

MILITARY AND VETERANS LAW SECTION

APRIL 2020 EXECUTIVE COMMITTEE MEETING MINUTES

The April 2020 executive committee meeting of the Military and Veterans Law Section was held at 12:00 P.M. on April 21, 2020 by teleconference supported by the Oregon State Bar Center in Tigard, Oregon. In attendance at the meeting was:

In Person	By Phone	Unable to Attend	Position	Name
	X		Chairperson	Mr. Trevor R. Caldwell
		X	Chair-Elect	Mr. Michael Hajarizadeh
	X		Past Chair	Mr. Ross Neher
	X		Secretary	Ms. Leah Eccles Watson
	X		Treasurer	Mr. Mark John Holady
		X	Member	Mr. Wesley A. Hill
		X	Member	Mr. James Andrew Gardner
		X	Member	Ms. Jaimie A. Fender
		X	Member	Ms. Jennifer B. Sackett
		X	Member	Ms. Heather St Clair
		X	Member	Mr. James Gordon Rice
	X		Member	Ms. Leslie A. Nelson
		X	Member	Ms. Tracey Connor
	X		Member	Mr. Josh D. Yanov
	X		Advisory Member	Mr. Jesse Wm Barton
		X	Advisory Member	Mr. Luke D. Miller
		X	Law School Liaison	Mr. Hi'ilei M. Haru
	X		Law School Liaison	Ms. Jessica Watkins
	X		Law School Liaison	Mr. Jacob Gates
	X		Bar Liaison	Mr. Troy J. Wood
	X		BOG Representative - Public	Anne Graham
	X		Director of Public Affairs	Susan Grabe
	X		BOG Representative - Reg 5	Adrian Brown

Opening Remarks: Brief by Chair, Trevor Caldwell

- Discussed current state because of COVID-19
- Described activation with Oregon Guard and work being done by the Guard to help

MVLS Minutes: Brief by Secretary, Leah Watson

- March 2020 meeting minutes summarized
- Trevor Caldwell moved to approve; Ross Neher seconded; vote was in favor; minutes approved.

COVID-19 Updates: Brief by Chair, Trevor Caldwell and Jesse Barton (member of ESGR)

- ESGR (Employer Support of the Guard and Reserve) is a Federal organization under the DOD that educates employers and employees about Guard and Reserve member rights under USERRA
- There are 8 Area sections for Oregon with Chairs to coordinate help and training

- HB 3236 allows employees to bring a USERRA cause of action in State court. HB3236 allows for attorney fees if you win representing the employee, but requires that the employee pay other side's attorney fees if they lose. Therefore, it may be better to refer cases to ESGR. Employees may also seek relief from DOL or in a private action in Federal court.
- <https://www.esgr.mil/About-ESGR/Contact/Local-State-Pages/Oregon>

Standing Committee Reports:

- Membership: Brief by Treasurer, Mark Holady
 - 3 new members; 94 current members (98 members last year)
- Treasurer: Brief by Treasurer, Mark Holady
 - Distribution of Vet Law Books has been stalled by COVID-19
- Website: Briefed by Treasurer, Mark Holady
 - Current with recent updates
- BOG Updates: Briefed by BOG Region 5, Adrian Brown, and BOG Public Mbr, Anne Graham
 - Seeking to increase diversity to BOG, particularly to add Veteran attorneys to BOG
 - Encouraged people to run for BOG Region positions
 - Described of impact and summarized work and time commitments with BOG
 - Feel free to reach out to Adrian or any other BOG member with questions.
 - <https://www.osbar.org/leadership/bog>
- Law School Representatives:
 - Willamette Law - Law Student Rep, Jessica Watkins
 - School is online only through the middle of summer
 - Final Exams going on right now
 - Everything is really on hold because of COVID plans yet to finalize
- Legislative /Update: Briefed by Chair, Trevor Caldwell and OSB Director of Public Affairs, Susan Grabe
 - Potential Legislative Proposals:
 - Veterans Preference Amendment
 - Veterans Treatment Court
 - SCRA HB to allow for State Court action touched on
 - Monday the 27th is when OSB will be considering packages submitted by Sections
 - A placeholder is there for a Vet Preference Amendment
 - Needs to be on form
 - Proposals Briefed by Leah Watson
 - Amend ORS 408.235 to allow for veteran preference in public hiring prior to an applicant being discharged from military service, similar to the federal veteran hiring preference definitions 5 U.S. Code § 2108a.
 - Trevor Caldwell motioned to approve action allowing Chair and Secretary to draft specific language for proposed amendment
 - Jesse Barton seconded
 - Vote was in favor of motion (no opposition, motion passed)
 - Trevor Caldwell and Leah Watson will prepare form reflecting specific language for amendment for presentation April 27th
- CLE-Select Projects Liaison: Jamie Fender (briefed by Leah Watson)
 - “The only update that I have is that I pitched my idea for the Law to Leadership idea to the ONLD Board for co-sponsorship two weeks ago. I am hoping to get them to help organize the event and to help market it. While the event would be held in Portland

(eventually), I want to ensure we are reaching out across the state. Perhaps we could telecast it or figure out how to reach law students in Salem and Eugene.”

• Law School Representatives:

- No other law school representative present on call
- Brief mention of whether the issue of students having problems was still a concern, and if so whether legislative help should be sought (Jamie offered to present idea to Rep. Courtney Neron who is on the Veterans Committee). Issue was with military Drill not being accommodated by some professors at University of OR. To be re-addressed when law school rep is present.

Next meeting (May 19th):

- Next meeting will be by conference call only; likely this model will remain through the summer

Wrap-Up/Adjourn

- Trevor Caldwell moved to adjourn; Leah Watson seconded; vote was in favor; meeting adjourned.