

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

JUNE 28TH, 2013

The meeting was called to order at the Eugene Bankruptcy court at approximately 3:00 by Susan Ford, President.

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

1. The minutes from the meeting of April 11th, 2013 were approved, with the addition of the authorization of Susan Ford to password the Newsletter on the Section website.
2. Treasurer's Report: Membership is down by 6 from last year to 725. We did not have the expected growth in membership that was forecast .
3. Committee Reports.

Annual Meeting: Susan Ford reported that everything is on track for the meeting at Salishan. There will be a buffet reception and the committee is looking at a musical trio for entertainment. It was decided that due to weather uncertainty, planning a beach party was not feasible. Box lunches will be provided to attendees on the first day. The meeting will include the judge's breakfast, golf, lender liability, family law, student loans. Discussion was had about adding sections to discuss the passage of SB 396 making federal exemptions available to Oregon residents and also on the impact of the death of DOMA.

CLE: Included above.

Consumer Bankruptcy: Judge Dunn reported that the proposed National Chapter 13 Plan will be out on 8-17.

Legislation Committee: Rich Parker reported that SB 306-5 was passed overwhelmingly by both houses, that the Governor was expected to sign it, but that there may be a constitutional challenge based on the "relating to" clause. The bill has an "emergency" provision and thus will take effect upon signing as to all cases filed after the effective date. Few bills of interest to the section passed except for the foregoing and some bills relating to foreclosures.

Newsletter: Justin Leonard reported that the last edition was very well received and that articles were underway for the next edition (submissions due in mid-September). The possible articles include two on student loans, one on fixtures, one on "true leases," and one on exemptions.

Nominations: Tara Schleicher had no report at this time.

NWBI: Karen Lee reported that Oregon should net about \$5,900 from the program, with Washington netting a little bit less. The evaluations were handed out to the Committee and Professor Rappaport received rave reviews for her ethics presentation. There was also favorable feedback on the technology presentation by Barron Henley and having appellate and Article III judges on the panel. The next NWBI will be in Seattle at the Grand Hyatt on April 25th and 26th.

Pro Bono Committee (Portland): Caroline Cantrell reported that over 200 clients had been served to date and that it is expected that the number served this year will be greater than last year. It is anticipated that the Pro Bono Committee will start meeting in the Fall. The CLE program for March 2014 will be the Fundamentals of Chapter 7.

Pro Bono Committee (Eugene): Howard Newman reported that additional attorneys have been recruited for the panel.

Pro Bono Committee (Bend): Caroline Cantrell relayed that there was no report from Milly Whatley.

Saturday Session: Judge Dunn had no report. Planning for the next Saturday Session will begin in the Fall.

New Lawyers: Clarke Balcom reported that the program is again alive and well and that there were 12-20 participants at the last CLE at which he was a speaker. Their budget is adequate.

CARE (Portland): Charlene Hiss reported that the rumors of the demise of CARE were premature and it is doing better this year. Gary Scharff gave a presentation at Jesuit High School and David Hercher and Cathy Travis gave presentations. Susan Ford reported that Justin Bieber is now doing some "credit advice" work, including a short video.

CARE (Eugene): Carolyn Wade reported that they are looking for some younger presenters (to fit in with the "Bieber" generation).

Website Committee: Karen Oakes asked that anyone with items to add contact Kent Anderson.

Local Rules Committee: Dave Hercher stated that there will be a report made in August.

Award of Merit: Tara Schleicher related to Susan Ford that there will be a recipient this year.

Federal Bar Association: Susan Ford had no report.

Donation Requests Committee: Wayne Godare reported receiving a request from the Oregon Minority Lawyers Association (a 501(c)3 group). They are seeking assistance for scholarships, particularly with financial aid for the Bar preparation exam (about \$679) and the Bar exam fee (about \$600). They are having a fundraiser on August 1st at the World Trade Center. There was a discussion about a previously approved policy (for which a phase one search will be instituted) which stated that donations should only be given to programs which have a nexus with the Section. Once the policy is located, it will be added to the website.

4. Continuing Agenda Items:

(a) Caroline Cantrell discussed the possible private donation program for the Pro Bono Clinic. It has been determined that since there appears to be no way to make it tax deductible, there will be little interest and the matter will not be pursued further.

(b) NWBI – previously covered above.

5. New Business:

(a) Comments / Action on SB 396-5 – previously covered above.

(b) A report on section sponsorship on private CLE programs was made by Susan Ford and Caroline Cantrell. After some discussion with Lara Gardner it was determined that we would take no action, for several reasons, one being to avoid the dilution of our section programs. Lara Gardner might be approached about being on the committee to find a speaker on the bankruptcy / domestic relations intersect.

(c) Susan Ford and Karen Lee reported on the Bar assessment fee increase for the section which will increase from \$6.50 to \$8.00. There was also discussion of the Section dues increase which will be relayed to the Section again via email by Susan Ford and by the distribution of the Membership Meeting Agenda more than 14 business days prior to the meeting at Salishan.

(d) OSB Professionalism Awards/Nominations: Susan Ford reminded all to check the guidelines and make any recommendations.

6. Next meeting and Events. The next meeting will be on September 26th at 3:00 at Salishan and will be followed by a dinner in lieu of the usual breakfast. There will be a final meeting of the year on November 8th in the Portland metro area at a location to be determined.

There was a motion and second to adjourn the meeting and by acclamation, the meeting was adjourned at approximately 4:30 p.m.

Submitted by:

Richard J. Parker, Secretary