

Oregon State Bar



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2013 SECTION  
Annual Reports



# 2013 Section Annual Reports

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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 2013 Section members, thank you for your time and expertise.

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## Administrative Law Section

### **Activities and accomplishments:**

Secured passage of SB 52 (2013) requiring state agencies to maintain final orders in form capable of electronic collection, storage, and republication by a legal research service contracting with Oregon State Bar. Monitored initial implementation of SB 52 by Oregon State Bar and its contractor, Fastcase. Monitored and opposed legislation to shift agency attorney fees and costs to private parties in administrative regulatory litigation. Formed a Joint Oregon/Washington Administrative Law Sections CLE Planning Committee to plan and present a Joint Administrative Law Institute CLE Program in Fall, 2014.

Published four quarterly Newsletters reporting on legislative developments, appellate decisions on administrative law, Oregon administrative hearing procedural developments, and section activities. Maintained the Section's website. Reached out to law students and recent bar admittees to solicit their membership in the Administrative Law Section. Held bi-monthly meetings of the Section's Executive Committee. Held an Annual Section Meeting to elect officers and executive committee members and to honor the Section's legislative affairs officer and State Bar liaison, David Nebel, upon his retirement.

### **Budget:**

The Section operated within its budget, the beginning balance of which was \$10,541. The balance noted at the annual meeting was \$13,433 with an estimated \$500 in additional expenses for the remainder of 2013. The Section projects it will close the year with a balance of \$12,943. At its Annual Meeting, the Section elected to place \$10,000 in reserve for use to retire possible indebtedness to Fastcase for yet unbilled expenses relating to the collection and republication of agency final orders.

### **Legislative issues:**

As noted, the Legislation's passage of SB 52, the Fastcase Legislation, marked the Section's biggest accomplishment.

### **Matters considered/Matters pending:**

The Section is considering further legislation to implement, improve, and finance the electronic collection and republication of final agency orders by Fastcase. The Section's principal pending project is the Joint Oregon / Washington Administrative Law

Institute, tentatively scheduled for September 19-20, 2014 at the Vancouver Hilton Hotel.

### **Recommendations for 2014:**

Build support and secure funding for the Fastcase Program. Maintain high quality of Newsletter. Work effectively with Washington Bar Administrative Law Section and with Oregon and Washington Bar CLE Programmers to produce and present Fall, 2014 Administrative Law Institute. Attract new members, particularly new Bar admittees through discounts for CLE programs and membership dues.

### **Other Comments:**

The Administrative Law Section commends and thanks David Nebel for his many years of service to the Oregon State Bar and to the Section, particularly in the area of Legislative Advocacy.

*Respectfully submitted: James E. Mountain (CH), Denise G. Fjordbeck (CH-Elect), Cortney D. Duke-Driessen (Past CH), Sivhwa Hwa Go (TR), Jennifer H. Rackstraw (SEC), Allan J. Arlow, Matthew Barber, Karen Ann Berkowitz, Ellen H. Grover, Dennis Koho, Janice Krem, Jeffrey B. Litwak, James Oleske, Sara R. Robinson-Glasser, Norman R. Williams, David Wade (BC), David W. Nebel (BL), Matthew Shields (BL).*

## Agricultural Law Section

### **Activities and accomplishments:**

In 2013, the Ag Law Section continued its pursuit of providing educational opportunities to its membership. The Section held its annual CLE on May 17 in The Dalles, Oregon. Topics focused on the continuing efforts to address water development in Northeast Oregon and alternative revenue generation on farmland. Through the year, the Section additionally utilized its list-serve to distribute information regarding issues of interest to the Section members.

### **Budget:**

The Section entered 2013 with funds totaling \$3,777. The Section's budget anticipated \$1,725 in revenue through membership dues and \$2,395 in expenses. Budget numbers reported at the Annual Meeting in November suggest the Section will end the year ahead of budget by approximately \$250.00.

### **Legislative issues:**

The Section did not expressly address any legislative issues in 2013. Members of the Executive Committee, together with the Section's legislative

contact, monitored various items of interest to the Section.

***Matters considered/Matters pending:***

Following its annual CLE, the Section committed to expand its membership and provide increased educational opportunities. A subcommittee on membership development was appointed by the Executive Committee to identify membership growth opportunities. The Executive Committee currently plans to begin a series of lunch-time CLEs in the Portland region.

***Recommendations for 2014:***

The Section should continue to pursue its goal of membership growth and increased educational services to the Section. Because the corpus of the Section's membership resides in and around the City of Portland, the Section should endeavor to provide at least two outreach events in the Portland area in 2014.

*Respectfully submitted: Wyatt E. Rolfe (CH), Helen Nelson (CH-Elect), Andrew G. Martin (Past CH), Michael J. Gelardi (TR), Karin E. Dallas (SEC), David C. Baum, Justin D. Gericke, Joseph H. Hobson, Caroline Lobdell, Jeffrey C. Misy, Mary Anne Nash, Brandy Augusta Sargent, Brent H. Smith, Charles K. Toole, Heath Curtiss (ADV), Timothy L. Williams (BC), Dani Edwards (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 2013: Child Abuse Reporting, November 20, 2013 & OSB Fee Mediation Program, October 10, 2013.

A CLE for judges has been scheduled for March 14, 2014.

Awards: At the ADR Section annual meeting on November 20, 2013, the Sidney Lezak Award for Excellence in ADR was awarded to Susan Leeson, Retired Justice of the Oregon Supreme Court, and Director of Federal Court Mediation Program.

Newsletters: The ADR Section published newsletters in January, April, and September 2013.

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 ADR Section provided written material about the section for distribution at the October 10, 2013 swearing in ceremony for new attorneys. 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 a contribution to the Oregon Mediation 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 September 2013.

***Budget:***

As of September 30, 2013, the ADR Section's fund account had an ending balance of \$9,623.

***Legislative issues:***

The ADR Section was involved in the following legislative issues:

Senate Bill 568 (Oregon Laws 2013 chapter 314) directed the Oregon Department of Justice (DOJ) to amend Oregon's foreclosure avoidance program for residential foreclosures. The ADR Section provided a representative to the Oregon Department of Justice Foreclosure Avoidance Program Advisory Committee.

Senate Bill 483 (Oregon Laws 2013 Chapter 5) established procedures for health care facilities and providers and patients to engage in discussion and mediation related to adverse health care incidents. The ADR Section provided input to the task force on Resolution of Health Care Incidents.

*Respectfully submitted: Judy S. Henry (Co-CH), Gail A. McEwen (Co-CH), Albert J. Bannon (CH-Elect), Helle Rode (Past CH), Mark A. Friel (TR), Melinda J. Baxter (SEC), Lisa A. Amato, Christopher T. Carson, Honorable Mary J. Deits, Myah Kehoe, Michael D. Levelle, Luella E. Nelson, Bruce L. Schafer, Sharon A. Williams, O. Meredith Wilson, Jane Gordon (ADV), Richard G. Spier (BC), Amber Autumn Hollister (BL).*

## Animal Law Section

### **Activities and accomplishments:**

The section has worked throughout 2013 to implement both an externship and an "independent study" in conjunction with the Center for Animal Law at Lewis & Clark Law School, and to expand the program to the University of Oregon Law School.

The section interviewed two externs this year from Lewis & Clark, but did not offer the program. The program has been well received by the academic community as the Committee pursued extending the program to the University of Oregon and Willamette law schools.

Professional Outreach cancelled the fall CLE due to the last minute troubles of the lead presenter, who is an authority on animal law and regulations. We have recruited seven student members (who have membership fees waived by the Bar at our request). We have participated in the swearing in ceremony reception again this year and have a very nice postcard summarizing the benefits of section membership (see Kathy Hall 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. An amendment to ORS 133.033 was proposed to add a definition to the current language to expressly recognize an animal as "property" under the statute. This clarification was thought to be sufficient to encourage law enforcement personnel to safeguard animals when circumstances of endangerment exist. However, the effort died in the Senate Judiciary Committee. Lobbyists for the criminal defense bar and the Oregon livestock stakeholders opposed the proposed amendment. Both groups are opposed to the statute and see any change as detrimental to the interests of those they represent.

The Section leadership continues without significant change, though with some new faces on the Executive Committee for 2014: Chairperson – Patricia Lulay (12/31/2014), Chair-Elect – Kathryn A. Hall (12/31/2014), Secretary – Emily E. Elison (12/31/2015), Treasurer – Michael B. Gottlieb (12/31/2015), Member – Amy L. Davidson (12/31/2014), Member – Lisa A. Frost (12/31/2015), Member – Nick Kahl (12/31/2014), Member – Ted K. Martin (12/31/2015), Member – Shawna Rene Meyer (12/31/2014), Member – Robert S. Simon (12/31/2015), Member – Diana Arija Vitolins

(12/31/2015), Member – Alissa Migliore Weaver (12/31/2014).

### **Budget:**

We have 76 members and anticipate an increase in membership for 2014 to 90, with membership revenue of \$1,200. We have \$4,834 in the bank, and plan \$2,520 in 2014 expenses, which includes a Committee initiative for \$1,500 of public and professional outreach. We have zero dollars in sponsorships for Section's website, www.OregonAnimalLaw.com and the annual CLE, which is something the Committee hopes to change with this outreach program. However, we expect to obtain Bar approval of website sponsorships and to gain income and click through traffic as a result.

### **Recommendations for 2014:**

We have three scheduled 2014 meetings, which includes one combined General Membership and CLE in the fall 2014.

- Feb 2014 - Executive Committee Meeting
- February 21, 2014 12:00 pm - 1:00 pm @ Hatfield Center in Newport, Oregon
- Jun 2014 - Executive Committee Meeting
- June 13, 2014 12:00 pm - 1:00 pm @ Pronghorn Resort in Bend, Oregon
- Sep 2014 - CLE, Annual Meeting, and Executive Committee Meeting
- September 19, 2014 12:00 pm - 4:00 pm @ Oregon Bar Center in Tigard, Oregon

2014 promises to be another year of big things from the Section. We have a new Chair, and several new members of the Executive Committee who represent diverse areas of the state outside of the Willamette Valley: Ted Martin from Malheur County; Lisa Frost from Jackson/Benton County; and Daina Vitolins from Crook/Deschutes County. These additions mean the Section leadership is now present in both rural and urban communities throughout the state, and we are poised to infuse our work with fresh perspectives as we implement our Law Improvement Agenda, the Law Student Externship, the Web based public outreach, and the annual CLE for professional outreach.

*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, Shawna Rene*

*Meyer, Alissa Migliore Weaver, Scott Beckstead (ADV), Emily E. Elison (ADV), Pamela D. Fransch (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), Matthew H. Kehoe (BC), M. Kay Pulju (BL).*

## **Aviation Law Section**

### **Activities and accomplishments:**

The Executive Committee meets at noon on the last Thursday of each month at the Oswego Lake Country Club. All Section members are invited as it is an open forum for discussions pertaining to local and national aviation law related issues.

The Section is closely affiliated with the Aviation Section of the King County Bar Association. This year the 40th Annual Pacific Northwest Aviation Law and Insurance Seminar was held at Skamania Lodge and was well attended by OSB lawyers from all over the Northwest. Speakers from as far away as New York City attended and there was myriad of law and insurance related aviation topics.

The Section also hosted, in conjunction with Global Aviation, an observation site and reception at the 2013 Hillsboro Air Show. This event was open to all Section members and their families and guests.

The Section is also coordinating a private tour of the Federal Aviation Administration (FAA) facilities at Seattle Center in Renton, Washington, and the Portland Tower at Portland International Airport.

A number of Section members continue to be interactive with the Lawyer Pilot Bar Association, a national association of lawyers specializing in Aviation Law and related fields.

### **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 a joint CLE held in 2012, and an administrative support fee assessed by OSB.

### **Legislative issues:**

The Section continuously monitors the Oregon Legislature for aviation-related legislation and also monitors the Oregon Aeronautics Division in Salem, Oregon.

### **Matters considered/Matters pending:**

The Section considered and approved waiving

Section dues to law student members.

Pending matters include selecting speakers for the Aviation Law Seminar, an elective class that the Section will teach at the Lewis & Clark Law School in 2014. The Section will also continue its collaboration and possible co-sponsorship of the annual Pacific Northwest Aviation Law Seminar with the Aviation Section of the King County Bar Association for the 2014 seminar.

### **Recommendations for 2014:**

The Section will continue to support the Lewis & Clark Law School Aviation Law class and the annual Pacific Northwest Aviation Law CLE Seminar in 2014.

The Section will continue to monitor the Oregon Legislative Sessions for aviation-related matters.

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

*Respectfully submitted: Steven L. Myers (CH), James B. Fisher (CH-Elect), Matthew K. Clarke (Past CH), Christine Tracey (TR), Philip A. Rush (SEC), Roderick A. Boutin, Alfred Frank Bowen, Donald B. Bowerman, Thomas E. Cooney, Robert B. Hopkins, Sue McKeon, Timothy E. Miller, Stuart W. Smith, A. Richard Vial, John R. Barker (ADV), Thomas J. Flaherty (ADV), Jonathan M. Hoffman (ADV), John C. Hutchison (ADV), Barbara Ann Jacobson (ADV), David J. Sweeney (ADV), Caitlin Mitchel-Markley (BC), Sarah Hackbart (BL).*

## **Business Litigation Section**

### **Activities and accomplishments:**

During 2013 the Business Litigation Section continued its CLE programs and presented four seminars. All CLEs were held in Portland at the Benson Hotel. Attendance remained consistent.

3/13/2013: "Keeping Multnomah County Presiding Judge Nan Waller and Her Colleagues Happy (Part Deux!): An Update on Multnomah County's Civil Case Management Rules and a Tantalizing Report on E-Filing, presented by presiding Judge Nan Waller and Mark Comstock, Salem attorney and chair of the OSB/OJD eCourt Implementation Task Force.

5/15/2013: "Solving the Twombly Pleading Puzzle" presented by the Honorable Judge Michael H. Simon, United States District of Oregon, Scott Shorr of Stoll Berne and Lois O. Rosenbaum of Stoel Rives.

9/18/2013: "The Integral Role of Local Counsel in the District of Oregon" presented by the Hon. John V. Acosta, United States Magistrate Judge District Court of Oregon.

11/13/2013: "C.Y.A.: Real Life Ethics Issues in Business Deals and Litigation" presented by Paul Conable and Jeffrey Cronn of Tonkon Torp LLP, and Brad Tellam of Stoel Rives LLP.

**Budget:**

The Executive Committee were unable to approve a budget for 2013 during the course of its meeting on November 13, 2012 because a budget had not yet been requested by the bar. The budget shall be prepared and available from the Oregon State Bar before the January 2014 year. Based on past budgets, we expect that the 2014 budget will presume approximately 640 members and annual revenues of approximately \$15,000 from member dues and CLE registration.

**Any other comments:**

A new slate of officers was elected and confirmed for 2014 by the Section during the course of its annual meeting on November 13, 2013. The following is a list of the officers for 2014: Past-Chair, Janet Knauss Larsen; Chair, Thomas Russell Johnson; Chair-Elect, Kieran John Curley; Treasurer, Laura Caldera Taylor; Secretary, B. John Casey.

The new officers will begin to serve effective January 1, 2014.

Additionally, the section approved new Executive Committee members. The following is a list of the 2014 executive committee members: Timothy S. DeJong, Leslie S. Johnson, Kevin H. Kono, Steven D. Olson, Elizabeth A. Semler, Christopher J. Kayser, Kevin S. Mapes, John W. Stephens, Robert A. Swider, Tim W. Snider, Peter Hawkes.

The new officers and committee members will meet in January of 2014 for the annual planning session. The agenda will include a discussion of possible CLE topics for 2014 and related items.

*Respectfully submitted: Janet Knauss Larsen (CH), Thomas Russell Johnson (CH-Elect), Kieran John Curley (TR), Laura Caldera Taylor (SEC), Bernard John Casey, Timothy S. DeJong, Katherine Heekin, Leslie S. Johnson, Christopher J. Kayser, Kevin H. Kono, Kevin S. Mapes, Steven D. Olson, Craig G. Russillo, Elizabeth A. Semler, Timothy W. Snider, John W. Stephens, Robert A. Swider, David Wade (BC), Camille Greene (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 Fall issue was co-published by the Labor & Employment Section.

We organized a Public Forum entitled "Understanding Community Mental Health: Perspectives from Courts, Advocates, and Providers," which covered a broad range of issues related to community mental health. Addressing mental health from the perspectives of the courts, advocates, and providers, 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 Native American Student & Community Center and drew a diverse audience. Committee members made a concerted effort to publicize the event widely, since lack of publicity affected turnout in prior years.

A subcommittee of the section organized and sponsored a seven part CLE series aimed at increasing diversity in the plaintiff's civil rights bar. The goal of this series was to provide diverse lawyers interested in civil rights with a basic framework on certain substantive areas of civil rights law, as well as mentorship and support to take on civil rights cases on behalf of plaintiffs. The "101" hour long CLE series were presented by dynamic and experienced speakers who gave an introduction to the area of practice, provide case examples, and distribute materials and pleadings. In addition, this series was intended to work in conjunction with the OSB's new mentorship program, and experienced lawyer mentors were available to assist with specific issues or general guidance. The CLEs were free of charge, and covered the topics of Employment Law, Whistleblowing, Public Accommodations, Sections 1983, 1981 and 1988, Wage and Hour, Fair Housing, and Prisoner Litigation.

We organized and co-sponsored a CLE with the Federal Bar Association entitled: Future Impacts of the 2013 US Supreme Court Session: Marriage Equality, Search and Seizure, Voting Rights, and Affirmative Action. The CLE was held in the jury assembly room at the federal courthouse and had attendance of about 30- 40 people. The seminar explored a range of civil rights topics impacted by the 2013 Supreme Court term, including Affirmative Action, Title VII, Marriage Equality, the Fourth

Amendment, and Voting Rights. Thanks in part to contributions from several law firms, the CLE grossed over \$3,000 to be divided among the two 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.

We made contributions to the Oregon Minority Law Association auction and to the Campaign for Equal Justice, as well as the Diversity Wall at the OSB building.

***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 proposed to expand this partnership and the Committee agreed that was a good course of action.

***Recommendations for 2014:***

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: J. Ashlee Albies (CH), Adrian Lee Brown (CH-Elect), Sarah Radcliffe (Past CH), Marianne G. Dugan (TR), Julia S. Olsen (SEC), Cynthia Botsios Danforth, John B. Dudrey, Matthew Caruso Ellis, Alec L. Esquivel, Sivhwa Hwa Go, Benjamin Wright Haile, Ellen C. Osoinach, Sean Patrick Ray, Diane S. Sykes, Elizabeth N. Wakefield, Patrick Joseph Ehlers (BC), Paul Nickell (BL).*

**Computer & Internet Law Section**

***Activities and accomplishments:***

This year, 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 cutting edge topics. For our 2012 annual CLE, "Navigating the Pitfalls of an Online Business Presence," we brought in local practitioners and scholars to discuss a myriad of topics that confront companies that do business online. We have continued to make written materials from our annual and luncheon 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.

The CILS executive committee met monthly to manage the projects of the committee. Of particular note, the committee identified the need to revitalize both member and committee participation and dedication to the section. The executive committee accordingly formed a "revitalization" subcommittee to explore strategies and methods to increase interest and participation in the section. As usual, the Section hosted the Annual CLE speakers at the Sections' dinner following the annual meeting.

***Budget:***

Like many other OSB sections, membership revenue has declined slightly over the past few years, but the Section's finances remain healthy. CILS continues to offset some of its expenses with revenue generated by CLEs. Traditionally, in the past, the executive committee has worked to reduce its year-end balance slightly by investing more funds in its out-of-town speakers for annual and luncheon CLEs. The need to continue with this practice appears to have declined, as budget concerns have evened out over time, and overall membership revenue has been in decline. We will continue to assess our revenue and expenses throughout the coming year and whether further adjustments to the budget are necessary.

***Legislative issues:***

The Section has not been the driving force in any legislative initiatives this year, but has stayed apprised of and discussed relevant legislative developments over the year.

***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: specific actions that the section will take to revitalize member and committee participation through the new revitalization subcommittee, the appointment of the chair of the annual CLE subcommittee for 2014, the appointment of a chair-elect for the section, and the selection of new CLE topics and speakers for the upcoming year.

### **Recommendations for 2014:**

The CILS executive committee is recommending, for 2014, that: (i) the Section should consider initiating some “non-traditional” outreach events, such as evening socials with interesting themes at locations; and (ii) the Section should improve the format of its website and use social media tools to reach potential new CILS members and to provide services to the CILS membership; (iii) the Section should make more efforts to recruit new bar members; and (iv) the Section should implement further recommendations of its new revitalization subcommittee.

*Respectfully submitted: Chad M. Colton (CH), Charles R. Bowers (Past CH), Joseph Durkee (TR), C. Kalei L. Taylor (SEC), Travis J. Benn, Michael A. Cohen, Marinus Damm, Leigh Francis Gill, Brenna Legaard, Marti McCausland, Karen Dana Oster, Heather R. Self, David P. Smith, Joshua W. Smith, Caitlin Mitchel-Markley (BC), Michael Legleiter (BL).*

## **Constitutional Law Section**

### **Activities and accomplishments:**

The Section had three major accomplishments this year.

First, we finished the first OSB CLE book on Oregon Constitutional Law. It has been printed and distributed, and it is also available on line at: [http://www.osbar.org/\\_docs/legalpubs/brochures/13/13ConLaw.pdf](http://www.osbar.org/_docs/legalpubs/brochures/13/13ConLaw.pdf)

Second, the section hosted its annual CLE. The featured speakers were Prof. Pam Karlan of Stanford, who provided a “review/preview” of significant United States Supreme Court cases from the previous and current sessions. Professor Karlan also moderated a panel on recent developments in state constitutional law (Justice Jack Landau, Prof. Paul Diller, Prof. Robert Williams). Other panels dealt with recent

important Oregon Constitutional Law cases (Justice Landau, Judge David Schuman, Alycia Sykora) and a panel on litigating state constitutional issues ) Judge Stephen Bushong, Kathryn Clarke, Janet Schroer, Stephanie Striffler, and Timothy Volpert). Materials for the CLE once again were highlighted by Alycia Sykora’s extensive catalog, analysis, and discussion of every Oregon Constitutional law case decided by the Oregon Appellate Courts since November 2012.

Third, the section published its annual newsletter in November, in electronic format, available at: [http://www.osbar.org/\\_docs/sections/constitution/conlaw\\_spring13.pdf](http://www.osbar.org/_docs/sections/constitution/conlaw_spring13.pdf)

### **Budget:**

The Section’s projected year-end balance is \$13,806. For 2014, the Section has budgeted \$4,000 in revenue and \$5,400 in expenses, with a projected year-end balance of \$12,106.

### **Legislative issues:**

Although the Section was updated regularly on bills and measures of interest in the 2013 Legislative Assembly, and chose to track several, the Section did not actively promote or oppose any bills or ballot measures.

### **Matters considered/Matters pending:**

Matters considered included: Drafting a new policy for determining how the Section decides whether and how much to donate Section funds to groups or projects; CLE planning; and law student membership. No matters are currently pending.

### **Recommendations for 2014:**

The section hopes to continue its tradition of putting on excellent CLEs and producing an excellent newsletter. We also hope to reach out to law students, allowing them to become members with no dues, in the hope that they will continue their membership once they become attorneys. It may also be necessary or advisable to update the OSB Oregon Constitutional Law book.

*Respectfully submitted by: Honorable David Schuman (CH), C. Robert Steringer (CH-Elect), Edward H. Trompke (Past CH), Gregory A. Chaimov (TR), Erin J. Snyder (SEC), Roger J. DeHoog, John Paul Toby Graff, Matthew J. Kalmanson, Erin C. Lagesen, Jack L. Landau, Maureen Leonard, Jennifer Middleton, Chin See Ming, P K Runkles-Pearson, Alycia N. Sykora, Patrick Joseph Ehlers (BC), Paul Nickell (BL).*

## Construction Law Section

### **Activities and accomplishments:**

Expansion of Website: The Section updated its website to make it more user friendly.

CLE Events: The Section hosted a full day CLE at the Oregon State Bar Center entitled – A Primer on Oregon and Washington Construction Law. Additionally, the Section in coordination with Smith Freed & Eberhard P.C. continued to host “Brown Bag” lunches some of which were recorded and posted on the Section’s website.

Newsletters: The Section publishes a quarterly newsletter on various construction law topics. The newsletters are sent to members via e-mail and are posted on the Section’s website. The newsletter is very thorough and covers a variety of topics in great detail.

### **Budget:**

The Section projects an ending balance of approximately \$9,900 at the end of 2013.

### **Legislative issues:**

Jeremy Vermilyea, one of our executive board members, heads the Section’s Legislative Subcommittee. He has been working with an interim Legislative committee in regard to potential legislation relating to CM/GC projects. He reports to the executive board members about new and ongoing issues at the regular meetings due to member interest.

### **Matters considered/Matters pending:**

Sticks and Bricks: The executive board is collectively brainstorming on a potential location for a sticks and bricks event this year.

Traveling CLE: The executive board is discussing the potential for another “on the road” CLE in October of 2014. A potential location discussed was Oregon State University.

### **Recommendations for 2014:**

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 host CLEs outside the Portland metro area (if feasible) to foster connections with members.

Sponsor a “Sticks and Bricks” CLE to address the practical skills application.

*Respectfully submitted: Peter J. Viteznic (CH), Jason W. Alexander (CH-Elect), James H. Van Dyke (Past CH), Tara M. Johnson (TR), John Daniel Gragg (SEC), Frederick A. Batson, Timothy M. Dolan, Daniel L. Duyck, Doug L. Gallagher, Erika J. George, Katie Jo Johnson, Darien S. Loiselle, Heather McNamee, Thomas A. Ped, Tyler James Storti, Jeremy T. Vermilyea, Curtis A. Welch, D. Gary Christensen (ADV), Alan L. Mitchell (ADV), Scot A. Sideras (ADV), Hunter B. Emerick (BC), Sarah Hackbart (BL), Dawn Nelson (BL).*

## Consumer Law Section

### **Activities and accomplishments:**

The Consumer Section co-sponsored with Legal Aid Foreclosure Help a CLE on judicial foreclosures on February 16, 2013, that brought in national experts on this issue. The section is also presenting a CLE on December 5, 2013 called “Ensuring Access to Justice for Oregon Consumers” and which will offer Access to Justice Act credits.

The section revamped its website, thanks to the hard-working website/newsletter subcommittee. The section decided to do away with a separate newsletter and to distribute information and articles of interest to consumer law via the website.

### **Budget:**

As of October 2013, the section’s balance was \$4,097. The section voted to contribute \$1000 to the Campaign for Equal Justice at the November meeting. In addition, it is expected that the December 5th CLE will generate some revenue for the section, depending on the final registration numbers.

### **Legislative issues:**

The section monitored legislation considered by the 2013 legislature but did not sponsor any legislation.

### **Matters considered/Matters pending:**

The section decided to stop ordering the National Consumer Law Center books for the consumer law section library as usage was low, to advertise the library via the website and reevaluate whether we wanted to continue offering the library at the start of 2014.

The section has had an ongoing conversation about ways to increase membership as well as increase revenue.

Pending is approval of the November 18 minutes.

### **Recommendations for 2014:**

Given the increase in the per-member assessment by the Bar, the section may want to consider raising our membership dues next year and/or revisit the issue of increasing membership and increasing revenue via CLEs or other means.

The section should also continue to maintain the website and not lose the momentum we finally gained by revamping it.

The section plans to sponsor at least one CLE in 2014.

The section will monitor bills presented in the 2014 legislative session.

*Respectfully submitted: Nanina D. Takla (CH), Anna Braun (CH-Elect), David L. Koen (Past CH), Kelly L. Harpster (TR), Kelly Donovan Jones (SEC), Brenda M. Bradley, Lynn M. Clark, Mark Coleman, Hope A. Del Carlo, Michael Fuller, Keith D. Karnes, Bret A. Knewtson, Andrew U. Shull, David W. Venables, Joshua L. Ross (BC), Matthew Shields (BL).*

## **Corporate Counsel Section**

### **Activities and accomplishments:**

The Corporate Counsel Section provided the following services to our membership this year: 1) In May, held a networking event at Ater Wynne which the firm graciously hosted with libations while the section provided food. Over 20 section members attended. 2) On June 11, held a free half-day CLE followed by a free networking luncheon at the Lake Oswego Country Club where over 50 members attended. 3) On October 25, held a full-day CLE at the OSB Offices where over 50 members attended. Total discounted price was \$20 per member. 4) Sponsored tables at each of the three law schools during their annual dinner/auctions to raise funds for student stipends for summer employment in public service positions. Twenty-nine members participated. 5) Printed the Corporate Counselor twice (newsletter of the section). 6) Maintained and updated the section webpage.

### **Budget:**

Membership numbers held steady at just under

340.

The section ended the year with just over \$10,000 in reserves.

The committee approved continued support in 2014 of the Campaign for Equal Access to Justice (\$1,000)

The committee approved continued support of and networking opportunity through table sponsorship allowing section members to attend at no charge one of the dinner/auctions at an Oregon law school in support of summer stipends for students working in the public interest.

Matters considered/Matters pending:

Donated to the Campaign for Equal Access to Justice.

Reviewed and rejected a proposal from Lexology Information Service to provide email addresses of all section members to that service for automatic membership with an opt-out opportunity, instead choosing to inform all section members about the service and allowing for an opt-in opportunity.

*Respectfully submitted: C. Edward Gerdes (CH), Allyson Keo (CH-Elect), Gary H. Lau (Past CH), Ann L. Fisher (TR), Irina S. Batrakova (SEC), Robert J. Barsocchini, Amy Blumenberg, Will L. Forsyth, Rene Gabriel Gonzalez, Tanya A. Griffin, David Meisels, John P. Nusbaum, Ambyr M. O'Donnell, Keith Edward Parker, Tiffany A. Souza, Brian S. Thompson, Meghan E. Williams, Hunter B. Emerick (BC), Lorraine R. Jacobs (BL).*

## **Debtor-Creditor Section**

### **Activities and accomplishments:**

In early 2013, the Executive Committee began an in-depth study of the costs of maintaining our Section's existing programs and whether they can be sustained over time without increasing revenue or cutting costs. The Executive Committee implemented cost-cutting measures to the extent possible on existing programs without compromising service, but unanimously decided to recommend a dues increase to members to avoid further cuts. Our Section has been expanding its pro bono efforts in Portland, Eugene and Bend, and these programs have required more financial resources over the past few years. At the same time, the Debtor-Creditor Section is committed to continuing to publish its excellent Newsletter three times per year, providing

3-4 CLE programs per year, including the regional Northwest Bankruptcy Institute, and maintaining a very active and dedicated legislative subcommittee and other committees. After several months of inviting comments from members, our Section voted to approve a dues increase from \$25 to \$35 per year beginning in 2014.

The Section sponsored three CLE programs this year, including the Annual Saturday Session for the bench and bar in early March, the 2013 Northwest Bankruptcy Institute held in April in Vancouver Washington, and the Debtor-Creditor Annual Meeting and CLE at Salishan Resort in late September. We also published three editions of the Section's Newsletter. The Local Rules Committee is producing a new Chapter 13 order confirming plan and a guide to service and notice. Substantial time and Section resources were also devoted to the CARE programs in Eugene and Portland, as well as to our newly-expanded Pro Bono Clinics, run in conjunction with legal aid offices in Portland, Eugene and Bend. The legislative committee was also active in reviewing proposed legislation on debtor-creditor issues.

#### **Budget:**

At the Annual Meeting held on September 28 at Salishan, our members passed a resolution raising Section dues from \$25 to \$35 per year, beginning in 2014. As reported in October by our Treasurer, David Hercher, over the course of this year and last year, we have observed the Section's funding needs increase due primarily to the need for more funding for the Pro Bono Clinics, whereas our income has remained static. This has caused the Section to deplete its reserves to sustain current programs. The dues increase should help to place the Section on a more sustainable path.

#### **Legislative issues:**

Our legislative subcommittee considered and commented on a number of bills. Of particular note was the proposed bill to permit use of federal exemptions in Oregon, which was ultimately adopted by the Oregon legislature. Currently we have been asked by the Council on Court Procedures to study and comment upon a number of proposals relating to use of provisional process and receiverships in Oregon. We anticipate this will require significant work into 2014.

#### **Matters considered/Matters pending:**

Pending - The Executive Committee will continue

close monitoring of Section budgets and expenses to hopefully eliminate any deficit spending in the future. We will also consider a possible expansion of pro bono services to Southern Oregon.

#### **Recommendations for 2014:**

The Section will try to maintain all of its existing programs and activities without further depletion of Section reserves to do so.

*Respectfully submitted: Susan S. Ford (CH), M. Caroline Cantrell (CH-Elect), Tara J. Schleicher (Past CH), David W. Hercher (TR), Richard J. Parker (SEC), Stephen Philip Arnot, Clarke Balcom, Randall L. Dunn, Wayne Godare, Keith D. Karnes, Justin D. Leonard, Howard J. Newman, Karen M. Oakes, David B. Paradis, Christopher L. Parnell, Carolyn G. Wade, Hunter B. Emerick (BC), Karen D. Lee (BL).*

### **Disability Law Section**

#### **Activities and accomplishments:**

The Disability Law Section Executive Committee met approximately seven times during 2013. 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 Committee business.

Heidi chaired the Executive Committee and thanks Chair Elect Beth Englander for chairing the July meeting while she was in training with a new guide dog.

In 2012, 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. In 2013, the Executive Committee continued the discussion with Member at Large Cheryl Coon drafting a position letter which the Committee approved and submitted to the BOG. Cheryl Coon addressed the BOG at its September 2013 meeting concerning the Section's requested exemption from the LRS fee for social security disability cases.

The Executive Committee is addressing physical difficulties and dangers faced by people with

disabilities in accessing the new Social Security Office of Disability Adjudication and Review (hearings office) in Salem where disability benefits hearings are held.

The Executive Committee joined, contributed to, and supports the effort to revise Oregon Rules of Professional Conduct to address the issue of discrimination, intimidation, and/or harassment in legal proceedings.

The Executive Committee awarded Patrick Dennis, Lewis and Clark law student and President 2013 National Association of Law Students with Disabilities (NALSWD) funds to help defray his costs of attending the NALSWD conference.

The Executive Committee made financial and content contributions to the OSB Story Wall project.

The Executive Committee contributed to the Campaign for Equal Justice.

CLEs: The OSB Disability Law Section presented a CLE on "Rights & Options for Clients with Mental Illness" (1 Access to Justice credit) as part of the 2013 OSB Opportunities for Law in Oregon (OLIO) Orientation held at the Hood River Inn in Hood River on August 10, 2013 from 3:30-4:30 pm. Presenters Beth Englander, Disability Rights Oregon, and Micky Logan, Oregon State Hospital covered people's civil rights both in the community and inside institutions, fair housing laws as they apply to people with mental health disabilities, Olmstead issues (the right to live in the most integrated setting possible), the ways in which a person can become institutionalized at the Oregon State Hospital, and information about all the ways that the hospital differs from a jail/prison setting.

The OSB Disability Law Section presented a CLE on "Everything a Non-Disability Attorney needs to know about Social Security Disability Benefits" at the Annual Business Meeting. Presenter Cheryl Coon covered eligibility, process and important things to know about these benefits.

### ***Budget:***

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

### ***Legislative issues:***

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

The Executive Committee tracked 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.

### ***Matters considered/Matters pending:***

The Executive Committee is planning a Disability Law 101 series of CLEs.

The Executive Committee plans to continue to work to exempt social security disability cases from the fee associated with the OSB Lawyer Referral Service program.

The Executive Committee plans to continue to review policies/procedures on documentation requirements for admission to the bar and requests for accommodations for the bar exam.

The Executive Committee plans to continue to outreach and network with other organizations e.g., the National Association of Law Students with Disabilities, the ABA Commission on Disability Rights and Oregon law schools.

Newsletter: The Executive Committee did not publish its e-newsletter (electronic format) in 2013 as expected. The Committee will work to find an editor.

### ***Recommendations for 2014:***

Develop and host a Disability 101 series of CLEs.

Update the Section's website.

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, continue to develop and foster outreach and/or opportunities for attorneys with disabilities.

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 support and promote access in the legal profession.

Revisit the "Matters Considered/Matters Pending" in early 2013.

*Respectfully submitted: Heidi von Ravensberg (CH), Sherri Lynne Rita (Past CH), Amrit K. Sidhu (TR), Beth Englander (CH-Elect/SEC), Renee Lucia Caubisens, Cheryl F. Coon, Micky Feusse Logan, Margaret Rabin, Sara R. Robinson-Glasser, 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 Subcommittee:** The subcommittee, chaired by Audrey Hirsch and Claudia Groberg, continues its efforts to more effectively communicate with section membership. This year they did an overhaul on the Diversity Section website, which is now more attractive and has more content, providing a calendar of diversity events. This subcommittee also wrote letters to members asking them to renew and supplied informational brochures, pens and magnets for distribution to new admittees at swearing-in. The subcommittee also organized the 2013 Diversity Section CLE and Social, discussed further below. Other members of this sub-committee are: Randy Arthur, Judge Cheryl Albrecht, Megan Livermore, Denise Keppinger, Gabriela Sanchez, Richard Shannon, Emilie Edling, and Yesenia Gutierrez.

**Support for the HOD Vote to Change the RPC:** Early in the year, the Diversity Section became aware of a proposed change to rule 8.4 of the Rules of Professional Conduct (RPC) recommended by a taskforce of the OSB Legal Ethics Committee. The proposed rule provides a clear statement by the bar that it is unethical for a lawyer to harass or discriminate on the basis of certain classes, in the course of representing a client. Members of various specialty bars organized to support the rule change when it was presented to the House of Delegates on November 1, 2013. The Diversity Section was a part of this effort and members worked to assist by participating in planning and discussion as a board and also with other specialty bar members; writing letters in support; providing input researching and locating support for the rule; contacting HOD members to ask for their support and discuss the rule; and preparing a CLE to educate others about

the rule. A majority of the HOD ultimately voted in favor of the rule. Megan Livermore, Jessica Asai, and Emilie Edling, as well as the Collaboration and Communication Subcommittee, were primarily involved in these successful efforts. The committee as a whole strategized about how to support this effort during several meetings.

**2013 Diversity Section CLE and Social:** A CLE and Social entitled "Discipline & Discrimination: How Professional Conduct Rules and Proposed Rules Deal with Prejudice in the Practice of Law" was offered to attorneys on September 26, 2013 at 4:00, with a catered social and no-host bar following the one-hour CLE. The CLE provided an opportunity for attorneys to learn about the proposed rule change to the RPC on which the House of Delegates voted on November 1, 2013, and also promoted the Diversity Section and allowed its members a chance to network and socialize. Further, the Diversity Section utilized the opportunity presented by the CLE and Social to communicate its support for the proposed change to the RPC. Approximately 50 attorneys were in attendance and all the feedback on the CLE was positive and appreciative. Attorneys were grateful for an opportunity to learn about something that was currently the source of discussion and debate in the attorney community, and could impact them in the future. Most attorneys remained for the social and enjoyed it as well. The CLE is also now available on the Diversity Section's website.

**Co-Hosting of Civil Rights Brown Bag CLE Series:** The Diversity Section co-planned and co-hosted a series of CLEs aimed at educating diverse attorneys on how to represent individuals in various types of civil rights cases. Fifteen to 24 attorneys attended each session and the CLEs were reported to have been informative and useful to those wanting to develop their expertise on civil rights issues. Yesenia Gutierrez and Emilie Edling lead the Diversity Section's effort in co-hosting this CLE series.

**Convocation on Equality Toolkit:** A subcommittee was formed and tasked with the project of ensuring that the "Toolkit" – a best-practices manual for diversity recruiting, retention, and hiring, provided in draft form at the Convocation on Equality – is ultimately finalized. Efforts to recruit and support those drafting the Toolkit are ongoing and there is hope that a revised draft of the Toolkit will be ready for final editing early next year. Members on the committee are Emilie Edling, Mariann Hyland, and Andrea Anderly.

Judicial Recognition Committee: This committee edited the certificate to recognize the achievement of those minority and diverse attorneys appointed or elected to the judiciary in the state of Oregon. The Diversity Section plans to honor three individuals before the end of the year. Members on the committee were Daniel Santos, Julia Philbrook, and Jessica Asai

ACDI/DSEC Social: Randy Arthur organized and hosted a joint social for the ACDI and DSEC to give members of both organizations an opportunity to know each other better and support future efforts to elaborate. The social was well attended and enjoyed by all.

Sponsorship, Contributions, and Support: DSEC contributed \$1500 to help with the D&I Legal Heritage (Story Wall) project and made a contribution of \$250 each to OLIO and the Oregon Minority Lawyers Association. The DSEC also wrote a letter of support, drafted by Megan Livermore, for a group of students at Lewis & Clark Law School seeking to incorporate diversity issues into the school's curriculum. DSEC Chair Emilie Edling attended the November 1, 2013 Houser of Delegates meeting to support and vote in favor of three diversity-related initiatives brought to the Diversity Section's attention: (1) a proposed budget increase to the ACDI's budget; (2) the RPC change mentioned above; and (3) a resolution in favor of marriage equality.

***Matters considered/Matters pending:***

Convocation on Equality Toolkit: The DSEC will need to continue its efforts to support, encourage, and expedite the finalization of the Toolkit and may need to recruit additional individuals to work on the Toolkit.

Marriage Equality Resolution before the House of Delegates: The section should consider how to support ongoing efforts to obtain a vote from the House of Delegates regarding the resolution presented at the November 1, 2013 HOD meeting, which was unable to pass a vote due to a lack of quorum near the end of the meeting when the resolution was presented.

*Respectfully submitted: Emilie K. Edling (CH), Yesernia Gutierrez (CH-Elect), Andrea J. Anderly (Past CH), Megan I. Livermore (TR), Randy L. Arthur (SEC), Honorable Cheryl A. Albrecht, Nicole Rachael Commissiong, Akira Heshiki, Matthew W. Johnson, Janna Beth M. Kim, Julia Philbrook, Daniel P. Santos, Jessica A. Asai (ADV), Linda Meng (ADV), Chase N.*

*Morinaka (ADV), Tom Kranovich (BC), Mariann Hyland (BL).*

**Elder Law Section**

***Activities and accomplishments:***

The Elder Law Section Executive Committee meets 6 times a year, and is comprised of 5 officers and 11 members.

Most activities of the Elder Law Section take place through the work of specific Section subcommittees. The 6 subcommittees of the Elder Law Section Executive Committee include the CLE Committee, Newsletter Committee, Computer & Technology Committee, Legislative Committee, Agency & Professional Relations Committee, and Elder Abuse Committee. Subcommittee membership is open to all interested section members.

CLE Subcommittee: The Section has traditionally sponsored, in conjunction with OSB, an annual CLE in Portland, with replay opportunities around the state. On October 4, 2013, the Section presented "Elder Law 2013: Basics to Build On" at the Oregon Convention Center. Topics included Basic Medicaid; Affordable Care Act: The Impact in Oregon on Seniors and People with Disabilities; Dementia: It's Not Just Alzheimer's Disease; Diminished Capacity and Legal Ethics; Planning Documents; and, Legislative Update.

On May 3, 2013, the Section held its 10th annual UnCLE, an informal day-long session in Eugene where participants meet with their peers to "talk shop" both in workshop settings and over breakfast, lunch and social hour. This year, the Section approved an increase in the number of attendees from 75 to 80 and in the registration fee from \$100 to \$110. The UnCLE provides 4 separate sessions - with each session offering 4 four topics from which attendees can select to participate. The four topics include estate planning, protective proceedings, Medicaid and Practice Management. Attendees bring printed materials to share and actively participate by raising questions and providing answers based on personal, practical experience. The 2013 UnCLE was approved for CLE credits.

Newsletter Subcommittee: The quarterly Elder Law Section Newsletter, professionally edited by Carole Barkley, is a major benefit provided by the Section to its members. The Subcommittee is chaired by Erin Evers. Its members and the editor determine each issue's focus, and then recruit writers for specific

topics to fit the focus. The newsletter is distributed electronically, saving money and environmental resources. Issues from past years are available on the Section's webpage on the OSB website.

**Computers and Technology Subcommittee:** This subcommittee monitors the Section's active listserve for members, and updates the Section's webpage on the OSB website, acting as liaison between Section members and OSB information technology staff. In addition to the CLEs and the quarterly newsletter, the listserve is the other major benefit to Section members. The listserve provides an on-going open forum for peer discussion of practice issues, questions for information and resources, and alerts to changes in laws, rules and court practices that affect Section members and their clients.

**Agency and Professional Relations Subcommittee:** This subcommittee has been inactive through 2013.

**Elder Abuse Issues Subcommittee:** This subcommittee has been inactive through 2013.

***Budget:***

As of October 31, 2013, the Elder Law Section had 550 paid memberships and 22 complimentary memberships (given to judges, court staff and OSB members of 50 or more years). This is a slight increase from 2012. Annual dues remain at \$25. The Section's 2014 Budget was approved at our November 15, 2013 Section Meeting. The Section maintains a reserve, to allow for special projects from time to time, and to assure a continued ability to offer newsletters and CLEs, even in lean years. In addition to the Section's annual contributions to the Campaign for Equal Justice and the Oregon Minority Lawyers Association, a donation in the amount of \$1,150 was made to Special Advocates for Vulnerable Oregonians (SAVO).

***Legislative issues:***

During 2013, the Section worked with members of other sections and the judiciary, along with Bar staff, to make changes to ORS 125.095 - compensation and expenses payable in protective proceedings. In addition, Section members discussed and followed several other proposed legislative changes - namely the Public Guardian's Bill (HB2671), Elder Abuse Bill (HB2205), Professional Fiduciary Bill (3129), Digital Asset Bill, and Trust Statutes Amendment Bill (SB592).

***Matters considered/Matters pending:***

The state Elder Law Task Force has asked the

Section to review amendments to the definition of elder abuse in regard to the reporting statutes. A request for comments, along with the proposed amendments, was posted to the Section list serve. The legislative subcommittee is in the process of reviewing the comments and communicating the Section's feedback to the state Elder Law Task Force.

***Recommendations for 2014:***

The Section will consider whether to reestablish holding an annual weekend retreat. This opportunity would allow Section members to team build, identify possible 2014 Section projects, and develop strategies to achieve adopted projects.

*Respectfully submitted: Whitney D. Yazzolino (CH), Michael A. Schmidt (CH-Elect), Erin M. Evers (TR), Tim McNeil (SEC), Kathryn M. Belcher, Victoria D. Blachly, Jason C. Broesder, Don Blair Dickman, Jan Elana Friedman, Brian Haggerty, Kay Hyde-Patton, Stephen R. Owen, Monica D. Pacheco, J. Thomas Pixton, Madelynne Dines Sheehan, R. Ray Heysell (BC), Troy J. Wood (BL).*

**Environmental & Natural Resources Section**

***Activities and accomplishments:***

ENR held five brownbag events in 2013 and an all-day CLE ("Year in Review") on October 11, 2013 at McMenemy's Edgefield. The Annual CLE was well-attended and well reviewed by attendees.

The section produced four editions of its electronic newsletter, eOutlook, and published its Casenotes newsletter quarterly.

We had two field trips, one to the Gresham Wastewater Treatment Plant and a cruise of Portland Harbor.

Finally, volunteer editors and authors produced the first volume of revisions to the Section's Environmental Law Deskbook.

***Matters considered/Matters pending:***

The Executive Committee considered many things in 2013, with the following highlights:

After developing a budget for 2014, the Executive Committee proposed, and the Section approved, an increase in section dues for 2014.

With the help of a subcommittee of EC members, the Section developed a pro bono directory of attorneys willing to provide assistance to

environmental nonprofits and other groups.

Electronic availability of agency decisions and adjudications is very important to section members: the EC considered ways to help make these documents more easily available to section members. While we decided not to pursue it, the EC considered paying FastCase to review and scan agency decisions to make them available to section members. The EC may take additional action, including a potential resolution to the HOD, in 2014.

A new CaseNotes editor was approved and hired by the Executive Committee in September.

The level and direction of charitable giving was considered in late 2013 and will be taken up in detail in 2014.

### **Recommendations for 2014:**

Continue to produce quality newsletters, brownbags, and field trips, explore ways to connect with other regions in the state, and present another high-quality CLE in October.

*Respectfully submitted: Laura Maffei (CH), John H. Marsh (CH-Elect), Hong N. Huynh (Past CH), Patrick G. Rowe (TR), Karen L. Moynahan (SEC), Lawrence B. Burke, Duncan Delano, Lawson E. Fite, Sarah R. Liljefelt, Kirk B. Maag, Daniel Mensher, Kate LaRiche Moore, L. Ansley Nelson, Aurora Paulsen, Dustin Towbridge Till, Sarah A. Winter Whelan, Jenifer S. Billman (BC), Scott A. Morrill (BL).*

### **Estate Planning & Administration Section**

#### **Activities and accomplishments:**

The Section sponsored two CLE programs in 2012, as follows: On June 14, 2013, the Section sponsored the program entitled "Advanced Estate Planning." On November 22, 2012, the Section sponsored the program entitled "Basic Estate Planning and Administration."

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 and elective share issues in estate planning. That project is on-going, but the Section's work on the project is nearing completion.

### **Budget:**

The Section had 1,245 members as of October 31, 2013. The Section had a beginning fund balance of \$16,817 as of January 1, 2013. For the year to date through October 31, 2013, the Section had total revenue of \$24,740, and total expenses of \$18,943, resulting in an ending fund balance of \$22,614. The Section decided not to change its membership dues this year, but anticipates an increase may be necessary in 2014 due to increased OSB Support Assessments.

### **Legislative issues:**

The Section sponsored one bill in the 2013 Oregon legislative session on digital asset access and control in estate administration. Ultimately, the bill met substantial resistance from social media companies, and was ultimately withdrawn.

The Section proposed two projects for consideration by the Oregon Law Commission. One is a complete review and update of Oregon probate law for which the work group will begin meeting in late November, 2013. The other was to consider a proposed list of modifications to the Oregon Uniform Trust Code. The legislation containing the proposed changes was enacted. Both projects include key policy decisions that the Section deemed best resolved by the Commission rather than the Section.

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

### **Health Law Section**

#### **Activities and accomplishments:**

The section provided six free lunch time CLEs during the year and an all-day annual CLE in October. All events were well attended by section members. Two major accomplishments on the year were gaining a better understanding of the needs of section members via the section survey and making meaningful connections with the Washington Health Lawyers Association.

**Budget:**

The section met its budget objectives and worked to spend down some of its surplus funds by enhancing educational opportunities, contributing to legal aid organizations and promoting law student interest in health law.

**Legislative issues:**

The section continues to monitor health related legislation and provides membership with updates through the listserv, website and CLE offerings.

**Recommendations for 2014:**

In 2014 the section is focusing on expanding its educational and networking opportunities for section members and enhancing the content of the annual CLE.

*Respectfully submitted: Rachel Anne Woods Arnold (CH), Tamara X. Arthur (CH-Elect), Brian M. Parrott (Past CH), Jenny Franks (TR), Mary Anne Anderson (SEC), Jonathan H. Bauer, Ryan C. Belton, Leslie Bottomly, Deanna Paige Laidler, Molly K. Marcum, Gene B. Mechanic, Jean C. O'Connor, Shannon K. O'Fallon, Nicola Yeats Pinson, Hillary A. Taylor, Jeremy L. Vandehey, Amy Vandenbroucke, Maureen Claire O'Connor (BC), Dustin Dopps (BL).*

**Indian Law Section**

**Activities and accomplishments:**

Coordinated with Juvenile Law Section for joint CLE in 2014.

Submitted recommendation to Board of Governors for amending UTCR 3.170 regarding pro hac vice fees for ICWA cases.

Prepared ILS marketing materials for swearing-in ceremony.

**Budget:**

ILS conducted its activities within the 2013 budget, with a positive 2013 balance, and retains a significant overall fund balance.

**Matters considered/Matters pending:**

Brown Bag presentation by National Indian Law Library.

Joint CLE with Juvenile Law Section.

**Recommendations for 2014:**

Brown Bag presentation by National Indian Law Library

Joint CLE with Juvenile Law Section.

Respectfully submitted: Stephen P. Kelly (CH), Craig J. Dorsay (CH-Elect), M. Brent Leonhard (Past CH), Michael J. Grieser (TR), Lauren J. Lester (SEC), Shayleen T. Allen, Jennifer A. Amriott, Jennifer Biesack, Diane Henkels, Brett V. Kenney, Melissa Masat Robertson, Starla K. Roels, John M. Schultz, Lee Kevin Shannon, David D. Shaw, Stephanie L. Striffler, Douglas C. MacCourt (ADV), R. Ray Heysell (BC), Michelle Lane (BL).

**Intellectual Property Section**

**Activities and accomplishments:**

The Executive Committee continued its "subcommittee" format 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 15, 2013, 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 9, 2013, at the Governor Hotel, with USDC Oregon Judges Mossman, Brown and Hubel speaking about patent litigation. The Section has been active in outreach, specifically, events at Lewis & Clark Law School, University of Oregon Law School and Willamette University Law School, at each of which several attorneys attended to discuss their IP practices with students. The Section has held three Happy Hour events in Portland for Section members to meet in an informal atmosphere, with a very well attended event in July at the Oregon Maritime Museum. The Section website has been moved to a new website host to save significant funds over the prior contract. The website continues to be significantly updated and actively maintained. 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, though this effort may end next year due to low interest and follow-through on the student side.

**Budget:**

Despite adding a scholarship expense and higher than anticipated expenses for the Annual Meeting, the Section will still end the year with a profit of approximately \$1,000. Section enrollment is higher than anticipated despite a trend toward lower enrollment across the Bar. The 2013 budget will be

adjusted to account for the membership change, but conservatively. The committee elected not to raise section dues in 2014.

**Legislative issues:**

The Section monitored two proposed bills this year (Senate Bill 528 relating to state agencies' abilities to acquire and license copyrights and patents on software, and Senate Bill 531 relating to the establishment of the proposed Oregon Intellectual Property Protection Corporation and related Oregon Intellectual Property Protection Fund). In May, the section sent an advisory email to section members to solicit input from the section members on whether the committee should take action with respect to the bills. No input was received from the section members. Only one of the bills, Senate Bill 528, was passed by the Legislature and took effect in 2013. Senate Bill 531 was still in committee when the Legislature adjourned, and the section will continue to monitor its status in future legislative sessions.

**Matters considered/Matters pending:**

The Annual "Year In Review" CLE will be held on February 14, 2014 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 will continue the Happy Hours, and an event with Lewis & Clark Law School is scheduled for January 28th. The Willamette Law School event will occur in early 2014 and the U of O event will repeat in the Fall of 2013. The Section will again offer an annual scholarship to an Oregon law student, and will publicize the scholarship more broadly next year to attempt to draw larger student participation.

**Recommendations for 2014:**

Recommend continuing outreach to students and to attorneys in other areas of Oregon, outside of Portland. Recommend continuing awarding an annual IP scholarship to an Oregon law student. Recommend continuing attempts to coordinate with Computer and Internet Law Section to prevent significant overlap between the subject matter of the two sections.

*Respectfully submitted: Devon Zastrow Newman (CH), Timothy S. DeJong (CH-Elect), Karen Wetherell Davis (Past CH), Anne E. Koch (TR), Thomas L. Evans (SEC), David Stanley Aman, Allen Field, Ian D. Gates, William O. Geny, Kevin M. Hayes, Lydia Pallas Loren, Parna A. Mehrbani, Elizabeth Tedesco Milesnick, David C. Ripma, Thomas J. Romano, John D. Russell,*

*Thomas E. Vesbit, Jenifer S. Billman (BC), Dustin Dopps (BL).*

**International Law Section**

**Activities and accomplishments:**

This year the ILS sponsored two CLEs ("The Strangest Venue: Representing Clients at the United Nations" and "Oregon-China Trade with Oregon State Representative Dennis Richardson"). The ILS continued its support of the Portland International Film Festival ("PIFF"), co-hosting a PIFF networking reception with the World Affairs Council. The ILS also supported the American Bar Association's Section of International Law Spring Meeting as a cooperating entity, which allowed its membership to obtain member rates for attendance of the SIL event. The ILS informed its membership of various educational opportunities around Oregon related to international law, worked on building collaboration for a newsletter with Lewis & Clark Law School, and planned out a calendar of events for 2014.

**Budget:**

The ILS generally stayed within budget for 2013.

**Legislative issues:**

The ILS did not pursue any legislative issues during 2013

**Matters considered/Matters pending:**

The ILS is in the process of reviewing its mission and framework for providing CLEs and other benefits to members.

**Recommendations for 2014:**

The ILS has put together a tentative calendar for events in 2014, and hopefully will be able to continue to pursue this approach and have quarterly CLEs during 2014, as well as the possibility of new editions of the newsletter.

*Respectfully submitted: Merrill A. Keane (CH), Ellen Theodorson (Past CH), Kimberly S. Boswell (CH-Elect/TR), Alan C. Perkins (SEC), Dina Amira Anani, Thomas R. Benke, Dagmar Butte, Eric Jason Kodersch, Jamers L. Lane, Slone K. Pearson, Meredith Weisshaar, Caitlin Mitchel-Markley (BC), Sarah Hackbart (BL).*

## **Juvenile Law Section**

### ***Activities and accomplishments:***

Annual CLE: we planned and co-sponsored a CLE, "Let's Talk: Using Effective Communication Tools to Achieve Better Results" at the Bar Center. The CLE stalled during planning and had to be rescheduled so attendance seemed poor and a couple of speakers had to be rescheduled. The Key Speaker was Dr. Mark Dillon who presented on competency evaluations and how to work with psychologists. We also had the always-popular appellate update. We strove this year to provide more than general CLE credits. This was accomplished by including a child abuse reporting component and practical skills credits.

Awards: The committee requested nominations from the juvenile legal community for juvenile practitioners who section members believe have gone above and beyond in the area of juvenile law. There was overwhelming support for Linda Guss who helped write the law on juvenile law and was also retiring the day of the CLE.

Scholarships: the section provided 6 scholarships to Oregon law school students to attend the CLE. New this year was the section issuing 3 scholarships for new admittees to attend the CLE. At least two did attend the CLE.

Website: This continues to be regularly updated by an executive member. It includes links to helpful information and appellate updates. Three other executive members assist with appellate updates.

Membership: This year we created and issued a brochure at both swearing in ceremonies. The section continues to offer free memberships to judges, 50-year members, and new admittees.

### ***Budget:***

We continue to reap the benefits of keeping our budget pretty lean several years ago. We should end the year with a balance of about \$9,000. Our 2014 budget was approved by email and should be submitted to the bar shortly. We expect to operate within the budget for 2014, with a surplus carrying over to 2015.

We continue to offer travel reimbursement to those committee members who live outside the Portland metro area. This is expected to continue due our surplus and has allowed us to have a wider executive committee membership.

### ***Legislative issues:***

The Section discussed pending and passed legislation on juvenile matters. Due to the diversity of members from the Section (DOJs, DAs, Defense Attorneys), the Section elected not to make any formal recommendations to any legislative matters. There obviously would be disagreement between Section members as to their respective positions on certain legislation. Our Section has several members who report on legislative issues at each meeting, so we are collectively informed about certain laws effecting juvenile law.

### ***Matters considered/Matters pending:***

The section is currently wrapping up planning of the 2014 CLE, which is scheduled for February 21st at the Bar Center. This year the focus is on working with multicultural clients including how to access services, law you need to know and how to proceed when presented with certain facts. It will also include an appellate update and information on the US Supreme Court case: Adoptive Family vs. Baby Girl.

Scholarships: The committee is seeking applicants for the 3 new admittee scholarships through our website for the CLE. The recipients will be decided on in February 2014. We have also contacted the 3 Oregon law schools for recipients of the law school student scholarships for the CLE.

Annual Awards: the committee will be seeking nominations for our annual awards. The website will provide the forum for nominations.

Executive Committee members have continued as liaisons for the Family Law, Criminal Law, and Indian Law sections. Formal subcommittees for CLE, website, membership & awards were formed working between Executive Committee meetings. Seven Executive Committee meetings were scheduled for 2011.

### ***Recommendations for 2014:***

One goal we had for this year was to create a flow chart for Judges for dependency cases. This was not accomplished but is a good goal and should be continued to next year.

We have also tried to become better known by the legal community. This should continue with the CLE, co-sponsoring other CLEs, and committee members' work with other sections/organizations.

**Any other comments:**

Our nominating committee did a great job finding new executive members who come from other regions of the state. However, we are low on male committee members.

The Annual Meeting was held on November 2nd, 2013. Although this was a variation to our regular schedule, we had great attendance. This was also our final meeting of the year so it was nice to see so many of our executive members.

*Respectfully submitted: Sheri Thonstad (CH), Carrie Elaine Rasmussen (CH-Elect), Shannon L. Flowers (Past CH), Shannon N. Dennison (TR), Morgan Wren Long (SEC), Gardner Ashmanskas, Jordan Foy Bates, Meghan S. Bishop, Honorable Michele C. Rini, Sarah S. Robbins, Curtis Stephen Slatina, Joanne L. Southey, Shannon Storey, Brandon S. Thueson, Robin J. Wright, Jenifer S. Billman (BC), Michelle Lane (BL).*

**Litigation Section****Activities and accomplishments:**

The Section is comprised of attorneys practicing in areas ranging from civil to criminal, plaintiff to defense, personal injury to commercial, consumer to business, Indian law, and real estate to family litigation. Our primary 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 organizing 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. This year we also offered scholarships to attend the Fundamentals of Oregon Civil Trial Procedure CLE. 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. Since switching from a paper to an electronic format last year, we have been able to significantly reduce our expenses for this project while continuing to produce an informative and quality publication. 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.

**2013 Litigation Institute and Retreat:** 2013 marked our 20th 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" were 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 2013 Institute, we were fortunate to have Hon. Mark Drummond of the Eight Judicial Circuit of Illinois return as our keynote speaker with the second half of his "Eight Keys of the Art of Persuasion." Dynamic and entertaining, Judge Drummond received high praise from attendees.

**2014 Litigation Institute and Retreat:** Planning is in progress for the 21st annual Litigation Institute and Retreat, and we are very pleased to report that the very popular Michael Tigar will return once again as the keynote speaker with his "Winning 2014 ideas of Clarence Darrow and his lawyers." Once again, we expect to have a stellar program, which will include panels on e-discovery and technology. A new panel recognizing "Rising Litigators" will also be introduced at the 2014 Institute and Retreat.

**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 16th Annual Panner Award to William A. Barton, The Barton Law Firm, P.C., at the 2013 Institute and Retreat. Bill Barton is a Newport lawyer who has been a leader in the Bar for many years. Among other things, he has become well known for his volunteer work, including his "Boot Camp," which has given both younger and more experienced members of the Bar an opportunity to refine their skills and become better lawyers.

As usual, we had a number of outstanding nominees for the 2014 Panner Award. The Executive Committee voted to present Judge Mark D. Clarke with the 2014 award.

Fundamentals of Civil Trial Procedure Seminar: This biennial two day seminar was held in October. This year the section put on a reconfigured Fundamentals program designed to address the needs of newer attorneys practicing in Oregon. The sellout crowd learned about technology, settlement strategies and trying a case on a shoe string budget along with traditional Fundamentals topics like drafting a complaint and conducting discovery. The program featured a diverse faculty comprised of almost 50 percent women practitioners. It also drew upon the talents of experienced regulars like Denny Rawlinson who presented his very popular speech on "The Anatomy of a Trial". As of the date of this report, we do not have the evaluations from the Bar but have heard anecdotally that the students liked the program and felt it added value to their fledgling practices. 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 significant surplus, resulting in a fund carryover balance in excess of \$27,000. This is substantially above the carryover we expected at the beginning of the year. The increase is due primarily to several expenses, including our publication expenses, coming in below budget. We have set a conservative budget for 2014, 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 2013, and are currently unaware of any in 2014. 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 recently appointed two new members to the Executive Committee whose terms are set to begin in January 2014. However, we still have 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 2014:**

The outgoing Chair recommends that the Executive Committee continue its work on identifying new educational seminars and materials for section members. 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.

*Respectfully submitted: Kimberly D'Aquila (CH), Melinda Thomas (CH-Elect), Timothy L. Williams (Past CH), John R. Bachofner (TR), Yael A. Livny (SEC), Peter L. Barnhisel, Eric L. Dahlin, Brian C. Dretke, Pamela S. Hediger, Lindsey H. Hughes, Jeanne F. Loftis, Steven T. Lovett, Scott C. Lucas, Simeon D. Rapoport, Renee E. Rothauge, Kim Sugawa-Fujinaga, Kate Anne Wilkinson, Timothy L. Williams (BC), Karen D. Lee (BL).*

**Military & Veterans Law Sections**

**Activities and accomplishments:**

Sponsored SB 124 which was passed into law listing military status or service as a mitigating factor for sentencing of criminal defendants;

Sponsored SB 125 which was passed into law requiring state agencies to notify individuals of their rights under SCRA;

Drafted revisions to the OSB's Performance Standards for Criminal and Delinquency Cases;

Organized speaker and program for November 14, 2013 CLE on Handling Disability Claims;

Submitted publications for Multnomah Bar Association and interview material for OSB Bulletin publication;

Increased membership from 0 to 63

**Budget:**

\$1,260 in total revenue; ended the year with \$812 surplus.

**Legislative issues:**

Continue monitoring of legislation that could impact service members and veterans.

**Matters considered/Matters pending:**

Final selection of 2014 officers and executive committee members.

**Recommendations for 2014:**

Continue training through CLEs with goal of having more lawyers available in Oregon to help with VA disability claims.

Increase membership so that the section can have the money to sponsor more training

*Respectfully submitted: Christopher H. Kent (CH), Daniel H. Skerritt (TR), Amy M. Lammers (SEC), Jesse Wm Barton, Lori A G Hellis, Mark John Holady, Steve Lawrence, Donald W. McCann, Mark A. Ronning, Amrit K. Sidhu, Gina Marie Stewart, Charles R. Williamson, Anthony H B Wilson, Richard G. Spier (BC), Matthew Shields (BL).*

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

We are now in our second year of operation. The section sponsored two CLEs. We put on an "UnCLE" in April and an advanced topics CLE in September, in conjunction with our annual meeting, where we elected new executive committee members and officers. We have continued to post articles to the NOLS Online Journal, and are preparing to circulate our first newsletter.

**Budget:**

The section is in the black and will have funds available for the coming year to put on additional seminars and to offer free admission to new bar admittees.

**Legislative issues:**

Our Legislation Committee actively monitored the 2013 legislative session for proposed legislation affecting nonprofit corporations. We are also in the process of forming a committee to consider proposing amendments to ORS Chapter 65, the Oregon Nonprofit Corporation Act.

**Matters considered/Matters pending:**

The precise scope of the Legislation Committee's charge on ORS Chapter 65 remains pending, as are the section's planned activities for 2014.

**Recommendations for 2014:**

We have as a goal to publish (electronically) two issues of the NOLS newsletter, to continue to maintain our website, and to put on one or two CLE seminars, including another UnCLE in the Spring and a more traditional CLE in the Fall.

Respectfully submitted: Richard Baroway (CH), Nancy B. Murray (CH-Elect), David E. Atkin (Past CH), Mark Louis Katzman (TR), John Gear (SEC), Susan A. Bower, Nancy A. Chafin, Ross A. Day, Susan N. Gary, Anne Elizabeth O'Malley, Cheryl K. Smith, Barbara Smythe, Charles A. Wilhoite (BC), Sarah Hackbart (BL).

**Real Estate & Land Use Section****Activities and accomplishments:**

Summary – RELU's Executive Committee and its subcommittees worked actively throughout 2013. The Executive Committee met monthly except for July, August, and combining the November and December meetings into a single meeting. Subcommittees met as needed. Subcommittees consisted of Education, Real Estate 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 Summer Conference. The RELU Annual Meeting/Summer Conference was held August 8 through 10 at the Riverhouse in Bend. Registered attendance was about 170, which was below last year's attendance and consistent with the downward trend in attendance during the past several years. The Education Committee, with assistance from Norma Freitas, was responsible for organizing and executing the Summer Conference, which provided 11.25 credits for those attending all the Summer Conference sessions, including 1 hour of ethics and 1 hour of child abuse reporting. The Section arranged for video recording of this program,

which the Bar will offer as a podcast.

RELU Annual Fall CLE. The section also held a one-day CLE on November 8 at the Oregon State Bar Center in Tigard, providing 6.5 general CLE credits to attendees. More than 80 attended in person and via internet connection.

In addition the section sponsored several lunch-hour continuing education programs in Portland that each drew more than 50 attendees.

RELU Digest – The Real Estate & Land Use Digest continues to publish several times a year. At this writing in 2013, RELU Digest issues were published in February, May, and August (with one more 2013 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 Land Use and Real Estate appellate case law, LUBA decisions, and legislation. The RELU Digest has been ably edited by Kathryn Beaumont and Eric Shaffner for many years 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. Members rate the listserv as one of the most beneficial and widely used services provided by the Section to RELU members.

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 Bar members 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:***

2013 revenues and expenditures will be generally within budget, perhaps expenses will be a little under budget. Membership is slightly down, continuing the downward trend from the past few years. Reserves remain at a reasonable level and are intended to cover the cost of RELU Annual Summer CLE should there be a dramatic downturn in attendance or a cancellation. Notable discrepancies between actual and budgeted amounts are: a much higher than expected sponsorship and advertising revenue for the Annual Summer CLE; lower revenue than expected for DVD sales of the 2012 Annual Summer Meeting; lower expense for the newsletter because the section published only four instead of the usual five or six issues; increased contributions; and no expense for producing DVDs for the 2013 Annual Summer CLE because of a new arrangement with the Bar where the Bar is paying the expense of recording so that it may produce a podcast of the program.

The section also received more requests for contributions than usual. In response, the Executive Committee developed a document outlining its considerations for whether to become a sponsor or make a contribution. The Executive Committee will likely adopt this at its December 2013 meeting and will make it available on the section’s website for requestors to consider when asking the section for sponsorship or contribution.

***Legislative issues:***

RELU tracked a number of bills during the 20123 legislative session and produced reports available on the section’s website. 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. The Section sponsored one Real Estate bill and commented on several bills. The Section provided comment on several bill. The Section’s comments on HB 2253 are not shown on the Legislature’s website. The Committee also commented on LUBA rulemaking.

***Matters considered/Matters pending:***

The Section continues to receive reports from

LUBA on its progress on a section grant to scan its orders and decisions from 1979 through 1989 and post them on its website.

The Section also approached the Bar Publications staff about drafting new real estate Bar Books. Several members of the Executive Committee and one other attorney are co-authoring the series, which has been reorganized. Currently, authors are submitting chapters to the editors for review. The editors hope to have all chapters complete in 2014.

### **Recommendations for 2014:**

A long-range planning session was included in June of 2013 in conjunction with the Committee's annual Ashland meeting, and should happen again in 2014. The section's website contains some outdated information, but the section has done a better job in 2013 of posting meeting minutes. The section should continue to improve its website.

Norma Freitas may be unavailable to help the Section plan its 2014 and subsequent annual summer conferences. The Section will need to discuss how to obtain the enormous amount of work she did. Michelle Peterson has retired from the Bar. The Section is losing her institutional knowledge about the Section. The Section's newsletter editor and associate editor are retiring. The Section will begin to discuss the future of its newsletter at its Dec. 6, 2014 meeting.

Section members have requested the section sponsor two legislative matters in the 2015 session. The Executive Committee will begin discussing these requests at its December 2013 meeting with final action needed in early 2014.

*Respectfully submitted: Jeffrey B. Litwak (CH), Tod A. Bassham (CH-Elect), Jennifer M. Bragar (TR), Thomas Bahrman (SEC), Dina E. Alexander, Eugene V. Anderson, Laura Craska Cooper, Laurie E. Craghead, Patricia A. Ihnat, Dustin R. Klinger, Isa Anne Silver, Alan Matthew Sorem, Rebecca Biermann Tom, Kristin H. Yuille, Norma S. Freitas (ADV), Theresa M. Kohlhoff (BC), Sarah Hackbart (BL), Michelle Peterson (BL).*

## **Sole & Small Firm Practice Section**

### **Activities and accomplishments:**

The Executive Committee conducted a full-day retreat in January 2013 to identify key priorities and projects and team leaders for a series of activities that commenced in 2013 and will continue into

coming years. Bar president Michael Haglund, at our invitation, presented at that retreat and helped us facilitate coordination of our work with some projects of the BOG. The section conducted two major CLEs, a "Tech Fair" in the spring and a "Business Aspects of Law Practice," in November, with attendance of approximately 95 and 75, respectively, at these events. We have continued our low-cost participation in CLEs by the Bar and OLI. Members of the Section's Executive Committee also engaged law students on several occasions relating to the difficulties of entering into the practice of law as new lawyers and assisting them in the networking process. Ongoing projects include development of the Section website and development of an internal lawyer referral mechanism for the section, which has been approved on a preliminary basis by the Bar Board of Governors. We have also worked with committees formed by the BOG relating to law firm sales/transitions, and support for new lawyers. We have also participated with Bar staff in the promotion of the Bar's mentoring program for new lawyers. The Executive Committee has been highly engaged throughout the year, with broad and ongoing participation, in building resources for Section members in all these areas.

### **Budget:**

The Section's general budget is substantially unchanged in income, expenditures and fund balance from 2012. The Section approved a dues increase for 2014 from \$15 to \$19.

### **Legislative issues:**

Our section is not specific to a particular area of law; hence, no legislative issues have been of special focus for the Executive Committee.

### **Recommendations for 2014:**

See "Activities and accomplishments." There has been close work among past chair, current chair, and chair-elect to assure continuity of projects and efforts moving into the coming year. Much of our work is in the nature of multi-year projects. A full-day 2014 Executive Committee retreat to develop schedules and teams for these items going forward has been scheduled for late January 2014.

### **Any other comments:**

The Executive Committee is committed to working with the substantial demographic (60%) of active lawyers in Oregon that qualify for inclusion in this section. We are exploring practical ways to improve

this group's engagement in the practice of law.

*Respectfully submitted: Gary Underwood Scharff (CH), Heather A. Brann (CH-Elect), Myah Kehoe (Past CH), Michael L. Cooper (TR), Joshua S. Williams (SEC), R. Darrin Class, Kelly Michael Doyle, Kellie Ann Furr, Leslie Andrea Gordon, Andrew Grade, David H. Madden, Banafsheh Violet Nazari, Christopher B. Rounds, Hertsel Shadian, Jaculin L. Smith, 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 2013, the Executive Committee continued to provide 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 2013, three issues of The Long View were published. 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 2013, the Section presented the following five programs:

**Legislative Update:** In January, the Section hosted a legislative update with Representative Jules Bailey, Co-Chair of the House Environment and Energy Committee, and Senator Jackie Dingfelder, Chair of the Senate Environment and Natural Resources Committee.

**Angel Investing–Clean Tech Connections:** In March, Scott Sandler, Fund Manager of the Oregon Angel Fund, and Morgan Rider, National

Sustainability Chair for the non-profit CleanTech Open spoke about the connection between CleanTech start-ups and angel investing.

**Oregon's new Benefit Company Statute:** In June, Jeff Wolfstone and Bill Campbell spoke on Oregon's new Benefit Company Statute.

**Projected Climate Change Impacts:** Also in June, Dr. Phillip Mote, Director of the Oregon Climate Change Research Institute at Oregon State University spoke on the projected impacts of climate change on natural areas in Oregon.

**Oregon's Territorial Sea Plan:** In November, Paul Klarin, Oregon Marine Affairs Coordinator, and Jason Busch, Director of the Oregon Wave Energy Trust, discussed Oregon's Territorial Sea Plan on a panel moderated by Stoel Rives' Chad Marriott.

**National Exposure:** In 2013, the Section received the 2013 State or Local Bar Environment, Energy and Resources Program of the Year Award from the American Bar Association Section of Environment, Energy and Resources. The Section was honored with this award based on the activity of the Section as a whole for the year 2012.

**Awards:** The Section continues to maintain its Partners in Sustainability Program. Also, in 2013 the Section presented its third annual Sustainable Law Office Leadership Award to recognize the most innovative recent practice of a law firm in advancing sustainability. Markowitz Herbold Glade & Mehlhaf PC received the 2013 Award.

Also in 2013, the Section joined the President of the Oregon State Bar in congratulating Section member and incoming Executive Committee member Max Miller on receiving the President's Sustainability Award.

**Study Groups and Outreach:** The Section has continued several study groups from 2012. 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 2014.

The Section also convened a study group to examine the interface between sustainability and various animal welfare rating standards, such as the Global Animal Partnership and Certified Humane.

The study group is not anticipated to complete its work until 2014.

**Budget:**

As of October 15, 2013, the Section's projected 2013 expenses were \$6,756 with a projected year-end balance of \$4,270. As in prior years, the Executive Committee continued to spend Section funds conservatively in 2013. The largest expenditures were for the OSB services assessment, awards and special projects. Also, as in 2012, the increase in costs for awards and special projects were due to increased advertising expenses associated with the Section's Leadership in Sustainability Award and Partners in Sustainability Program. In part due to these increasing costs, the Section is exploring the use of the OSB listserves as a lower-cost advertising alternative.

For 2014, major budgeted expenses again include special projects and awards (\$2000 each) and the increased OSB Support Services Assessment (\$2,400). With the surplus the Section anticipates at the end of 2014, the Section plans to start planning a more costly CLE program to take place in the next two years, potentially a day-long program focusing on a broader topic of interest or a single event with a nationally prestigious speaker.

**Recommendations for 2014:**

In early 2014, the Executive Committee plans to review and evaluate the processes and criteria used for the Partners in Sustainability Program and Sustainable Law Office Award to ensure their future vitality and a high level of participation among law firms.

The Long View will be published electronically on a quarterly basis during 2014. The Section is continuing 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 2014. Many of the programs are anticipated to be in the brown bag lunch format successfully utilized by the Section in 2012 and 2013.

During 2014, 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 a state office of legal guardian for future generations and on the relationship

between sustainability and animal welfare rating standards. Findings of these study groups may be covered in articles in The Long View or in the Section's programs.

**Leadership:** At the recommendation of the nominating committee, the Section elected the following slate of officers and executive committee members: Chair: Jennifer Gates, Chair-Elect: Robin Seifried, Treasurer, Jim Kennedy; Secretary, Ann McQuesten; members-at-large (two-year terms), Janna Aginsky, Monique Hawthorne, Diane Henkels, Max Miller, and Maggie Vining. Current Chair Michelle Slater will become immediate past-Chair, and executive committee member Dick Roy will continue with a two-year term ending in 2014.

*Respectfully submitted: Michelle Slater (CH), Robin Bellanca Seifried (TR), Jennifer L. Gates (SEC), Janna A. Aginsky, Dallas Steven DeLuca, Diane Henkels, James M. Kennedy, Robert Lloyd Mauger, Ann McQuesten, Richard E. Roy, Maureen Claire O'Connor (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 Jeffrey Tarr was named 2013 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 2013.

**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.

**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 2013, the Executive Committee granted the Award of Merit to Oregon Tax Court Judge Henry Breithaupt.

**Monthly Luncheon CLEs:** The Section hosts monthly luncheon CLEs in Portland and Salem. The Portland series was organized by Dan Eller and Katherine VanZanten. The Salem series was organized by Barbara Smith and Tricia Olson. Both programs were highly successful in 2013.

**Oregon Tax Institute:** Each year, the Section hosts a two-day CLE featuring well-known speakers on a variety of tax topics. The 2013 Oregon Tax Institute was held at the Multnomah Athletic Club in June. Speakers included national and local experts on federal and state tax topics.

**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 2013, the program was held at the OSB Center in October.

**Newsletter:** The Section's Newsletter Committee, chaired by David Streicher, continued its regular publication schedule.

**Website:** The Section's website, which was substantially redeveloped in 2011, operated smoothly in 2013. Mary Dougherty took the lead in keeping the site's content current.

***Budget:***

Treasurer Barbara Smith submitted to the OSB a 2014 budget that was approved by the OSB Tax Section Executive Committee at the Section's annual meeting.

***Legislative issues:***

In 2013, the Laws Committee proposed to the Public Affairs Committee that the bar comment on a corporate tax bill. The PAC declined to endorse that proposal. The LC analyzed the numerous other tax bills adopted by the legislature. The chair of the LC reported on those developments in a meeting of the Section's monthly lunch series and provided a version of the outline for that meeting to the bar for the Legislative Updates publication.

***Matters considered/Matters pending:***

The minutes of the four quarterly meetings reflect all matters considered during 2013. Noteworthy was an effort to increase the transparency of the EC nominating and election process, which was largely successful.

***Recommendations for 2014:***

The chair recommends that the EC continue its historic pattern of CLE and other committee work as outlined above, and that the EC continue to implement and fine-tune the EC nomination process, including greater publicity within the Section of the solicitation of nominations.

*Respectfully submitted: Robert T. Manicke (CH), Jeffrey S. Tarr (CH-Elect), Neil D. Kimmelfield (Past CH), Barbara J. Smith (TR), Dan Eller (SEC), Patrick J. Green, Jonathan Joseph Cavanagh, Bernard A M Chamberlain, Stephen G. Jamieson, Lee D. Kersten, Heather Anne Marie Kmetz, John Anthony Magliana, Ryan R. Nisle, Tricia M. Palmer Olson, James R. Puetz, Jennifer L. Woodhouse, David Wade (BC), Karen D. Lee (BL).*

## Workers' Compensation Section

### ***Activities and accomplishments:***

The Section has the following standing committees: Salishan, Professionalism and Service Committee, Legislation/Rules, Bench/Bar, Access to Justice, Going Forward, Communications and New Technology, and Nominating.

**Salishan Committee:** The Salishan Committee organized the Section's annual seminar and section meeting on May 10-11, 2014 at the Salishan Spa and Golf Resort at Gleneden Beach, Oregon. In addition to electing officers and new Executive Section members for 2013, the program included news from Board Chair Herman and Presiding ALJ (now Board Chair) Holly Somers and a lunchtime keynote speech by the Honorable Martha L. Walters, Justice of the Oregon Supreme Court. Other presentations included a history of Oregon workers' compensation, the Affordable Care Act and the future of Oregon workers' compensation, and How to Conduct Cross Examination by Judge Michael McShane and Judge Eric Bergstrom. On the second day there was an Appellate Update, a medical presentation regarding the cervical spine from Dr. Buza and the lumbar spine from Dr. Tatsumi, and Highlights of the Year's Case Law in Picture and Story by Board Member Greig Lowell and Julie Masters.

The Committee has been meeting regularly to plan next year's conference. Although this is a work in progress, the committee already has a list of presentation topics and speakers for most of the presentations. The Committee also finalized contracts with Salishan for the next few conferences, which the Executive Committee approved.

**Professionalism and Service Committee:** William H. Repogle was the 2013 recipient of the Douglas W. Daughtry Award of Merit, the Section's professionalism and service award. Following the presentation of the award at the Annual Meeting at Salishan Resort, the Executive Committee directed the Award committee to review the criteria and procedures for the award and to offer proposals at the Executive Committee's July 12, 2013 meeting. Proposals were offered to the Executive Committee and many were adopted, including a name change for the award to Workers' Compensation Section Professionalism and Service Award. The changes were recorded in the Minutes of the July 12, 2013 meeting.

In 2014, the committee will implement the new criteria and procedures and if a recipient is selected, the first Workers' Compensation Section Professionalism and Service Award will be presented at the Annual Meeting on May 9, 2014.

**Legislative/Rules:** The Legislative/Rules Committee monitored legislation under consideration and then passed by the last session of the Oregon Legislature. It prepared summaries which the Section distributed to members through our Section Newsletter.

**Bench/Bar:** Bench/Bar organized and presented an annual lunch and afternoon seminar focused on legal ethics and professionalism. This year's seminar was at the Oregon Gardens on November 1, 2013.

**Access to Justice:** During 2013 the committee: Worked with WCD to ensure that WC informational packets clearly notify injured workers how to obtain an attorney; Explored the need for interpreters to assist non-English speaking claimants during the Reconsideration/Medical Arbitrator process; Tracked MLAC's Medical Treatment Subcommittee and WCD's Medical Advisory Committee efforts to increase the number of medical providers who take WC patients; Proposed changes in Oregon law, primarily ORS 656.268(5) and 656.218, to resolve the concerns raised by Wild v. SAIF; Considered the effects of the new OSB Lawyer Referral Service fees on the availability of workers' comp attorneys and explored creation of a Workers' Comp Section referral list; Considered the need to have CDA and DCS settlements translated for non-English speaking claimants; Clarified our Committee's role in recommending legislative and administrative rule changes directed toward increasing the access to justice within the workers' compensation system; and Provided speakers (Bruce Smith and bin Chen) to discuss access to justice issues at the Bench Bar Forum.

**Going Forward:** The committee has continued its effort to interest attorneys, especially new attorneys, in a workers' compensation practice. In cooperation with the New Lawyers Section, it presented an overview of Workers' Compensation at Kell's Pub in Portland. It presented a DVD of a mock hearing to Al Lyon's Workers' Compensation class at Willamette University and distributed pamphlets to new lawyers admitted to the Bar. The committee initiated discussions with University of Oregon School of Law to offer a workers' compensation class. This effort

has been unsuccessful but continues.

Communications and New Technology: The committee published four editions of a Section Newsletter (with a fifth edition to be issued in December 2013), with content provided by individuals and committees. The newsletter is initially distributed on the list serve and is posted on the website.

Nominating: This committee helped identify members willing to serve on EC and committees.

**Budget:**

The 2013 budget, projected year end, and 2014 budget for dues rate is \$25. The 2013 budget for paid membership is 345, the projected year end paid memberships is 336, and the 2014 budget for paid memberships is 331. The 2013 budget for comp memberships is 10, the projected year end comp memberships is 6, and the 2014 budget for comp memberships is 8. This makes the total memberships 2013 budget 355, projected year end 342, and 2014 budget 339. The OSB support assessment per member was changed from \$6.50 in 2013 to \$8 in 2014.

The total revenue for the 2013 budget is \$43,275, the projected year end is \$44,330, and the 2014 budget is \$43,570. The total expense for the 2013 budget is \$44,858, the projected year end is \$39,724, and the 2014 budget is \$44,341. The ending fund balance for 2013 is \$22,629 and the 2014 budget ending fund balance is \$21,858.

**Legislative issues:**

We have requested new legislation, consistent with OSB protocols. See Access to Justice Committee summary.

**Matters considered/Matters pending:**

We continue to seek ways to increase access to legal representation and have asked the Board of Governors to exempt our section from the Lawyer Referral Service. The Executive Committee believes the LRS, as presently constituted, discourages members from representing injured workers through that program.

The Executive Committee is also considering certain problems created by the Board's electronic filing program (the portal) and trying to develop recommendations for the Board.

**Recommendations for 2014:**

New Chair J. Jacobson will outline Section goals in her January report. It is likely the Section will continue its effort to increase communication with members, expand access to attorneys for unrepresented workers, and interest new lawyers in a workers' compensation practice. We will continue to sponsor our two annual educational seminars.

*Respectfully submitted: Norman D. Cole (CH), Jacqueline M. Jacobson (CH-Elect), Dale C. Johnson (Past CH), Ronald L. Bohy (TR), Keith Semple (SEC), Bin Chen, James L. Edmunson, Robert J. Guarrasi, Tom Harrell, Allison B. Lesh, Jenny Ogawa, M. Kathryn Olney, John M. Oswald, Carol A. Parks, Steven Mark Schoenfeld, Nicholas M. Sencer, Dennis R. Vavrosky, R. Ray Heysell (BC), Suzanne Cushing (BL).*





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