

MINUTES

EXECUTIVE COMMITTEE OF THE OREGON STATE BAR FAMILY LAW SECTION

March 17, 2016 Meeting

Present: Chair: Kimberly A. Quach
Chair Elect: Jennifer E. Currin
Treasurer: Zachary Fruchtengarten
Secretary: Jennifer J. Brown
Past Chair: Debra Dority

Members at large: Andrew Ivers, Gwen Moore, Murray Petitt, Lauren Saucy,
Annelisa Smith, Melinda Thomas, Stephanie Wilson,

Absent: None.

Also Participating: Susan Grabe, Ryan Carty

The meeting took place telephonically.

Call to Order. The Chair began the meeting at 3:02 p.m. A quorum was present.

Approval of Minutes (Feb. 2016). The Committee unanimously approved the February 18, 2016 meeting minutes.

Treasurer's Report (Zachary Fruchtengarten). Zach reports that only the final year-end budgets have been approved as of last week, and not the Section financials. Originally, the Bar indicated that it would have a draft year-end Profit and Loss statement, but there is no indication when that will be provided.

Because the Section made a profit of \$3,000 at last year's conference, we are able to provide hardship waivers. Stephanie Wilson has received one request for a hardship waiver so far. Lauren Saucy updated the conference webpage with contact information for hardship waiver.

The annual conference has two line items on the Section budget. Zach will clarify this issue.

In total, there is \$8,200 in net profit for last year. Some members inquired whether the hardship waiver can be funded from other sources; the Policy, however, does not allow this.

Lauren indicates that the Bar instructs our Section to spend down profits. Traditionally, we have not had to spend down profits because our conference revenues vary annually. The conference normally costs at least \$90,000. With new venue, it is hard to anticipate the overall cost of this year's conference, so it is more important that we retain sufficient revenues to cover costs.

Zachary sent the Committee the link to review the Bar financials that can be found at Bar website → Member Groups → Treasurer Tools. There, any member of the Bar has full access to

every Section's financials. (Be careful where one clicks or one can print financials for all sections)

Continuing Business:

- 1) **2016 Annual Conference Update**– Jennifer Currin reports that we are making great progress, all but two speakers confirmed. The two outstanding speakers include Steve McClure and another potential speaker from the University of Oregon regarding parental alienation. Letters of confirmation are being emailed to speaker next week. The Committee is working on marketing and advertising, which will include reference to hardship waivers. There is also investigation into group activities, including those for family. There may be a beer tasting on Friday night.
- 2) **Website Subcommittee Update**–Andy Ivers reports that he has just been uploading the minutes, and he did not have the information necessary to make changes to the website content but he is willing to undertake that task. Lauren will provide him with the necessary user name and password so that it can be edited.
- 3) **Legislative Subcommittee Update** – Ryan Carty reports that he did not provide an email concerning the current proposed legislation prior to the meeting. He is working on the OSB law improvement program. He still needs approval from subcommittee. For the most part, noncontroversial proposals.

The first proposal pertains to the exchange of limited financial discovery in spousal support cases. It loosely mirrors the child support program. The proposal is that if party has spousal support in a judgment, either party can request limited tax information (e.g., the first two pages of a tax return) once every 2 years if they provide their own first. Became a partisan issue when it was alleged that it was a democratic bill and it died on the floor.

The other proposals pertain to do with life insurance and PERS fix.

ACTION REQUIRED: Ryan Carty will send out an email with the proposals as soon as he has subcommittee approval. There is an April deadline. We will likely hold an email vote so that we can get everything to the Bar on time.

The Other proposed legislation is the Collaborative Law Act. It purports to codify the practice of collaborative law. The Bar has several concerns regarding the proposal. One issue relates to the informal domestic relations trial. The biggest issue relates to the requirement that a collaborative lawyer would need to withdraw in the event that settlement is not achieved, which could create a cost issue for certain families (except for legal aid/pro bono attorneys), creating an access to justice issue. In addition, statutes are more difficult to change than Uniform Trial Court Rules or Supplementary Local Rules, so great care should be exercised. Susan will continue to distribute information. Email discussion may be required before the April meeting.

ACTION REQUIRED: Kimberly has circulated Susan's email to the FLEC for review and comment. No action, but just review. The Committee will need to provide feedback.

- 4) **Professionalism Subcommittee Update**– Debra Dority reports that the Subcommittee made some minor changes to the nominating form, which previously required 3-5 letters of reference and a resume. Emailed nominations will be considered.

Nomination requests were emailed to the Family Law Section Listserve. The Subcommittee will also circulate the request to the counties, local bar associations, and local advisory committees.

The attorney winning the award shall be entitled to room and board for two nights, and waiver of the annual meeting registration fee and formal lunch fee. The Committee will likely make official updates to the policy at some point.

The only nominee thus far is Larry Gorin. It is hoped there will be multiple nominees.

ACTION REQUIRED: The Committee members should promote more nominations. The deadline is May 1, 2016.

- 5) **New Member Subcommittee Update** – Lauren Saucy had nothing to report.

ACTION REQUIRED: Committee members should let Lauren know now if s/he is not continuing on so she will know how many spots we need to fill on FLEC.

- 6) **Hardship Policy Subcommittee Update**—This issue was discussed in the budget section, above. Kimberly Quach reports that more work will start in the summer.
- 7) **Adoption Subcommittee update.** Kimberly Quach emailed and called John to ask if he wanted to be part of the meetings, but received no response. She will continue to follow up.
- 8) **Division of Child Support Notice of Proposed Rulemaking** – Kimberly Quach reported that there are three new rulemaking proposals relating to child support:
- (a) Updating max childcare cost in the OARs – the Committee has no concerns and recognizes that this may be required due to cost inflation;
 - (b) Confidentiality rules – the Committee has no concerns;
 - (c) Modifications when someone is incarcerated – the Committee expresses not concerns. Kimberly wanted to check rule against case regarding incarcerated obligor related to potential income.

Last day for public comment is March 22.

Starbuck's Card Winners. Lauren Saucy and Stephanie Wilson were the winners of the Starbucks' Card Drawing for the meeting. Both waived payment in favor of a fund for libations at the June dinner in-person meeting. Budget is between \$100-\$200 for wine fund.

The meeting adjourned at approximately 3:50 p.m.

These minutes were prepared by Jennifer J. Brown, 2016 Secretary to the Oregon State Bar Family Law Section Executive Committee.

/s/ _____
Jennifer J. Brown

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Next meeting: April 21, 2016 @ 3:00 p.m. via telephone conference.