

## OREGON STATE BAR – DEBTOR-CREDITOR SECTION

### SPECIAL EXECUTIVE COMMITTEE MEETING MINUTES

Wednesday, July 15, 2021 at 4:00pm.  
Via Video Conference

2021 Members: Margot D. Seitz (Chair), Laura L. Donaldson (Past Chair), Erich M. Paetsch (Chair Elect), Cassie K. Jones (Treasurer), Douglas R. Ricks (Secretary), Judge Trish M. Brown (Ex-Officio Member), Penny L. Austin (Member), Rosemary E. Zook (Member), Ava L. Schoen (Member), Jeanne Sinnott (Member), Laura Zaro (Member), Craig G. Russillo (Member), Judson M. Carusone (Member), Laura Zaro (Member), with Bik-Na Han (BOG contact) and Karen Lee (OSB Liaison).

1. **Call to Order**. Chair called to meeting to order at 4:00 p.m.
2. **Discussion and Approval of Meeting Minutes**. Secretary Doug Ricks noted a minor correction by Margot to the January 2021. No other edits. Erich Paetsch moved to approve the minutes for January 2021 and April 2021 meetings. Penny Austin seconded. **Minutes approved unanimously.**
3. **2021 Annual Meeting and CLE**.
  - a. **Brainstorming discussion - presentation topics and speakers**. Laura Donaldson noted prior discussions at committee for topics and speakers. Speakers are being contacted by committee. Penny Austin suggested evictions as a topic idea in light of the COVID related moratoriums and restrictions. Erich Paetsch suggested execution on NFT and cryptocurrency as WSBA just did an article on this topic. Erich did not have any specific speaker ideas. Judson Carusone suggested recent Supreme Court cases on turnover and chapter 13, which were remanded to bk court. Margot Seitz is looking for article author on Supreme Court case and discussed with newsletter committee. Margot suggested non-bankruptcy workouts (ABC, e.g.) and corporate governance issues as possible topics. Laura D. suggested a UCC discussion (as Justin Leonard did some years ago). Erich followed up with filing issues in the UCC as a possible topic.
  - b. **Update regarding OSB policy on in person section events**. Margot circulated updated policy from OSB and confirmed that it permits in person for Annual Meeting. Judge Brown's retirement event will be held at the Annual Meeting. Opened up discussion on doing event in person. Erich asked about revisions to policy. Karen Lee indicated that OSB is following the State's guidance (OHA/CDC). Jeanne Sinnott wondered if we have sent out a survey about willingness to do an in person event. Margot stated that no survey has been done since the recent announcement but may look at survey on in person attendance. Margot noted that splitting participation into in person and virtual may yield less than optimal attendance at the event. Retirement

event is important and want to treat it appropriately. Laura D. solicited opinions from the EC members. Penny indicated she was okay with in person if the numbers hold, but may change view if numbers change. Erich, Jeanne, and Laura Zaro stated they were okay with in person. Doug also supported an in person event, especially with retirement event. Bik-Na relayed that she recently attended in person event with 20 people in person with attendance from some remote attendance. Karen noted that we may have some flexibility on hybrid program and pass along information. Erich suggested that hybrid events may be the new reality and need to think about how to adapt program to cope with that. Karen indicated that the CLE program department is working on this to understand cost impact and impact on the feel of the event. Participation must have camera and sound streaming and cannot just have audio via phone.

4. **Treasurer's Report and Discussion Re: Use of Excess Section Reserves.** Approximately \$57,000 in reserve. Membership fee is \$15,000 per year of total revenue, so limit of reserve is 2 years (i.e. \$30,000). Should use excess in reserve to avoid penalty. Cost of CLE plus dinner is approximately \$28,000.

a. **Annual Meeting/CLE - subsidizing or covering entry fee?** Margot offered that the Section could use its reserves to subsidize or cover the entire entry fee. Jud stated that the money should go for CLE program, rather than dinner. Reluctant to set precedent of subsidizing retirement event. Erich noted that the Section applied for exemption from BOG rule; in favor of subsidizing event (maybe even look at getting exemption and covering two years). Laura D. commented that the Chair needs to have a plan for use of the reserve in future years if the exemption is claimed. Doug wondered about how retirement dinner is handled if CLE is covered and dinner is not and about sponsorship to cover some of the cost. Margot relayed that Judge Brown would prefer not to have cost be a bar to entry for attendance. Penny thinks the Section should cover the cost of the CLE and dinner in light of the struggles for the past year. Laura Z. agreed with Penny. Karen advised that she needs to check with general counsel on use of funds for dinner. Laura D. noted that the dinner would be part of CLE event, with recognition of Judge Brown's retirement. Further dialogue about how retirement recognition fits within CLE event.

b. **Revisit and vote on sponsorship for CLE fee and hotel stay for Charlene Hiss.** Margot reintroduced topic. She checked with Judge Renn on ethics for providing this to Charlene; no issue. Same answer from the Bar. Penny moved to subsidize CLE fee and hotel cost for Charlene and Judge Brown. Erich seconded. **Motion passed unanimously.**

5. **Committee Updates.** The following individuals provided Committee updates on (1) activities this year (prior and upcoming), (2) EC assistance for the Committee and its chair, and (3) website updates.

<u>Committee</u>	<u>EC Liaison</u>
Consumer Bankruptcy	Douglas Ricks
Legislative – Lash case/new matters	Eric Paetsch
Newsletter	Margot Seitz
Nominating	Laura Donaldson
Pro Bono: (Portland)	Penny Austin
Pro Bono: (Eugene)	Judson M. Carusone
Local Rules and Forms	Douglas Ricks
Award of Merit	Past-Chair (Laura Donaldson)
Donation Requests	Chair (MDS)

6. **Other Business /Adjourn.** Erich suggested the OSB Bankruptcy Law book and Foreclosing Security Interest book to see if bringing them back would be of interest (they are out of publication). Additional discussion on BarBooks and other access to legal resources for practitioners.

**Meeting adjourned at 5:29 p.m.**