

MINUTES OF THE WORKERS' COMPENSATION SECTION
EXECUTIVE COMMITTEE
OF MARCH 9, 2012

I. CALL TO ORDER

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

Committee members attending or absent were:

Exec Board Member	Present in Person	Present by Phone	Absent	Comments
Bloom, G. Duff	X			
Bohy, Ronald	X			
Cole, Norm	X			
Edmunson, James		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 February 10, 2012 as amended to note Carol Parks' attendance at the meeting, and with correction of the number of sub-committees within the Legislative/Rules Committee. The motion passed.

III. CHAIR'S REPORT

Dale Johnson.

The sub-committee liaisons were invited to make pre-meeting reports via e-mail to help shorten the length of the meetings.

IV. TREASURER'S REPORT

The OSB has not updated its budget figures since the February 10, 2012 meeting so there was nothing new to report.

V. COMMITTEE REPORTS

A. Salishan

The next committee meeting is March 14, 2012. Debbie Mundorff will be staying on Friday night at Salishan courtesy of the section. The new keynote speaker is Judge David V. Brewer of the Oregon Court of Appeals. His topic will be Zealous Advocacy and Professionalism. Timothy Borman, DO is also a confirmed speaker. The committee is in the process of firming up the titles of each speaker's presentation. Written materials are technically due March 16, 2012, but the drop dead date is March 30, 2012. The committee has received \$3,000 in donations with another \$500 pledged from the following sponsors: Bostwick, Carter & Krier (\$250), Candy Krebs Court Reporter (\$250), ExamWorks (\$300), Impartial Medical Opinions (\$500), Integrity Medical Evaluations (\$500), Janice Friend Court Reporter (\$100), Liberty Northwest (pledged but not yet received \$500), SAIF (\$500), Star Medical (\$500 – donated directly to Salishan to offset the Friday night reception), and Sunrise Medical Consultants (\$100).

The EC discussed its material submission for the conference. The chair would like to add mission statements for the standing subcommittees. Linda Conratt will attend the April 12, 2012 EC meeting to present the Salishan committee report.

B. Communications

No report.

C. Daughtry Award of Merit

The committee made its final recommendation as to the recipient of the award. The votes were taken by written secret ballot from each member present at the meeting in person, and by e-mail for the members attending by phone. ALJ Chuck Mundorff was approved as the 2012 recipient of the award.

D. Legislative / Rules

The committee is split into two subgroups, with ALJ Nick Sencer as the chair of the legislative committee and David Wilson as the chair of the rules committee. Each member will pick one of the work groups. No legislative changes are anticipated for this year. The Division is in the rulemaking process, as is the Board. No word on any legislative proposals for next year's session under consideration by MLAC. Chair Edmunson is coordinating with the Bar's public affairs office as well.

E. Bench / Bar Professionalism Committee

No report.

F. Access to Justice

The committee proposed changes to the WCD booklet entitled “What happens if I’m hurt on the job?” Specifically, the committee recommended adding to the booklet at pages 8, 9, 10, 11 and 26 the following language: “If you have questions or concerns, an attorney can help you understand your rights and obligations. Go to page 27 to learn how to find an attorney who handles workers’ compensation cases for workers.” In the table of contents, the committee recommended a new topic perhaps after Appeal Rights and Claim Settlements on page 27, after the heading “What if I disagree with a decision?” such as “How do I find an Attorney?” At page 27, the generic information would read: “An attorney can help you to understand your rights and obligations. Call the Oregon State Bar Lawyer Referral Service, 1-800-452-7636 (toll-free), use the yellow pages of your telephone directory, or access the internet to find an attorney who handles workers’ compensation cases for workers. The committee also recommended additional information to clarify a contingency fee agreement: “This means that you do not have to pay an attorney unless the attorney wins your case or settles the claim for you.”

One member expressed concerns over the inclusion of the OSB referral service due to the new referral fee program. Other than that, no concerns regarding the proposed language of the Access to Justice committee were expressed. A motion was passed to approve the language.

G. Going Forward

The committee is considering a tour with the DVD generated from last year’s CLE, including the Multnomah Bar Association and Lane County. It is noted that there are no additional funds built into the budget for a new CLE this year.

H. New Technologies

John Young is now a new member of the committee. The committee has not met yet, but plans to do so are in the works, with future discussions anticipated regarding electronic discovery, e-signatures, and use of the Board’s electronic filing and reporting services.

I. Nominating

Chair Johnson proposed Meg Carman as a new member of the Nominations Committee. Ms. Carman was approved by the EC.

The Nominating Committee has completed its recommendations to the executive committee regarding the membership slate for Salishan. Ron Bohy has volunteered to become the treasurer starting in January 2013. Keith Semple will become secretary starting in January 2013. Bin Chen is recommended for nomination as a member. Doug Rock will finish out his 2-year term ending December 2012, but will not renew for 2013.

VI. OLD BUSINESS

Member Oswald reported on the amount of membership dues among the OSB sections. Only three sections charge more than \$25 (\$30); 15 sections charge \$25, the remaining sections are lower. The committee discussed raising dues and/or charging for Bench Bar. No motions were made.

VII. NEW BUSINESS

No new business.

VIII. ADJOURNMENT AND NEXT MEETING

The Executive Committee Meeting adjourned at approximately 1:55 p.m.

The next meeting will be at 12:00 p.m. on April 13, 2012, at the Oregon State Bar office in Tigard.