

Oregon State Bar



2023

SECTION
Annual Reports

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Administrative Law Section

Prepared by the Chairperson, Kari Furnanz

Activities and accomplishments:

Offered two well-attended CLE's on the topics of "Best Practices, Similarities & Differences in Proceedings Before the Office of Administrative Hearings and in Court" and Oregon's Paid Leave law. These were presented at no cost to attendees.

Published a robust newsletter with multiple summaries of new administrative law appellate opinions.

Clarified the guidelines for considering requests for charitable donations.

Donated \$1500 to each of the following organizations: Oregon Minority Lawyers, Civics Learning Project and Campaign for Equal Justice.

Budget:

Our section continues to operate at a surplus, but worked to draw down on the funds by offering two CLE's at no cost to attendees, employing a paid editor for the newsletter and making the charitable contributions listed above. The Executive Committee is also in favor of purchasing and providing copies of the Oregon Attorney General's Administrative Law Manual to newly admitted bar members, when the revised edition is issued. The attached budget for 2024 was approved by an email vote of Executive Committee members.

Legislative matters:

The legislative committee monitored bills to search for proposals that may impact administrative law in Oregon, but there was no significant activity this year.

Matters considered/Matters pending:

As mentioned above, when the new Administrative Law Manual is released, the Executive Committee is considering expending funds to donate manuals to newly admitted OSB members.

Recommendations for Upcoming Year:

Increase publication of the newsletter and continue to work toward a sustainable, regular cycle.

Continue presenting two CLE's each year, and consider offering both an in-person and hybrid option for at least one of the CLE's.

Work on recruiting to fill the vacancy on the Executive Committee as a result of Professor Jeffrey Dobbins' rotation off of the committee, with the goal of finding a member who is part of the faculty at one of Oregon's law schools.

Any other comments:

2023 Chair Kari Furnanz, 2023 Chair Elect Micah Moskowitz and Executive Committee Member Aaron Landau will be participating in the OSB Workgroup on 2023 HOD Delegate Resolution #3 regarding the qualifications of Administrative Law Judges.

Agricultural Law Section

Prepared by the Chairperson, Sarah Liljefelt

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 Agricultural Law Section organize two CLE events in 2024. It held a 1-hour CLE on the topic of Oregon Stewardship Trusts on August 10, 2023. Additionally, it will hold a 3-hour CLE on December 7, 2023 on the topics of: Oregon Land Use Updates; Agrifinance Lending, Workouts, and Remedies; and Agricultural Estate Planning & Estate Tax Exemption. All the CLEs are timely and provide much-needed updates to the Section's membership and other OSB members.

Budget:

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

The Agricultural Section's beginning net assets for 2023 were \$2,787, and, as of August 31, 2023, net assets were \$3,582. The increase is due to not holding an in-person CLE event as we had planned. The venue for the event required repairs before we could hold the event, so we eventually planned to hold the event remotely (and that event will occur on December 7, 2023). We plan to hold an in-person CLE in 2024, using the additional funds from 2023 at that time.

Legislative matters:

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

The Agricultural Law Section provided information about significant legal updates to its members in 2024, but has not engaged in any legislative activities.

Matters considered/Matters pending:

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

As of the date of this report, the Agricultural Law Section will hold a 3-hour CLE on December 7, 2023, so that matter is still pending.

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](#).

Any other comments:

Include any additional important information.

Animal Law Section

Prepared by the Chairperson, Anna Fugate

Activities and accomplishments:

Recruited a diverse executive committee for next year when we will be required to host a CLE.

Budget:

Our only purchase this year is our Zoom account. We need to save money for the CLE we will need to put on next year.

Legislative matters:

None.

Matters considered/Matters pending:

None.

Recommendations for Upcoming Year:

The section will be required to hold a CLE in the upcoming year to stay in compliance with the bar.

Any other comments:

None.

Appellate Practice Law Section

Prepared by the Chairperson, Nora Coon

Activities and accomplishments:

The Section continues to be a strong presence in the Oregon legal community. In 2023, it had 380 members, up from 349 in 2022.

CLEs and Events

2023 saw the return of the “Day with the Oregon Supreme Court and Oregon Court of Appeals” CLE, a popular all-day CLE that had not happened since 2017. Eighteen of the twenty justices and judges on Oregon’s appellate courts, including the chiefs of both courts, presented over the course of the CLE on matters including effective appellate advocacy, candor and professionalism, and shifting the paradigm of access to justice in Oregon’s appellate courts. A substantial majority of the judges also participated in the ‘Lunch with the Judges’ portion of the program, which allowed every attendee to share a table with one of the justices or judges and have the opportunity to talk with them. Ninety people registered to attend in person (excluding presenters) and 70 people registered to attend remotely, resulting in 160 total registrants. All court staff, including law clerks and externs, and law students received free remote registration. The section charged for attendance, but offered a 50% discount to government, public interest, and low-income attorneys.

The Section also sponsored “Appellate Practice in the Oregon and Ninth Circuit Courts of Appeals,” a free CLE that featured Chief Judge Erin Lagesen of the Oregon Court of Appeals and Judge Danielle Forrest of the Ninth Circuit Court of Appeals. The CLE was offered in person and remotely; 37 people registered to attend in person and 98 people registered to attend remotely, resulting in 135 total registrations.

Oregon Appellate Almanac

Nora Coon continues as editor of the Almanac. The 2022 edition of the Oregon Appellate Almanac was distributed at the beginning of January 2023. It featured a memorial to Justice William Riggs, a collection of

tributes to three retiring judges, and several legal articles. Its printing was funded by the sponsorship of four local law firms.

The 2023 edition is in progress and will be released at the end of December. It will contain numerous tributes to Chief Judge Rick Haselton, as well as multiple legal articles. Its printing will be funded by the sponsorship of several local law firms.

The Almanac is currently available online through HeinOnline and the Section's website. The Section has begun the process of making it available through Westlaw as well.

Pro Bono

The Pro Bono Subcommittee drafted a handbook for pro se appellants at the request of the Appellate Commissioner. The Appellate Commissioner is currently reviewing the draft.

The subcommittee also drafted a report regarding access to appellate justice that was submitted to the Board of Governors. The Board of Governors reviewed and accepted the report.

Judicial Engagement

The Section worked with the court, through court liaison Jason Specht, to modify court citation practices to ensure that the names of litigants who obtain protective orders are not revealed in subsequent case name citations.

The Section drafted a letter in support of former Chief Justice Balmer's nomination for the Oregon State Bar Carson Award for Judicial Excellence.

Planning for Future Events

The Section is currently in the process of planning future virtual and in-person CLEs in cooperation with the court, and it hopes to partner with other sections in the future to hold events.

Budget:

The Section expects to end the year with roughly \$2600 in net assets. The Section's 2024 budget allots a significantly amount to a major CLE event in accordance with spending on the Day with the Courts event

Legislative matters:

In 2023, the Oregon Legislature passed a bill drafted by the Appellate Practice Section that modified the rules concerning mailing and service dates for notices of appeal.

Matters considered/Matters pending:

The Section adopted a set of guidelines for reviewing requests for charitable donations. The Section is considering whether to propose or support future legislation in 2024.

Recommendations for Upcoming Year:

In the upcoming year, the Section intends to expand the efforts of its Diversity, Equity & Inclusion committee, including partnering with other sections as discussed above. It intends to continue to make remote viewing and participation options available for all of its events to improve access for its members and other attorneys who live outside the I-5 corridor.

The Section will continue its legislative efforts and will publish the next edition of the Almanac.

Any other comments:

None

Business Law Section

Prepared by the Chairperson, Will Goodling

Activities and accomplishments:

2023 activities and accomplishments for the Business Law Section include hosting two stand-alone CLEs, as well as a full-day CLE program for the section members; publishing our newsletter, the *Oregon Business Lawyer*, four times; contributing to the Bar's DEI summer stipend program for law students' summer positions; and awarding the James B. Castles Leadership Award.

Budget:

The Section's Treasurer, Joe Cerne, submitted the section's 2024 budget to Michael Dunlap at the bar on November 8, 2023.

Legislative matters:

The Legislative Subcommittee of the Business Law Section monitored and reported on Oregon legislation which may impact business lawyers.

Matters considered/Matters pending:

The EC met nine times in 2023 and considered various matters. The EC has completed its meetings for 2023 and no matters are pending.

Recommendations for Upcoming Year:

The Business Law Section intends to continue its mission to serve the diverse group of members of the Business Law Section throughout the State of Oregon by providing regular, timely, and useful information about the practice of business law; promoting quality lawyering and professionalism among business lawyers, in part through facilitating communication and networking among its members; advocating improvements to Oregon's business laws; and supporting Oregon's business infrastructure and business community.

Any other comments:

N/A.

Business Litigation Law Section

Prepared by the Chairperson, Michael Willes

Activities and accomplishments:

The Section has held continuing legal education programs focused on the effects of technological innovation on business litigation practice. And, in an effort to bring the members of the bar and section back to in-person events, the section hosted a well-attended summer party.

Budget:

See attached.

Legislative matters:

None.

Matters considered/Matters pending:

None.

Recommendations for Upcoming Year:

Continue providing quality programming and opportunities to socialize.

Any other comments:

None.

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Cannabis & Psychedelics Law Section

Prepared by the Chairperson, Anthony Stuart

Activities and accomplishments:

The Cannabis and Psychedelics Law Section (CPLS) formalized its ambit to include the broadening scope of legal work and advising concerning psychedelics by officially changing its name from the Cannabis Law Section in 2023. Psychedelics are among the most novel and promising treatments in the last decade and Oregon's tip-of-the-spear measure and follow on legislation for the introduction of regulated psilocybin places Oregon practitioners at the forefront of this burgeoning field. To ensure sustainable representation and advocacy, the CPLS has worked to expand the allowable realm of attorney advising by pursuing an ethical rule amendment specifically tailored to condone the type of advice provided to state-regulated actors in the space, while acknowledging the important distinctions with federal and/or tribal laws which might conflict. The CPLS has provided continuing education through the year, including regular OLCC-updates to ensure technical and other rule changes are effectively implemented and shepherded to all licensee and non-licensee stakeholders. The CPLS' annual NW Cannabis and Psychedelics Law Annual Conference took place once again over two educational and collegial days at Cannon Beach. As of December 1, 2023, the CPLS has 201 paid members and 42 non-compensating members, for a total participation of 243.

Budget:

The section ends the year with a reasonable balance of assets on hand to allow for programming and continued section development into 2024. The OSB BOG authorized the CPLS to maintain a higher running asset balance due to early deposit requirements associated with annual conference planning, but also continued the 50% per member subsidy normally only permitted with lower asset balance sections. Section dues for 2024 were approved for a slight increase to \$30 per year, effective as of January 2024.

Legislative matters:

The CPLS continues to monitor legislative and regulatory updates. While the section cannot participate in active advocacy, the CPLS stakeholders and executive committee members participate in a broad range of advocacy efforts through the year, including service on the rules advisory committees, legislative committees, and through private advocacy efforts.

Matters considered/Matters pending:

The CPLS expects to receive formal approval for the expanded ethical rules allowing attorney advising in the full range of activities lawful under Oregon law. The CPLS will also conduct continued CLE's & regular OLCC-affiliated educational presentations through 2023.

Recommendations for Upcoming Year:

The CPLS provides 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. The CPLS and relevant subcommittees will continue to monitor the impacts, both positive and negative, on the people and business of Oregon. This includes the Failures of Legalization Subcommittee, chartered to help identify inequities and the possible solutions to perfect the State's approach to the businesses advised by members of the CPLS.

Civil Rights Law Section

Prepared by the Chairperson, Daemie M. Kim.

Activities and accomplishments:

The Section co-sponsored a CLE on February 6, 2023, regarding the narrowed protections for federal violations of constitutional rights after *Egbert v. Boule*. The panel discussion included review of the Bivens doctrine and its implied right of action, protections provided by 42 U.S.C. § 1983, and how *Egbert* narrowed those protections. The CLE provided attorneys with updates on the ability to hold federal actors accountable for their unlawful conduct. Unfortunately, *Egbert* curtailed the ability of a plaintiff to pursue damages against such federal actors. The CLE was presented by Rachel Meeropol of the Center for Constitutional Rights in New York City and Professor John Parry of Lewis & Clark Law School.

The Section planned a CLE series on homelessness that may be converted to a single CLE and will likely take place in 2024. Executive members Michelle Burrows, Franz Bruggemeier, and Alicia LeDuc Montgomery took lead on the CLE series and obtained qualified panelists. Section members sought diverse perspectives for panelists. Topics will include: what led to the homelessness crisis; the current state of affairs; the right to public spaces; private property rights and civil forfeiture; and the intersection of homelessness rights and civil rights. Section members have been monitoring potential challenges to relevant precedent, including *Martin v. Boise*, and ongoing efforts in other states regarding the *Boise* decision.

Budget:

Section Treasurer, Scott Aldworth, kept account of the Section finances and budget. The budget remained steady throughout the year. Membership increased by 109% from the previous year. Expenditures this year were primarily charitable donations. Over the entire year, donations totaled \$7,000, as follows: OMLA (\$1,000), CEJ (\$1,000), OLIO (\$1,000), Lewis & Clark PILP (\$1,000), University of Oregon PILP (\$1,000), Willamette University College of Law (\$1,000), Civics Learning Project (\$1,000).

Legislative matters:

Although the Section did not take any legislative action, key legislation discussed this year included new licensure for paralegals or Licensed Paralegals (“LP”), and the addition of the ability to pass the Bar by practice in lieu of testing.

Matters considered/Matters pending:

Earlier in the year, the Section discussed the possibility of breakfast briefings, an increased web presence, and/or renewing the newsletter. The ideas may be renewed in the coming year.

Recommendations for Upcoming Year:

Michelle Burrows will be chairing in 2024. Ms. Burrows is heavily involved in civil rights and has presented, along with others, areas of interest the Section may pursue in the coming year.

Any other comments:

Zoom: There was some difficulty/confusion regarding the proper Zoom link to use for meetings this year. It is my understanding that uniformity of Zoom links will be implemented in the coming year.

Templates: Our section is working toward utilizing templates for agendas, meetings, and reports, which effort will continue.

Bylaws: It may be wise to consider amending the bylaws to permit electronic voting for executive committee matters.

Construction Law Section

Prepared by the Chairperson, Justin Monahan

Activities and accomplishments:

The major output from the Construction Section is our Newsletter. We have produced two so far in 2023, and we will have a major final Newsletter in December. We have pushed hard as a group for a strong and informative written effort. We also produce a day-long annual CLE in October, this year at Edgefield, with strong speakers and reasonable membership participation.

Budget:

We are looking to maintain under \$10,000 in general assets.

Legislative matters:

None.

Matters considered/Matters pending:

None.

Recommendations for Upcoming Year:

In the upcoming year, we will further the OSB's mission by continuing to provide strong written materials, and we will determine the best format for CLEs going forward, this may change from the single, all-day event.

Any other comments:

None.

Corporate Counsel Law Section

Corporate Counsel Activities and Accomplishments:

The Executive Committee maintained an active programming calendar during 2023. Highlights of the Section's 2023 activities include:

I. CLE Programming:

1. April 19, 2023 / Title: Lawyers as Leaders

- Online registration total: 97

2. September 21, 2023 / Title: Make a Difference: Practical Pro Bono Opportunities for In-House Counsel

- In-person registration total: 7
- Online registration total: 16

3. October 17, 2023 / Title: Winning the Future: Managing Company Risk Involving Generative AI

- Online registration total: 85

II. Service Project: June 29, 2023 / SOLV to clean up portions of the South Park Blocks in Portland (co-hosted with Association of Corporate Counsel)

- In-person registration total: app. 30

III. Keynote Event: November 14, 2023 / Title: CAREER VELOCITY: No One Told Me the Rules Changed! w/ Guest Speaker Kore Koubourlis, Talent Expert

- Online registration total: [39] registrants*

*Event was originally to be held as a hybrid of in-person and online, but was modified to online only after limited in-person registration

Budget:

The Section has approximately 562 members, which number remained relatively steady to increasing through 2023, and the past several years. The Section began 2023 with a cash balance of \$15,730. Section revenues, generated primarily through member dues, were budgeted

to be \$10,000 for 2023, and Section expenses were budgeted to be \$13,759 for the year. Actual Section revenues and expenses for 2023 are expected to total approximately \$10,720 and \$18,525, respectively. The Section's cash balance as of December 31, 2023, is expected to be approximately \$4,092.

Annual Section membership fees were maintained at \$20 for 2023, the same as 2022. Given the Section's sufficient cash balance, no fees were charged to attend Section CLEs or the November Keynote event.

Legislative Issues:

During 2023, the Executive Committee did not review or approve any legislative initiatives or measures.

Matters Considered/Matters Pending:

The Executive Committee has started to plan for 2024. The Executive Committee's 2024 goals include providing three to four CLE events during 2023, including a potential key note event, and another community service project similar to the 2022 SOLV event.

Recommendations for 2024:

In 2024, the Section intends to continue to fulfill its mission by (a) providing useful information through high-quality CLE programs on issues relevant to Section members, (b) planning social and community service events that provide opportunities for networking and interaction among Section members and (c) continuing its outreach to attorneys beyond the Portland, Oregon metropolitan area and to students at Oregon law schools.

Respectfully submitted: Alison Pear (CH), Travis Benn (CH-Elect), David Matheson (Past-CH), Bonnie Page (TR), Justin Monahan (SEC), Eva Kripalani, Brian Sniffen, Gina Atwood, Ian Ford, Chad Colton, Rose Alappat, Juan Costantini, Robert Milesnick, Shanise Martinez, Kristie Gibson, Sally Leisure, Kimberly Boswell, Cameron Anderly Robert Milesnick (BC), Shanise Martinez (BL).

Debtor-Creditor Law Section

Prepared by the Chairperson, Cassie Jones

Activities and accomplishments:

In 2023, the section provided in-depth and varied programming for our membership in i) co-sponsoring the NW Bankruptcy Institute with the Washington State Bar, a two-day CLE held in Portland in April; ii) planning and facilitating a 3-hour Saturday Session, along with our esteemed Bankruptcy Court Judges, held in Salem in June; and iii) planning two days of programming and networking activities for our Annual Meeting, held in Newport in September. Additionally, the Section hosted a CLE and Pro Bono Reception in honor of the work our members perform at Legal Aid bankruptcy clinics.

The Section began a new initiative this year, organizing the inaugural Debtor-Creditor Section law school writing competition. The competition invites Oregon law students to submit original papers or essays that analyze bankruptcy, insolvency, or debtor-creditor related topics. The winning submission will be published in the Section's bi-annual newsletter. We hope this competition will inspire future Oregon lawyers and will provide interesting and informative articles for our membership.

Budget:

The section continues to be fiscally sound. In 2022, the section sought and received a one-year waiver to the section fund balance cap. The section was able to spend down our current fund balance to within the cap by providing discounted seminars for our membership.

Legislative matters:

The section monitored a number of bills in 2023, but did not sponsor any. We anticipate our section will be discussing a proposal to introduce the Uniform Law Commission's proposed UCC Article 12 ("Controllable Electronic Records" aka Digital Assets) as a section-sponsored bill in 2024.

Matters considered/Matters pending:

The Section is planning a New Lawyer CLE and Social to kick off the 2024 Budget year and would like to make a concerted effort to bring new lawyers into the membership. As the economy shifts, we need to make a concerted effort to replace a rapidly decreasing Debtor-Creditor bar.

Recommendations for Upcoming Year:

The Section will remain focused on providing quality programming to our members but must consider budgetary constraints going forward with declining membership numbers.

Disability Law Section

Prepared by the Chairperson, Debra Maryanov

Activities and accomplishments:

The Disability Law Section met throughout the year to plan events and provide resources to its members. Among its activities, the Executive Board surveyed section members to identify and respond to specific interests, expanded the [section website](#) to provide an archive of Executive Board meeting agendas and minutes, coordinated an annual CLE on Working with Clients with Diminished Capacity, developed a scholarship program for section members to attend the annual CLE, and planned a section-wide social gathering for the annual meeting.

Budget:

The section has just over \$3,000 in its account. This year we have not provided any funds to other bar sections. Our OSB fees were about \$150 higher than we had budgeted last year. We have included \$40 for scholarships to our CLE assuming that we will get two applications. We budgeted \$75 for our annual meeting to cover the cost of some refreshments. The OSB is co-sponsoring our annual CLE, and we do not anticipate receiving any revenue after costs to the bar.

For 2024, we will budget \$150 for contributions to other OSB sections for use in making their programming more accessible to people with disabilities. We will budget \$750 for scholarships to make our CLEs free to section members. We will budget \$250 in sponsorships to co-sponsor disability-law related programs with other bar sections. We will budget \$450 for our annual CLE and annual meeting.

Legislative matters:

None

Matters considered/Matters pending:

The section focused on ways to increase engagement by section members, including improvements to our website, listserv, annual CLE, and annual meeting. No matters pending.

Recommendations for Upcoming Year:

Goals for next year include continuing to host an annual meeting, annual CLE, website, and listserv, as well as the following ideas to enhance membership and member engagement:

- Set up section table at new lawyer swearing in ceremony
- Send each new member that joins a welcome email
- Host regular virtual meetings that allow section members to ask questions about issues of disability law and offer their expertise to one another to answer them
- Recruit section members to write articles on new areas of disability law that will be shared with other section members

Any other comments:

None

Diversity Section Law Section

Prepared by the Chairperson, Kelsey Heilman

Activities and accomplishments:

The CLE and General Events committee completed three CLEs in 2023. The first CLE took place in January and was a half-day workshop focused on meaningful language access in the court system. In the second CLE, the committee partnered with the Judicial Recognition Committee for the Judicial recognition event on June 22, 2023. The CLE consisted of conversations with current State court judges and former Governor Brown who appointed said judges and was approved for 2 General CLE credits. The final CLE took place on November 15, 2023 and focused on the use of Gender inclusive language in court setting. This CLE was approved for 1 Access to Justice CLE credits.

The Judicial Recognition Committee worked with the CLE and General Events committee on the program described above, which was followed by a reception. In addition to the CLE and reception, that event recognized and celebrated new judges on the Oregon bench who add diversity to the bench. The event also announced the creation of the Governor Kate Brown Award for Judicial Excellence and gave the inaugural award to Gov. Brown herself.

The Communications and Outreach Committee engaged in statewide outreach to attempt to build stronger connections with Section members outside the I-5 corridor. This led to co-sponsorship of a CLE in Deschutes County titled Anti-Racism: Edges of Learning on April 28, 2023. This committee also worked to update and change the theme of our Section website (with rollout/updates to be complete in 2024), developed a new Section logo (designed by EC member Becky Maile), and designed and ordered Section-branded bottle openers, bag clips/magnets, and buttons for distribution at various events.

Budget:

The Section was under budget for expenditures in most areas for 2023. The two areas of expense that the Section exceeded budget were

contributions and sponsorships. The Section engaged in greater giving in 2023. The organizations that the Section contributed to were as follows:

- OLIO
- Deschutes County Bar Association Anti-Racism CLE
- OMLA Summer Social and Fundraiser
- ONLD Fall Swearing-In Ceremony
- Civics Learning Project
- Contribution to a mock trial and educational event at the Multnomah County Courthouse for Southeast Asian youth

The Section plans to increase its budget for contributions and sponsorships for 2024.

The Section maintains a healthy account balance. As of October 31, 2023, the Section had \$40,421 in funds. The Section's waiver request to maintain a fund balance exceeding two years of membership fees was approved, pursuant to which we are holding funds for our 2026 Convocation on Equality and our annual Judicial Recognition Event.

Legislative matters:

The Section did not engage in significant legislative activity in 2023.

Matters considered/Matters pending:

The Judicial Recognition Committee developed and recommended specific criteria for which judges are eligible for recognition at the annual Judicial Recognition event. We expect to finalize and vote on this criteria at our December 2023 Executive Committee meeting.

Recommendations for Upcoming Year:

The Section plans to conduct in-person outreach activities/events at all three law schools in 2024. The Section plans to engage in advocacy in 2024 to add attorney's non-English language abilities to the OSB Directory, to increase access to justice for Oregonians with Limited English Proficiency.

Any other comments:

None.

Elder Law Section

Prepared by the Chairperson, Julie Nimnicht

Activities and accomplishments:

The Elder Law Section Executive Committee meets six times a year and is comprised of five officers and nine members for a total of fourteen. Most Elder Law Section activities take place through the work of specific Section subcommittees. The five subcommittees of the Elder Law Section Executive Committee are the CLE Committee, Newsletter Committee, Legislative Committee, Scholarship Committee, and the Diversity, Equity, and Inclusion Committee. Subcommittee membership is open to all interested section members.

CLE Subcommittee: The CLE subcommittee, chaired by Rebecca Kueny, is responsible for planning Section CLEs. The Section has traditionally sponsored, in conjunction with OSB, an annual CLE in Portland during the fall, with replay opportunities around the state. The Section also traditionally holds an UnCLE each May offering an informal day-long session where participants meet with their peers to “talk shop” both in workshop settings and over breakfast, lunch and social hour. The UnCLE provides four facilitated sessions and during each session, participants can choose one of the four topics offered. The topics usually include estate planning, protective proceedings, Medicaid, and Practice Management. Attendees bring printed materials to share and actively participate in session discussions by raising questions and providing answers based on personal and practice experience.

Newsletter Subcommittee: The quarterly Elder Law Section Newsletter is a major benefit provided by the Section to its members. The Subcommittee is chaired by Julie Nimnicht, and has worked for many years with editor Carole Barkley, who is retiring this year. The committee recently hired a new editor who will start in 2024. Committee members and the editor determine each issue’s focus and 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.

Scholarship Subcommittee: This subcommittee is chaired by Rachele Selvig. The Section provides scholarships to new lawyers and/or those earning a smaller annual salary for both the UnCLE and for the Fall CLE.

Legislative Subcommittee: The Legislative Subcommittee is chaired by Christopher Hamilton. During 2023, the subcommittee worked with the Section, the bar, and other stakeholders to monitor and participate in legislative proposals that affect people who are elderly, incapacitated and/or financially incompetent. The legislative subcommittee welcomes comment on bills being tracked and suggestions for bills that should be tracked or have action taken on.

The 2023 legislative session saw passage of several bills that affect the practice of elder law which are briefly summarized below.

- HB 2329 allows for notarization as an alternative to the signatures of two witnesses on two forms familiar to most elder law attorneys: (1) Appointment of Person to Make Decisions Concerning Disposition of Remains under ORS 97.130 and (2) Declaration for Mental Health Treatment under ORS 127.700 to 127.737, in order to simplify the execution of these important estate planning documents for both attorneys and lay people. The bill also consolidates and clarifies the requirements for the witness attestation and the list of persons who may not serve as witnesses.
- HB 2447 clarified that declarations of the Department of Human Services or the Oregon Health Authority relating to deceased depositors of certain financial institutions under 708A.430 and ORS 723.466 must be made within specified time period.
- HB 2509 updated ORS 114.535 to expressly allow the affiant of a small estate affidavit to transfer a recorded brand and updates ORS 604.041(2) to provide for transfer of a brand by a personal representative, an affiant under a small estate affidavit, or a person entitled by the laws of descent and distribution to have the brand.
- SB 99 prohibits certain facilities that provide long term care from taking specified actions based in whole or in part on resident's actual or perceived sexual orientation, gender identity, gender expression, or human immunodeficiency virus status. The bill imposes new requirements on facilities that provide long term care, with respect to care of residents who are lesbian, gay, bisexual, transgender, queer, intersex, asexual, Two

Spirit, nonbinary, or other minority gender identity or sexual orientation or who have human immunodeficiency virus, and permits Department of Human Services to impose civil penalties or take other administrative action for violation of provisions.

- SB 308 modifies eligibility for a simple estate affidavit to include estates of a decedent dying testate if the value of specific bequests does not exceed \$75,000 and the residual beneficiary is decedent's inter vivos trust.
- SB 309 changes the current requirement that notice of a probate be published once in each of three consecutive weeks to a requirement that notice be published once.
- SB 498 allows exclusion from taxable estate for value of certain interests in farm, forestry, or fishing businesses for estate tax purposes.
- SB 556 prohibits Department of Human Services from using specified moneys received on behalf of child in care for maintenance costs to ensure that DHS does not use funds, benefits, payments, proceeds, settlements, awards, inheritances, wages, or any other moneys received by the department on behalf of a child who has been removed from their home and placed in DHS custody to meet its existing obligations to support those wards.

The section also tracked SB 528. The bill did not pass, but raised many issues of concern to elder law attorneys. As introduced, the bill would have created new requirements for both the appointment and the continuation of protective proceedings. The bill received a public hearing but was later amended significantly to address issues related to a 2021 bill (SB 578), and then ultimately did not progress out of committee before the session ended.

Budget:

The executive committee approved a flyer that was distributed at the fall new lawyer swearing in ceremony. As of October 31, 2023, the Elder Law Section had a total of 586 members including 528 paid memberships in addition to complimentary memberships given to judges, court staff and OSB members of 50 or more years. Annual dues remain at \$25 for 2023 and 2024. The executive committee discussed raising dues for 2024 but decided it was not necessary. The section maintains a reserve to allow for special projects from time to time,

such as the new scholarships, and to assure a continued ability to offer newsletters and CLEs.

Matters considered/Matters pending:

Various Section members have been involved and will continue to be involved with legislative proposals. Planning is underway for both the May 2024 and October 2024 CLE events and the newsletter themes and topics are being settled for 2024.

Recommendations for Upcoming Year:

The section will continue to work to maintain a balanced budget going forward, provide CLE opportunities on relevant topics to committee members around the state, and produce informative newsletters to keep members apprised of issues and developments relevant to our practice areas. Respectfully submitted: Julie C. Nimnicht (CH), Christopher Hamilton (CH-Elect), Anastasia Yu Meisner (Past-CH), Alana J. Hawkins (TR), Christian Hale (SEC), Darin J. Dooley, Corey Driscoll, Alex Gavriilidis, Ekua Hackman, Theresa Hollis, Garvin Reiter, Julie Meyer Rowett, Rachele Selvig, John F. Shickich, Matthew Shields (BL)

Environmental and Natural Resources Law Section

Prepared by the Chairperson, Ryan Adair Shannon

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 ENR Section hosted a 1 hour lunchtime CLE entitled *2023 Legislative Update with Oregon Legislators*. The CLE was led by a host of lobbyists and state legislators that addressed ongoing issues in the 2023 legislative session, and it was attended by 73 section members. It 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 20, 2023. The CLE was well attended and provided 5.5 general CLE credits and one ethics credit. Presentations were given on BLM's Public Lands Rule, Redevelopment of the Portland Harbor, Waters of the U.S. Under the CWA, Tribal Co-stewardship of Forests and Wildlife, Ethics and Practicalities in Retaining and Working With Scientific Experts, and Leah Felton, the Director of Oregon DEQ. The event and panelists both received positive feedback.

Several members hosted a field trip to visit the RestorCap mitigation bank on September 15, 2023. 1 CLE was received for the event and the hosts discussed mitigation banking.

We hosted another lunchtime CLE for one credit addressing Oregon's anti-poaching strategy at which Jay Hall, Oregon DOJ's Wildlife Crimes Prosecutor presented. 1 CLE was obtained for this event.

The section published three E-Outlooks this year summarizing hot topics and legal updates in the field. One addressed PFAS, another addressed the revised WOTUS Rule under the Clean Water Act, and one addressed

recent developments concerning the intersection between the O&C Act and overlapping land management authority.

The section also published 3 case notes summarizing recent developments in environmental law that may be relevant to our membership.

The Section continues to use its website to share information and materials. The website is an effective portal where members can access publications, review Executive Committee minutes and financial reports, and learn about upcoming Section events.

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.

Budget:

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

The budget is attached in an excel spreadsheet. Please let me know if you have any questions. The section's finances are generally in good shape.

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. The section itself did not engage in any legislative activity or issues from this current year and does not have any plans to do so in the upcoming year.

Matters considered/Matters pending:

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

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 2024 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 fields trips of interest to Section members, and present a full-day CLE program in 2024. The Section also plans on addressing its outdated BarBooks in 2024.

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 2024.

Energy, Telecommunications and Utility Law Section (ETU)

Prepared by the Chairperson, Sidney Villanueva

Activities and accomplishments:

The ETU worked diligently throughout the year to further the OSB's mission to serve justice and the public interest, including improving the quality of legal services, by keeping our membership apprised of recent developments, consistently engaging with law students, and promoting diversity.

In 2023, the ETU Section hosted two CLEs, one of which was combined with our annual meeting and fall networking event. Our spring CLE was a virtual event providing an overview on important issues that were being considered by the legislature. The spring CLE panel included climate and EJ activists, consumer advocates, and IOU representatives and highlighted potential impacts on decarbonization, equity and inclusiveness efforts, offshore wind, land use and siting reforms. Our Fall CLE was in-person with a hybrid option. The fall CLE panel also included a broad array of perspectives and discussed some of the more pressing issues in energy and telecom, including the FCC's proposed rulemaking to restore net neutrality rules, the implementation of HB 2021's clean energy targets and whether the clean energy plans filed by both PGE and PacifiCorp are reviewable or merely aspirational goals.

In addition to these two CLEs, we also partnered with our non-ETU colleagues in an effort to promote diversity and expand our audience. First, the ETU participated in a Women in Energy Law Career Panel, which was held by the Women of Renewable Industries and Sustainable Energy (WRISE) Portland Chapter. The ETU also cosponsored a half-day conference (Northwest Energy Opportunities: Transportation Electrification, Markets, and Career Paths for New Lawyers) with the Energy Bar Association's Western Chapter and the Green Energy Institute at Lewis & Clark Law School. Both of these events were held at on campus at Lewis & Clark Law School and culminated in networking opportunities for students to meet practitioners.

Consistent with recent tradition, the ETU also sponsored an informal summer happy hour that offered networking opportunities beyond

our membership. This event was hosted by McDowell Rackner & Gibson (MRG) and held on their beautiful outdoor terrace overlooking downtown Portland.

Budget:

Our section began the year with a balance of \$4,038. After revenues of \$6,399 and expense of \$8,291, we are projected to end the year with \$2,173. We opted not to charge for any of our CLEs or events and voted to donate a large portion of unused funds to approved organizations that support the OSB’s mission.

Legislative matters:

Our section continued its tradition of not taking a formal position on any legislative matters. The most significant legislative activities were our CLEs explaining issues before the legislature and/or implementing recent legislation. The ETU does not anticipate participating in any upcoming legislative matters.

Matters considered/Matters pending:

The ETU has consistently sought out opportunities to promote diversity and has tasked the next executive committee with determining whether a clerkship could be meaningfully implemented to provide summer employment opportunities in energy and/or telecom.

Recommendations for Upcoming Year:

I expect the ETU will continue its efforts to welcome new voices and perspectives into our section. There is ample student interest in our field and yet we struggle to meaningfully include students in our activities. I strongly recommend more focus be placed on promoting our events, i.e., much earlier and more often than we were able to do this year.

Any other comments:

I will conclude by acknowledging the impact this wonderful community has had on me personally and professionally (again) this year. The ETU is full of incredible lawyers with an impressive array of expertise that can encourage greatness in our collective work, but this section is also full of incredible people that inspire and ~~XXXXXXXXXXXXXXXXXX~~

Government Law Section

Prepared by Brad Anderson, 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. The Section held a well-attended CLE event on April 28, 2023 that was jointly sponsored by OSB and the Section called the Government Law Spring Forum. The CLE was held at the Bar Center and covered a variety of important topics for government lawyers. On October 20th, the Section co-hosted a CLE event in Lebanon with the Oregon City Attorneys Association. The Executive Committee had a robust discussion on whether to have a Government Law Section listserv, however the Committee decided there were enough other listservs to adequately inform the Section members on emerging issues for government law practitioners.

Budget:

The Section's budget remained relatively static, with the two CLE events being co-sponsored. Other expenses included charitable contributions the Section has traditionally made to Bar-approved organizations. The Section has an appropriate level of financial reserves and has not needed to adjust membership dues. For 2024, the budget will remain similar. The Executive Committee is considering holding a 2024 CLE at a significant discount to Section members or potentially paying CLE speakers to spend down reserves.

Legislative Matters:

The Executive Committee did engage in discussions regarding potential legislative matters, but no legislative matters were pursued. Many legislative issues are unique to government law practice.

Recommendations for Upcoming Year:

The Executive Committee is committed to hosting two CLE's per year in 2024. The Committee is looking to identify ways to better develop

an interest in this practice with newer attorneys and to get the state DOJ attorneys more involved with the Section. The Section has also shared information on upcoming pro bono opportunities that are specifically germane to government law attorneys organized by the Civics Learning Project. The opportunities include assisting in high school Mock Trial competitions, Constitution Teams (We the People) and Civics Conferences.

Indian Law Section

Prepared by the Chairperson, Caleb Norris

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.

In 2023, the Indian Law Section (ILS) of the Oregon State Bar sought to provide resources for attorneys in the field of Indian law. Moreover, the ILS sought to promote the rule of law, improve the quality of legal services, and increase access to justice.

In order to meet these goals, the ILS co-sponsored a CLE with ONLD and OWLS titled "Introduction to Practice in Indian Country." The CLE aimed to help attorneys develop fundamental skills that would aid in the practice of law in Indian Country. The ILS also held a networking event for Indian law practitioners and law students to meet and discuss the field. The aim was to promote interconnectedness within the field and provide pathways for practitioners to discuss their work. While the first event was held in November, the ILS intends to make this a regular event series leading into the next calendar year. Beyond the Executive Committee, ILS members participated in mentorship programs with local law schools, assisted with Federal Indian Law moot courts, and spoke on career panels.

The ILS also made the decision to make significant donations to local organizations including the Campaign for Equal Justice and the Oregon Minority Lawyer's Association.

Budget:

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

The ILS began this year with \$6,532 and is ending the year with \$6,313. In preparing the 2024 budget, the ILS reimagined its expenditure of funds amended the allotted amounts for nearly each spending category.

The aim is to streamline ILS' expenditure of funds such that all of the accounts are effectively used.

Legislative matters:

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

The ILS rebooted its Legislative Committee, which provided members of the Indian Law Section the opportunity to review ongoing Oregon legislation and provide updates to the broader Section.

Matters considered/Matters pending:

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

At this time, the ILS is still considering additional contributions to make for 2023.

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](#).

In 2024, the ILS will continue its networking series. The ILS also intends to develop a stipend to support students working in the areas of Federal Indian law. ILS would also like to restart its initiative to sponsor ILS members to attend certain CLEs.

Any other comments:

Include any additional important information.

Intellectual Property Law Section

*Prepared by the Chairperson, **Kimberly Fisher***

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.

We held our Annual Year-In review CLE in co-sponsorship with the OSB. Our keynote speaker was from the Office of the Solicitor of the USPTO. We also subsidized the registration fees for our IP Section members for this event.

We held multiple lunchtime CLEs and arranged for a diversity of speakers with a wide variety of backgrounds. Some of the CLE topics this year included IP Mediation, AI issues and impact, Post Grant Proceedings, Fraud at the Trademark Office, and a Trademark Panel discussing current issues. We offered all these lunchtime CLEs free to our members, which has been very popular and resulted in increased CLE attendance and participation.

We held happy hours and organized and/or sponsored outreach events with the OSB and Oregon's law schools. One of our happy hour events was co-sponsored with the OPLA.

We also donated to the Oregon Volunteer Lawyers for the Arts (OVLA).

Budget:

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

By December 31, 2023, we expect to have an ending fund balance of approximately \$25,000. Based on our anticipated Section member headcount for 2024, two years of membership fees in reserve for our Section would be approximately \$22,500. As such, our anticipated

ending fund balance is likely to exceed two years of membership dues for our Section. Therefore, we requested a waiver of the increased member assessment fees for 2024, which was approved by the Board of Governors in November.

To help address these excess funds, we have implemented and will continue to pursue its current plan to reduce the IP Section's excess fund balance by the end of 2024 and thereafter, allowing the IP Section to use such funds to directly benefit Section members and the IP community. This includes offering free CLEs to our members, conducting additional outreach and social events for our members and law students from Oregon law schools, creating and funding an IP Section-sponsored scholarship for Oregon law students pursuing IP law, and making additional approved charitable contributions to IP-related nonprofit organizations.

Legislative matters:

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

We were monitoring HB2768 regarding assisting student inventors in development of IP, but this bill stayed in a committee upon adjournment, and therefore is considered dead.

Matters considered/Matters pending:

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

We are working on our CLE schedule for 2024 and our Annual Year-In Review planned for February 2024.

We are also working on creating and funding a Section-sponsored scholarship for Oregon law students pursuing intellectual property law. This was an initiative we had planned for 2023, but it has not yet been put into place. Karen Sandrik, a professor at Willamette University College of Law (and member of the Executive Committee) has agreed to help coordinate the Section's scholarship program with and through Willamette and other Oregon law schools, with the proper involvement and oversight of the OSB and this Section.

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](#).

Continue to provide worthwhile and frequent CLEs and social events throughout 2024. Our in-person happy hours and outreach events at Oregon's law schools had great turnouts in 2023, and therefore recommend continuing to offer such events.

Continue offering the CLEs virtually but consider adding an in-person component and/or including an in-person happy hour after the CLE.

Continue to pursue its current plan to reduce the IP Section's excess fund balance by the end of 2024 and thereafter, allowing the IP Section to use such funds to directly benefit Section members and the IP community.

Any other comments:

Include any additional important information.

Juvenile Law Section

Prepared by the Chairperson: Colleen F. Gilmartin

Activities and Accomplishments:

The Juvenile Law Executive Committee (JLEC) met five times during 2023, with strong participation from a variety of juvenile practitioners across the state. Our section conducted a CLE on January 19, 2023, titled “Juvenile Set Asides since *J.T.B.*”, which provided a general CLE credit to attendees. Additionally, the Juvenile Section co-sponsored, and two JLEC members attended, the Summer Bar Swearing-In reception at Willamette University. This was a nice opportunity to introduce the Juvenile Section to new members. In October, the Juvenile Section financially contributed to the Juvenile Law Training Academy, which is an important annual conference for all juvenile practitioners.

The JLEC believes organizing meaningful, practical, and accessible continuing education opportunities is an important service to the section members and our CLE subcommittee is actively planning three CLE presentations in 2024 – February, April, and September 2024.

Lastly, the Section secretary continued with the release of regularly scheduled appellate updates to the juvenile section email listserv to assist practitioners/section members with staying apprised on the most up-to-date legal precedence.

To increase participation with JLEC, it was approved for section meetings to take place remotely for ease of access. The website will be restricted and updates in early 2024 to better support section members.

Budget:

The 2023 budget resulting from membership dues was sufficient to allow the Juvenile Section to sponsor a variety of events or make contributions to causes that support juvenile law. In early 2023 the JLEC approved the use of fund to support the public interest sections at each of the three Oregon law school. Additionally, support was approved and provided to the Civics Learning Project (formerly known as the Classroom Law Project) and to publish the recognition of two outstanding practitioners in the field of juvenile law in the Oregon State Bar Bulletin,

Legislative Matters:

The Juvenile Section was not involved in any significant legislative activity. The Juvenile Section does have a standing committee to track and review pending legislation, to allow for continued awareness and discussion of pending matters, and, if approved through a vote, to act as determined appropriate. As stated, no such engagement took place this year.

Matters Considered/Matters Pending:

At numerous meetings in 2023, the JLEC discussed the need to increase opportunities for networking among practitioners, mentoring for new attorneys, and opportunities to assist law students to enter the field of juvenile law. The chair met with the Director of Career Services at Willamette University College of Law to discuss potential opportunities for law students, including scholarships, externships, networking events, and career fair participation.

The JLEC continues to prioritize efforts to include juvenile practitioners from across the state in the section activities. The JLEC discussed the need for an Indian Child Welfare Act subject matter expert to be a standing member of JLEC and efforts continue to focus on achieving this goal.

Lastly, the Section identified the goal of highlighting the importance of Juvenile Law through an article in the Oregon State Bar Bulletin in 2024. Efforts are being made to begin writing the article with a wide breadth of contributors.

Respectfully submitted: Colleen F. Gilmartin (CH)

Labor and Employment Law Section

Prepared by the Chairperson, J. Ashlee Albies

Activities and accomplishments:

The Labor and Employment Section provided summer work stipends and mentors to three 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 Breakfast Briefing CLEs on employment law and co-sponsored a CLE on paid leave with the administrative law section, which was highly attended. Other programming included a CLE for lawyers new to the practice of employment law, “boot camp,” and our annual full-day conference, both of which were well attended and for which we received positive feedback. 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 2024. 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.

Litigation Law Section

Activities and accomplishments:

The Section continued its tradition of active leadership, excellent programming, and focused outreach. Our Executive Committee was active this year and enjoyed returning to a couple of in-person planning meetings in addition to a few remote meetings for efficiency.

The year included successful CLE presentations and programming, including Fundamentals of Civil Trial Practice and the return of Judge's Corner, which were well attended by the Section's membership.

In 2023, the Executive Committee has also been focused on the triumphant return of the Litigation Institute and Retreat in February of 2024. The subcommittees are focused on planning an event which will successfully build on the principles that are important to the founders of the Litigation Institute and Retreat with an eye to the future. The Committee is working to ensure that the event continues to be the premiere event for Oregon litigators, providing opportunities to learn and to build bonds of collegiality among all types of litigators. The subcommittees of the Section continue to study and make recommendations on the future of the Institute, including its timing, location, and programming, to ensure its success going forward.

The Executive Committee continues to address the changing demographics of the Section, focusing on expanding its outreach to newer practitioners. These efforts have been successful; we have seen newer attorneys join the Section and we have diversified our Executive Committee. We are also increasing the scholarship budget designed to attract younger practitioners. Those efforts will continue.

Budget:

The Section continued to be financially sound this year, operating consistently with the prior budget. The Section has plans to spend down the surplus that has been created due to fewer CLE opportunities over the past few years.

Legislative issues:

The Executive Committee has monitored legislative activities, but nothing of import to the Section's membership as a whole arose that required action.

Matters considered/Matters pending:

The Executive Committee is dedicated to providing excellent programming to the members and the groundwork for continued success with programming in place.

Recommendations for 2024:

The current Executive Committee recommends that in 2024 we continue to create excellent programming, actively pursue membership recruiting, and promote diversity. We are focused on getting all of the great CLE programs provided by the Section back in place and running at full speed.

Respectfully submitted: David Linthorst (CH), Xin Xu (CH-Elect), Lucas Reese (TR), Justice Brooks (SEC), Ben Eder, Kip Childs, Matthew Colley, Cody Hoesly, Andrew Myers, Jonathan Monson, Johan Pietila, Anna Sortun, Karen Lee (Bar Liaison).

Nonprofit Organizations Law Section

Prepared by the Chairperson, Meliah Schultzman

Activities and accomplishments:

The Nonprofit Organizations Law Section (NOLS) will host an all-day CLE made available in person and online titled “Relationship Status? It’s Complicated for Nonprofits! Nonprofit Organizations’ Relationships with Volunteers, Staff, Independent Contractors, and More” on December 8, 2023. The program will offer 5 general CLE credits to attendees and will address common issues for nonprofit relationships with employees, volunteers, independent contractors, and fiscal sponsors, including practical policy discussions to have with clients.

NOLS members continued to work on the inaugural draft of the Nonprofit Law BarBook. The BarBook authors and the Bar’s publication editors have spent significant time revising the chapters to ensure that they are as helpful as possible to practitioners.

Budget:

NOLS received about \$5,375 from membership fees in 2023. As of the October 2023 NOLS Financial Report, NOLS expended approximately \$4,094, most of which was applied toward its OSB Support Services Assessment and Contributions. It is anticipated that additional funds will be expended for the December 8, 2023 CLE, as NOLS is significantly subsidizing registration fees for NOLS members and Oregon New Lawyers Division members. It is expected that revenues and expenditures for 2024 will be similar to 2023.

Legislative matters:

The NOLS Executive Committee identified SB 619, signed into law on July 18, 2023, as significant legislation that will impact attorneys who advise nonprofits. This comprehensive data privacy law will require specified entities, including certain nonprofits, to implement reasonable safeguards to protect personal data within their control. The NOLS Executive Committee has flagged SB 619 as a potential topic for a

future CLE, potentially in partnership with nonprofit leaders and data security experts.

Matters considered/Matters pending:

The most significant matter pending for the Executive Committee is the publication of the Nonprofit Law BarBook, discussed above. The Nonprofit Law BarBook is expected to be released in early 2024.

Recommendations for Upcoming Year:

The NOLS Executive Committee identified that there is a need for continuing legal education on advanced topics for nonprofit law practitioners, such as joint ventures, lobbying, and complex tax issues affecting nonprofits. The NOLS Executive Committee will continue to examine the feasibility of addressing these advanced topics as part of its 2024 CLE planning, recognizing that the Section also plays a critical role in supporting practitioners who are new to nonprofit law practice.

Real Estate and Land Use Law Section

Prepared by Chairperson, Anne Davies

Activities and accomplishments:

RELU's Executive Committee, along with its standing and ad hoc subcommittees, and newsletter contributors and editors, continued its work throughout 2023 to expand member services, to increase Section membership, and to increase diverse state-wide participation in our Section. The Executive Committee met monthly except for July, August, and November. With several exceptions, the meetings were held by telephone and videoconference, which is likely to be the format going forward, in our post-COVID world. The June and December meetings were held in a hybrid format with in-person participation as an option in Ashland for the June meeting and Portland for the December meeting.

The biggest change in 2022 was the choice to co-host the annual summer conference with the Oregon State Bar. In past years, the Section had relied on the services of Norma Freitas, which allowed the annual conference to be organized without the services of the Bar. With Norma's retirement several years ago, the Section opted to try out co-hosting with the Bar. While costs increased slightly as a result, the overall consensus was positive and the Section anticipates co-hosting again next year. Costs in general continue to rise, and in an effort to keep costs for attending the annual conference down to ensure the greatest availability to the entire Section, efforts will be made in future planning for the conference to manage costs. Recordings of the presentations were made available to Section members.

Standing Subcommittees consist of Education (Annual Summer Conference and Luncheon Seminars), Real Estate Legislation, Land Use Legislation, Publication/Digest, and Diversity, Equity, and Inclusion. In the past, the Section has offered a spring or fall one-day conference, but that practice is not likely to continue, given costs and volunteer resources.

In-person luncheon seminars have been re-instituted since the COVID hiatus. In pre-COVID times, the Section had enjoyed a financially desirable arrangement with a venue in downtown Portland. That

venue is no longer an option, and the Section is considering the need to raise costs for the luncheons to compensate. That said, several of the luncheons were very well attended. Recordings of the presentations are available to Section members free of charge.

Since 1978, the section has produced a high-quality quarterly or bi-monthly newsletter that summarizes and discusses developments in Oregon Land Use and Real Estate appellate case law, LUBA decisions, and legislation. This publication offers RELU members access to additional legal information and analysis. It also provides opportunities for volunteers to contribute written works to the publication that is shared with the entire RELU community. The Section published four newsletters in 2023. Judy Parker, the Section's webmaster, regularly updates the website and includes information on how members can get involved in Section activities or access Section resources.

The RELU listserv continues to serve as a useful communications tool for Section members to post questions concerning legal issues, and to exchange ideas and announcements about employment opportunities. The RELU Listserv is self-governing, but the Executive Committee appoints a list serve moderator who may occasionally find it necessary to remind members of the listserv protocols. The listserv monitor typically is the Vice-Chair of the Section. Members rate the listserv as one of the most beneficial and widely used services provided by the Section to RELU members.

RELU continued with its practice of targeted donations to support OSB-approved organizations that directly impact its membership.

Budget:

Membership dues remained at \$30 for 2023, which generates approximately \$35,000 annually for the Section. As of October 31, 2023, the Section had a reserve of \$35,433. The Section aims to continue to maintain reserves sufficient to cover the cost, or most of the cost, of the RELU Annual Summer Conference should there be a cancellation or dramatic downturn in attendance, or, heaven forbid, another pandemic. Otherwise, expenditures were generally within budget.

Legislative matters:

RELU continued to track legislation for both real estate and land use matters during the 2023 legislative session. As is custom, the annual

conference provided a presentation summarizing both relevant real estate and land use legislation.

Matters considered/Matters pending:

In the past, holding the annual conference outside the state has not been an option because the annual meeting was required to be held in Oregon. Now that voting is conducted electronically, that limitation no longer creates a barrier. Accordingly, the Education Committee is considering holding the summer conference at Skamania Lodge in Washington State, in hopes of attracting more participants.

Recommendations for Upcoming Year:

See above. RELU will continue with its traditional offerings, including the annual conference, luncheons, newsletters, and listserv. The Education Committee continues with efforts to attract diverse members of the Executive Committee and diverse speakers for Section activities.

Any other comments:

None.

Securities Regulation Law Section

Prepared by the Chairperson, Cody Hoesly

Activities and accomplishments:

The Section sponsored three CLE events on securities regulation topics and obtained, or will obtain, 1.0 MCLE-approved credits for each presentation. The programs included: (1) Current Issues in FINRA Arbitrations, presented July 26 by Darlene Psieczny and Ian Christy; (2) Cryptocurrency: Updates in Litigation and Regulatory Enforcement, presented September 6 by Vivek Kothari and Lauren Winters; and (3) Up the Ladder or Out the Door: Ethics Issues for Every Securities Lawyer, presented November 15 by Nellie Barnard. All CLE events were held virtually or in hybrid format.

Bridget Donegan represented the Section on the planning committee for the 43rd Annual Northwest Securities Institute (“the NWSI”), which was held May 5. The NWSI was held virtually and in-person in Tigard.

The Section’s charitable contributions included donations of \$1,100 each to Campaign for Equal Justice, Classroom Law Project, Commons Law Project, Small Business Legal Clinic, Opportunity for Lawyers in Oregon.

Budget:

As of August 31, 2023, the Section has a positive fund balance of \$15,496. 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 and make any annual charitable contributions. 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 and has not identified any legislative activities or issues to pursue in 2024.

Matters considered/Matters pending:

None.

Recommendations for Upcoming Year:

In 2024, 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.

Any other comments:

None.

Taxation Law Section

Prepared by the Chairperson, Catherine M. Schulist

Activities and accomplishments:

We provided \$7,500 in stipends to be paid to pro-bono tax clinics. We gave the Award of Merit to Presiding Magistrate Allison Boomer. We offered full scholarships for 4 judicial externs to attend the Oregon Tax Institute.

Budget:

Attached is the Statement of Activities as of 10/31/2023 and next year's budget.

Legislative matters:

Our Laws Committee actively followed, reviewed, and commented on legislative session. We have new Legislative Chair, Valerie Sasaki, who will take over as of 1/1/2024.

Matters considered/Matters pending:

Considered whether Portland Lunch Series should go all virtual but decided to move it to law firms and include a virtual option.

Recommendations for Upcoming Year:

Continue to provide stipends to the tax clinics and make the processing for requesting and receiving funds simpler and streamlined.

Any other comments:

None

Technology Law Section

Prepared by the Chairperson, Andrea Flanagan

Activities and accomplishments:

In 2023, the Executive Committee hosted 6 lunchtime CLEs on topics including privacy, FTC rules, and trade compliance. The Section held its annual CLE in November covering the legal perspective on understanding and working with generative AI. The Section also hosted two social events to provide informal networking opportunities for section members.

Budget:

The Section has approximately 255 members and we anticipate the membership level to remain consistent in 2024. Section revenue, generated primarily through member dues, as of October 31, 2023, is \$6,287. Section expenditures for the same period are \$3,786. The Section's cash balance as of December 31, 2023, is expected to be approximately \$11,000.

Legislative matters:

The Executive Committee maintains a legislative sub-committee to study and report on proposed legislation that could affect the Section and its members. During the 2023 legislative sessions, the sub-committee monitored various legislative proposals, including SB 619, SB 542, SB 310, SB 196, and HB 2370. The sub-committee will continue to review proposals for future sessions.

Matters considered/Matters pending:

There are no unresolved issues. The Executive Committee will continue planning at least 6 lunchtime CLEs in 2024. The Executive Committee also has intentions of hosting at least two social events.

Recommendations for Upcoming Year:

In 2024, the Executive Committee intends to foster more information and idea exchange among section members, continue offering useful information through its lunchtime CLE programs, and support the Oregonian technology law community through social events.



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