

**REVISED MINUTES OF THE WORKERS' COMPENSATION SECTION
EXECUTIVE COMMITTEE
OF MARCH 11, 2011**

I. CALL TO ORDER

Chair Mundorff called the Executive Committee (EC) to order at 12:15 p.m. at the Oregon State Bar offices in Tigard, Oregon.

Committee members attending or absent were:

Exec Board Member	Present in Person	Present by Phone	Absent	Comments
Bohy, Ronald	▲			
Cole, Norm	▲			
Donnelly, Kate			▲	
Edmunson, James	▲			
Fisher, Matthew		▲		
Guarrasi, Robert		▲		
Harrell, Tom		▲		
Jacobson, Jacqueline	▲			
Johnson, Dale	▲			
Masters, Julie	▲			
Mundorff, Charles	▲			
Rock, Douglas				
Roumell, Jennifer			▲	
Schoenfeld, Steven			▲	
Semple, Keith		▲		
Sencer, Nicholas			▲	
VavRosky, Dennis	▲			

II. MINUTES

A motion was made and seconded to approve the Minutes of February 11, 2011. The motion passed.

III. CHAIR'S REPORT

None.

IV. TREASURER'S REPORT

We have 323 paid section members but budgeted for 350. This time last year we had 321. Some members do not pay dues timely. We have a \$19,842 ending fund balance.

V. COMMITTEE REPORTS

A. Salishan

J. Jacobson reported preparations were on schedule. The printed schedule will continue to refer to the Daughtry award by its current name until the EC directs otherwise. The section will continue to offer one night lodging to speakers.

People who register will be provided a CD. Anybody who wants a hard copy will be charged \$20.00.

B. Communication

Julie Masters reported. No change. Nothing to report.

C. Daughtry Award of Merit

Matt Fisher reported. After reviewing nominations, the committee unanimously nominated a section member, whose name was disclosed to the EC but will not be disclosed in these minutes per instructions from the EC. A motion was made and seconded to approve the nomination. Pursuant to bylaws, members voted by secret ballot. Those participating by phone sent an e-mail to Julie Masters. Chair Mundorff counted the ballots. The motion passed.

D. Legislative / Rules

Jennifer Roumell was not present to report. Matt Shields from the OSB discussed the Bar's activity tracking bills in the legislative session. The Bar can help if the section takes a special interest in a bill. It is too late to suggest legislation for this session. The Bar investigates possible legislation well in advance, with proposed bills drafted 6-8 months before the session begins, and following approval by the Board of Governors.

J. Masters suggested all members could legitimately support legislation authorizing electronic filing.

Mr. Shields said the Bar has not historically coordinated activities with Management Labor Advisory Committee (MLAC). When the Bar promotes legislation, it has tended to concern subjects on which both sides of practice group agreed.

E. Bench / Bar Forum

Tom Harrell reported. The committee is moving forward on plans to schedule the next bench/bar forum. Preparations will include consideration of a new location. Plans at this time are very preliminary.

F. Access to Justice

D. Johnson reported. Several committee members will investigate what Legal Aid offices do for clients who need help with workers' compensation issues. The committee also reviewed the existing workers' compensation brochures. The lawyer referral number was removed from the "What if I am injured on the job" brochure. The committee will ask why this reference was removed and will try to find out if there is a procedure for changing existing brochures.

A pending Senate Bill would allow medical providers to collect more than the amount payable through a workers' compensation claim following a DCS.

G. Going Forward

R. Guarassi reported. It continues to work on programs discussed during the last meeting.

H. New Technologies

R. Guarassi reported. The Board is considering technology issues as it considers revision to the current rules. Issues under discussion include electronic discovery of records. Rob said, speaking as an individual, he has observed an increased willingness to trade documents and exhibits electronically.

The Bar itself is moving toward a paperless environment. This might include asking members if they prefer electronic communication and then including this information in the bar directory. Some Bar Associations require attorneys to provide an e-mail for notice purposes.

I. Nominating

D. Johnson reported. The committee is still developing a list of proposed nominees to be presented at the Salishan meeting for approval.

VI. OLD BUSINESS

None.

VII. NEW BUSINESS

Chair Mundorff says the Board is moving toward rule making hearings to address proposed changes in rules dealing with attorney fees, costs, expenses, and liens. By statute, the Board has authority to make rules after consultation with the Board of Governors. Chair Mundorff will refer this matter to the Legislative and Rules Committee, but Chair Herman wants the EC to be involved, and she wants section members to offer comments on the proposed rules. Chair Mundorff will distribute proposed rules distributed by Chair Herman.

VIII. ADJOURNMENT AND NEXT MEETING

The Executive Committee Meeting adjourned at 1:30 p.m.

The next meeting will be on April 8, 2011 at noon, at the OSB office.

Submitted by: Norman Cole, secretary