

MINUTES

EXECUTIVE COMMITTEE OF THE OREGON STATE BAR FAMILY LAW SECTION

January 17, 2019 Meeting

Present: Chair: Stephanie Wilson
 Chair Elect: Amanda Thorpe
 Treasurer: Zachary Fruchtengarten
 Secretary: Annelisa Smith (absent)
 Past Chair: Jennifer J. Brown

 Members at large: Murray S. Pettitt, Kimberly Quach, Debra Dority, Shannon Snow

Absent: Andrew Ivers, Annelisa Smith, Jennifer Currin, Keri Smith

Also Participating: Katherine Denning (BOG); Matt Shields (OSB)

The meeting took place telephonically.

Call to Order. The Chair began the meeting at 3:05 p.m. A quorum was present.

Approval of Minutes. The minutes were not available as of the meeting time. Amanda will circulate the June 2018 and November 2018 minutes.

Treasurer's Report. Zachary circulated the November 2018 and December 2018 financials. December's reports were just released today. He has paid the Sunriver invoice for 2018 conference. There were disputes on the bills, but those should be fixed at this point. He is still processing some reimbursements. The budget for the 2018 conference was \$120,000. We exceeded that due largely in part to room cancellation fees. There may be some reimbursements owing from committee members. Annelisa was absent so not available to address this. Going forward, we will need to find ways to make the conference sustainable. We have a large carryforward fund balance, so we are ok for now. Hopefully, this will improve going back to Salishan next year.

Website Subcommittee. No report.

Legislative Subcommittee. Ryan was absent. Matt Shields (OSB) reported that most bills are posted on the website, but expects more to trickle in in the next few weeks.

Katherine reported that the Uniform Parentage Act (UPA) has not yet been introduced.

Debra reported that there may be a few bills coming to watch:

- Remote Court Administrator Program – SFLAC is looking into creating a “super facilitator” to help assist unrepresented litigants with navigating the court system.

Looking at Utah and California for examples. Idea is to have brief phone calls – 9 minutes – to address litigant’s issues.

- Pilot Program to Appoint and Pay for Attorneys for Children – trying to establish one rural and one urban county to run pilot program for high conflict cases.
- Custody - There is a workgroup to address the presumption of joint custody and 50/50 parenting time. Went to the wayside; however, a different group filed SB 318 which is a presumption of 50/50 parenting time and must be rebutted by clear and convincing evidence. (same or similar bill has failed multiple times)
- There is also a push to redefine the meaning of custody and/or relabel as “decision-making authority”
- Enforcement/Modification Procedure – There may be a bill to offer an alternative to the enforcement/modification litigation, which would assign a settlement judge vs. a full modification. Maricopa County, AZ adopted a similar bill and then Arizona adopted as a whole. May have some unintended consequences, so will be flushed out more.

Awards Subcommittee. No report.

Hardship Subcommittee. Jennifer B. reported maybe 2 requests for hardship last year. 1 denied due to last minute request.

2018 Annual Conference. Annelisa was absent. It is difficult to tell how 2018 was received without a survey. Word of mouth reports are good. We will need to address issues going forward re: kids’ camp (not well attended) and room charge issues.

2019 Annual Conference. Shannon reported that she is working on a list of topics. Potential topics include: Paternity (before birth issues), New reporting requirement for dependency issues, Spousal support issues due to tax changes, Child support due to roll out of new technology and tax changes, Hot Topics – generally met with good remarks, but can be handled differently, Assisted reproduction and embryo division at divorce. Committee members are: Amanda, Murray, Andrew, Stephanie, Jennifer B., and Keri Smith.

Jennifer B. to email Zachary the 2019 contract to see if there is a deposit due.

Listserve Update. Amanda reported the listserve has been fairly quiet.

NEW BUSINESS:

1 – Received donation request from Campaign for Equal Justice. As discussed at past meetings, we do not donate in general because we would have to use member dues. Runs into ethical issues.

2 – Paraprofessionalism Program. Katherine reported this will be discussed further at the February BOG meeting.

3 – Multnomah Co. Family Court Services requested listserve posting access. After discussion, it was decided that they use other posting methods such as having a colleague post or seeking Chair’s approval.

4 – Kristin LaMont is seeking public comment on a change UTCR 21.090(4) to permit people to sign declarations digitally. Needs approval from FLEC to post link to listserv. Motion was unanimously approved.

5 – Temporary Rulemaking On Child Support – Email was circulated with notice of proposed rulemaking. If you have further comment, direct to lori.woltring@doj.state.or.us or write to: Lori Woltring, Rules Coordinator, Division of Child Support, 1162 Court St NE, Salem, OR 97301.

The meeting adjourned at approximately 3:47 p.m.

These minutes were prepared by Jennifer J. Brown, 2019 Past Chair to the Oregon State Bar Family Law Section Executive Committee.

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The next meeting is scheduled for February 21, 2019 at 3:00 p.m. via telephone conference.