

Oregon State Bar

2022 SECTION
Annual Reports

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Administrative Law Section

Prepared by the Chairperson, Marie Barlow

Activities and accomplishments:

The Section assembled a Task Force at the Direction of the HOD to report to the Bar on reforms to the Court of Appeals' practice of issuing AWOPs in appeals of agency orders, and the Section's Report was well received by the BOG last Summer.

Retained an editor for our newsletter, published a newsletter, and the section is on track for resuming a more regular publication of our newsletter.

Navigated a complicated situation involving the loss of a long-time member of our committee.

Donated \$1,000 to the campaign for equal justice.

Budget:

Our section continues to operate at a surplus. We successfully obtained a waiver which will allow us to preserve funds for sections members. The added flexibility is helpful for the coming year to publish our newsletter and retain the editor and offer in person CLEs.

Legislative matters:

The Legislative Committee prepared comments for the Section on Legislation that risked limiting access to Justice in administrative law appeals.

Matters considered/Matters pending:

The Bar is asking us to examine a proposal by the HOD to transfer appeals from agency orders from the Court of Appeals to the circuit courts. The committee is seeking clarification on the ask.

Recommendations for Upcoming Year:

Regular publication of our newsletter and getting the process into a sustainable, regular cycle. Creating a realistic budget for those expenditures so that section dues are used for current section members.

Continue with the goal of putting on a fall and spring CLE, consider offering a both in-person and hybrid option.

Follow up with the Bar on their request.

Work on recruiting a more diverse executive committee.

Any other comments:

The section executive committee is saying goodbye to several long-standing members who have reached their 9-year lifetime maximum term limits. However, the executive committee had a very strong showing of interest in executive committee membership from new members and returned a robust slate of candidates for 2023.

Animal Law Section

Activities and accomplishments:

In 2022, the Animal Law section continued its pursuit of providing opportunities for section members to learn and connect with others in the animal law community.

Section members attended an in-person networking event and a virtual Animal Law Symposium hosted by the Lewis & Clark Law School Animal Legal Defense Fund Student Chapter. The section began planning a CLE and additional networking events, however had to postpone due to busy schedules. The section is in the early stages of planning an Animal Law Section scholarship, work that will be continued in 2023.

Budget:

As of October 31, 2022, the Section had 78 paid members and 31 complimentary members. The section generated \$1,170 in revenue and spent \$1,036, for a net gain of \$135. The section anticipates spending an additional \$150 before year-end.

Matters considered/Matters pending:

As discussed above, the section is looking to hold a CLE and additional networking events in 2023. The section is also considering established an Animal Law Section scholarship.

Recommendations for 2023:

Recruiting new members is a priority for 2023. It is recommended that meetings continue to be held remotely, but with increased frequency.

Respectfully submitted: Samuel Pope (CH), Maral Cavern (Past CH), Anna Fugate (SEC), Lisa Frost (MEM), Irene Au-Young (MEM), Jessica Brockway (MEM), Amanda Reilly (MEM), Bik-Na Han (BC), Samuel Leineweber (BL).

Business Law Section

Prepared by the Chairperson, Anne Arathoon

Activities and accomplishments:

The Business Law Section serves its members through the following subcommittees: the Continuing Legal Education & Annual Meeting subcommittee (chaired by Melissa Jaffe); the Legislative subcommittee (chaired by James Hein); the Outreach subcommittee (chaired by Brian Jolly); the Newsletter subcommittee (chaired by Jeffrey Tarr); the New Business Lawyers subcommittee (chaired by Joe Cerne); the Nominating and Member Recruitment subcommittee (chaired by Anne Arathoon); and the Castles Leadership Award subcommittee (chaired by Jeffrey Tarr). Highlights of the Section's 2022 activities include: (a) planning and holding its annual CLE on various business topics (held virtually on November 2nd and 3rd, 2022); (b) planning and holding an additional CLE (Building Trust Across Difference: How Cultural Differences Impact the Attorney-Client Relationship), which was held virtually in July 2022; (c) publishing the Section's newsletter for its members each quarter; (d) submission of a memorandum to the Oregon Law Commission requesting to form a work group to study updating Oregon's corporation statutes; and (e) holding virtual panel discussions for law students at Oregon law schools during which Oregon business lawyers shared experiences, answered questions, and provided insight into life as a business lawyer in Oregon.

Budget:

The Section has approximately 970 members. Section revenues, generated primarily through member dues, were budgeted to be \$31,370 for 2021, and Section expenses were budgeted to be \$39,453 for the same period. Actual Section revenues and expenses through November 30, 2022, are \$30,075 and \$23,639, respectively. The Section's cash balance as of November 30, 2022, is \$55,999.

Legislative matters:

During 2022, the Executive Committee developed and submitted a proposal to the Oregon Law Commission to form a work group to review and consider whether to replace the Oregon Business Corporation Act

with the 2016 update of the Model Business Corporation Act published by the Corporate Laws Committee of the American Bar Association Business Law Section. In addition, the Legislative subcommittee monitored legislative developments from the Oregon Legislature's 2022 session and reported on the progress of the Oregon Law Commission's work group relating to the modernization of Oregon's limited liability company act.

Matters considered/Matters pending:

The Executive Committee of the Business Law Section does not have unresolved issues.

Recommendations for Upcoming Year:

In 2023, the Section intends to continue to fulfill its mission by providing relevant information to its members through its CLE programs and newsletter, providing opportunities to connect and network with the Section's more junior members and to members outside of the Portland, Oregon metropolitan area, recognizing efforts and achievements of individuals through its awards and scholarships, and advocating for the improvement of business law through legislative work.

Business Litigation Section

Prepared by the Chairperson, Peter Hawkes

Activities and accomplishments:

Briefly describe the section's activities and accomplishments from the current year. Include specific details of how the section's activities further the OSB's mission to serve justice and the public interest by promoting respect for the rule of law, improving the quality of legal services, and increasing access to justice.

This year, the section put on 4 CLE programs on topics of interest to business litigators, for a total of 3.0 general credits and 1.0 ethics credits.

In addition, the section donated \$3,000 to charitable causes supporting diversity & inclusion and access to justice, including the St. Andrew Legal Clinic, the Commons Law Center, and the Classroom Law Project.

Finally, the section is hosting an annual meeting/social event for members on December 15.

Budget:

Provide general budget information from the current year and/or upcoming year.

The section operated on a roughly breakeven basis this year. Through October 2022 (the most recent financials available), the section has generated approximately \$9500 in revenue from registrations and membership fees, which in total is closely in line with budget. Expenditures for the same period have been approximately \$6,000, with an additional \$3,000 in charitable donations recently approved. These total expenditures are slightly below budget, primarily due to the lack of any in-person CLE events (which are more expensive to put on).

Legislative matters:

Describe any significant legislative activities or issues from the current year, and any upcoming legislative matters.

No significant legislative activities.

Matters considered/Matters pending:

Provide information on significant matters considered by the executive committee and any matters still pending.

Nothing to report.

Recommendations for Upcoming Year:

Sections provide members a forum for improving legal skills and knowledge, improving the law and administration of justice, exchanging ideas and information, and engaging in pro bono service and other activities to increase access to justice. With this in mind, indicate any planned activities and goals for the upcoming year that further the [OSB's mission](#).

I expect the section will put on 4 CLEs (including an ethics CLE) again next year, as has been its practice for many years. With in-person events starting to return, I would hope that the social event will also recur and encourage connections between section members. The section will also continue with its charitable giving to legal causes.

Any other comments:

Include any additional important information.

Cannabis and Psychedelics Law Section

Prepared by the Chairperson, Logan Leichtman

Activities and accomplishments:

Briefly describe the section's activities and accomplishments from the current year. Include specific details of how the section's activities further the OSB's mission to serve justice and the public interest by promoting respect for the rule of law, improving the quality of legal services, and increasing access to justice.

2022 was a year of recovery and restarting from the previous years' setbacks. In recognition of the state's expanding laws that will now include psilocybin regulation, the section first expanded our mission and constituency by changing from simply the Cannabis Law Section to the Cannabis and Psychedelics Law Section. New at-large members were added to support this expansion, along with an advisory board. Together we were able to increase subcommittee activity to provide regulatory calendar tracking and additional resources and information for the new psilocybin laws. We also restarted limited in-person events, which were successfully offered in a hybrid in-person/online format to allow the broadest possible participation.

Budget:

Provide general budget information from the current year and/or upcoming year.

As of this report, a budget for the coming year, providing the year-end totals as accurately as available, has been submitted to the OSB. Generally, we reduced down the amount of reserves held by the section as a result of increased in-person event costs that were not passed on in full to attendees. Because the previous years' events had very little expense and generated more revenue than needed, we determined that it would be best to subsidize some of those additional expenses to allow for greater in-person attendance.

Legislative matters:

Describe any significant legislative activities or issues from the current year, and any upcoming legislative matters.

None.

Matters considered/Matters pending:

Provide information on significant matters considered by the executive committee and any matters still pending.

The section coordinated with the OSB Legal Ethics to work on an update to the Oregon Rules of Professional Conduct that would include direct reference to a lawyer's ability to provide counsel and assistance to a client regarding Oregon's psilocybin laws. This is still in process to be continued in the new year.

Recommendations for Upcoming Year:

Sections provide members a forum for improving legal skills and knowledge, improving the law and administration of justice, exchanging ideas and information, and engaging in pro bono service and other activities to increase access to justice. With this in mind, indicate any planned activities and goals for the upcoming year that further the [OSB's mission](#).

Now that we have successfully learned how to host hybrid events, most events, including our annual conference and CLEs, will likely be presented in this manner. This will allow us to increase overall participation from section members in areas outside of the urban areas we traditionally were better able to serve. This has already allowed greater collaboration between members and I aim to continue to increase that collaboration and participation from members in the farther reaches of our constituency.

Any other comments:

Include any additional important information.

Civil Rights Law Section

Prepared by the Chairperson, Norah Van Dusen (December 9, 2022)

Activities and accomplishments:

In October, 2022, The Civil Rights Section co-hosted a CLE with the constitutional law section featuring Professor Erwin Chemerinsky, focusing on civil rights and constitutional law cases from 2021-2022 SCOTUS term.

Budget:

Provide general budget information from the current year and/or upcoming year.

The committee has \$3,779 in assets, as of December 9, 2022.

Legislative matters:

Describe any significant legislative activities or issues from the current year, and any upcoming legislative matters.

N/A

Matters considered/Matters pending:

The Civil Rights Section will be presenting a CLE on the *Egbert v. Boule* SCOTUS decision in January/February, 2023. This program was originally scheduled for December, 2022. The program is as follows:

CLE: Enforcement of Constitutional Rights Against Federal Actors Post-Egbert v. Boule

Rachel Meeropol of the Center for Constitutional Rights in New York City and Professor John Parry of Lewis & Clark Law School will discuss the impacts of the Supreme Court's June 2022 ruling in *Egbert v. Boule* and its impact on enforcement of constitutional rights against federal actors. The Bivens doctrine and its implied right of action has provided protections for federal violations of constitutional rights that roughly paralleled protections provided by 42 USC 1983 of the Civil Rights Act. The panel will discuss how *Egbert* has narrowed those protections and what avenues remain.

Recommendations for Upcoming Year:

Sections provide members a forum for improving legal skills and knowledge, improving the law and administration of justice, exchanging ideas and information, and engaging in pro bono service and other activities to increase access to justice. With this in mind, indicate any planned activities and goals for the upcoming year that further the [OSB's mission](#).

Please see above.

Any other comments:

Include any additional important information.

Constitutional Law Section

Prepared by: Robert Koch, Section Chair

Activities and accomplishments:

CLEs. The Section's CLE Subcommittee, co-chaired by Megan Houlihan and Matt Kalmanson, organized three CLEs this year, each of them free. The first featured a discussion on the First Amendment's Religion Clauses with Willamette University School of Law Professor Steven K. Green, moderated by retired Oregon Supreme Court Justice Jack Landau. The second featured a discussion on the U.S. Supreme Court's decision in *Dobbs v. Jackson Women's Health* with University of Oregon School of Law Professor Stuart Chinn, Willamette College of Law Professor Robin Maril, and Lewis & Clark Law School Professor Jim Oleske, moderated by Megan Houlihan. The third featured a U.S. Supreme Court Review/Preview with Berkely Law Dean Erwin Chemerinsky, moderated by Megan Houlihan.

Newsletter. The Section's Newsletter Subcommittee, chaired by Jermaine Brown, launched the Section's inaugural blog and website, <https://constitutionallaw.osbar.org/>.

Scholarship. The Section's Scholarship Subcommittee, chaired by Rachel Lee, laid the groundwork to launch an inaugural scholarship program with Oregon's law schools in memory of Oregon Court of Appeals Judge, and former Section leader, David Schuman. The Section set aside \$7,500 for Lewis & Clark Law School, University of Oregon Law School, and Willamette University Law School to each administer \$2,500 in scholarships to further and support the study and development of constitutional law. Scholarship logistics, including compliance with recent Bar rules, will require additional implementation efforts in 2023.

In addition to the above subcommittee efforts, the Section also launched an inaugural listserv.

Budget:

The Section began 2022 with a beginning balance of \$20,216, above the Bar's desired balance threshold, largely due to an inability to hold in-person events in 2021 given the ongoing COVID-19 pandemic. As of December 2022, the Section had 218 paid and 43 complimentary

memberships; annual revenues from member dues of \$4,360; total expenditures of \$6,625; and a projected year-end balance of around \$17,000. The Section made donations of \$1,000 to the Campaign for Equal Justice, Classroom Law Project, and Oregon Minority Lawyers Association. The Section set aside \$7,500 in funds for the above-mentioned Schuman Scholarship, which the Section hopes and anticipates will be expended in 2023.

Legislative matters:

The Section did not directly engage with the legislative process this year.

Matters considered/Matters pending:

As discussed above, the Section hopes and anticipates that the Schuman Scholarship will be implemented with each of Oregon's three law schools next year.

Recommendations for Upcoming Year:

In 2023, the Section plans to: (1) organize interesting and informative CLEs pertaining to constitutional law; (2) actively maintain its blog, website, and listserv; and (3) work with Oregon's law schools to implement a Schuman Scholarship program.

Any other comments:

N/A

Construction Law Section

Prepared by the Chairperson, Jakob Lutkavage-Dvorscak

Activities and accomplishments:

The Construction Law Section had a very productive 2022. In October the Section held its annual full day construction law CLE. It was first CLE since 2019 the section had held in-person which was a welcome change from the last couple years. The CLE speakers were excellent and a slightly different CLE format was well received by the attendees. The Section also published three newsletter editions this year providing educational information on various construction law related topics. The authors all provided important information and practice tips on issues they have observed in their respective practices. Additionally, over the summer the Section held an in-person social for members. It was great to interact in person with old and new colleagues.

Through careful management of funds, the Section was once again able to make charitable contributions to several legal charities. The organizations receiving contributions this year were: Campaign for Equal Justice, Class Room Law Project, and St. Andrews Legal Clinic.

Budget:

Careful stewardship of the Section finances has led to strong budget positions over the years. This year has been no different. The ending funds for 2022 are projected to be around \$8,000. This is under the Bar threshold of two years of members dues to allow for the reduced OSB Support Service Assessment. The 2023 budget is projected to have a similar ending balance with the expectation the Section's annual CLE is not co-sponsored with the Bar next year.

Legislative matters:

A Section workgroup has attempted over the past couple years to develop technical fixes to new statutes enacted by the Legislature related to contract retention. However, it was determined no technical fixes were feasible.

Matters considered/Matters pending:

There are no significant matters pending or considered this year.

Recommendations for Upcoming Year:

Next year it is recommended that the section continue with its scheduled CLE and newsletters as those are the primary means the Section uses to serve justice and the public interest by promoting the respect for the rule of law, improving the quality of legal services, increasing access to justice, and to provide continuing legal education for Bar members. It is recommended the CLE not be co-sponsored with the Bar this year so as to help maintain the Section's secure financial position. Additionally, the Section should continue to conduct outreach to engage new membership in the Section.

Any other comments:

This year the Chair named four recipients of the Section's Distinguished Service Award to Tara Johnson, Dan Duyck, Gary Christenson, and Curtis Welch for their significant contributions to the Section over the years in leadership roles, advisory roles, and general support as experienced practitioners in the construction industry. The Chair extends on behalf of the Section and sincere appreciation for their help over the years.

Consumer Law Section

Prepared by the Chairperson, Emily Rena-Dozier

Activities and accomplishments:

This year the Consumer Law Section continued its efforts to recruit additional members and grow the Executive Committee. We attended the OSB swearing in ceremony to connect with new admittees. We connected with Oregon Consumer Justice and continue to work on identifying issues that OCJ and the Consumer Law Section can enhance our joint mission. The Consumer Law Section put on a well-attended CLE on foreclosure prevention and defense, and posted monthly articles on the Consumer Law website, detailing case developments relevant to consumer law practitioners.

Budget:

The Section's budget remains healthy. This year we provided substantial donations to the Commons Law Center, a nonprofit low-bono firm that assists consumers, and to the Campaign for Equal Justice.

Legislative matters:

The Section submitted three legislative proposals this year.

Matters considered/Matters pending:

No matters remain pending.

Recommendations for Upcoming Year:

No specific recommendations

Any other comments:

None.

Criminal Law Section

Prepared by the Chairperson, Mary Bruington

Activities and accomplishments:

This year the committee put on two major CLEs. The April CLE series *36th Annual Contemporary Issues in Criminal Justice CLE Series on Digital Evidence* was a three-part remote series that focused on the developing area of digital evidence. The series explored issues section members face litigating cases where digital evidence plays a key role, which in these times is a large percentage of our work. Attendees came away with a heightened awareness of how digital evidence is created and stored in the first place, logistical and ethical issues presented, and how to use that knowledge to their advantage in actual cases. The committee put on a Fall CLE in November entitled: *Pretrial Release, Preventative Detention and SB 48*. This CLE brought together DA and defense experts on this new bill and was offered both in-person and remotely, allowing anyone in the state to learn about SB 48 in-depth for free. The CLE also offered a survey of pre-trial release practices around Oregon. In September, the committee held an outreach event in McMinnville which offered a chance to socialize with criminal bar peers, meet committee members and get an appellate update as well. The entire year, the committee continued its tradition of offering the opportunity for members of the criminal bar from both sides of the aisle to build relationships and discuss topics of interest to all.

Budget:

The section is expected to bring in revenue of \$14,820 in 2023, and to continue to have a significant budget surplus of nearly \$32, 000. The committee intends to responsibly spend down the surplus over time in several ways that serve the section members, and the goals and objectives of the section. Methods under consideration include free or reduced cost CLEs for members, national speakers for CLEs, increased outreach events throughout Oregon and charitable donations as approved by the committee.

Legislative matters:

None. Our committee is made up of an equal number of defense and state members, and to best serve our diverse section, does not take positions on legislation.

Matters considered/Matters pending:

In addition to the matters described above, the committee considered two main issues this year. One is the budget surplus. Plans to reduce the surplus responsibly in accordance with section objectives are contained in the Recommendations Budget sections. The other major topic discussed was increasing efforts to reach and serve members of the section across Oregon. The committee has been limited in its ability to plan outreach events during the pandemic. But with the pandemic reaching a more manageable status, the committee agreed that one important goal for 2023 will be to resume more robust outreach efforts. The committee also reaffirmed our desire to remain equally split between defense and state representatives, and to continue our focus on education and community-building.

Recommendations for Upcoming Year:

The committee plans to continue our tradition of holding a CLE, either all-day or a series, in April on a topic of significance to the criminal bar. In the past we have chosen topics that engendered discussion or allowed exploration of new developments in criminal law and we hope to do the same in 2023. We also plan to hold a Fall CLE on a timely topic like our CLE this year on Senate Bill 48. Finally, as discussed above, the committee plans to increase efforts to build community in the criminal bar across the state by holding outreach events in diverse areas of Oregon. A further recommendation would be to continue our tradition of charitable donations to worthy system-adjacent organizations whose missions are in keeping with our balanced stance.

Any other comments:

Watch for 2023 events including our April and Fall CLEs, as well as outreach events in your area.

Debtor-Creditor Law Section

Prepared by the Chairperson, Erich M. Paetsch

Activities and accomplishments:

This year the Oregon Debtor Creditor Section continued its traditional work in person and through hybrid events and activities. This included hosting the Saturday Session in collaboration with the U.S. Bankruptcy Court for the District of Oregon, organizing and sponsoring the Northwest Bankruptcy Institute in collaboration with its sister section for the State of Washington, helping to organize the investiture ceremony for The Honorable Theresa Pearson for the U.S. District Court for the District of Oregon and holding an Annual Meeting in 2022. In addition to these events, the Section continued its activities through active committees, including publication of a biannual newsletter to Section members, maintaining an active listserv, submitting approved proposed legislative improvement recommendations on behalf of the Bar and supporting pro bono activities through bankruptcy law clinics in collaboration with Oregon Legal Aid offices throughout Oregon along with recognizing two members for receipt of the Sections Award of Merit.

Budget:

The significant constraints created by the Bar's section reserve policies in combination with hybrid technology requirements and a general inflationary environment make it very difficult to accurately budget and maintain quality events and programming. Without the flexibility to maintain sufficient section reserves in combination with imposing significant costs through hybrid technology requirements, it is difficult to realistically forecast expenses and to maintain traditional Section activities. Unlike the Bar as a whole, which has flexibility to increase dues annually together with turning to savings as occurred this year, Sections lack the flexibility or opportunity to use adequate reserves during challenging economic periods. This Section has attempted to spend down its historic reserves created for situations like the current economic environment and will continue to do so in compliance with the reserve policy currently in place. However, given increasing costs and capped Section dues, the quality of programming and

overall activities of the Section will inevitably become limited or suffer without adequate reserves to utilize during challenging economic periods impacting the Sections ability to fulfill the Oregon Bar's mission.

Legislative matters:

The Section has proposed and will monitor the introduction and support the passage of legislation at its request concerning amendments to Oregon's current version of the Uniform Fraudulent Transfer Act consistent with recommendations for the Uniform Law Commission.

Matters considered/Matters pending:

Planning for annual 2023 events and activities; addressing declining Section membership consistent with overall declining Bar membership and active participation challenges (ongoing)); budgeting issues and concerns caused by Bar reserve policy changes (ongoing); handling of technology costs and requirements for events due to hybrid requirements (ongoing); addressing committee leadership transitions and nominating officer slate; identifying and completing leadership and committee voting for 2023.

Recommendations for Upcoming Year:

Continue the annual activities and committee membership and engagement efforts highlighted in the activities and accomplishments section again in 2023. Assess and implement a writing competition for Oregon law schools including a potential stipend award to develop related content for the Section Newsletter and to engage with and connect Section members with law students interested in Section practice areas.

Any other comments:

Oregon Bar Books needs updating in Section related areas and will be a potential discussion area for the Committee in 2023.

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Disability Law Section

Prepared by the Chairperson, Emily Cooper

Activities and accomplishments:

The Disability Law Section meet throughout the year to further our goals of providing bar members interested in disability law with resources to help them keep updated and educated on developments in disability law, and with opportunities for collaboration and professional development on disability law related topics and issues. For example, we maintained our website (<https://disabilitylaw.osbar.org/new-in-disability-law/>) and its blog with highlights of recent developments in disability law, information and resources to lawyers who practice disability law, as well as for lawyers who represent clients with disabilities on non-disability law related matters.

This year we also hosted a free CLE on secondary trauma. The speaker was a licensed clinician with over twenty years of experience including treating attorneys who experienced “burn out” or “stress” associated with practicing law. The section chose this topic based on what we were hearing from members regarding the difficulty in representing clients with disabilities during a global pandemic that disproportionately impacted their clients. The CLE had over 125 registered attendees and has overwhelmingly positive reviews.

Finally, we also wanted to ensure the section was collaborating with other affinity bar associations. We used our website to publicize the Oregon Minority Lawyers Association’s auction, Lane County Bar Association’s Diversity Equity and Inclusion Committee event, and joined all the other sections in both contributing and welcoming new members to the bar at the Fall Swearing In Ceremony in Salem.

Budget:

We primarily used our funds to host the CLE on secondary trauma and provide financial contributions including the Fall Swearing In Ceremony.

Matters considered/Matters pending:

We are considering hosting another CLE in 2023 and will likely charge a fee for participants so that we can build up our budget. We are also

taking a close look at our contributions to other entities and considering whether those funds would best be spent supporting other affinity bar associations or sponsoring law students so that they can attend our CLE.

Recommendations for Upcoming Year:

We sent out a Disability Docket email to the members to let them know about 988 - modeled after 911, the new three-digit 988 Suicide & Crisis Lifeline is designed to be a memorable and quick number that connects people who are suicidal or in any other mental health crisis to a trained mental health professional. We are considering sending out "docket" emails out to members as new legal issues emerge to improve the quality of legal services in furtherance of OSB's mission.

Diversity Law Section

Prepared by the Chairperson, Jessica Brown

Activities and accomplishments:

The Diversity Section began the year aspiring to plan, execute and ultimately have something to show for itself at the end of the year. This year, the Diversity Section has successfully executed two CLEs; Aspects of Access: Addressing Roadblocks to the Legal System for Practitioners and Litigants, and How to Evaluate and Sustain a Diversity, Equity, and Inclusion Committee in Your Organization. Both of these CLEs were highly successful with great participation and attendance. The section's website was updated, functional and utilized a great deal this year. Thanks to the update, we were able to promote CLEs, distribute information via listservs and gain a better understanding of the frequency of updating a website and communications. The Diversity Section and its activities have furthered the Oregon State Bar's mission. Through the Diversity Section's donations and CLEs, space has been created for discussion and learning that positively affect the ways in which those of us who work either in or alongside the legal field can relate and promote the importance of serving justice, respect for the rule of law, improving the quality of legal services and increasing access to justice.

Budget:

The Diversity Section has a healthy budget and intends on continuing its 2022 goals by: (1) executing events and CLEs that promote the section's goals and interests and (2) continuing to contribute and donate to our fellow committees and organizations. This year, the Diversity Section donated a total of \$1,250.00 to the Campaign for Equal Justice and The Commons Law Center.

Legislative matters:

The Diversity Section does not have any current legislative activities to report, but plans to have more involvement in the 2023 calendar year.

Matters considered/Matters pending:

The Diversity Section does not have any current matters considered or pending.

Recommendations for Upcoming Year:

The Diversity Section intends to recognize community members at the heart of the legal field in the upcoming year. We will also continue to plan and execute CLEs and events that engage and positively affect the community and create discourse. This year, we plan to comment on at least one piece of legislation if appropriate. Our hopes include, recruiting more members to the section, and increasing our visibility to affinity organizations and businesses. Overall, the section's planned activities and goals for the upcoming year, further the Oregon State Bar's mission, by consciously and passionately considering who will benefit from access to the information, monetary donations, and the ways in which the section at large, can benefit both the community and the Oregon State Bar itself.

Any other comments:

The Diversity Section has come together, supported and encouraged each other, held each other accountable and most importantly, never given up. We have experienced setbacks whilst planning events, attempting to execute and attempting to balance our careers, personal lives and so on. As Chair, I could not be more proud of every single person who has been involved and contributed to the Diversity Section this year. This section is made of community members who selflessly share their time, energy and emotions in the hopes of giving to something that matters and making a difference. The Diversity Section has a great deal planned for the upcoming year and will continue with momentum into 2023 with more events and CLEs to come.

Energy, Telecommunications and Utility Law Section

Activities and accomplishments:

In 2022, the ETU Section sponsored 2 CLEs—one in March and the second in October—and one happy hour in September. For the March CLE, we discussed legislative updates in Oregon that were expected to impact our practice area (energy and telecommunications). The event was well attended and we got good feedback. For our fall happy hour, we hosted the event in a space with an expansive outdoor area (McDowell Rackner & Gibson's law offices) to ensure that individuals concerned about the ongoing pandemic would feel comfortable attending. Finally, for our annual meeting and CLE, we wanted to make a concerted effort to build on 2021's success to continue to advance the Bar's diversity, equity, and inclusion mission, in addition to regular section-related CLE material. To that end, we invited a panel of experts to discuss the federal government's Justice40 initiative for a practical discussion of how federal benefits may flow to disadvantaged communities. For the remainder of the annual meeting, we had telecommunication presentations and a panel presentation about discovery best practices before the Oregon Public Utility Commission. We got great feedback on the annual meeting presentations, and individuals that attended were grateful for a hybrid event that included an in-person option at Stoel Rives' downtown Portland law offices. Information about the annual meeting was disseminated to a wide range of individuals and was shared amongst Oregon Public Utility Commission Staff, including many non-lawyers. This helped increase the ETU's visibility in the broader community and the discovery panel in particular gave practical tips for both lawyers and non-lawyers.

Budget:

The Section began the year with a fund balance of \$10,868. After revenues of \$5,805 and expenses of \$6,757, the section is forecast to end 2022 with a fund balance of \$6,604. The section did not charge members for any of the CLEs or the happy hour. We expect a positive cash-flow in the future.

Legislative issues:

The Section did not take a position on any legislation in 2022. The Section does not anticipate taking a position on legislation in 2023.

Recommendations for 2023:

The ETU section continues to seek to expand our Section's reach beyond Portland through virtual and hybrid CLEs. We will continue to engage broad channels to market our CLEs and events to ensure robust and diverse attendance. The Section should continue to find creative ways to engage law students and seek out law students who wish to join the section at no cost. The Section should continue to engage a student outreach subcommittee to ensure these goals are met.

Finally, there remains significant interest in continuing the DEI work that began in 2021. The CLE planning committee for the annual meeting was very supportive of continuing this work, and, in particular, partnering with other OSB Sections to bring other programming along these lines where possible. It is very important that all attorneys feel welcome and included in our Section, particularly our youngest attorneys and student attorneys seeking to make connections and to stay in Oregon.

Any other comments:

The Section needs to continue working with the Bar to address CLE registrations, to promote our CLEs outside of Portland, and to make them accessible to students.

Respectfully submitted, December 9, 2022:

Officers: Michael Goetz (Chair), Adrienne Thompson (Past Chair), Sidney Villanueva (Chair-Elect), Silvia Tanner (Secretary), Max Greene (Treasurer)

At Large: Jocelyn Pease, Tim McMahan, Erin Apperson, Liz Uzelac, Don Light, Allen Chan, Sarah Kutil, Marie Barlow, Derek Green, Ajay Kumar, Chris Zentz, Heather Moelter

Oregon Bar Association: Logan Stewart and Cheryl L. McCord

Environmental & Natural Resources Law Section

Prepared by the Chairperson, Caylin Barter

Activities and accomplishments:

Briefly describe the section's activities and accomplishments from the current year. Include specific details of how the section's activities further the OSB's mission to serve justice and the public interest by promoting respect for the rule of law, improving the quality of legal services, and increasing access to justice.

Brownbag CLEs: The ENR Section hosted a brownbag CLE, "Perspectives on Oregon's Private Forest Accord," in May 2022. This program was held virtually and was free to Section Members. The panelists on the CLE were a representative of the forest products industry and a representative of nonprofit environmental/conservation organizations. The event was attended by more than 50 registrants, generated high engagement from the audience, and received positive feedback.

Annual CLE: The ENR Section hosted its annual "Environmental & Natural Resources Law: Year in Review" CLE on October 6, 2022. The Section received positive feedback on the topics covered and the presentations of the panelists. Key presentation topics included Oregon air quality regulation and compliance; contextualization of *West Virginia v. EPA*; Groundwater Management Areas; NEPA updates; offshore wind production; and an ethics presentation. The keynote address was presented by Jason Miner, Director of the Governor's Natural Resources Office, and focused on a retrospective of Governor Brown's environmental legacy. This year's CLE was presented in a hybrid format and was well-received by members joining in-person and remotely alike. Approximately 50 attendees attended in-person and 30 online. Due to the Section's limited ability to provide services to our members during the COVID-19 pandemic and an excess of funds in our budget, the Section subsidized registration rates for its members to significantly reduce the cost of attendance at the CLE. In addition, law students attended free of charge, removing an otherwise significant barrier to participation.

Newsletter: The ENR Section published three E-Outlook articles in 2022: one in April, which provided an introduction and overview of Oregon's 2022 legislative session; one in July, which discussed implications of the US Supreme Court's opinion in *West Virginia v. EPA* and vacatur of the Trump-era Endangered Species Act rules; and one in October, which summarized the impacts of the Oregon Supreme Court's refusal to hear an appeal of *County of Linn v. State of Oregon*. The Section also published two editions of its Case Notes publication, in April and October, summarizing recent state and federal case law decisions that are relevant to environmental and natural resources law practice.

Website: The Section continues to use its website to share information and materials. For the annual CLE in 2022, all materials were distributed via the website. The website is an effective portal where members can access publications, review Executive Committee minutes and financial reports, and learn about upcoming Section events.

ListServ: The Section uses its listserv to provide notices about upcoming events, including Executive Committee meetings. It does not receive a lot of traffic, but we alert Section members to its availability as a resource for sharing information. The Section also provided periodic updates to our members on pending legislation in Oregon that may be of interest to our members and their clients. The Pro Bono Committee also used the listserv to alert our members to volunteer opportunities in the Portland Metro region with local organizations.

Field Trips: The Section hosted one field trip in September 2022 to Whychus Creek near Sisters, showcasing restoration projects to improve the watershed health of the Deschutes River Basin. Approximately 10 members attended and earned 3 CLE credits. Attendees appreciated the opportunity to attend an event in Central Oregon, as historically most field trips have occurred in the vicinity of the Portland metro area. The ongoing COVID-19 pandemic constrained our options for indoor events early in the year. In typical years, the Section hosts several field trips that are well attended and include CLE credit for attendees.

Budget:

Provide general budget information from the current year and/or upcoming year.

At the end of October 2022, the Section's fund balance was \$16,930. The Executive Committee approved the 2023 budget in November with the following provisions: projected 2023 revenues are \$19,000 and projected expenses are \$22,120. This budget will provide for a

reserve balance of approximately \$10,500. The Executive Committee budgeted with the hopes that we will be able to return to more of our regular in-person programming in 2023 and provide additional services to our members to begin to spend down our budget reserve. The 2023 budget also includes a continuing contribution of \$3,000 to the OSB Diversity & Inclusion Department to fund an employer matching grant for an Oregon law student working in the environmental and natural resources field. The Section currently has 575 total members (491 paid, 84 complimentary for new lawyers and students).

Legislative matters:

Describe any significant legislative activities or issues from the current year, and any upcoming legislative matters.

The Executive Committee works with the OSB annually to track Oregon bills that are of interest to the Section's members, providing updated information on the OSB's website, and a link to such information on the Section's website. As detailed above, the Section published an E-Outlook article and provided several listserv updates focused on the 2021 legislative session.

Matters considered/Matters pending:

Provide information on significant matters considered by the executive committee and any matters still pending.

Diversity: In 2021, with a growing budget surplus due to pandemic-related limitations on hosting Section events and activities, the ENR Section voted to include in its 2022 budget \$3,000 to fund an employer matching grant through the OSB Diversity & Inclusion (D&I) Department. The ENR Section-funded employer matching grant is designated for an Oregon law student working in a summer position focused in environmental or natural resources law and will be matched by the qualifying employer. All students enrolled in Oregon law schools are eligible for the grant and the D&I Department administers the grant to ensure compliance with *Keller* and *Fisher* limitations and selects grant recipients. The 2022 recipient of the ENR Section-funded grant was Jenna Ayers, a student at Willamette Law School; Jenna spent her summer working with Western Environmental Law Center.

Supporting an employer matching grant through the D&I Department furthers OSB and the Section's mission of improving the quality of legal services and increasing access to justice in the field of environmental

and natural resources law. The ENR Section Executive Committee voted at its November 2022 meeting to support the grant again as part of its 2023 budget. The Section will renew its request to the D&I Department to rotate the grant recipients between each of Oregon’s law schools and among different sectors of employment in the environmental and natural resources practice.

Charitable Donations: In late 2022, the Executive Committee received several requests for charitable donations. As such, in 2023, the Executive Committee may yet again reconsider its longstanding practice of not making charitable donations beyond supporting the D&I stipend.

Annual Award: In November 2022, the Executive Committee selected Caroline Lobdell to receive the 2022 ENR Annual Award, which is intended to recognize leadership, service, and outstanding contributions in the areas of environmental and natural resources law. As in past years, a social event will take place in early 2023 to recognize the recipient, and preparations are underway to support hybrid attendance.

Recommendations for Upcoming Year:

Sections provide members a forum for improving legal skills and knowledge, improving the law and administration of justice, exchanging ideas and information, and engaging in pro bono service and other activities to increase access to justice. With this in mind, indicate any planned activities and goals for the upcoming year that further the [OSB’s mission](#).

The Section hopes to increase its activities and services to members in 2023 and resume providing a variety of in-person events and programs. The Section will continue to distribute high-quality E-Outlook and Case Notes articles, sponsor brownbag CLEs, host field trips of interest to Section members, and present a full-day CLE program in 2023.

Any other comments:

Include any additional important information.

The Executive Committee continues to work on diversifying the committee and the Section membership, and those efforts will continue in 2023.

Estate Planning and Estate Administration Law Section

Prepared by the Chairperson, Hilary A. Newcomb

Activities and accomplishments:

Briefly describe the section's activities and accomplishments from the current year. Include specific details of how the section's activities further the OSB's mission to serve justice and the public interest by promoting respect for the rule of law, improving the quality of legal services, and increasing access to justice.

The section conducted their annual OSB CLEs devoted to advanced topics (June) and basic topics (November), both of which were successful. The section published their quarterly newsletter with many helpful and informative articles of interest for our members. The section continues to develop various forms for use by Oregon attorneys, and maintained a very active listserv, which is very helpful to our members in sharing information and analyses on many estate planning topics.

Budget:

Provide general budget information from the current year and/or upcoming year.

The section had an annual budget for 2022 of about \$30,000, and due to less expenditures over the course of the year, the projected budget for 2023 is slightly higher, at \$30,625.

Legislative matters:

Describe any significant legislative activities or issues from the current year, and any upcoming legislative matters.

The section continues to work on proposed legislation to update the publication fee in probate estates, the small estate affidavit, and to modify the deadline to file the OR-706 in order to match the federal deadline on estate tax returns.

Matters considered/Matters pending:

Provide information on significant matters considered by the executive committee and any matters still pending.

The section's executive committee continues to meet and discuss ongoing legislation matters.

Recommendations for Upcoming Year:

Sections provide members a forum for improving legal skills and knowledge, improving the law and administration of justice, exchanging ideas and information, and engaging in pro bono service and other activities to increase access to justice. With this in mind, indicate any planned activities and goals for the upcoming year that further the [OSB's mission](#).

The Section strives to be more inclusive and encourage more diversity in both its membership and the Committee in the upcoming year and moving forward in general.

Any other comments:

Include any additional important information.

Government Law Section

Prepared by Tommy Brooks, Section Chair

Activities and Accomplishments:

The Government Law Section continues to have robust participation from its executive committee members and its members at large. The Section's primary effort over the years has centered around holding two Continuing Legal Education (CLE) events. Due to delays and the choice to hold virtual events over the past two years, 2022 was significant because the Section was able to once again hold an in-person CLE. The Section held that CLE in October in conjunction with a bigger conference for the International Municipal Lawyers Association. As part of that program, the Section was proud to support the Bar's Diversity Action Plan, specifically Goal 2 of that plan, which aims to "[i]mprove the quality of legal services by promoting lawyers' knowledge and application of DEI principles in their legal practices and in bar programs." The Section supported that goal in part by inviting and paying for a speaker with expertise in the DEI realm who presented a session on what government lawyers should consider in aid of addressing structural racism and discrimination.

Budget:

Due to having only one CLE this year, the Section's budget remained relatively static, with one of the only expenses being a speaker at the Section-sponsored CLE. Other expenses included charitable contributions the Section has traditionally made to Bar-approved organizations. The Section's membership did decline a small amount, but the Section has an appropriate level of financial reserves and has not needed to adjust membership dues. For 2023, the budget will remain similar, and we expect more activity as we embark on holding two CLEs, which will require more expenses, but also result in an increase in corresponding revenue.

Legislative Matters:

The executive committee did engage in discussions regarding potential legislative matters, but no legislative matters were pursued.

Recommendations for Upcoming Year:

The executive committee committed to returning to CLE's per year in 2023. We received a lot of positive feedback about the return to in-person events, and there are plenty of "hot topics" of interest to the Government Law practice. Those who appear with, on behalf of, or in front of governmental entities recognize that it is a dynamic practice area, but that there is a relatively small number of practitioners in this area. The education and networking that are part of our CLEs are therefore very important. We are also hoping to identify ways to better develop an interest in this practice with newer attorneys.

International Law Section

Prepared by the Chairperson, Nathaniel Levy

Activities and accomplishments:

We organized two very well-received CLEs this year. One program detailed immigration issues faced by those affected by the Russian invasion of Ukraine (presented by EC member Irina Batrakova), as well as trade implications (presented by Akana Ma), which was organized in chief by Irina Batrakova and incoming chair Colin Savoy. We were particularly proud of how quickly we organized this program in light of the rapidly evolving situation in Ukraine. Our second CLE was organized by EC member Katelyn Skinner and Jessica Flint, and discussed the international family law issues implicated in divorce and custody. We held this event in person (a first in several years), and also hosted a social hour for attendees and section members at the offices of Lane Powell (in which EC member Masa Yamaguchi is a partner). Each of these programs touched on unique issues in which our presenters have especial knowledge, improving the quality of legal services for all who attended. We also sponsored several events and organizations that furthered the mission of the ILS, and re-doubled efforts to pass along pertinent information and events to our members via the listserv.

Budget:

[Treasurer Providing]

Legislative matters:

None

Matters considered/Matters pending:

We have several CLEs in the works. Katelyn Skinner is going to continue a series on international issues in family law. Incoming chair Colin Savoy is planning a CLE on data privacy.

Recommendations for Upcoming Year:

ILS plans to continue striving to provide quality CLE programming in the varied areas which comprise international law. We surveyed members earlier this year to get a better idea where interests lie and continue to work off those suggestions for future CLEs. We will also continue to take steps to generate more content for the listserv to keep members better informed on events and developments related to international law.

Juvenile Law Section

Prepared by the Chairperson, Tyler Neish

Activities and accomplishments:

This year the section met a total of six times, all by remote means on the section's zoom account. The Zoom account allows those from around the state to access the committee meetings more easily (and saves a great deal on travel and lodging expenses – these savings allow the section to more freely support causes that further areas the committee views as significant for improving practice).

The section continued to be an active participant in assisting those around the state in specific training around juvenile law. As in prior years, the section gave a donation to help fund/support the annual Juvenile Law Training Academy (JLTA), which trains lawyers across the state on a wide array of juvenile law topics. Additionally, the section has begun to develop smaller CLEs that will be free for section members. The hope is to continue these smaller lunchtime CLEs for the years to come – and make them remote so that those across the state can participate.

For the first time, the section added a non-voting member from each of the three Oregon law schools to our meetings. These law students are part of the committee's ongoing focus of making sure that law students are aware of juvenile law as a practice area; and that those that are interested can get as much information as possible.

Budget:

The section was able to maintain (and grow) its membership throughout the course of 2022. Due to the continued strong membership numbers, the section is in a very good financial spot. The financial position allowed the section to make multiple donations to various causes. Additionally, the section expects that the strong financial position will allow for a larger section-wide CLE in the year 2023 (on top of the previously mentioned small lunchtime CLEs)

Legislative matters:

Given the broad nature of roles that are represented on the committee, there was no specific legislation that was proposed or authored by the committee. However, multiple committee members were involved in the legislative process. The committee did track several bills through the legislative process, as a number of 2022 concepts directly impacted juvenile dependency and delinquency practice.

Matters considered/Matters pending:

The committee will continue to use the Zoom account to meet remotely. This allows for members (and officers) to attend the Saturday meetings more easily. One significant matter pending for the committee is the potential expansion of the Parent-Child Representation Program. The committee expects to have robust discussions about a possible rollout in additional counties. Another significant matter pending for the committee is the fate of the federal Indian Child Welfare Act. The U.S. Supreme Court heard oral arguments in *Haaland v. Brackeen* in November, 2022. The committee expects that no matter what the Court rules, there will be a vigorous discussion of what comes next.

Recommendations for Upcoming Year:

The committee hopes to continue to involve law students as much as possible. As stated above, the section will offer members the opportunity to attend short lunchtime CLEs for free. The committee is hopeful that the proposed election slate is approved as we are adding two practitioners from Jackson County, and one from Lane County. This larger geographic diversity will allow the committee to better represent the section.

Any other comments:

Include any additional important information.

Labor & Employment Law Section

Prepared by the Chairperson, Janine Catherine Blatt

Activities and accomplishments:

The Labor and Employment Section provided summer work stipends and mentors to three diverse Oregon law students (from each of the three schools) to promote diversity within our future section and to provide paid work experience to students who may not otherwise have the opportunity. The section also offered three Breakfast Briefing CLE's on employment law topics, one of which focused on making it easier for employees with disabilities to obtain workplace accommodations. Other programming offered included a CLE for lawyers new to the practice of employment law and our annual full-day conference, which included sessions on practicing mindfulness to enhance attorney well-being and updates on current employment cases and laws to help practitioners stay current. Our section also encouraged participation in programming involving increasing arbitrator diversity and supported a recognition event for arbitrators having over 40 years' experience. In addition, the section helped sponsor an event for newly admitted lawyers, at which we provided information about how to join the section.

Budget:

Please see the Section's end of year Financial Reports and Budget for 2023. Our financials are on target.

Legislative matters:

We did not engage in legislative issues and currently have no pending legislative issues.

Matters considered/Matters pending:

There are no significant pending matters other than working on programming for next year, which may include increased programming for arbitrators and mediators, and exploring additional mentorship

opportunities for prospective Oregon labor and employment law practitioners.

Recommendations for Upcoming Year:

Our section plans to continue to provide relevant programming for experienced and new practitioners and provide summer work stipends for prospective practitioners through the three Oregon law schools. There also is interest in developing a mentorship program to pair experienced practitioners with new and prospective colleagues.

Military and Veterans Law Section

Activities and Accomplishments:

2022 was a busy year for the OSB's Military and Veterans Law Section. Some of the highlights of note were:

Our CLE sub-committee headed by Executive Committee Member Tracy E. Connor, and supported by Executive Committee Secretary Leslie A. Nelson, oversaw the presentation of three Access to Justice MCLEs provided at no cost to MVLS members and low cost to other OSB members. They also organized two in-person social events at Veteran owned establishments allowing MVLS members to gather and network after a year and a half hiatus.

Trevor Caldwell and Ryan Adams gave a seminar titled 'Employment Law CLE: The Veterans Preference in Hiring'. This CLE covered the ins and outs of Veteran hiring and the recent changes to ORS Sections 408.230 and 408.235 regarding Veteran hiring preference as amended by SB 184. The passage of SB 184 amending those ORS Sections was a MVLS Legislative sub-committee achievement in 2021 and became law January 1, 2022.

'Family Law and Veterans' was presented by MVLS Member Janet Graham of Northwest Veterans Law and Executive Committee Chair Leah Eccles Watson. The CLE demystified family law matters when one or both parties are in the military or retired from military service. Their presentation also addressed active duty, reserve, and national guard military service differences in family law cases.

Underdog Lawyer® Mike Fuller spoke at the last CLE of the year, 'Consumer Protection Issues for Veterans'. The presentation covered common legal issues consumers face and focused on the unique concerns that servicemembers and Veterans encounter.

Budget:

See budget presented by MVLS Treasurer Ross Neher

Legislative Issues:

In addition to hosting a CLE discussing the implementation of the successful 2021 MVLS legislative proposal SB 184 that became law effective January 1, 2022, the MVLS provided input on a number of legislative proposals with military and/or Veteran impact. The MVLS Section will continue its work on this legislative effort in upcoming legislative sessions.

Matters considered/Matters pending:

At the end of 2022, the MVLS considered how it can get more involved with Oregon's law schools and the Military and Veteran law students currently enrolled. The Section will continue to work with its law student members on this project.

Recommendations for 2023:

In 2023 the MVLS is planning on hosting more CLE events and social events, with CLEs continuing to be offered online and in-person social events to occur throughout the state to allow more members to attend. The MVLS is exploring partnering with the Oregon Military Department's Judge Advocates in the National Guard to co-host a day long CLE in 2024 with planning expected to begin in late 2023. MVLS would like to continue to grow the section and continue to foster good relationships with organizations serving veterans across Oregon.

Other comments:

MVLS continues to evaluate how we can execute our mission to provide a voice for the Oregon State Bar to address the unique legal needs of Oregon's veterans and Service members.

Respectfully submitted: Leah Eccles Watson (CH), Ryan Adams (CH-Elect), Michael Hajarizadeh (Past-CH), Ross Neher (TR), Leslie A. Nelson (SEC), Tracy E. Connor, Trevor R. Caldwell, Daniel O. Schmidt, Joel W. Stevens, Jesse Wm Barton (Adv Member), Wesley A. Hill (Adv Member), Mark John Holady (Adv Member), James Gordon Rice (Adv Member), Troy Wood (BL).

Nonprofit Organizations Law Section

Prepared by the Chairperson, Heather L. Weigler

Activities and accomplishments:

The Nonprofit Organizations Law Section (NOLS) hosted an all-day CLE made available in person and online “Oregon Nonprofits: Stages, Cycles, and Changes” on November 9, 2022. The program, which offered 5.5 general CLE credits to attendees, delved into topics related to nonprofit organization aid for practitioners. The instructors discussed key client considerations before starting, while operating, and when closing nonprofit organizations and advising organizations in crisis, explored improper private benefits and prohibited private inurement and the elements of unrelated business income, and delved into nonprofit mergers, consolidations, and dissolutions.

Budget:

NOLS received about \$X from membership fees in 2022. It does not have other sources of revenues for this year. NOLS expended approximately \$X, most of which was applied toward its OSB Support Services Assessment due to decreased costs. The section expects additional expenses in 2023, including additional CLEs and/or networking events.

Legislative matters:

None

Matters considered/Matters pending:

NOLS intends to organize an annual CLE for 2023 and continues to work toward the publication and release of an OSB Bar Book, and the committee expects to complete that work in 2023.

Recommendations for Upcoming Year:

NOLS will work to increase membership and participation in NOLS activities, including by partnering with nonlegal members of the

nonprofit sector to build connection and relationship between the sector and practitioners.

Any other comments:

None.

Real Estate and Land Use Law Section

Prepared by the Chairperson, Eugene Anderson

Activities and accomplishments:

As of 12/31/2021 RELU had 1,282 Section Members, of whom 1,172 were paid members and 110 were complimentary members. Typically complimentary members are modest income individuals such as new lawyers, non-profit or government employees. 2022 Section Membership annual dues are \$30. RELU revenue from membership dues is approximately \$35,160 annually.

The RELU's financial balance is currently \$35,433.00, (as of 11/30/2022).

The 2022 Annual Summer Conference took place August 10-12, 2022 at Salishan after a three year COVID related hiatus. RELU's typical per event cost for the Annual Summer Conference is approximately \$55,000, with revenue from paid members of approximately \$41,250, plus approximately \$10,000 in sponsorships. The 2022 Annual Summer Conference drew approximately 150 paid attendees and 20 complimentary attendees. RELU endeavors to maintain a financial operating balance equal to the approximate annual operating cost of the Annual Summer Conference in anticipation of unforeseen events. The COVID outbreak of 2020 is a prime example. In 2019 RELU signed a contract with Salishan Lodge to stage the 2020 Annual Summer Conference, which was cancelled due to the pandemic. Cancellation of the 2022 Salishan contract could have cost RELU a \$37,000 contractual cancellation penalty. The Section has two separate Education Subcommittees, the Summer Conference Subcommittee, and the Luncheon CLE Series Subcommittee.

RELU provides a robust list-serve which serves as a sounding board for members to utilize the collective wisdom and experience of the membership, and to share their skills and knowledge, and to foster a more informed Bar. The list-serve is a particularly valuable tool for members in solo and small firm practice, or who are geographically or physically isolated.

The Publications Subcommittee continues to publish the bi-monthly Digest and monitors the Section website.

One particular accomplishment of 2022 was the publication of the long awaited 2022 Report on Legal Opinions in Oregon real estate transactions (“Model Opinion Letter”), finalized by the OSB RELU Standing Committee on Opinion Letters (“Opinion Committee”). The Model Opinion Letter is the result of many hours of work by the Standing Subcommittee, and particularly by Bryan Powell and Dustin Klinger. The Model Opinion Letter updates the prior 2004 version. Bryan Powell presented the Model Opinion Letter during the Executive Committee meeting (9/16/2022), and the Executive

Committee voted to adopt it. The Model Opinion Letter has been published to the Bar membership, and has been favorably received. Bryan Powell presented a lunchtime CLE on the Model Opinion Letter in Portland in November.

RELU plans to continue to provide a diverse selection of CLE programs to members, primarily through the Summer Conference and the Portland Lunchtime Program, as follows:

- 1) Reduce or maintain current fees for our Annual Summer Conference and other RELU CLE presentations. For example, despite rising operational costs, the fee for members attending the RELU Annual Summer Conference has been \$275.00 for many years.
- 2) Increase accessibility of programming to more diverse communities.
- 3) Explore visual and/or audio recording/webcasts of CLE events if required, either through co-sponsoring with the Bar or using a third party provider, to comply with ADA and COVID related circumstances.
- 4) Provide subsidies/scholarships to cover travel and transportation to metro-area trainings for those members of modest means, or who work in communities outside Portland.
- 5) Continue to provide CLE/training and networking events inside and outside the Portland metro area to section members at low or no cost.

Legislative matters:

RELU continues to monitor real estate and land use legislation via its Legislation Subcommittees.

Matters considered/Matters pending/Recommendations for Upcoming Year:

The most significant change anticipated in 2023 is the transition from the Section organizing and conducting the Summer Conference independently of the Bar, to a collaborative co-hosted event in 2023 with the Bar. The venue for the Summer Conference may also change from its recent historic past. For the past 10+ years the Summer Conference has alternated between The Riverhouse in Bend, to Salishan Lodge at Gleneden Beach. For 2023 the Education Subcommittee is considering a Hood River location, as well as The Riverhouse, Bend, location. As of the date of this report no decision has been made on this issue, although negotiations are ongoing with both locations and a decision will be made early in 2023.

Securities Regulation Law Section

Prepared by the Chairperson, Jarell Hunt

Activities and accomplishments:

During 2022, the Securities Regulation Section (“the Section”) sponsored four CLE events on securities regulation topics and obtained, or will obtain, MCLE-approved credits for each presentation. The programs included: (1) Oregon Securities Claims & the Statute of Ultimate Repose, presented March 3 by Cody Hoesly and Jon Rake, Larkins Vacura Kayser; (2) the Unacceptable State of Insider Trading Law in US, presented September 19 by Professor Marc I. Steinberg, SMU Dedman School of Law; (3) Updates from the Division of Financial Regulation, presented November 2 by Dorothy Bean and Aeron Teverbaugh, Oregon Division of Financial Regulation; and (4) Investment Red Flags, presented December 8 by Bryson Davis, PNW Business Law, and Cody Berne, Stoll Berne.

All of the above CLE events were held virtually, other than the September 19 CLE event, which was held virtually and in-person at the Sentinel Hotel.

Cody Hoesly represented the Section on the planning committee for the 42nd Annual Northwest Securities Institute (“the NWSI”), which was held May 13. The NWSI was held virtually and in-person in Seattle.

The Section’s charitable contributions in 2022 included donations of \$1,000 to Campaign for Equal Justice and \$1,000 to the Commons Law Center. The Section also contributed \$275 toward law student registrations for the NWSI.

Budget:

As of October 31, 2022, the Section has a positive fund balance of \$13,799. In 2023, the Section will accumulate funds from membership dues and registrations for CLE and other events. The Section expects to use these funds to sponsor CLE events and the annual meeting, make an annual charitable contribution to Campaign for Equal Justice, and make additional charitable contributions to organizations identified

and approved during 2023. The Section does not anticipate the need to accumulate funds beyond those necessary to fund the activities described above.

Legislative matters:

The Section did not involve itself in any legislative activities or issues in 2022, and has not identified any legislative activities or issues to pursue in 2023.

Matters considered/Matters pending:

None.

Recommendations for Upcoming Year:

In 2023, the Section will sponsor several CLE events. If possible, the Section may also sponsor other events. The Section will strive to select presenters and topics for the foregoing events that are relevant to Section members and other attorneys whose clients operate in the securities or securities regulation spaces. The Section expects to contribute to the Campaign for Equal Justice. The Section plans to reduce its surplus of funds by identifying and making charitable contributions to additional organizations with goals or missions that align with those of the Section.

Any other comments:

None.

Solo and Small Firm

Prepared by the Chairperson, Diane Cady

Activities and accomplishments:

This past year, the SSF continued to advance its mission of strengthening solos and small firms and the Bar's missions in a number of ways. We continued our Legal Lunchbox program, a monthly series of one-hour CLE's held over the lunch hour. These CLE's remain some of the least expensive to Bar membership - free to section members and only \$19 for all other attendees. Topics include specific practice areas and areas of interest specific to solo and small legal practitioners. We typically have a couple of Executive Committee members attending BOG meetings and a member who participates in the BOG's Public Affairs Committee and Policy and Governance Committee.

Budget:

Due to continuing restrictions related to Covid-19, the SSF did not spend much in 2022. As if the end of October 2022 we had 818 paid members and 59 comp members for the year. We ended the year will approximately \$17,000 in revenue. We are projecting similar revenue in 2023 of \$18,080 and will keep our dues at the bargain value of \$19. The section hopes to spend more funds on a day long CLE and social events for our members (and hopefully events with other sections as well).

Legislative matters:

The Executive Committee has been following and collecting information regarding the threat facing legal law libraries and will continue to do so in 2023.

Matters considered/Matters pending:

The Executive Committee will continue to stay up to date on the happenings within the House of Delegates and Board of Governors that may have an impact on our membership and keep our membership informed. In 2022, one of the issued affecting our membership (as well as others) was the proposed change to OCJIN fees. We are also

working with Bar leadership so that we can be as helpful as possible in advancing the voice of our membership.

Recommendations for Upcoming Year:

The SSF Section will continue to assist Bar members in improving legal skills and knowledge with the Legal Lunchbox series and a day-long CLE in April 2023. Many of our members provide pro bono and low-cost services to the community. The SSF listserv remains one of the most active and supportive listservs where our members can get advice, guidance, and assistance with legal issues and where members routinely exchange ideas and information on a wide variety of topics. The EC also uses the listserv to inform and educate our membership on issues that affect them.

Sustainable Future Law Section

Prepared by the Chairperson, Esack Francis Grueskin

Activities and accomplishments:

It was a good year for the Sustainable Future Section. The Section held its Third-Annual Earth Day CLE, which saw top-notch educational programming on a suite of current-day topics. The Section maintained its commitments to affordable CLE programming and remote presentations, which allowed attorneys from all over the state, including rural areas, to have equal access to our educational presentations. The Section also contributed to several OSB-approved equal access to justice and public interest initiatives, broadening the impact the Section had on these important issues in 2022. The Section wants to give special recognition to the efforts of our tireless Programs Committee. We are fortunate and thankful to have such excellent, involved membership.

Budget:

The Section enters 2023 with a significant budget of roughly \$14,840.00. OSB granted the Section a waiver of the OSB's budget requirements that allows the Section to carry the larger balance into 2023 without penalty (thank you, OSB). The Section plans to use our larger budget to increase CLE programming in 2023. We expect it to be an exciting year, and I believe we can use the opportunity to increase our membership and broader engagement.

Legislative matters:

The Section did not get directly involved with legislative matters in 2022, in part due to the timing of the short legislative session. The Executive Committee would welcome input from its membership on potential legislative matters for the Section to support in 2023. Legislative matters are predicted to be a topic of heavy conversation for the 2023 Executive Committee.

Matters considered/Matters pending:

The Section's Executive Committee and Programs Committee are already discussing and planning what will become the Section's fourth-annual Earth Day CLE. The Executive Committee is projected to add new members in 2023, which will provide an exciting injection of new ideas for additional 2023 programming and initiatives. The Section will continue to be a leader in sponsoring programming that furthers the Section's and the OSB's missions.

Recommendations for Upcoming Year:

The Executive Committee discussed ways to get new attorneys and even law students more involved in the Section in 2023. Increasing membership and engagement will be an ongoing goal. The Executive Committee will continue to hold remote meetings and promote other ways to make the Section as accessible as possible to attorneys and legal professionals regardless of location and available resources.

Any other comments:

I sincerely thank you for allowing me to serve as 2022 Chairperson. It was an honor, and I look forward to remaining involved with the Section in 2023 and beyond. The Section has a bright future.

Technology Law Section

Prepared by the Chairperson, Aaron Cronan

Activities and accomplishments:

The Technology Law Section is wrapping up another successful year. As has been our practice for a number of years, we continued providing 1-hour luncheon CLEs on a variety of technology law topics. With a fully engaged CLE committee, the process of preparing and submitting CLE's has improved greatly. This year included presentations on: Privacy updates and Retrospective and Predictions from the Oregon Department of Justice; Protecting IP from employees; Cybersecurity; eDiscovery 201. In place of the annual CLE, we held a 3 hour CLE with the Bar at the intersection of technology and Access to Justice – The role of big tech supporting online predators and AI Bias.

We continue to add new committee members to ensure the section will maintain continuity as more of our long-time members reach term limits.

Budget:

Moving to online CLE's due to Covid has reduced the cost associated with holding the CLE events. We have reduced the fees of CLE's in an effort to avoid a surplus of revenue. We hope to include more in-person events, which may finally start to draw down the account balance to target levels. The projected 2023 Expenditures are \$8,761.00 with a projected Asset balance of \$8,949.00.

Legislative matters:

The section did not participate in any legislative action in 2022. We do, however, monitor and occasionally report on legislative bills we believe may be of interest to our membership (e.g. Oregon's online privacy bill)

Matters considered/Matters pending:

The primary focus of this year was to expand and strengthen Executive Committee engagement and increase the number and quality of CLEs. That goal was successfully met.

Recommendations for Upcoming Year:

2023 will hopefully see an increase in in-person events and return of the full annual CLE.

Any other comments:

None

Workers' Compensation Law Section

Prepared by the Chairperson, Allison Lesh

Activities and accomplishments:

In 2022, the Workers' Compensation Section continued to navigate the ongoing and evolving pandemic parameters; with cross-aisle collaboration and cooperation the Section worked together to mitigate the pandemic's impact on our practice and our clients.

After two-plus years of telephonic and Zoom hearings, on August 1, the Workers' Compensation Board shifted back to in-person hearings as the default but allowing for telephonic and Zoom hearings upon the parties' agreement.

The 2022 Executive Committee was as follows:

Officers: Allison B. Lesh, chair; Christine Coffelt Frost, chair-elect; Martin Fisher, secretary; Andrea Knight, treasurer; Jovanna Patrick, past chair.

Members-at-large: ALJ Jenny Ogawa, ALJ Ian Brown, ALJ Halah Ilias, ALJ Trisha Fleischman, Spencer Aldrich, Martie McQuain, Philip Garrow, Heather Holt, Christo de Villiers, Katherine Caldwell, Karli Olson, John Young.

On April 29, 2022, the Section held its annual section business meeting at Salishan Coast Resort. The meeting kicked off the Section's annual two-day conference/CLE on April 29-30, 2022, with approximately 40% of the 126 attendees appearing in person and the other 60% attending virtually through Zoom. The Section selected John Oswald for the Professionalism Award. Chief Justice Martha Walters gave the keynote speech. Other presentations included how to create trans-affirming spaces; determining truth, deception, and stressful responses; new and seasoned attorney perspectives on practicing workers' compensation; the intersection between professionalism and ethics; how to litigate Covid-19 cases; and the annual appellate update. MCLE credits included access to justice, ethics, mental health/substance use, and practical skills.

The Section held its annual afternoon ethics CLE at the Eola Hills Winery on October 7, 2022. Known as the Bench Bar Forum, this program – free to Section members – provided insights and discussion on the trauma informed workforce, the overlap between workers’ compensation and employment law, and state-funded return-to-work-programs. Attendees received two general MCLE credits and one mental health/substance use credit.

The revision of the Section’s website is complete. With links to current and historical executive committee meeting minutes from 2004 forward and annual section reports going back almost 20 years, the website is an accessible repository of the Section’s past and present. There is also an in memoriam section to honor our members who have died and a list of past Section chairs and Professionalism Award winners.

Approximately 45 section members participated in authoring, revising, and editing the Workers’ Compensation OSB Bar Book. The book is on schedule for the targeted early 2Q 2023 publishing date. A special thanks to the chapter authors who gave freely of their time and also a special thanks to the editorial review board members: Spencer Aldrich, ALJ Trish Fleischman, Allison Lesh, Jenny Ogawa, Jodie Phillips Polich, and Elaine Schooler.

Budget:

Despite the pandemic-induced revenue uncertainty, the section mostly maintained its budget goals for 2022, with the beginning fund balance \$17,581 and the projected year-end balance \$13,587. Membership is down slightly from last year, with 306 section members (compared to 326 in December 2021). Section dues will remain the same for 2023 (\$25) and the Bench Bar Forum will remain free to Section members. Registration fees for the annual “Salishan” CLE will increase by \$50/pp to offset the significant rise in costs. The Section is proud to have donated \$500 to the four worthy charitable organizations that requested donations prior to November’s executive committee budget meeting: Oregon Minority Lawyers Association, SMART Reading/Lawyers for Literacy, Commons Law Center, and The Classroom Law Project.

Legislative matters:

The Section did not propose any legislation or rulemaking in 2022 and, due to waning need, opted to abolish its Legislative/Rules Subcommittee.

Matters considered/Matters pending:

Access to Justice continues to concern the Section as is evidenced by the Access to Justice subcommittee continuing to be the Section's most prolific and engaged committee. Led by subcommittee chair Elyse Lopez, this year the committee tackled non-binary gender identification on workers' compensation forms, in form letters, and at hearings; educating medical providers about worker medical treatment after claim closure; identifying the statutory provisions and administrative rules that do not require simultaneous notice to the worker's attorney and remedying this deficiency. The committee is reviewing the adequacy of the 14-day timeline after an insurer or self-insured employer enrolls a worker into a managed care organization for the worker to establish care with a managed care medical provider and is exploring the feasibility of mandating employers to copy the injured worker's attorney when offering modified work to the worker as related to the workers' claim for compensation. The Section is working with the Workers' Compensation Division on its project to modernize the Oregon workers' compensation process.

Recommendations for Upcoming Year:

The Section will again host two CLEs: the annual Spring "Salishan" CLE that includes the section business meeting and the Autumn Bench Bar Forum. Mindful of the reduction in membership, the Section should consider again hosting new lawyer gatherings – taking appropriate precautions to minimize viral spread – to promote the Section and encourage undecideds to explore Workers' Compensation as a practice area. The Access to Justice subcommittee will continue its efforts to mitigate the inequities inherent in the workers' compensation system.

Any other comments:

Thank you to the Section and Executive Committee members who volunteered their time and talents to enhance the quality of our Section and its practice.



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