

**Oregon State Bar
Business Law Section Executive Committee
Meeting Minutes**

**July 12, 2017
12:00 p.m.**

Meeting Location: Farleigh Wada Witt, 121 SW Morrison Street, Suite 600, Portland, Oregon 97204

Present in Person: Justin Denton, Benjamin Lenhart, Genevieve Kiley, Jeffrey Tarr, Valerie Sasaki, David Ludwig, David Post, Kara Tatman

Present by Phone: Benjamin Kearney, Douglas Lindgren, Kyle Wuepper,

Also Present: Tom Peachy, BOG Liaison (by phone), Dani Edwards, OSB Liaison (by phone), Carole Barkley

Absent: Kenneth Haglund, Thomas Tongue, Tyler Volm, Lorie Harris Hancock

A quorum was present. Mr. Denton called the meeting to order at 12:04 p.m.

Announcement no meeting in August.

1. Approve Prior Minutes

The Committee reviewed the draft minutes for the monthly meeting held on June 14, 2017. After motion duly made and seconded, the Committee approved the minutes.

2. Bar Liaison Report

Ms. Edwards reported to the Committee that the OSB Board of Governors approved a policy to require bar sections to co-sponsor with the OSB any program longer than four hours at least once every three years. Ms. Edwards clarified that the OSB does not require bar sections to hold programs lasting more than four hours.

Mr. Peachy then reported to the Committee regarding the Futures Task Force Report (http://www.osbar.org/_docs/resources/2017FuturesTFSummary/). The task force was formed in 2016 and analyzed the changing legal landscape. The task force found that 86% of low income persons are not retaining legal services and pro bono opportunities are not meeting such needs. As a result, there has been a lot of self-representation. The task force is recommending certifications in certain areas of law and is currently accepting written comments. The task force is also recommending expanding other resources such as fee sharing with web based legal services, expanding family law facilitators, expansion of small claims cases, enhancement of online resources, expansion of lawyer referral program using technology, and establishing incubator programs at law schools. Mr. Peachy is requesting for section and individual feedback. There is no immediate deadline for comments, and the comment period is expected to remain open for a few months. Mr. Peachy will circulate the task force report and the Committee will decide whether to respond as a section.

3. Subcommittee Reports & Discussion

a. CLE Subcommittee Report

Mr. Volm was unable to attend the meeting but reported to Mr. Denton prior to the meeting that the CLE subcommittee is finalizing the annual CLE agenda and will start soliciting speakers soon. Also, the insurance law CLE will be taken to Eugene, OR and Mr. Hall will present a legislative update CLE.

Ms. Tatman added that the legislative update CLE is scheduled for September 19, 2017 at Perkins Coie from 4:00 p.m. to 5:00 p.m. with a social to follow. Communication will go out soon.

b. Outreach Subcommittee

Mr. Tongue was unable to attend the meeting. Mr. Post informed the Committee the outreach subcommittee has connected with CPAs regarding a social in either October or November which will likely take place at Departure.

c. Communications Subcommittee

Ms. Sasaki reported that the newsletter subcommittee held a meeting in June but had nothing new to report this month.

Mr. Tarr reported that he and Ms. Barkley will continue to work on the website in July and August but had nothing new to report this month.

d. New Business Lawyers Subcommittee

Mr. Wuepper reported that the subcommittee is working on a member survey. The subcommittee intends to expand the pool of recipients. The subcommittee hopes to have results to report to the Committee at the September meeting.

4. Treasurer's Report

Ms. Sasaki circulated a statement of revenue and expenses and reported that activity is generally slow during the summer and not a lot of expenses are currently reflected. The statement now reflects the 2017 budget numbers and the Committee is on track to stay on budget. Ms. Sasaki requests any expected anticipated large or extraordinary expenses be reported to her.

Mr. Denton previously circulated an e-mail regarding Oregon State Bar Reserves and the accumulation of section funds. Section funds have accumulated excessive reserves and by the end of 2015 had reached \$734,000 in the aggregate. Accumulation of excessive reserves is not a best practice for membership organizations. Dues should be used to support the mission and goals of a section and are best spent on benefits for current members. Despite the efforts of many sections to "spend down," nearly half of all sections still have reserves exceeding two years of annual dues revenue. At the end of 2016 the Business Law Section was among this group.

Ms. Edwards reported that the BOG has not made a policy decision regarding section fund balances but it remains an area of concern. Next spring the BOG will review section fund balances again to determine if a reserve policy is needed. The Committee should consider ways

to use excess funds for the benefit of members. Mr. Denton reports that the Business Law Section reserve is currently close to two years of annual dues.

5. Legislative Update

Mr. Lenhart reported that the subcommittee intends to have a proposal to the Oregon Law Commission by the end of August. The subcommittee is seeking additional help to put together the proposal. Mr. Tarr volunteered to assist. The Committee briefly discussed whether there are examples of successful proposals and interested parties to include in the process.

6. Other Business

Mr. Denton provided a report on the Business Bar Leaders Conference he attended in Chicago. About half of the states were represented. Mr. Denton summarized several takeaways the Committee may consider:

- Send Chair-Elect to conference. In 2018, the Committee could send the Chair and Chair-Elect. In 2019, send Chair Elect.
- Create 5-year strategic plan.
- ABA services including joint CLE programs to bring national speakers with national materials.
- One state bar and law school developed an externship program for law students to work with bar section to perform legal research.
- 2-year terms for Chair, but would require bylaw amendment. Oregon bar sections have standard bylaws for all sections. Difficult to amend bylaws.
- Rather than use Chair Elect position to train, Chair Elect to manage subcommittees.
- Create advisory board of past chairs. Only meets a few times a year with Chair and Chair Elect.
- Disseminating content to section members.

- Improve recruitment and retention and involve younger lawyers.
- Increase member diversity.
- Encouraging involvement through subcommittees.
- Targeted recruitment. Consider underrepresented groups. Figuring out why membership is dropping. ABA would suggest sending a survey.
- Expected Committee member participation. Create document laying out expectations in writing. Ms. Sasaki agreed to draft initial document and reach out to subcommittee chairs.

7. Adjournment

There being no further business, the meeting adjourned at 1:04 p.m.