

OREGON STATE BAR
WORKERS' COMPENSATION SECTION
PROFESSIONALISM AND SERVICE AWARD
CRITERIA AND PROCEDURES
[ADOPTED JULY 12, 2013]

1. The Workers' Compensation Section Professionalism and Service Award is given in recognition of an individual's commitment to the highest standards of professionalism, honesty, integrity and willing adherence to the highest ethical standards while publicly and consistently making outstanding contributions to the Workers' Compensation Section and the hearing process.
2. A three-pronged test is adopted for measuring the contributions of nominees. The award recipient should demonstrate achievement in all areas. Nominees should be evaluated on the following:
 - a. Commitment to the highest standards of professionalism, honesty, and integrity;
 - b. Willing adherence to the highest ethical standards; and
 - c. Public and consistent demonstration of outstanding contributions to the Workers' Compensation Section and the hearing process.

These performance standards take into consideration the distinction between ethical and professional behavior. It is expected that the recipient will exemplify the highest standards of both.

Recognition of past contributions to the hearing process and the Section does not mean that the award is intended as a lifetime achievement award. That interpretation is consistent with the expectations at the time the

award was created. One of the purposes of the award is to honor those people who demonstrate these ideals on a daily basis, regardless of circumstance. Having recipients who are engaged in active practice will create role models for other practitioners given that they have been singled out and commended. New lawyers will know who it is that best reflects the values that Section members prize.

Contributions to the Section or the hearing process need not be recent. Contributions to the hearing process could encompass the work of those who champion unpopular or financially unrewarding causes that benefit injured workers, employers, lawyers or administrative law judges.

Although one of the purposes of the award is to honor active section members who may serve as role models, the award may be presented to former Section members, including associate members.

It would be inappropriate and would give the appearance of bias, however, for a sitting member of the Section Executive Committee or the Professionalism and Service Award committee to be considered for the award. Such persons will become eligible after their committee service has been completed.

3. The Section Chair will appoint annually a committee to consider nominations for the award which consists of three immediate Past Chairs of the Section Executive Committee (i.e., representing administrative law judges, claimant's counsels and defense counsels). The current Executive Committee Past-Chair will serve as Executive Committee liaison to the award committee. If any immediate Past Chair is unavailable or declines to serve, the Section Chair shall appoint the next preceding Past Chair representing that Past Chair's group: administrative law judges, claimant's counsels, or defense counsels.
4. The entire Section membership is eligible to make nominations. The award committee shall receive nominations from November 1st to the nomination deadline: midnight, the second Friday in February. The nominations shall be recommended to the Executive Committee at its March meeting.

5. Nominations must be presented on the form provided by the Executive Committee. The Executive Committee will take steps to make the nomination form available for completion on-line. The form asks three questions, as follows.

Question 1: How has the nominee demonstrated a commitment to the highest standards of professionalism, honesty, integrity, and a willing adherence to the highest ethical standards? Please describe how the nominee is a model of professionalism. (For example, dealing with opposing counsel, decorum in proceedings, strict adherence to ethical requirements of claims and litigation processes, etc.).

Question 2: What are the nominee's significant contributions to the Section and the hearing process? (For example, committee service, leadership roles, presenting at CLEs, service on advisory committees for the Board, rule-making, mentoring, etc.).

Question 3: Are there other individuals we should contact regarding the nominee, or do you have additional comments? Please provide names and telephone numbers.

Multiple nominations, or letters of support, for the same nominee are acceptable. While a letter against recognition of a nominee is a factor to be considered by the award committee, it will not act as a bar to recommendation of that nominee to the Executive Committee.

6. The award committee should meet as a group at least once. The meeting can occur via telephone conference call, but it is important that all members have an opportunity to confer at the same time. It is equally essential that all members of the committee be provided with all letters of support and nominations before the committee meeting is convened.

7. The award committee will present a recommendation to the Executive Committee along with a list of all nominees and copies of the materials considered by the award committee. More than one nominee may be recommended to the Executive Committee by the award committee. The recommendations are intended to be advisory. As a result, it is not necessary that there be a majority vote, or even a consensus of the award committee. The reasoning for the committee's recommendation should be clearly communicated to the Executive Committee.

The award need not be given annually. The award committee may determine that its recommendation is not to give the award. It is also possible that more than one person be recognized in the same year. Consideration should, however, be given to the possible diminution of prestige resulting from multiple awards.

8. The Executive Committee will consider the recommendation of the award committee at the regularly scheduled March meeting after advance notice. All Executive Committee members should make the meeting a high priority. The selection of the recipient(s) for the award shall be by two-thirds vote of those attending by telephone conference call and in person. If there is no quorum of the Executive Committee, no award will be presented for the year. There shall not be a conflict of interest that any member of the Executive Committee has a personal or professional relationship with the nominee. The vote should be done by written secret ballot to ensure that any committee member will not be pressured and that accurate records can be maintained. Those on the telephone conference call will be given a means to confidentially and electronically record their votes with a designated staff member of the Oregon State Bar.
9. The results of the selection process shall be recorded in the Executive Committee minutes as follows: "The award committee received nominations and, after review, made a recommendation to the Executive Committee. The Executive Committee voted on the nominees and _____ was named as this year's recipient."

10. Having selected the recipient, the arrangements shall be made to ensure that he or she will be in attendance when the award will be presented. The Chair or his/her representative shall advise the recipient and the presenter of the award of the date, time, location and circumstance of the award presentation. The recipient's name shall not be secret and shall be published to allow those members who want to attend the presentation to make arrangements to do so.

An effort should be made to see that the amenities afforded recipients remain constant each year. Specifically, it should be ensured that recipients are given a complimentary room and dinner at the annual conference, if that is when the award is presented. The recipient should be given the same plaque to maintain the tradition. The plaque should contain the language that the award is given in recognition of the individual's commitment to the highest standards of professionalism, honesty, integrity and willing adherence to the highest ethical standards while publicly and consistently making outstanding contributions to the Workers' Compensation Section and the hearing process.

11. The recipient of the award should be allowed to choose who would present the award, such as the person who made the nomination. If the recipient opts not to make a selection, logical choices include past recipients, the Chair, the Past-Chair, or someone from the award committee selected by the Chair of the Executive Committee.