

**MINUTES OF THE WORKERS' COMPENSATION SECTION
EXECUTIVE COMMITTEE
December 8, 2023**

I. CALL TO ORDER

Chair Frost called the committee to order 12:03 pm. Attendance was taken as follows:

Member	Present	Absent
Christine Coffelt Frost (Chair)	Y	
Martin M Fisher (Chair-Elect)	Y	
Andrea K Knight (Treasurer)	Y	
Ian T Brown (Secretary)	Y	
Spencer S Aldrich (Member)		X
Nicholas D Cordes (Member)	Y	
Trisha Loitz Fleischman (Member)		X
Heidi M Havercroft (Member)	Y	
Martie L McQuain (Member)		X
Craig Thomas Miller (Member)	Y	
Karli L Olson (Member)		X
Jovanna Patrick (Member)	Y	
Christo J de Villiers (Member)	Y	
Elyse Waters (Member)	Y	
John C Young (Member)		X
Tria Vang (Bar liaison)	Y	
Joy Dougherty (Board chair)	Y	

II. MINUTES

The November 17, 2023, minutes were approved as written.

III. CHAIR REPORT

A New Board Chair

Chris introduced Board Chair Dougherty, who said this is a very nice group. She knows most of the EC members and looks forward to meeting more members of the EC and of the Section in general as part of her new duties, which began with her swearing-in in October.

The main agenda for the Board is modernization. At an April conference, she was invited to speak about litigation in Oregon. When she started the discussion by noting we still have paper files, the audience gasped in amazement. Even though we have electronic processes, it's still largely paper-based and fake-electronic. Electronic submissions are usually converted to paper form for the paper file. There'll be a workgroup, so look for upcoming opportunities to

volunteer. Craig volunteered on the spot. We'll benefit from the experiences of other agencies who are ahead of us, including the Oregon court systems. The Board will be constrained by state procurement rules.

The December Board meeting will include discussion of the biennial attorney fee review.

The Hearings Division's coastal office will move to Florence. The old Coos Bay office couldn't be kept, and it's been difficult to find accessible buildings.

Keeping the agency moving forward also includes reviewing the productivity and efficiency of the agency.

Chris said it can be a thankless job in a seat that can be hot, so thank you for your service. The EC is a good resource to connect to different parts of the Bar. Joy said she may take up the offer, and don't hesitate to contact her.

B Public Affairs

Chris heard back from Amy Zubka, the OSB's Director of Public Affairs. They mentioned the Access to Justice's proposal regarding MCO issues at their November committee meeting, and their January meeting will discuss it in greater depth. Their contact information was forwarded to Jovanna, and Chris hopes that someone from the Access to Justice committee can be at the Public Affairs meeting.

Craig noted that, while he was giving feedback to a DCBS advisory committee regarding records requests, MCO issues came up, and he gave feedback. So someone at DCBS is aware of the issues at some level.

IV. TREASURER REPORT (Andrea)

The August, September, and October financials were e-mailed to the committee. The August financials were incorporated into the budget worksheet previously worked on. The September and October income highlights include \$1,670 from Bench-Bar registrations and \$100 from new paying members. The expenditure highlight was Bench-Bar, including \$4,505 food and venue, \$930 OSB registration costs, and \$40 CLE fees. Also, just under \$50 in credit card fees, \$20 per month for Zoom, and support assessment fees of \$9.50 per member. What doesn't show up yet is a deposit for Salishan, which has been paid but won't show up on our statement until April.

The Board of Governors approved the request to increase section fees to \$35. Total membership is now 300, including 273 paid and 27 unpaid.

Discussion turned to the subject of donations. In 2022, the section gave \$2,000 split equally among four organizations. For 2023, the EC had budgeted \$1,500 and has received five requests, the Commons Law Center, SMART Reading, Civics Learning Project, Campaign for Equal Justice, and Oregon Minority Lawyers Association. Not considering donations, we will probably

have about \$9,628 at the end of the year. If we donate as budgeted, we'll probably have about \$8,128.

Chris noted that these are worthy organizations and money was budgeted for donations, but our cushion has gotten smaller. Martin noted that we'll end the year upside down, in the red. Andrea noted we expected to be in the red we prepared the budget last year, costs are going up, and that's why we're increasing registration fees. Craig believes in donating, but not in donating what you don't have. Chris added, we're asking members to pay more next year in a lot of ways, and we should be responsible with what our members are paying. Christo agreed. Ian clarified that we're down about \$4,000 from where we were a year ago. Nick said we're asking our members for more dues, we're asking for Bench-Bar money we've never asked for before, we're asking for more for Salishan, we probably should not be giving away money. Moved to decline to donate, which passed unanimously.

V. COMMITTEE REPORTS

A Access to Justice (Jovanna)

December 4 meeting was not very well attended, and meeting scheduling and attendance expectations were. Ten meetings are expected next year, and the committee may shrink if folks can't commit to that.

Four projects: assistance to unrepresented claimants; simultaneous service of documents; interpreter cost stipend; education for doctors.

On interpreter cost, maybe from the workers' benefit fund to allow claimants' attorneys to speak to prospective clients. Wondering whether that's appropriate and who to speak to about the WBF. Chris described the WBF as a mystery and investigation of this possibility would be a worthy project for the EC next year.

B Bench-Bar (Spencer)

No report

C Going Forward (Spencer)

No report. Chris noted that the committee was struggling and may need revitalization.

D Professionalism Award (Jovanna)

No report

E Salishan/Annual Meeting (Nick)

Committee is meeting consistently again, getting neat, interesting topics together, wants to be fresh and relevant.

Committee approved four fee levels in five categories: \$325 for non-section-member attorneys, \$300 for section member attorneys, \$250 for new members, \$250 for WCB and WCD employees, and \$200 for paralegals and legal assistants. Chris asked whether \$200 would cover the cost of attendance for the paralegal and legal assistant categories, and Nick responded yes, although it was a reduction from 2023 prices that had been requested to encourage attendance in that group. Chris asked why non-members would pay only \$325 instead of \$350, and Nick indicated there might have been confusion at the Salishan committee. Jovana asked whether the EC could increase the non-member fee to \$350 without sending it back to the Salishan committee, Chris didn't want to step on toes, and Nick thought it would be smart and wouldn't be stepping on toes.

There was some confusion about whether the \$250 for WCB and WCD employees would be for the ALJs and staff attorneys, the other staff, or both. The committee had requested approval of the fees ASAP, but is there a deadline? Tria said she'd check on a deadline, but it probably has to do with when registration can be open. Approval of Salishan fees was tabled until January.

F Nominations (Martin)

No report

VI. OLD BUSINESS

Chris said it's been a pleasure to serve on the committee, although she's being termed out at the end of the year. She's glad to have served and appreciated getting to know the members in a new way, and she's excited to pass it on to Martin.

Martin interjected to express his appreciation for what Chris has done, her leadership, involvement, and behind-the-scenes work. He is hopeful to walk in her footsteps.

VII. Next Meeting

Next meeting will be January 12, 2024.

The committee adjourned at 1:12 pm.