

**MINUTES OF WORKERS' COMPENSATION SECTION
EXECUTIVE COMMITTEE
July 13, 2018**

I. CALL TO ORDER

Chair John Oswald called the meeting to order at 12:10 p.m.
Attendance was as follows:

Name	In Person	By Phone	Absent
John M Oswald (Chair)	X		
Katherine M Caldwell (Chair-Elect)	X		
Jenny Ogawa (Past Chair)	X		
Linda D Conratt (Treasurer)	X		
Bruce D Smith (Secretary)		X	
Bin Chen			X
Philip Harry Garrow		X	
Keith Semple			X
Geoffrey G Wren		X	
Joe Di Bartolomeo		X	
Martin M Fisher		X	
Christine Coffelt Frost		X	
Colin Rockey Hackett		X	
John Klor	X		
Allison B Lesh		X	
Jovanna L Patrick		X	
Carrie D Wipplinger	X		
Colin George Andries (BOG)			X
Christine Ford (Bar Liaison)	X		

II. MINUTES

The June 8, 2018 minutes were approved.

III. CHAIR REPORT

Chair Oswald reminded the committee of the October 15, 2018 deadline for asking Section members if they want to vote on

whether raise the annual dues. After brief discussion the committee agreed that we should table the issue for this year.

IV. TREASURER REPORT

Treasurer Conratt summarized her Statement of Revenue and Expense for the Section for the Six Months Ending June 30, 2018. (Exhibit A, attached).

V. COMMITTEE REPORTS

A. Professionalism Award

There was no report from the Professionalism Award committee.

B. Access to Justice

Jovanna Patrick reported that the WCB advisory committee will hold its second meeting on August 9, 2018 to address the translation of exhibits and important document notice issues. She reported that Bin Chen will be following up with the WCD advisory committee regarding its consideration of the important document notice concept. (See minutes of EC's June 8, 2018 meeting.)

Jovanna reported that the Access committee had agreed to changes recommended by the Bar for the wording of the vocational services letter drafted by Steve Schoenfield. (See June 8, 2018 EC minutes.)

Jovanna reported that Bin had made a CME presentation at OHSU on June 6, 2018 that was well received.

Jovanna reported that Access is also looking at issues concerning potential barriers to justice relating to worker documentation, including whether social security numbers are required. The Access to Justice committee is also monitoring WCD meetings concerning new administrative rules related to temporary disability.

OSB Public Affairs staff attorney Matt Shields attended today's EC meeting to offer guidance concerning the purposes and activities

of EC subcommittees. The board had reviewed a copy of the Schoenfield letter, and had two concerns. The first was to make sure that tone of the proposed survey letter is neutral, rather than being tendentious. Second, the Bar questions whether the Section should be reaching out to vocational counselors directly, which may appear as advocacy or lobbying. The Bar suggests that we may want to use a survey monkey, which individuals could distribute to their own networks, rather than send the letter to vocational counselors as a Section outreach.

Jovanna responded that the intent of the EC has been to send the survey to vocational counselors who are listed by WCD as authorized vocational assistant providers.

Chair Oswald suggested that sending the survey directly to vocational counselors – to ascertain whether the current system is working as intended – might be a more efficient means of fulfilling the Bar’s stated objective of increasing access to justice for disabled workers.

Matt Shields does not disagree, but reiterated that the Bar wants to make sure that the outreach does not come across as advocacy for a particular outcome. He believes that we will be able to work out the issue to the Bar’s satisfaction. He added that the Bar has extensive experience in conducting surveys, and stands ready to provide whatever support we may require.

Jovanna reported that the next Access to Justice meeting is scheduled for September 10, 2018. Chair Oswald suggested that Matt attend next Access meeting, and Matt indicated that he would follow up with Bin.

Carrie Wipplinger asked Matt about the Bar’s interpretation of “access to justice,” as that phrase appears in Section 1.2 of the OSB Bylaws. (“The mission of the Oregon State Bar is to serve justice * * * by increasing access to justice.”). Carrie asked Matt whether the Bar felt that our Access to Justice committee should be limiting its activities to issues relating to access to *legal representation*, rather than access to justice more broadly. As Matt understands it this question is “part of the tension,” between the

sections and the Bar. He added, however, that the bar does not intend to interpret the rule in a manner that would limit section activities to facilitating access to attorneys.

Geoff Wren noted that, according to the U.S. Institute For Peace, “access to justice” means the ability to seek and obtain a remedy for grievances. Matt believes that the phrase primarily concerns making sure that people can get on the path to the courthouse; and that less frequently it addresses the resolution of their grievances. Matt will attend next Access to Justice meeting.

C. Salishan/Annual Meeting

Geoff reported next year’s annual meeting would be held on May 10-11, 2019 at Salishan.

D. Bench Bar Forum

There was no report from the Bench Bar Forum committee.

E. Going Forward

Chair Oswald reported that the Going Forward committee has a meeting scheduled for August 21, 2018, and indicated that the committee is planning to have a joint social event in September with the Young Lawyers Division.

F. Legislative and Rules

Keith Semple had sent an email reminding the committee that the deadline for submitting legislative proposals for the 2019 legislative session is September 14, 2018.

Matt Shields indicated that the Section may get a request for comment from the BOG regarding attorney fees. He noted that the WCB is now required to consult with the Bar before modifying attorney fee provisions in the Workers’ Compensation Law. (See ORS 656.388(4).)

Finally, Matt indicated that the Bar prepares a comprehensive summary of new legislation after each legislative session ends; and he extended an invitation to the EC for anyone who might want to volunteer to write a summary of changes to the Workers' Compensation Law following the next legislative session. Anyone who is interested should contact Keith Semple.

VI. OLD BUSINESS

There was no old business.

VII. NEW BUSINESS

There was no new business.

VIII. ADJOURNMENT AND NEXT MEETING

The EC meeting adjourned at 12:42 p.m.

The next meeting will be at noon on September 14, 2018 at the OSB offices.

OREGON STATE BAR
Workers' Compensation - 830
Statement of Revenue and Expense
For the Six Months Ending June 30, 2018

Description	June 2018	YTD 2018	Budget 2018	% of Budget	June Prior Year	YTD Prior Year
REVENUES						
Annual Event		\$31,218	\$30,000	104.1%	\$225	\$29,917
Membership Fees	25	8,025	8,200	97.9%		8,150
Sponsorship Rev		2,100	1,850	113.5%	1,850	1,850
Registratlons - Conferences/Seminars			100	0.0%	24	24
Total Revenue	25	41,343	40,150	103.0%	2,099	39,940
EXPENSES						
Annual Meeting		27,136	28,000	96.9%	20,410	27,674
Committee - Executive	50	638	2,000	31.9%	61	291
Computer - Internet / Web			200	0.0%		
Conferences / Seminars Expense	83	790	7,200	11.0%		300
Contributions			400	0.0%		
Contributions - Campaign for Equal Justice			500	0.0%	500	500
Contributions - OR Minority Lawyers Assoc.	500	500	500	100.0%	500	500
Gifts & Awards		772	250	308.7%		241
Telephone - Conference Calling	35	223	620	36.0%	39	235
OSB Support Services Assessment	16	2,608	2,752	94.8%	8	2,656
Total Expense	684	32,667	42,422	77.0%	21,518	32,396
Net Revenue (Expense)	(659)	8,676	(2,272)		(19,419)	7,544
Beginning Fund Balance		<u>16,868</u>				
Ending Fund Balance		<u>25,545</u>				
Section Member Count - Paid	1	322				326
Section Member Count - Complimentary	2	8				8
Section Member Count - Total	3	330				334

EXHIBIT A-1

Workers Comp Detail

Account Number	Account Description	Date	Vendor	Reference	Debit Amount	Credit Amount
830-4405-000	Membership Fees	6/18/2018		DUES	\$0.00	\$25.00
830-7195-000	Committee - Executive	6/30/2018	Ogawa, Jenny	04/2018 WC EC Mtg exp	\$49.99	\$0.00
830-7245-000	Conferences / Seminars	6/1/2018	Braintree	05/2018 CC Transaction Fees	\$83.34	\$0.00
830-7270-056	Contributions-OMLA	6/6/2018	Oregon Minority Lawyers Assoc	Auction Donation, Work Com	\$500.00	\$0.00
830-7745-000	OSB Support Service Assessment	6/30/2018		June Section Admin Fee	\$16.00	\$0.00
830-7885-000	Telephone - Conference Calls	6/12/2018		Jun 2018 PGI Billing	\$35.08	\$0.00
830-U001-000	Workers Compensation Section Member Counl	6/30/2018		June Sect HC update	1	0
830-U004-000	Workers Compensation Section Comp Member	6/30/2018		June Sect HC update	2	0

EXHIBIT A-2