

MINUTES OF THE WORKERS' COMPENSATION SECTION

EXECUTIVE COMMITTEE

OF:

JANUARY 15, 2010

**I. CALL TO ORDER**

Chair Matthew M. Fisher called the Executive Committee (EC) meeting to order at 12:15 p.m. at the Oregon State Bar Offices in Tigard, Oregon.

Present in person were: Matthew Fisher (Chair), Matthew Roy (Past-Chair), Dale Johnson (Secretary), and Members-at-Large Dennis VavRosky, Nick Sencer, Norm Cole, Ron Bohy, and Steve Schoenfeld, and OSB liaison Suzanne Cushing.

Present by telephone were: Chuck Mundorff (Chair-Elect), Julie Masters (Treasurer), and Members-at-Large Jim Edmunson, Keith Semple, Rob Guarrasi, Kate Donnelly, and Jackie Jacobson.

Absent were: Members-at-Large Adam Stamper and Jennifer Roumell.

During the meeting, 2010 BOG liaison, Derek Johnson, stopped by briefly, to introduce himself to the EC and to invite EC contact with him on Bar matters.

**II. MINUTES**

A motion was made to approve the Minutes of December 4, 2009; the motion was seconded and passed.

**III. CHAIR REPORT**

Chair Matt Fisher covered the EC meeting calendar for the year. Some of the traditional third Fridays are also state-mandated furlough dates. Chair Fisher proposed an amended calendar as follows: February 19, March 12, April 9, May 14 (at Salishan), June 11, July 9, August 13, September 10, October 8, November 12, and December 10. Suzanne Cushing will check on OSB room reservations.

Discussion followed. The EC will discuss the November date as we move closer to the setting of the Bench/Bar forum. No objections were raised with regard to the amended 2010 calendar of meeting dates.

Chair Fisher asked that Suzanne Cushing include the New Technologies standing committee in future agenda postings.

With regard to the standing committees, Chair Fisher reviewed his understanding of the chairs and the liaisons for 2010. They are as follows:

Salishan Conference Committee: Sally Curey, chair; Jackie Jacobson, liaison.

Communications Committee: Julie Masters chair and liaison.

Daughtry Award Committee: Matt Roy chair and liaison.

Legislative / Rules Committee: Co-chairs Chris Moore and Thad Hettle; Jennifer Roumell, liaison.

Bench / Bar Forum Committee: Kate Donnelly, chair and liaison.

Access to Justice Committee: Bruce Smith, chair; Bill Replogle, chair-elect; Dale Johnson, liaison.

Going Forward Committee: Dean Lederer has informed the EC that after the committee meets they will know who will be serving as chair. [Note: Chair Fisher may ask an EC member to join the committee and serve as liaison to the EC].

New Technologies Committee: Art Stevens, chair and Rob Guarrasi, liaison. Chair Fisher will check with Stevens to see if he wants to continue as chair or have Guarrasi assume the chair.

Chair Fisher asked the liaisons to email Johnson the Friday before each EC meeting a brief committee report so some information can be placed in the minutes even if the liaison cannot attend the EC meeting.

Chair Fisher asked the liaisons to email committee rosters to Johnson before February 5, 2010.

Chair Fisher announced that the Nominating Committee for the selection of a slate of candidates for EC positions will be Dean Lederer (defense member), Jill Riechers (ALJ member) and Phil Garrow (claimant member) He will follow-up with them with regard to deadlines.

Chair Fisher reviewed deadlines for the year relative to activities.

The Douglas Daughtry Award committee will accept nominations through February 12, 2010. The Daughtry Award committee will report to the EC at the February 19, 2010 meeting. Fisher explained the recent history for Daughtry nominations. Bohy questioned whether the procedure had changed since 2000. Fisher explained that the

process had been changed and now includes a nomination form that is available on the WC section website. Masters will send out an email alerting the section to the form and the upcoming deadline, February 12, 2010 and that Matt Roy is the chair of the Daughtry Award committee. If there is any EC written history that would help the Daughtry committee, it will be forwarded to the committee by Johnson.

Chair Fisher asked Jacobson to have the Salishan committee forward any obituaries to him by the April 9<sup>th</sup> EC meeting as he will be presenting those obits/bios as part of the Salishan Conference business meeting.

Chair Fisher asked Donnelly to notify the EC no later than April 9<sup>th</sup> EC meeting a date for the Bench / Bar Forum to allow the Salishan committee to include a save this date reminder in the Salishan materials.

The Budget is an October issue.

There is an Initial Section report due February 1, 2010.

There is a CLE report due on April 15, 2010.

There is a Final Section report due December 1, 2010.

Chair Fisher announced that he appointed Steve Schoenfeld, claimant's attorney, to fill a vacant claimant's attorney spot to balance the EC. Steve's term will be for one year ending December 31, 2010, pursuant to the bylaws.

Chair Fisher reported that Presiding ALJ Holly Somers sent an email that informed the EC that the Board cannot afford providing free Wi-Fi at the Board offices.

Chair Fisher received a call from the Campaign for Equal Justice, who expected \$1,000 and received \$500 from the Section. In last year's budget meeting, the EC allotted \$1000 total for charitable giving. The Opportunities for Law in Oregon (OLIO) through the Affirmative Action office of OSB will receive the other \$500 budgeted for this year.

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

Treasurer Masters reported. Same report as last month, because the Bar has not published the December, 2009 statement and Masters has just submitted the 2009 Bench/Bar Forum expenses of about \$6,500.00. Therefore, approximately \$15,000.00 remains as our Section fund balance to begin the year.

With regard to the number of complimentary memberships for new admittees, Masters advocated for a no limit policy. Discussion followed about the purpose of the Going Forward Committee and the EC efforts to increase our section memberships. Sencer expressed an interest in joining the Going Forward Committee.

## **V. COMMITTEE REPORTS**

### **A. Salishan**

Member Jacobson reported. The Committee met in December and is working on the line-up of speakers. Johnson advised that one of the future WCB furlough dates will be the third Friday of May, 2011.

### **B. Communications**

Masters reported. She will update the EC roster for the Section website.

### **C. Daughtry Award**

Roy reported. No nominations have been received and therefore, he has not convened a committee meeting.

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

Roumell was not present. No report.

### **E. Bench / Bar Forum**

Donnelly accepted the chair/liaison position and she will contact the past-chair of the the Bench / Bar committee, ALJ Jill Riechers.

### **F. Access to Justice**

Johnson reported. The committee met in December, 2009 and on January 11, 2010. The committee chose a chair-elect, defense counsel Bill Replogle, to serve in that position until the end of chair ALJ Bruce Smith's term (ending 12-31-10), and then to serve two years. The committee will choose a claimant's attorney as chair-elect to assist Replogle. The committee chair reported that MLAC is meeting on January 15, 2010, to discuss rule proposals for insurer paid professional interpreter services in medical services delivery circumstances, once claims have been accepted.

### **G. Going Forward**

No report. No liaison yet.

## **H. New Technologies**

Guarrasi reported. Changes are occurring in the personal injury practice in Oregon to a paperless system, without noticeable objections. Mundorff reported that the Board is interested in electronic changes. Jacobson reported that the Salishan committee has an electronic presentation on the 2010 program. Guarrasi will make an EC computer presentation this year.

## **VI. OLD BUSINESS**

Fisher raised the issue of complimentary section membership dues. This was a tie-in to the Treasurer's Report and the treasurer's position on this issue. Discussion was held and fairness concerns were raised with regard to complimentary dues for those most able to pay versus new admittees who are potential claimant's attorneys. Ways of increasing our section fund were discussed including signing up paralegals as non-voting members and communicating that to section members.

## **VII. NEW BUSINESS**

Roy raised the issue of recognizing the work performed by EC members, as they go off the committee. Chair Fisher will put that on his agenda for further discussion as we move closer to the Salishan Conference and business meeting.

The Executive Meeting was adjourned by Chair Fisher at 1:20 p.m.

The time and place for the second meeting of 2010 will be February 19, 2010, at noon, at the Oregon State Bar offices.