

MINUTES

EXECUTIVE COMMITTEE OF THE OREGON STATE BAR FAMILY LAW SECTION

January 16, 2014

Present:	Lauren Saucy	--	Chair
	Debra Dority	--	Chair-Elect
	Kristin Sager-Kottre	--	Past Chair
	Marsha Buckley	--	Treasurer
	Kimberly Quach	--	Secretary

Members at large: Jennifer Currin, Christopher Eggert, Zachary Frutengarten, Greg Oliveros, Murray Pettit, Laura Rufolo, Anthony Wilson

Also participating: Caitlin Mitchel, Ryan Carty

The meeting took place by teleconference.

Call to Order. The Chair called the meeting to order at 3:04 p.m. A quorum was present.

Approval of Minutes. Upon motion duly made, seconded and unanimously approved, it was RESOLVED: the minutes of the Family Law Section Executive Committee (FLEC) meeting held November 21, 2013 are approved as written.

Treasurer's Report. Marsha Buckley presented FLEC with the 2013 financials through November 30, 2013. She will be able to present complete 2013 financial data at the next FLEC meeting (scheduled for February 20, 2014 at 3:00 p.m.). Our Section budget was submitted in a timely fashion. The ending fund balance is \$73,971, and the member count total is 1084. Total November 2013 expenditures were \$6,198 for the Annual Meeting, \$853 for Conference Expenses and \$80 for Miscellaneous Expenses. The revenues for the same period were \$75 in membership fees and \$770 in conference registration fees.

Business: Conference Location Discussion/Decision. Salishan forwarded a proposed contracts for its venue for 2016 and 2017. The Chair provided a summary of the contract proposal from Salishan (rather than the entire lengthy contract). Some attendees suggested that FLEC consider a different venue, primarily due to room cost issues (as some attendees have indicated the room cost is nearly prohibitive), the food options, a lack of updating of some rooms, and space issues (relating mostly to complaints about the lack of bathrooms).

The Chair invited the Committee to consider whether it should investigate other potential venues for 2016 and 2017 as this new contract is currently being negotiated.

FLEC discussed the merits of the Salishan venue, including, among other things, the attendees' abilities to bring their families who will also enjoy the experience, the beauty of the location, the way in which the venue invites interactions among the family law bar, and so forth.

FLEC discussed the merits of comparing Salishan to other venues, including potential cost savings, and isolating a more centrally based location to encourage more geographic diversity in the participants.

Laura Rufolo explained that, during the previous contract negotiations, Salishan had proposed a room rate increase that FLEC rejected. She was not certain whether Salishan would take the same approach for the 2016 and 2017 contract, and expressed concern that any rate increases would adversely affect participation.

FLEC concluded that it would at least compare the costs of Salishan for 2016 and 2017 to potential Sunriver or Redmond venues, as they are more centrally located.

ACTIONS REQUIRED (Jennifer Currin and Anthony Wilson): Jennifer Currin and Anthony Wilson agreed to compare other potential venues to Salishan for the 2016 and 2017 meetings. The Chair will provide them with additional materials to expedite their review. They will report back during the February 2014 meeting.

Annual Conference 2014. Kimberly Quach indicated that she, the Chair and Laura Rufolo had already had four telephone conferences regarding the meeting. She thanked them for their service. They have identified nearly all of the topics and are hoping to approach prospective speakers within four weeks. The materials will be due in the Summer 2014.

Hardship Policy. Zach Fruchtengarten and Murray Pettit are spearheading the FLEC efforts in this regard. They inquired, and confirmed during the meeting, that there were requests for hardship waivers of registration fees for the 2013 meeting.

Zach reported that he had made inquiries of other Oregon State Bar Sections to see what their hardship policies were. He and Murray requested that Debra Dority and Kimberly Quach re-forward the materials they had collected about this issue.

FLEC agreed that, if a hardship policy were to be implemented, it would need to be approved in time for the annual meeting brochure to include reference to it.

ACTION REQUIRED (Zach Fruchtengarten and Murray Pettit): FLEC agreed that a draft hardship policy should be circulated on or before May or June 2014.

The Committee considered whether the potential waiver of registration fees for members who have practice for more than 50 years is a related issue, and agreed that it was not as it was not based upon financial need.

SFLAC – Administration Services Charge of \$240. Upon motion duly made, seconded and unanimously approved, it was RESOLVED: FLEC approves the SFLAC annual request for contribution of administrative charges of \$240 for 2014.

Professionalism Award. Tony Wilson a proposed Oregon State Bar Family Law Section Professional Award Nomination Form, as well as Standards and Guidelines, for the Committee's consideration. He derived these documents by amalgamating similar forms from other Oregon bar-related organizations.

The Committee was not prepared to explore these documents during this meeting, but will do so during the next meeting. The Chair encouraged the Committee members to forward any non-substantive changes to Tony (at a minimum) prior to the February meeting so that the Committee could more efficiently explore any potential substantive changes then.

The Committee briefly explored whether it was appropriate and necessary to exclude FLEC members from being nominated or from nominating potential recipients; this issue was tabled for the next meeting.

ACTION REQUIRED (All Members): The members should forward any proposed non-substantive changes to the professionalism award standards and guidelines and nomination form prior to the next meeting, and they further should be prepared to discuss substantive changes at the next meeting with the objective of adopting a final set of materials at the end of the meeting.

Web Page. The web page is very good. FLEC explored whether additions could be made to the webpage to make it even more useful to the membership. The Committee acknowledged that it had previously committed to investigating incorporating an expert database to the page. Tony and Greg Oliveros had contacted Jack Lundeen to determine whether or not his database could be integrated into the page. Jack emailed Greg and advised that he would be willing to grant the Bar a non-exclusive license for \$3,500.

FLEC elected to table this issue until further investigation could be made.

ACTION REQUIRED (The Chair): The Chair will conduct a partial survey of other state bar family law section webpages to determine whether there are ways to make the page more useful to the membership.

Legislation Subcommittee Update. Ryan Carty explained that the Legislative Subcommittee normally meets in February or March of each year. The meeting for 2014 has not yet been set. He will circulate an agenda for that Subcommittee to FLEC as soon as it is finalized.

ACTION REQUIRED (Ryan Carty): Ryan will forward the agenda for the Legislative Subcommittee meeting once it is finalized.

Very little family law legislation is considered in even years.

Susan Grabe advised Ryan that a hearing took place yesterday in the Senate Veteran's Committee regarding a request by a veteran that military disability income not be considered when setting either spousal or child support. This issue was considered by FLEC in 2011. Jean Fogarty of the Oregon Judicial Department, David Gannet (then the FLEC legislative liaison) and Russ Lipetzky (representing SFLAC) all opposed an identical request at that time. They all believed that the requirement that military disability income constitutes income for support purposes is constitutional.

Given the circumstances, it appears that FLEC may need to express an opinion about this issue on an urgent basis.

Upon motion duly made, seconded and unanimously approved, it was RESOLVED: FLEC will take a position on this issue consistent with the position it adopted in 2011 by its legislative liaison at the time, David Gannett.

Susan Grabe asked that FLEC consider approving a change to the UTCR requiring that parties using the services of the Department of Child Support Services provide 10 days' notice of any changes to health insurance. The same deadline is set for informing DCS of any changes in employment or personal address. This issue is urgent because the requirement will be placed on forms that will be integrated into eCourt forms. Laura indicated that this is an important notice provision because a failure to advise DCS may cause adverse financial consequences to the parties. A failure to meet the ten day deadline does not subject the non-responsive party to contempt, but it may negatively affect the Child Support Guideline calculations.

Upon motion duly made, seconded and unanimously approved, it was RESOLVED: the changes to the UTCR Chapter 8 proposed by the Standardized Forms Sub Group, Domestic Relations Task Force of the Oregon Department of Justice on December 6, 2013 are approved.

The meeting adjourned at 3:58 with the thanks of the Chair.

These minutes were prepared by Kimberly Quach, 2014 Secretary to the Oregon State Bar Family Law Section Executive Committee.

Kimberly A. Quach

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The next meeting is scheduled for February 20, 2014 at 3:00 p.m. by teleconference.