthly luncheon CLEs in Portland and Salem. The Portland series was organized by John Magliana and Katherine VanZanten. The Salem series was organized by Barbara Smith. Both programs were highly successful in 2012.

Oregon Tax Institute. Each year, the Section hosts a two-day CLE featuring well-known speakers on a variety of tax topics. The 2012 Oregon Tax Institute was held at the Multnomah Athletic Club on June 7-8. Speakers included Marty McMahon, Ira Shepard, Sam Ullman, Peter Jarvis, Karen Hawkins, Jim Kratochvill, Tom Steele, Todd Golub, Vince Cacciottoli, and Jeff Thede.

Broadbrush Taxation CLE. In each odd-numbered year, the Section hosts a one-day CLE on a wide array of tax topics for new tax lawyers and non-tax practitioners. The program is organized by a committee chaired by Dan Eller. In 2012, the committee did substantial organizational work for the 2013 program.

Newsletter. The Section's Newsletter Committee, chaired by David Streicher, published two issues in 2012.

Website. The Section's website, which was substantially redeveloped in 2011, had its first full year

of operation in its new form in 2012. Mary Dougherty has taken the lead in keeping the site's content current.

Budget:

Treasurer Dan Eller submitted to the OSB a 2013 budget that was approved by the OSB Tax Section Executive Committee at the Section's annual meeting.

Any other comments:

Thanks to the efforts of the OSB staff, the Taxation Section Executive Committee, and members of the various Section committees, 2012 was a successful year. The Section is particularly proud of the accomplishments of the New Tax Lawyers Committee. The Section looks forward to another successful year in 2013.

Respectfully submitted: Neil D. Kimmelfield (CH), Robert T. Manicke (CH-Elect), Larry Joseph Brant (Past CH), Dan Eller (TR), Jeffrey S. Tarr (SEC), Patrick J. Green, Lee D. Kersten, Mark F. LeRoux, John Anthony Magliana Jr, Ryan R. Nisle, James R. Puetz, Barbara J. Smith, Jeffrey M. Wong, Jennifer L. Woodhouse, Hunter B. Emerick (BC), Karen D. Lee (BL).

Workers' Compensation Section

Activities and accomplishments:

The section held its annual business meeting on May 11, 2012 at the Salishan Spa and Golf Resort at Gleneden Beach, Oregon. The meeting was chaired by Dale C. Johnson.

New officers and executive committee members were elected for 2013-2014.

Seminars: The section sponsored two seminars in 2012. The first, in conjunction with the annual business meeting, was held at Salishan on May 11 and May 12, 2012. The keynote speaker was Chief Judge of the Oregon Court of Appeals, the Honorable David V. Brewer. The seminar was approved for 8.00 general credits and 1.00 ethics credits and featured the Honorable Michael McShane, Multnomah County Circuit Court Judge, who spoke on evidence from a judge's perspective, medical experts Timothy Borman, D.O. (lumbar spine anatomy and pathology) and Gary D. Olbrich, M.D. (addictions and addictive behavior), and the Honorable Robert Wollheim, Judge of the Oregon Court of Appeals, who spoke on course and scope

analysis.

The second seminar, the Bench/Bar Professionalism Forum, was held at the Oregon Gardens in Silverton, Oregon on November 9, 2012. The keynote speaker for the section's annual ethics seminar was former Chief Justice of the Oregon Supreme Court, the Honorable Paul J. De Muniz. Other presenters included Scott Morrill, from the Oregon State Bar's General Counsel's office (ethics update) and John Casalino of the Multnomah County District Attorney's office (child abuse reporting). The seminar was approved for 1.75 ethics credits and 1.0 child abuse reporting credit.

Newsletters: The section's New Technologies standing committee issued its Tech News Tuesday (subtitled: workers' compensation practice in a paperless environment), each month this year, edited by the committee's chairperson, executive committee member Robert Guarrasi. The newsletter provided section members with recent information from the Workers' Compensation Board and others on the topic of paperless practice, including updates on administrative rule changes and the board's web portal (ecompboard).

Budget:

Under the guidance of treasurer, Julie Masters, who will leave the executive committee at the end of this year after many years of excellent service, and with the proactive approaches of the Salishan Conference committee (Linda Conratt, chair, and Sally Anne Curey, past-chair), the section reversed the fund depletion trend of recent years: the section's expenses came in under budget this year. The incoming treasurer, Ronald Bohy, met with Julie Masters to assure a smooth transition and to formulate the budget for 2013. The executive committee approved the new budget and was able to renew its commitment to the Campaign for Equal Justice.

The executive committee decided not to seek an increase in section membership dues. The executive committee decided to survey the section membership at the Bench/Bar Forum in November to see if the membership would consider a small admission fee for the traditionally free ethics seminar, particularly if a child abuse reporting credit were included every three years.

Legislative issues:

The section is not proposing any legislation

in the next legislative session. The section's standing committees, particularly the Access to Justice Committee, chaired by William Replogle, who will complete his term in December, 2012, and the Legislative/Rules Committee, chaired by James Edmunson (section legislative contact) and Administrative Law Judge Nicholas Sencer, are looking at access to justice issues and substantive changes to the workers' compensation law that will be discussed by the executive committee in 2013, with possible referral to the Bar's Public Affairs Committee.

Matters considered/Matters pending:

A review of the accomplishments and goals of the executive committee's standing committees this year can be found on the section's website under the minutes for the executive committee meeting of November 9, 2012.

The executive committee met monthly except for the month of August. A final meeting for the year, to which newly appointed or elected members for 2013 were invited, will take place at the Bar's offices on December 14, 2012.

During the executive committee meetings, following reports by the chair and the treasurer, the committee liaisons reported to the committee about their standing committees' ongoing projects, progress, and goals for the coming year.

The mission statements of each committee are reflected in the minutes and were discussed in last year's annual report.

The executive committee exercised greater control over the activities of its standing committees this year. This was done to correct a perception that the standing committees were free to exercise their best judgment in all matters without accountability to, or ultimate approval by, the executive committee. While this change was necessary and appropriate, there have been disadvantages to taking more control, particularly when the creativity, expertise and energy of standing committees are restrained and projects are slowed down.

Even with this greater supervision, the standing committees were able to move forward in their missions and successfully met most goals for 2012. The committees will continue current projects in 2013 and are designing new ones as well.

Recommendations for 2013:

The goals for 2013 will include the planning and presentation of two excellent and informative seminars: at the Salishan Resort in May and at the Oregon Gardens in November. The other standing committees will continue their work promoting new technologies, providing means for greater access to justice, encouraging younger lawyers in the bar to develop a workers' compensation practice, evaluating current statutory and rule changes/suggested changes and meeting other needs of the section membership.

Any other comments:

The executive committee recognizes and is grateful for the many contributions by its departing members: Treasurer Julie Masters, Past-Chair Matthew Fisher, and Member-at-large Douglas Rock.

Respectfully submitted: Dale C. Johnson (CH), Norman D. Cole (CH-Elect), Matthew M. Fisher (Past CH), Julie Masters (TR), Jacqueline M. Jacobson (SEC), G Duff Bloom, Ronald L. Bohy, James L. Edmunson, Robert J. Guarrasi, Tom Harrell, John M. Oswald, Carol A. Parks, Douglas J. Rock, Steven Mark Schoenfeld, Keith Semple, Nicholas M. Sencer, Dennis R. VavRosky, Matthew H. Kehoe (BC), Suzanne Cushing (BL).



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