

## MINUTES

### EXECUTIVE COMMITTEE OF THE OREGON STATE BAR FAMILY LAW SECTION

#### May 19, 2016 Meeting

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

Members at large: Melinda Thomas, Stephanie F. Wilson, Lauren Saucy,  
Murray S. Pettitt, Annelisa D. Smith, Gwen Moore

Absent: Andrew D. Ivers, Jennifer E. Currin

Also Participating: Ryan Carty, Susan Grabe, Mark Johnson

The meeting took place telephonically.

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

**Approval of Minutes (April 2016).** The Committee unanimously approved the April 21, 2016 meeting minutes.

**Treasurer's Report.** Zachary Fruchtengarten reports it was an uneventful April. Minimal membership fees were received, but the total membership is comparable to last year. Zach reported that he resolved the Sunriver deposit issue, and Sunriver has acknowledged both the 2016 and 2017 deposits.

#### **Continuing Business:**

- 1) **2016 Annual Conference Update**– Melinda reports:
  - a. Doing well in booking rooms; Only 4 left to satisfy the Section's contractual obligation to Sunriver. Jennifer Currin will contact Sunriver to get 10-15 more rooms at the contracted rate.
  - b. Still working on social networking opportunities for families.
  - c. Subcommittee is meeting on Tuesday, May 24, 2016
  - d. Working on brochure - Need to submit in June for printing. The group engaged in extended discussion regarding whether to add a request in the registration so that registrants can check which events they will attend to get a better headcount, particularly with the Friday lunch and dinner events. Consideration was given to charging registrant spouses for meals, but the Section will discuss more at subcommittee meeting.

- e. There was discussion regarding whether survey questions should be added to the registration regarding what the registrants feel is important to them from the Section. The Committee did not support this action.
- f. Melinda is working on a spreadsheet for options for food and drinks. Estimate is \$58,000 for food & beverage plus 20% service charge, producing a total of nearly \$70,000. In reviewing prior years, food and drink costs have ranged between \$34,000 - \$45,000 in the past on food and drinks, but there are gaps in the figures. Melinda is working with a colleague, Julie McFarlane, who has experience working in the hospitality industry to assist with evaluating and negotiating food and beverage costs. When negotiating contract, Jennifer & Lauren estimated attendance high to ensure large enough space. Containment and predictability of food and beverage costs is a big concern and will be a priority of the Subcommittee.
- g. Discussion of increasing registration fee or charging for different events. Concern for adding administrative hassle (ticket, sticker on nametag, etc.).
- h. Lauren suggested that the whole FLEC give input and prioritize to reduce costs.
- i. Group voted and unanimously approved \$25 increase in the registration fees for each category of registrant (\$300 for members and \$325 for non-members)
- j. Group voted and unanimously approved to eliminate the Thursday evening reception. (Will still plan for S'mores and Stars event – trying to get firm sponsor, but if not, families can pay their own way)

**2) Website Subcommittee Update**– No report.

**3) Legislative Subcommittee Update** – Ryan Carty. Because no email vote went out regarding proposed legislative issues, FLEC voted on three proposed bills:

- a. First proposal – Re: Spousal Support. Group voted and unanimously approved to move forward with legislation.
- b. Second proposal – PERS beneficiary issue. Group voted and unanimously approved to move forward with legislation (with caveat if PERS objects, FLEC will drop it).
- c. Third proposal – Life insurance beneficiary issue. Group voted and unanimously approved to move forward with legislation.

**4) Collaborative Law Legislation.** Mark Johnson presented the issue of the Collaborative Law legislation. OSB Board has concerns about the legislation as written. Important that the legislature does not authorize actions by lawyers contrary to Rules of Professional Conduct. (RPC 5.6)

The process sets up a number of ethical issues. For example, if the terms of agreement provide that if the collaboration fails both parties hire new lawyers and start the case over, it is impinging upon the terms of the lawyer's relationship with the client. The legislature should not be in the province of legislature to dictate how lawyers work. It also may not be in the clients' best interests. The solutions to this issue include amending RPC 5.6 or amending the statute so it is consistent with the RPCs.

Status: Oregon Law Commission's aim is to promote legislation that will not generate discord and potential conflicts with rules. OLC is looking for a position statement from FLEC, but Ryan recommends not to take a position one way or another. The Committee voted and unanimously approved to take no position at this time.

- 5) **Professionalism Subcommittee Update**– Debra Dority reports receiving four different nominations for Larry Gorin, Gil Feibleman, Eric Larson, and Michael Yates. The Committee is working on summaries and reaching out to references for more information. Subcommittee will send out all information by email and a vote will be taken at the June FLEC meeting.
- 6) **Hardship Policy Subcommittee Update.** No report.
- 7) **Adoption Subcommittee update.** No report.
- 8) **Division of Child Support Notice of Proposed Rulemaking.** Discussed in detail at last meeting.
- 9) **New Business:**
  - a. **OSB Summit re Changes to Section Programming.** Will be addressed at next meeting.
  - b. **Section Survey.** Everyone is in support of a section survey. Timing? Provide in person at the conference vs. email?
    - i. Annelisa Smith & Lauren Saucy volunteered to form the subcommittee to prepare and work out the logistics of sending the survey.
  - c. **June Meeting** – Lauren will provide the information by emails. The location will be Bentley's Grill, 291 Liberty Street SE, Salem, Oregon 97301 (503.779.1660).

**ACTION NEEDED:** RSVP to Lauren.

The Starbucks drawing winners: Annelisa Smith and Zach Fruchtengarten

The meeting adjourned at approximately 4:25 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: June 16, 2016 at 4:00 (IN PERSON IN SALEM – the Wine Nook at Bentley’s Grill, 291 Liberty Street SE, Salem, Oregon 97301, 503.779-1660)**