

## Workers' Compensation Section 2019 Annual Report

### **Activities and accomplishments:**

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

The Section's Annual Meeting was held on May 10, 2019 at the Salishan Spa & Golf Resort at Gleneden Beach, Oregon. The meeting was chaired by Kate Caldwell. The section elected the following officers and members-at-large to serve on the Executive Committee in 2020:

Officers: Bruce Smith, Chair; Jovanna Patrick, Chair-Elect; Allison Lesh, Secretary; Linda Conratt, Treasurer; Kate Caldwell, Past Chair.

Members-at-Large: Spencer Aldrich, Joe DiBartolomeo, Martin Fisher, Christine Frost, Phil Garrow, Colin Rockey Hackett, Heather Holt, John Klor, Vinnci Lam, John Mark Mills, Jenny Ogawa and Carrie Wiplinger

The Section sponsored two CLEs. The first was held on May 10 and 11 at Salishan. The Salishan CLE Committee members were Sally Anne Curey (Chair), Holly Ansari, Ronald Atwood, Jerry Keene, Spencer Kelly, Rob Kinney, Christopher Potter, Sydney Montanaro, and ALJ Geoffrey Wren. The keynote speaker was section member Marcia Alvey who spoke about transgender perspectives and how to be respectful and inclusive of transgender individuals in the context of the practice of law. Other presentations included: mediation tips and trends, medical liens, mental health considerations in the legal profession, burden of proof, cardiac conditions, functions of the Board, appellate update and Medicare Set Aside agreements. The CLE was approved for the following CLE credits: 6.5 general, 1 access to justice and 1 mental health/substance abuse.

The Section also sponsored Bench/Bar Forum on October 4 at Eola Hills Wine Cellars in Rickreall. The Bench/Bar Committee members were Katie Krametbauer (Chair), Spencer Aldrich, Kevin Barrett, Craig Miller, Sydney Montanaro, ALJ Holly Somers, and Ben Stewart. The CLE featured speakers on the role of the ombudsman, post-hearing evidentiary issues, and legal ethics. The CLE was approved for the following CLE credits: 1 access to justice, 1 general and 1 ethics. 103 people attended.

The Going Forward Committee lead by chair Steve Schoenfeld with members Spencer Aldrich, Krishna Balasubramani, Rob Guarrasi, ALJ Jackie Jacobson, John Oswald, and Larry Schucht worked on events to promote the practice of workers' compensation law and to increase membership. On 9/28/19 the Section and the New Lawyers' Division sponsored a joint social.

This year's recipient of the Section's Professionalism Award was Ronald Atwood.

### **Budget:**

The Section has maintained its budgetary goals for 2019 under Treasurer Linda Conratt's leadership. The beginning fund balance was \$15,965.00 and the projected year-end fund balance

is \$16,603. Section dues (\$25) will stay the same for 2020. The pricing for Salishan CLE increased in 2019 due to rising venue and meal costs. There will be no charge for Section members to attend Bench Bar Forum in 2020. Contributions in the amount of \$500 each were made to the Campaign for Equal Justice and the Oregon Minority Lawyers Association and contributions of \$300 each were made to OLIO (Opportunity for Lawyers in Oregon), Oregon Lawyer Assistance Foundation (OLAF), Oregon Veterans Legal Services, Oregon Volunteer Lawyers for the Arts (OVLA), Peacemakers, Special Advocates for Vulnerable Oregonians, Inc. (SAVO), St. Andrews Legal Clinic.

### **Legislative issues:**

The Public Affairs Department reviews all bills that are introduced each legislative session and informs Bar Sections of bills of interest. The Section's Legislative and Rules committee was largely inactive in 2019 and in need of a new chair

The Access to Justice Committee developed a survey for vocational counselors to determine whether any barriers exist to access to retraining/vocational services. The Access to Justice Committee is analyzing the results of that survey and will bring those back to the Executive Committee to determine if further action should be taken by the section. The Access to Justice Committee also continued to monitor the WCB/WCD's advisory committee's meetings to address rule concepts for the translation of exhibits and important document notice.

### **Matters considered/Matters pending:**

The Access to Justice Committee headed by chair Jovanna Patrick with members Camilla Thurmond (Secretary), Dale Johnson, Spencer Kelly, Michael Orlando, David Runner, Steve Schoenfeld, ALJ Bruce Smith, Sydney Montanaro, Matthew U'ren, and Carrie Wipplinger.

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. However, at the close of 2019 the Section determined its balance was projected to be higher than the Bar's recommendations and threshold to qualify for the Bar's discount on per person assessments and so an additional charitable contribution not previously in the planned section budget were made in December to bring the closing balance to a recommended level.

### **Recommendations for 2020:**

The dwindling number of attorneys practicing workers' compensation law continues to be a concern with regard to access to justice and quality of representation. Continuing to provide quality CLEs and other programs/functions to attract and maintain members should help

counteract this. The number of complimentary memberships offered by the Section was higher than average as of the end of 2019, suggesting that the Section's efforts to promote the practice area to new Bar members is making an impact.

The Executive Committee will continue to monitor the costs of and revenue obtained from CLEs to ensure the section's budget is accurate and its fund balance adequate but not in excess of the Bar's recommendations.

**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:

*Workers' Compensation Executive Committee*