

MILVET SECTION COMMITTEE MEETING - MINUTES

May 20, 2014. 12:00 pm OSBAR meeting.

- Jonas taking minutes in place of Mark Holady.
- Attendance taken (total in attendance 13). See attached Committee Meeting Roster for names of attendees.
- Previous meeting minutes presented for acceptance into the record. No objections were brought forward with regard to the minutes as published. Mark Ronning moved for approval of the minutes. Jesse Barton seconded the motion. Motion was passed unanimously.
- Chairman's report of the Previous Month:
 - Veteran's Summit will take place in Salem on May 29. This is a 4 hour event, in the morning, sponsored by the Department of Veteran's Affairs and the OR National Guard.
 - ◆ Brings together Veteran's Service Organizations (VSOs) to network/cross talk and find other resources available to themselves, their clients, and other veterans.
 - ◆ Registration is free. Email Mark Ronning if interested in attending or if you have any questions.
 - Discussion of how to promote and broaden the influence of the section
 - ◆ General consensus was to cast a wide net to ensure that all possible currently serving and no longer serving military personnel are aware of our section and that we have resources available to them.
 - ◆ Ensure that our reach extends not only to full time service men and women, but also to national guardsmen and women, reservists, etc.
 - ◆ It was suggested that we consider some kind of brochure or letter that could be circulated to different command structures to ensure that they are aware of us.
 - ◆ It was also suggested that the best way to spread word is word of mouth, and otherwise getting known in the community.
- Old Business:
 - Troy Wood: Website
 - ◆ OSBAR hosts the website for the section. They will update the information as it relates to the website if we request them to.
 - ◆ The OSBAR will charge an hourly rate of \$40/hr for them to add /edit content. It is recommended that if the section intends to have OSBAR perform any edits/changes that the section build up a list of needed changes before submitting them so as to maximize the minimum 1 hour that OSBAR will charge for (even if the changes take less than 1 hour to complete).
 - ◆ Every section must have a "website editor" appointed if they are going to have a website with the Bar.
 - ◆ OSBAR Media Services will provide all the training needed for the section's "website editor" for free. OSBAR recommends we appoint an editor so that the training can begin.
 - ◆ Website Editor would be responsible for, among other possible duties.

uploading minutes/agenda items. This would be fairly easy for whoever gets trained.

- ◆ A question arose about whether OSBAR would subsidize our sections website expenses due to the fact that we are a newly formed section. Troy from OSBAR clarified that the OSBAR did subsidize the formation and development of the section's website to its current state. From this point forward, however, all changes must either be done by the section's Website Editor, or by OSBAR (any changes by OSBAR will be billed to the section at a rate of \$40/hour, with a minimum 1 hour charge).
- ◆ After some discussion Jonas J. Hemenway volunteered to serve as the section's Website Editor. His appointment was approved unanimously by all present.
- ◆ Jonas should contact Anna Zanolli of OSBAR to arrange for his training. Jonas should also notify Charlie Williamson via email that he is going to be working in this capacity.
- ◆ Question about whether the bar was going to subsidize our section. They did in order to get us where we are now. We made comments on the final product, and those were made, and now the meter begins running.

Chris: Military Spouses matter

- ◆ Board of bar examiners to amend a rule. This is a step forward from what we had at last meeting.
- ◆ Don't know if they have done it yet or not.

Army One Source CLEs

- ◆ Online CLEs available to watch for free.
- ◆ Free offer expire in August (on our website). They will continue to be there after then, but the free offer will likely go away after that.
- ◆ MCLE credits related to this - MCLE has approved these for credit, just make sure you report this on the MCLE credit form and send it in to the Bar.

Membership

- ◆ Going in the right direction. Just letting people know about the section (word of mouth, bar articles, interviews, etc.). Mark Ronning was interviewed a few weeks ago and will be in bar bulletin in profiles soon.
- ◆ Sending out meeting notifications to the section generated a few email inquiries of non-section members.
- ◆ Our goal is to get to 150 this year. We are now at 88. Up a few from the last meeting.
- ◆ At least one law student has taken advantage of the free law student membership.

Michele Gray: CLE Briefing

- ◆ CLE will be August 7-8 for 1.5 days. 9am-4pm day 1, and then 9am-12pm day 2. 2 day meeting is preferred so as to allow different attendees more flexibility in when they attend and which topics they take in.
- ◆ Still looking for speakers and topics. If you know of anyone interested, or if you are interested, please contact either Michele Gray or Mark Ronning.
- ◆ Examples of topics

- Landlord Tenant Law
- Judicial Stays
 - ◆ Possible tie in to criminal law
- Uniform Services Employment and Employment Rights Act
- Filing VA Claims
- Domestic relations
 - ◆ Uniform Child Custody Enforcement Act
 - ◆ Family Care Plan
- Legislative efforts
- General Available Resources
 - ◆ Army One Source, Etc.
- ◆ OSBAR gave a deadline for finalizing this agenda by sometime late May/early June. We do expect to meet that deadline, though we are still coming up short on speakers.
- ◆ Doug Sedwick was going to help, but he was recently deployed to Afghanistan.
- ◆ Looking for anyone to help. Let Mark Ronning or Mark Holady know if you are interested.
- ◆ Mark Ronning plans to get together with Mark Holady and Michele Gray to put together and push out an agenda for the CLE.

Legislative Committee Report:

- ◆ Senate bill 999. After our April meeting several members discussed a pitch to modify the bill allowing greater judicial discretion in events where defendant service member or veteran believed that SB 999 diversion would be beneficial to them but DA not playing ball—in cases like this the judge would be given greater judicial discretion.
 - ◆ We've presented this to OSBAR, but they have not yet determined to support it or not.

OSBAR is looking for unanimity between MILVET section and criminal ¹ ^ section. If both sections support this proposal then OSBAR is likely to support it as well. If the criminal section does not support the proposal then OSBAR is not likely to support.

- It was determined that we should pitch this bill to the criminal section, both DA and Defense sides, and see where they stand. It was suggested that we try to get on the agenda for the Criminal sections next meeting to discuss it with them.
- Chris Kent suggested knows the chairperson and proposes scheduling a meeting.
- ◆ The bill, and how and when to promote it, was discussed for several minutes. The bottom line seemed to be that OSBAR prefers to have unanimity among the different attorneys/sections in order to back this.
- ◆ At this point we do not have a draft of the modified language.
 - We are working in conjunction with criminal law section to craft language.

DoD Military Justice Letter (copy attached to minutes)

- ◆ This letter was received a short time ago (it was originally sent to OSBAR, who then forwarded it to the MILVET section for comment).
 - DoD has been directed to obtain public input to improving the US military justice system.
 - The letter gives no particulars/areas or other guidelines on what kind of feedback they want. The DOD is apparently looking for any general “what can we do better” feedback.
 - OSBAR wants the MILVET section’s input before the board of governors meets to discuss.
 - Daniel Crowe: has an old report he formed. 20 pages of testimony outlining ways to improve various parts of the military justice system.
- ◆ Procedurally: Given our timeline and that this is our meeting, is there anything we can make as a section and then propose to the board of governors. Some discussion followed:
 - Suspicion that this evolves from the recent sexual assault issues in the military justice system.
 - Congress proposed to take this away from command structure and go more public.
 - Supposition that because Congress does have the right theoretically to take away the military’s right to keep military justice within the military and not be administered by civilian justice the military is sending out this broad request for comment.
 - DoD is looking for a holistic approach now, and for reasons to keep military justice held within the military rather than involve a civilian justice component.
 - Question raised about a possible issue to bring up: Is allowing military justice to be able to use the denial of benefits as a punitive measure, even if the vet is otherwise eligible for the benefit.
 - VA Rules have been modified, but getting the VA to honor the new rules can be a challenge.
 - ◆ If you have combat related conditions you can be eligible regardless of discharge nature.
 - ◆ However, it is often presented as a collateral consequence to your bad conduct and any “other than dishonorable discharge” that you receive. This, essentially, becomes a punishment down the line with regard to other veteran’s benefits you might be otherwise eligible for.
- ◆ Question about what interest the OSBAR will have. Oregon does not have a lot of interest, as we don’t have any active duty bases in Oregon. The primary military presence in Oregon is the Oregon National Guard, which is governed under different laws.
- ◆ Several discussion points followed revolving around whether Oregon as a state has sufficient interest in the military justice system to effectively weigh in. Additionally, the short time-line we are placed for this matter makes it very difficult to come up with a concrete proposal for reformation

specific part of the military justice system. The general consensus seems to be that there isn't enough time to get a unanimous position, so the MILVET section probably shouldn't take a position (at least not within the short time frame allowed by the DOD Letter).

- There was some discussion about whether the MILVET section should submit a proposal for improvement of the military justice system, but on its own schedule, so as to ensure that any proposal was meaningful and more likely to be effective.
- ◆ Dan Crowe and Mark Ronning propose to get some thoughts together in the next 2 weeks and circulate it for review. They will send this around to the executive committee.
- ◆ Question about general discharge clarification. Dan provided answer.
 - Proposal that the discharge other than honorable should not preclude all benefits down the road. Perhaps that could be a position to take for this letter. Sending people back into civilian life without providing any benefits.
 - Email Mark if you want to participate in this conversation.

Meeting started to unwind at 13:00.

Meeting adjourned at 13:02.