

**MINUTES OF THE WORKERS' COMPENSATION SECTION  
EXECUTIVE COMMITTEE  
OF APRIL 13, 2012**

**I. CALL TO ORDER**

Chair Dale Johnson called the Executive Committee (EC) to order at 12:05 p.m. at the Oregon State Bar office in Tigard, Oregon.

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>
Bloom, G. Duff			X	
Bohy, Ronald	X			
Cole, Norm	X			
Edmunson, James	X			
Kehoe, Matthew			X	
Fisher, Matthew		X		
Guarrasi, Robert		X		
Harrell, Tom			X	
Jacobson, Jacqueline	X			
Johnson, Dale	X			
Masters, Julie	X			
Oswald, John	X			
Parks, Carol	X			
Rock, Douglas			X	
Schoenfeld, Steven	X			
Semple, Keith	X			
Sencer, Nicholas	X			
VavRosky, Dennis	X			

**II. MINUTES**

A motion was made and seconded to approve the EC Minutes of March 9, 2012 with a change to the content of that portion of the minutes applying to the Douglas Daughtery award. The motion to approve the minutes as amended passed.

### **III. CHAIR'S REPORT**

#### Dale Johnson

The EC has been asked to donate the Campaign for Equal Justice. Chair Johnson informed the Campaign that the EC voted in November 2011 not to make a donation for 2012. Chair Johnson also told the Campaign that the EC will urge section members to give as individuals to the Campaign. Chair Johnson noted that he usually donates as an individual in honor of past section members, including Chess Trethewy, Ron Podnar, and Chuck Mundorff.

Chair Johnson indicated that he sent information to the Salishan committee regarding the EC's roster, the rosters of all standing committees, the list of the past Douglas Daughtery award recipients, the list of past EC chairs, the 2011 chair's section report, the nominating committee's recommended slate approved by the EC, and the name of the 2012 Douglas Daughtery award recipient. He also discussed the plaques for the Past Chair and Douglas Daughtery awards with past-chair Matthew Fisher. Chair Johnson will arrange for the order and billing, and Member Fisher will arrange to bring the plaques to Salishan for the ceremony.

Chair Johnson advised that he had discussed with Deborah Mundorff the business meeting/luncheon, and explained that award process following the keynote speech. She expressed her appreciation for the EC's extension of the invitation to her and her children, and also plans on bring ALJ Mundorff's mother and brother to the ceremony.

Chair Johnson timely filed with the OSB the section CLE report listing the presenters at Salishan 2011 and at last year's Bench Bar Forum.

Chair Johnson checked on the obituary for ALJ Podnar and was informed by the editor of the OSB Bulletin that it would be published in the next issue. Bill Replogle has authored an obituary for ALJ Kirk Mulder who passed away in March 2012.

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

Treasurer Masters made the following report: The OSB issued a financial statement for March 2012. As of March 31, 2012, the section has received \$2,500 for sponsorship for Salishan, although the committee expects more. The section has received \$3,790 in registration and material fee for the Salishan CLE. In addition, 3 new people have joined the section. Expenses were low, but few payments have been made to date. The current balance is \$24,794.

## V. COMMITTEE REPORTS

### A. Salishan

As Salishan Committee Chair Linda Conratt was unable to attend the meeting, ALJ Jacobson presented the following on her behalf:

The Salishan Committee is comprised of nine members. Linda Conratt is the Chair. Members include Geoff Wren, Sommer Tolleson, Allison Lesh, Jackie Jacobson, Rob Kinney, Jim Bailey, Sally Curey, and Ron Bohy as EC liaison. The majority of committee members have been on the committee for 3 or more years. A few have been on the committee for 6-9 years.

The mission is to organize and deliver quality CLE topics/credits, focusing on topics relevant to the practice of law and workers' compensation law of Oregon. Meetings are held once a month, and become more frequent in the two months leading up to the event.

The 2012 CLE is scheduled for May 11 & 12, 2012. The committee hopes to obtain approval for 9 CLE credits from Denise Kline at OSB. The speakers include two Court of Appeals judges, a Multnomah County judge, and two physicians, in addition to attorneys from our section.

The committee anticipates a higher profit margin this year, as it was able to obtain quality speakers who required very little remuneration other than lodging and registration fees. No speaker is charging a speaking fee. The menu for the reception has been adjusted to cut costs. The committee has incurred additional costs this year based on changes associated with technology. Having more outlets at tables and using voting clickers during the presentation are examples of causes for some additional charges. Accommodating technology is not always cheaper.

Overall, things are progressing nicely and it looks to be a good program. All of the committee members have done an extremely great job putting together the program. A lot of time has been spent and will be spent. There has been an overriding concern to watch costs. Technology has come to Salishan XXX as we will for the first time have audience participation with the use of OSB clickers to record voting per table.

The CLE committee met on April 11, 2012. They are scheduled to meet again on April 24th, May 2nd, and May 9th. As of April 10, 2012 there were 49 registrants. For those who like polls, salmon is winning over chicken with the mushroom dish a very distant third.

The materials will be going to the OSB next week for printing. The committee got what the EC wanted in the materials. There currently is a total of \$3,700.00 in sponsorships. Member Bohy is waiting for one more check from MES Solutions (\$250.00), which will put the sponsorship total to \$3,950.00. ALJ Holly Somers will be introducing Chuck Mundorff as the Douglas Daughtry Award of Merit recipient. The CLE committee voted to compensate lunch for Debbie Mundorff, her two children, ALJ Mundorff's mom, and brother. Sally Curey advises that there is enough built into the lunch costs for extra people so no extra expense is anticipated.

Chair Johnson expressed concern as to whether the Salishan committee discussed sustainability of the conference, contemplating alternatives such as change of venue, change of content, and/or change of the program as the forum for the annual business meeting. Discussion was held by the EC.

**B. Communications**

No report.

**C. Daughtry Award of Merit**

Member Fisher will pick up the plaque to present at the award ceremony. The subcommittee will review amendments to the award rules to determine whether the amendments have previously been approved.

**D. Legislative / Rules**

The subcommittee is still in the organization phase. Chair Edmunson has contacted MLAC. MLAC has an access to medical treatment subcommittee that is currently looking into injured workers' access to medical providers. The subcommittee will be following MLAC's progress to explore whether the section should have a voice in that discussion.

**E. Bench / Bar Professionalism Committee**

No report.

**F. Access to Justice**

The subcommittee is also interested in injured workers' access to medical providers. The subcommittee had examined whether interpreters should be made available for depositions on reconsideration, and paid for by the insurer/employer.

The Workers' Compensation Division is not interpreting its own rules to include payment for the interpreter at a reconsideration deposition.

#### **G. Going Forward**

The subcommittee met to discuss additional education programs for younger lawyers, and will be making presentations at Willamette and Lewis & Clark Law School. The next meeting of the subcommittee will be at Salishan.

#### **H. New Technologies**

The subcommittee met on April 9, 2012. The subcommittee wants to remind members to complete the online ALJ survey and online registration for Salishan. The subcommittee plans to use the technology newsletter to educate the section on section happenings.

#### **I. Nominating Committee:**

No report.

#### **VI. OLD BUSINESS**

None.

#### **VII. NEW BUSINESS**

Member Cole indicated that he OSB is making changes to the standard by-laws to allow for electronic voting. The rule change proposals do not currently dictate how electronic voting should take place. Suzanne Cushing offered to check with the OSB for more information regarding the approval of these changes by the Board of Governors. No concerns were expressed regarding the changes.

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

The Executive Committee Meeting adjourned at approximately 1:25 p.m.

The next meeting will be at 10:30 p.m. on May 11, 2012, in the Boardroom of the Salishan Spa & Golf Resort at Gleneden Beach, Oregon.