

MINUTES OF THE MEETING OF THE OREGON STATE BAR DEBTOR CREDITOR EXECUTIVE COMMITTEE

APRIL 11TH, 2013

The meeting was called to order at Sussman Shank at approximately 3:05 by Susan Ford, President.

Committee members present in person were Judge Randall Dunn, Howard Newman, Wayne Godare, Susan Ford, Tara Schleicher, Carolyn Wade, Chris Parnell, Stephen Arnot, Clarke Balcom, Karen Oakes, and the undersigned Richard Parker. Present by phone were David Hercher, Caroline Cantrell, Keith Karnes, and Karen Lee.

1. The minutes from the meeting of March 9th, 2013 were approved.
2. Committee Reports.

Annual Meeting: Susan Ford reported that planning is well under way for the 2013 Annual Meeting and CLE. Bob Lawless has confirmed for a panel on racial diversity in bankruptcy. There will be the usual Case Law and Legislative Updates and there may be a section on Tax.

CLE: Included above.

Consumer Bankruptcy: Judge Dunn had no report.

Legislation Committee: Rich Parker reported that it appears that many Bills will die without getting out of committee, as 4-19 is the deadline for most purposes. Reference was made to SB 804 (MERS), SB 558 (Mediation), HB 2929 (Deeds of Trust), SB 396 (Health Savings Accounts) and HB 3174 (federal exemption option). There was extensive discussion of HB 3174 and the presentation of a "comment" proposed by the Legislation Committee. It was decided that Rich Parker and Stephen Arnot would work on a revision that was sufficiently objective to not take a policy position on the bill, but just to point out the effect of passage of HB 3174.

Newsletter: In the absence of Justin Leonard, Rich Parker reported that articles were underway, including one on the Saturday Session and that an article on Student Loans is still contemplated for a coming issue.

Nominations: Tara Schleicher had no report at this time.

NWBI: Karen Lee informed us that registration was lagging and that at present stood at 248 persons and that the walk-in registrations will be minor. Due to the lower turnout than past years and the reduced number of exhibitors, it is anticipated that the revenue will be less than normal – perhaps less than \$5,000 profit.

Pro Bono Committee (Portland): Caroline Cantrell reported that the program was going well and that the direct referrals were going well. She extended the thanks of Maya from Legal Aid for our efforts.

Pro Bono Committee (Eugene): Howard Newman reported that the program was going well and that there was an attorney shortage and high demand, with the Hispanic speaking population being a particular need. They are now doing a monthly "open house" for people with debt problems even if they would not qualify for clinic assistance.

Pro Bono Committee (Bend): Caroline Cantrell relayed the report of Milly Whatly that the Bend program was doing well. They have 1 clinic per quarter and have 8-10 persons per clinic. They have no charge for their meeting room. They are short of volunteers, having about 8 attorneys and could use about 20. Comments made that there may not be many more attorneys available.

Saturday Session: Judge Dunn reported that the judges are still digesting the results of the recent Session, but that there will be more phone hearings as a result of the input at the session.

New Lawyers: Clarke Balcom reported that the New Lawyers held their first CLE on "Advice for New Practitioners" with faculty that consisted of Judge Perris, Peter McKittrick and a clerks' office representative. The next New Lawyers CLE will be in June.

CARE (Portland): Charlene Hiss reported to Susan that she had no report.

CARE (Eugene): Carolyn Wade reported that they have the same issues in Eugene as before.

Website Committee: Karen Oakes reported that Kent is actively working on the calendar as requested, but needs input from all of the sections. Ours is pretty well up to date and Rich Parker has the access code to add items to the calendar as well. Items on the Committee page need to be made by the webmaster, not Kent or Rich.

Local Rules Committee: Dave Hercher reported that they are progressing with the chapter 13 Plan and Order Confirming Plan, as well as the Guide to Service and Noticing. Judge Dunn suggested that they also look at the chapter 12 Plan and OCP, since they are similar and have previously tracked together. Keith Karnes will have further discussions with Virginia Burdette about chapter 12 Plan changes.

Federal Bar Association: Susan Ford had no report.

Award of Merit: Tara Schleicher reported that the committee will meet in June and that they expect to make an award this year.

Donation Requests Committee: Wayne Godare was given a donation request. There was discussion of how much we could do given our budget issues.

3. Treasurer's Report: David Hercher reported on the budget and provided copies and a link. He discussed the periodic payments to Debbie Guyol and the webmaster Paul Tichy.

4. Continuing Agenda Items: a) (i) There was a discussion about savings measures that could be taken, including reducing the cost of the summer meeting. There was a proposal to have a BBQ hosted by Howard Newman at his house and possible contribution by Carolyn Wade (baking ? ☺). There was

a discussion of reducing costs by elimination of the Awards, Reception and other Honoraria, but it was decided that the cost was minimal and that many clinic volunteers found it efficacious. There was a discussion of honoring volunteers of all of the clinics in some way at the Annual Meeting, perhaps a written list in the materials. (ii) There was discussion of ways to increase revenues, including a dues increase, password protection of portions of the website (in particular the Newsletter) and online materials. (iii) There was discussion of the timing and process for a dues increase and there was a motion by Tara Schleicher and a second by Wayne Godare to begin the process for a dues increase to \$35 for the coming year. Susan Ford was given direction to undertake the password protection of the Newsletter.

(b) There was a broad discussion of trying to create some kind of individual donation program for the Pro Bono Clinic. It has been determined that while donations could be handled through the Bar, they would not be tax deductible as the Bar is not a 501(c)(3) entity. It was suggested that we get more input from Judge Perris and from Maya at Legal Aid. Caroline Cantrell will follow up to see if there is a any feasible way for members of the section to assist the clinic outside of our regular budget items.

5. New Business. Given the financial position of some members and the fact that cash contributions to be made to the Pro Bono Clinic via the Section and State Bar would not be deductible charitable contributions, there was a discussion of the option of a volunteer activity initiation by Rich Parker, such as an outing to work at the Oregon Food Bank. No action taken.

6. Next meeting and Events: The next meeting will be held June 28<sup>th</sup> in Eugene at the 5<sup>th</sup> Floor Conference Room of the Bankruptcy Court from 3:00 to 5:00 with after arrangements to be made (see # 4 above), followed by the September 26<sup>th</sup> meeting at Salishan and a November 8<sup>th</sup> meeting in the Portland metro area.

There was a motion and second to adjourn the meeting and by acclamation, the meeting was adjourned at approximately 4:50 p.m.

Submitted by:

Richard J. Parker, Secretary