

**MINUTES OF THE WORKERS' COMPENSATION SECTION  
EXECUTIVE COMMITTEE  
June 13, 2014**

**I. CALL TO ORDER**

Chair Jacqueline Jacobson called the Executive Committee (EC) to order at 12:10 p.m. at the offices of the Oregon State Bar.

Committee members attending or absent were:

<b>Exec Board Member</b>	<b>Present in Person</b>	<b>Present by Phone</b>	<b>Absent</b>	<b>Comments</b>
Bohy, Ronald	X			
Caldwell, Katherine			X	
Chen, Bin			X	
Cole, Norm	X			
Edmunson, James			X	
Frost, Christine		X		
Harrell, Tom	X			
Jacobson, Jacqueline	X			
Lesh, Allison		X		
Ogawa, Jenny	X			
Olney, Kathryn		X		
Oswald, John	X			
Parks, Carol			X	
Schoenfeld, Steve		X		
Semple, Keith	X			
VavRosky, Dennis			X	
Wren, Geoffrey		X		
<b>TOTAL</b>	<b>7</b>	<b>5</b>	<b>5</b>	

**II. MINUTES**

A motion passed to approve the EC Minutes of the 04/11/14 and 05/09/14 meetings.

### III. CHAIR'S REPORT

At the 05/19/14 meeting Chair Jacobson noted that the OSB Lawyer Referral Service (LRS) was having a focus group on the LRS fee issue; LRS imposes a 12% referral fee on participating attorneys. EC has petitioned the Board of Governor (BOG) to exempt the Workers' Compensation section from the LRS fee.

Jovanna Patrick participated in the focus group regarding the LRS fee issue. Ms. Patrick attended a portion of the meeting to provide EC with an update.

Ms. Patrick informed EC that BOG has declined to waive the LRS fee for Workers' Compensation Section members, but rather proposed to include the Workers' Compensation section in the Modest Means Program.

Chair Jacobson will draft a letter from EC to BOG explaining that while EC appreciates the offered compromise EC still feels that imposition of the referral fee is a disincentive to attorneys and creates an access to justice issue for claimants.

Therefore, while EC encourages its section members to participate in the hybrid program offered by BOG, in good faith, EC would still like for BOG to reconsider its position and waive the referral fee for the Workers Compensation section as it has done for other disability sections.

Paul Tichy spoke with EC about creating an online directory for the Workers' Compensation Section. Mr. Tichy indicated that for approximately \$1500 - \$2000 he could move the section's website to an updated server, obtain a Domain Name for the section and create a website that would include a directory with enhanced profiles; members could update their bios to include such things as photos, websites and practice areas and the directory would also be searchable.

EC tabled further discussion about the directory until the July meeting and Mr. Tichy has agreed to be available by phone for the July meeting to answer any further questions that EC may have for him.

EC discussed that in addition to LRS the Board should consider providing unrepresented claimants with all of the alternative methods for obtaining legal counsel, including but not limited to referring to the yellow pages, web searches and possibly, in the future, the Workers Compensation section directory.

Chair Jacobson will approach both Joy and Holly about allowing ALJs to refer unrepresented claimants to a potential Workers Compensation directory, as well as about potentially updating Board forms to do the same.

#### **IV. TREASURER'S REPORT**

Treasurer Ron Bohy reported that the section account balance stood at \$53,258 as of 5/31/14. This balance does not take into account costs from Salishan of approximately \$18K.

The section currently has 336 members; EC budgeted for 339 members for this year. The section is up by 2 members from the same period last year

A contribution of \$150 was made to Multiple Myeloma Association in memory of ALJ Steve Rissberger.

EC tabled for further consideration at the July meeting whether to begin renegotiating the section's Salishan contract, and whether to increase dues for section members.

#### **V. COMMITTEE REPORTS**

##### **A. Communications/Tech**

Jovanna Patrick has agreed to write an article about the LRS for the next newsletter.

##### **B. Salishan**

Rob Kinney is the new chair of the Salishan Committee

##### **C. Professionalism and Service Award of Merit**

A motion was made to rename the section's professionalism award after Steve Rissberger.

EC referred the matter to the Professionalism Award Committee for further deliberation.

##### **D. Legislative / Rules**

The committee is still looking to add 3 more ALJ members.

## **E. Access to Justice**

Judge Smith and Song Bonanomi are monitoring a subsection of MLAC that is trying to determine why there has been a decrease in physicians willing to act as attending physicians for injured workers. The committee may try to get one of its committee members on the subcommittee.

Linda Attridge is attempting to convince the Board to translate more of its forms into languages other than English and Spanish

## **F. Nominating Committee**

No report.

## **G. Bench / Bar Professionalism Committee**

Committee Chair Kevin Barrett will forward the Oregon Gardens contracts to Chair Jacobson and Treasurer Bohy for their review.

EC will meet at 10:00 am at the Bench/Bar site on 10/24/14 and will hold its October meeting in the meeting room already reserved for the Bench/Bar forum.

## **H. Going Forward**

No report.

## **VI. OLD BUSINESS**

None

## **VII. NEW BUSINESS**

None

## **VIII. ADJOURNMENT AND NEXT MEETING**

The Executive Committee Meeting adjourned at approximately 1:50 p.m.

The next meeting will be at 12:00 p.m. on Friday, July 11, 2014 at the offices of the Oregon State Bar.