

MINUTES OF THE WORKERS' COMPENSATION

EXECUTIVE COMMITTEE MEETING

OF:

JANUARY 30, 2009

I. CALL TO ORDER

Chair Matthew L. Roy called the Executive Committee (EC) meeting to order at 11:45 a.m. at the Oregon State Bar offices in Tigard, Oregon.

Present in person were: Matthew Roy, Matthew Fisher, Julie Masters, Dale Johnson, Jill Riechers, Dennis VavRosky, and Sarah Hackbart (OSB).

Present by telephone were: Adam Stamper, Holly Somers, Jennifer Roumell, Jim Edmunson, Jacqueline Jacobson, and Chuck Mundorff.

Absent were: Art Stevens, Rob Guarrasi, Dean Lederer, and Barbara DiIaconi (BOG).

II. MINUTES

The minutes of the November 14, 2008 EC meeting were amended. In Committee Reports, under the subheading Bench Bar, second sentence: the word "bar" was deleted and replaced with the words "Willamette Valley Vineyards." The amended sentence read "The Willamette Valley Vineyards could have charged up to \$1,500 for additional processing costs, but is only charging \$250." The minutes, as amended, were approved.

III. CHAIR REPORT

No report.

IV. TREASURER'S REPORT

Treasurer Masters reported. She noted that the EC had approved the 2009 budget and that a \$6,395 deficit was anticipated for the calendar year. She is studying the line items and Sarah Hackbart of the Bar will assist her in the breakdown of those line items. Sarah will also obtain information about the amount of the 2009 membership dues, the names of new members, and the names of members who have withdrawn from the section in 2009. The membership information will be available at the end of February, 2009. Further discussion about expenses for 2010 was tabled until the next meeting.

V. COMMITTEE REPORTS

A. Salishan

Chuck Mundorff reported. Salishan is set for May 15 and 16 this year. The committee met on January 29, 2009. The program is coming together. Six and ½ credits have already been determined and the committee is trying to get to 9 credits. Chuck will investigate the cost breakdown for Salishan and report back to the EC for discussions about cost cutting in the future, e.g. alternatives, such as email and CD-ROM, to replace printed brochures and CLE written materials. Sarah Hackbart suggested Anna Zanolli (ext. 414), the OSB supervisor for design, as someone to use as a contact person.

B. Communication

Julie Masters is the webmaster and will be updating the webpage.

C. Daughtry Award

Holly Somers will activate the committee. The other past chairs that complete the committee are Linh Vu and Marty Alvey.

D. Legislative / Rules

Jennifer Roumell reported. The legislature is currently reviewing some bills that affect workers' compensation. The bills are being monitored by members of the Legislative / Rules committee, principally Chris Moore and Thad Hettle. The Access to Justice standing committee (member Keith Kekauoha) has been in touch with the Legislative / Rules committee about the need for rules governing the use of interpreters at medical examinations.

E. Bench Bar / Professionalism

Jill Riechers reported. The committee completed its 2008 tasks and has not begun the process of organizing this year's event. The committee will meet again after Salishan. In the meantime, the committee welcomes ideas from the Section membership. A presentation to fulfill the mandatory child abuse reporting credit is expected. Dennis VavRosky suggested more presentations about Medicare Set-Aside Agreements. Chuck Mundorff said a portion of the Salishan program will cover that topic.

F. Access to Justice

Dale Johnson reported. The Committee with new chair, Bruce Smith, met in December, 2008 to review the work done in 2008 and to prepare for 2009. A

scheduled meeting in January conflicted with the MLK Jr. holiday and so the committee with meet on February 9, 2009. It was reiterated that committee member Kekauoha had been in contact with Chris Moore and Thad Hettle.

A lengthy discussion followed about ALJ Somers' January 20, 2009 e-mail notice to the Section with regard to the use of interpreters both before and during WCB hearings. Chair Roy urged the Section membership to review Judge Somers' notice. In addition, Chair Roy made a motion to refer the matter to the Legislative/Rules committee and to have the committee investigate possible solutions such as adding to the cost bill, making another interpreter available at the hearings division, or allowing the use of the interpreter under certain provisions. The motion was seconded and passed.

G. Going Forward

No report. Chuck Mundorff mentioned that the Salishan Committee (Chair Sally Anne Curey) had been in touch with the Going Forward committee to see if it wanted to present at Salishan this year. The committee felt it was still in the investigation/analysis phase of its work and was not ready to present to the section at large.

VI. OLD BUSINESS

At the EC meeting in November, 2008, discussion was tabled about the donation of section funds for non-section activities, specifically donations to The Campaign for Equal Justice (\$1,000) and to the OSB's affirmative action program: Opportunities for Law In Oregon (OLIO). A one thousand dollar donation was penciled into the budget in the event the OLIO donation was approved by the EC.

In the January EC meeting, discussion continued about these donations and the shrinking Section balance. See, treasurer's report. It was moved by Jill Riechers and seconded by Dennis VavRosky that the currently budgeted \$1,000 donation to The Campaign for Equal Justice be reduced to \$500 and that the remaining \$500 be donated to OLIO. The motion passed. The action, in effect, reduced budgeted expenses for 2009 by \$1,000.

VII. NEW BUSINESS

At the November, 2008 EC meeting, Chuck Mundorff had raised the issue of lack of procedural rules for on the record hearings. The EC had referred that issue to the Legislative / Rules committee. There was nothing new to report on that issue.

Jennifer Roumell, the committee's liaison, will request that the Legislative / Rules committee discuss the issue at its next meeting.

The EC will meet on Friday, February 20, 2009 at the OSB offices at noon and intends to meet on the third Friday of each month, thereafter.

The Executive Committee Meeting was adjourned by Chair Matthew L. Roy at 1:15 p.m.