

## Workers' Compensation Section 2018 Annual Report

### Activities and accomplishments:

Monthly Executive Committee meetings were held. Secretary ALJ Bruce Smith took the minutes, which can be accessed on the Section's website.

The Section's Annual Meeting was held on May 11, 2018, at the Salishan Spa & Golf Resort at Gleneden Beach, Oregon. The meeting was chaired by John Oswald. The Section elected the following officers and members-at-large to serve on the Executive Committee in 2019:

Officers: Katherine Caldwell, Chair; ALJ Bruce Smith, Chair-Elect; Jovanna Patrick, Secretary; Linda Conratt, Treasurer; John Oswald, Past Chair.

Members-at-Large: Philip Garrow, ALJ Jenny Ogawa, Joe DiBartolomeo, Martin Fisher, Christine Frost, Colin Hackett, John Klor, Allison Lesh, Carrier Wipplinger, Heather Holt, Vincci Lam, ALJ Mark Mills.

The Section sponsored two CLEs. The first was held on May 11 and 12 at Salishan. The Salishan CLE Committee members were Sally Curey, Chair, Holly Ansari, Ron Atwood, Jerry Keene, Spencer Kelly, Rob Kinney, Sydney Montanaro, Christopher Potter, and ALJ Geoff Wren. The keynote speaker was Hon. Jack Landau, retired Associate Justice of the Oregon Supreme Court, who talked about his 25 years of experience in reviewing workers' compensation cases in the appellate courts. Other presentations included: WCD vocational rehabilitation rules update, employment in the gig economy, reversing the opioid epidemic and improving care for chronic pain, functions of the Board, combined conditions and medical services, interpreters and translators, course & scope, appellate update. The CLE was approved for 6.75 general and 1.25 access to justice CLE credits. About 150 people attended.

The Section also sponsored the Bench/Bar Forum on October 19 at the Salem Convention Center. The Bench/Bar CLE Committee members were Katie Krametbauer, Chair, ALJ Keith Kekauoha, Heidi Havercroft, Craig Miller, Kevin Barrett, Sydney Montanaro, and Ben Stewart. The CLE featured speakers on traumatic brain injuries, employment law, and legal ethics; and was approved for 1 ethics and 2 general CLE credits. About 106 people attended.

The Going Forward Committee lead by Steve Schoenfeld, chair, and consisting of members John Oswald, Spencer Aldrich, Krishna Balasubramani, Rob Guarrasi, ALJ Jackie Jacobson, and Larry Schucht worked on events to promote the practice of workers' compensation law and to increase membership. On October 24, the Section and the New Lawyer's Division sponsored a joint social at Raven and Rose.

This year's recipient of the Section's Professionalism Award was Barbara Woodford.

### Budget:

The Section has maintained its budgetary goals for 2018, under Treasurer's Linda Conratt's leadership. The beginning fund balance was \$16,868, and the projected year-end fund balance is \$14,461. The section dues (\$25) will stay the same for 2019. The pricing for the Salishan CLE will stay the same, and there will be no charge for the 2019 Bench Bar Forum. Contributions were made to the Campaign for Equal Justice and the Oregon Minority Lawyers Association.

Legislative Issues:

The Public Affairs Department reviews all bills that are introduced each legislative session, and informs Bar Sections of bills of interest. The Legislative and Rules committee, headed by Keith Semple, tracked a number of bills being reviewed by MLAC.

The Public Affairs Department approved the Access to Justice Committee's vocational counselor survey to determine whether any barriers exist to access to retraining/vocational services. Also, the Access to Justice Committee continued to monitor the WCB/WCD's advisory committee's meetings to address rule concepts for the translation of exhibits and important document notices.

Matters considered/Matters pending:

The Section continues to work with the Lawyer Referral Service to either extend the Modest Means pilot program, or to reduce or eliminate the referral fee for workers' compensation attorneys.

The Executive Committee has tabled consideration of increasing Section dues for its members. There has been discussion whether the Section's dues should be raised to cover increased costs of the CLE programs (particularly the Bench/Bar program). Any increase in dues would need a vote of Section members.

Recommendations for 2019:

The dwindling number of attorneys practicing workers' compensation law continues to be a concern with regard to access to justice and quality of representation. Providing quality CLEs and other programs/functions to attract and maintain members should help meet those goals. We continue to be in the process of updating and improving our website to provide information and resources for both attorneys and the public.

Consider planning one of the Section's CLEs to comply with the Bar's new CLE co-sponsorship policy.

Any other comments:

Thank you to all the Section and Executive Committee members who have volunteered their time and talents with the Section's activities and goals.

Respectfully submitted:

John Oswald (CH), Katherine Caldwell (CH-Elect), ALJ Jenny Ogawa (Past CH), ALJ Bruce Smith (SEC), Linda Conratt (TR), Bin Chen, Keith Semple, ALJ Geoffrey Wren, Jovanna Patrick, Philip Garrow, Joe DiBartolomeo, Martin Fisher, Christine Frost, Colin Hackett, John Klor, Allison Lesh, Carrier Wipplinger, Christine Ford (BL).