

OREGON STATE BAR – DEBTOR-CREDITOR SECTION

EXECUTIVE COMMITTEE MEETING MINUTES

Friday, April 1, 2022 at Noon
Remote Location Only
Zoom link below

2022 Members: Margot D. Seitz (Past Chair), Erich M. Paetsch (Chair), Cassie K. Jones (Chair Elect), Douglas R. Ricks (Treasurer), Rosemary Zook (Secretary), Judge Theresa Pearson (Ex-Officio Member), Jeanne Sinnott (Member), Laura Zaro (Member), Craig G. Russillo (Member), Judson M. Carusone (Member), Holly Hayman (Member), Belle Na (Member), Tony Kullen (Member), with Robert Milesnick (BOG contact) and Karen Lee (OSB Liaison).

AGENDA

1. **Call to Order.** Chair called the meeting to order at 12:04pm.
2. **General Introductions.** Welcome to the 2022 Debtor-Creditor Executive Committee! Late getting going, a few challenges figuring how/when/where we can all meet. Excited to see everyone (virtually) and to get something scheduled in person soon.

Karen Lee is not here today. Jade Priest-Maoz filled in for Karen; Jade is the CLE Program Manager for the Oregon State Bar.

Introductions from all members, along with a fun note about what we all learned during COVID.

Discussed scheduling new meeting.

Motion to pass agenda and change to Agenda (Doug Ricks' title incorrect; amending to Past Secretary and current Treasurer)- **No objections/abstentions; passed.**
3. **Minutes.** Discuss and vote on two sets of minutes to be circulated by past Secretary, Doug Ricks. **Motion to approve; No objections/abstentions; approved.**
4. **Treasurer's Report.** Presentation from Section Treasurer, Doug Ricks regarding the state of the 2022 Section budget, 2022 membership and enrollment numbers and Section reserves. Things are proceeding on budget. Budget projects a predictable shortfall, or excess of expenditures over revenue, with the expectation that that is going to further draw down the Section's reserves to maintain compliance with the Bar rules. Ordinary expenses approved so far. Next big item, just approved, is upcoming Saturday Session. That is followed by NWBI in May. Otherwise, all things proceeding according to plan.

Erich Paetsch reports that all financial information can be found on the OSB website after logging in, accessing the Member Groups Tab, and then selecting the Treasurer Tools option.
Erich Paetsch sent out Packet for Reimbursement and asked or encouraged all to use ECH as opposed to checks
5. **Committee Assignments.** Confirm committee assignments and known opportunities for new EC members (highlighted in **BOLD**) together with proposal and presentation from Tony Kullen on behalf of Legislative Committee regarding Uniform Law Commission revisions to ORS Chapter 95 (Fraudulent Transfers). If anyone has an concern about their assignment, let Erich know. Also, there

are some openings.

Comments from Judge Pearson: Judge Hercher going off NWBI Committee after this year's program and Judge Pearson will rotate on.

Laura Zaro: She is still doing website; someone does all the changes and Laura communicates Updates have been made to Trustee information page. Documents requested for Trustee hasn't been updated since 2009.

Erich Paetsch: Need updates to website including members, minutes, etc.

Margot Seitz: A copy of the minutes need to go to the Bar by the Secretary.

Erich Paetsch: open items- Laura is stepping back from Consumer Bankruptcy role and being involved with Circle of Love and updates needed regarding that. Margot Seitz shared that she wants to wind down her role in the Debtor Creditor Newsletter and need to address that. Update from Saturday Session- it has gone back and forth from being in person vs. not in person and the dates have changes; this needs to be addressed on the OSB website. Annual Meeting Committee has been working on location and date. Date will be September 30, 2022, in Portland. It will be a one-day event. Once this is confirmed, dates for 2023 will be identified to get ahead of scheduling.

Margot Seitz: Making progress on spring 2022 version of Debtor Creditor Newsletter. The Committed is far along re: spring newsletter; a few more submissions and then we will make changes and get that out in the next month or so.

Judson Carusone: Pro Bono Committee has been working on setting up a website for low-income Oregonians on foreclosure and foreclosure defense matters. Erich Paetsch suggested adding to website.

Tony Kullen: Nothing big came out of the Legislature for this term for Debtor Creditor issues. Proposal to adopt Uniform Voidable Transfers Act. The goal is to move away from "fraudulent" and re-term as "avoidable". Additional changes that the Section proposed revolve around the fact that under current statute, most provisions don't mention LLCs as business organizations. The change proposes to add additional language to add LLCs as a business organizations and to have members be considers insiders for the purposes of these transfers. Oregon is one of the only states that hasn't adopted this change.

- Judge Pearson: Oregon Law Commission is looking at LLC Act and advised Tony to check with the Chair of that group about the amendment proposed above.
- **Motion to approve; no objections/abstentions; approved.**

<u>Committee</u>	<u>EC Liaison</u>	<u>Chair</u>
Annual Meeting & CLE	Rosemary Zook	Britta Warren & Tom Stilley
Consumer Bankruptcy	????	Richard Parker/????
Legislative	Erich Paetsch	Tony Kullen
Newsletter	Margot Seitz	Margot Seitz
Nominating	Margot Seitz	Margot Seitz (past Chair)
NWBI	Craig Russillo	Judge Hercher, Rich Parker, Oren Haker
Pro Bono: (Portland)	??????	Rich Parker
Pro Bono: (Eugene)	Judson M. Carusone	Steve Behrends or ?????
Pro Bono: Task Force (incl.	??????	Erika Hente (Lane County), Kristy Wood

Bend, Pendleton & Salem)		(Director of Operations), Jill Mallery
Saturday Session/Other CLEs	Jeanne Sinnott	Loren Scott/Elayna Matthews
New Lawyers	Cassie Jones	Cassie Jones
Public Education (Portland and Eugene combined)	Cassie Jones	Britta Warren & Cassie Jones
Website	Laura Zaro	Kent Anderson
Local Rules and Forms	Douglas Ricks	Chris Coyle
Award of Merit	Past-Chair (Margot Seitz)	Margot Seitz
Federal Bar Association Rep.	?????	
Donation Requests	Chair (EMP)	N/A

6. **Section Donation Policy:** Erich Paetsch cannot find formal policy. If cannot be found, a formal policy will be written and circulated for final approval. Historically, the Section sill support efforts that are directly in line with the activities and role that the Section plays. Some annual requests are regularly received that have not in the past been voted to support. The idea with the new policy is that the Committee can review at the first meeting each year to discuss requests so that requests are not receiving delayed responses.

7. **Scheduling for EC Meetings Next Year:** Thought is to have an in-person meeting for NWBI but we must allow for remote attendance to comply with meeting requirements. We are meeting in the State of Washington so votes would have to be ratified afterwards, in the State of Oregon. Thoughts on having the meeting at NWBI in person were shared. All agreed to a meeting at noon on Friday during the conference. Placeholder meeting scheduled for September 1st or 2nd of 2022 to review budget. Suggestions were made for meeting time and date. Determined that the placeholder meeting is unnecessary, and it was decided to have the EC meeting the day before the Annual Debtor Creditor Meeting instead. Final placeholder meeting proposed for final budget approval suggested for November 2, 2022 at noon. Erich requested agenda items for the NWBI meeting.

8. **Other Business /Adjourn.** Jude, Erich and Margot discuss the Bar’s requirement for proof of COVID-19 vaccination for in-person events moving forward and whether the BOG will be subsidizing the Committees who are required to provide remote access and the related additional costs. The BOG is still deciding what that means and are working on a formal definition; more information will be provided after the BOG’s meeting on April 8, 2022. Chair adjourned meeting at 12:56pm.

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