

## **ALTERNATIVE DISPUTE RESOLUTION SECTION 2012 Annual Report**

Our Section is comprised of over 150 paid members who are committed to advancing quality ADR processes in our state. Section meetings take place on the fourth Monday of every month at 4:00 p.m. at the Oklahoma Bar Center and the Tulsa County Bar Center offices with teleconferencing facilities connecting the two.

This year's Section activity focused primarily on our "Mediator Database Project", a project to identify and gather information about Oklahoma Attorneys who hold themselves out to be Mediators, qualified by training and/or experience. We began the Project in October 2011 by publishing a Notice to Mediators and a Questionnaire in the Oklahoma Bar Journal and by seeking similar outreach assistance from selected County Bar Associations. Over eighty (80) OBA members from all over our State submitted completed Questionnaires by the end of June 2012. We are now in the process of selecting a form of searchable database for use in presenting the information we have gathered.

After the Section reviews the collected data to determine its significance, it will seek guidance from the OBA and other appropriate authorities prior to publishing any data derived from the Mediator Database Project. Our Section also seeks to develop methods to effectively communicate with the bench, bar, and public about ADR and OBA attorney Mediators and Arbitrators. If you or your OBA Section becomes aware of a need or opportunity to provide a CLE on Mediation or Arbitration, please contact us.

While the majority of the Section's activities and interests are dedicated to Mediation, we also have a standing subcommittee dedicated to Arbitration matters. The Arbitration Subcommittee tracks developments in the federal and state appellate courts and legislation proposed to Congress and the Oklahoma Legislature that could affect the availability of Arbitration or its process.

Our Section also publishes "ADR Connections", a monthly newsletter for our membership. Members of the Section contribute meaningful content concerning Arbitration and Mediation to Larry Yadon, Esq., editor of ADR Connections. Mr. Yadon works tirelessly on the monthly newsletter, and we are very grateful for his time and efforts.

The Section appreciates the continuing support provided by the OBA and Wanda Reece, our Section Liaison.

D. Michael O'Neil and Michael Simpson,  
Co-Chairmen

## APPELLATE PRACTICE SECTION

Our section is one of the smallest ones, approximately 150 members. We meet four to six times each year. This year, because the chair lives in Oklahoma City, we meet at the bar center and videoconference in Tulsa at either the Tulsa County Bar or the University of Tulsa. Our meetings usually offer one hour of MCLE credit.

Since the last report, we have had the following speakers at our luncheon meetings:

David Holman, an appellate lawyer from Houston, discussed ethics and appeals.

Lee Peoples, Director of the library at OCU law school, discussed free and low-cost research, new research technology, and his article about courts that have surprisingly cited Wikipedia.

Michael Richie, Clerk of the Appellate Courts, discussed technological changes at the Clerk's office and common problems with filings.

Two of our members, Virginia Sanders and Katrina Conrad-Legler, discussed the Basics of Criminal Appeals. Several non-members attended this program, which we advertised in the bar journal.

In November, Professor Larry Hellman of OCU will present a program on ethics.

In December, Michael Brooks, one of our new members, will discuss his experiences as a law clerk for a Tenth Circuit judge.

We have set aside some funds to plan for the possibility of bringing in a nationally-known speaker in the future.

Our section appreciates the support provided by the OBA, especially Wanda Reece, who has always been helpful with planning and coordinating our videoconferences at Tulsa locations.

Greg Eddington

Chairperson

## **ANNUAL REPORT JANUARY 2012 THROUGH SEPTEMBER 2012**

### **BANKRUPTCY AND REORGANIZATION SECTION**

#### **LAYLA DOUGHERTY-CHAIR**

March 1, 2012- Meeting held in Edmond, OK at Boulevard Steakhouse

#### Agenda

- I. Courtroom Code Books- Update provided by Sid Swinson  
\*all 3 districts, code book already ordered.
- II. County Bar CLE outreach program- Update provided by Sam Bratton
  - a. Counties already scheduled/names of individuals to provide CLE/date covered.
  - b. Counties with requests for CLE not yet filled and proposed dates.
- III. Advanced Bankruptcy Seminar- Therese Buthod, chair-elect
  - a. All directors, in order to assist with the program process, had the names, topic and contact information
  - b. Future of bankruptcy conference discussion  
\*hold date of December 6 and 7  
\*future seminars were tabled for future discussion.
- IV. Scholarship update- Therese Buthod, chair-elect
  - a. Update on current status, OCU, TU and OU
  - b. Award of future scholarships  
\*award of future scholarships will be reevaluated in the fall.
- V. Annual Meeting- November- directors
  - a. Topics
  - b. Meeting date
  - c. Individuals involved  
\*Sam Bratton, Tim Kline, Layla Dougherty, Ross Plourde- this matter is opened for continuing discussion.
- VI. 2011 Advanced Bankruptcy Seminar Reports- Layla Dougherty
  - a. Attendance
  - b. Critique
  - c. Budget issues  
\*profit was consistent was prior years, membership is up.

- VII. Bylaw-Terms of members-Jeff Tate, Sid Swinson et. al.
  - a. Members whose terms expire 2012
  - b. Resignation of current members?
  - c. Election for new Members?
  - d. Emeritus status?

\*Emeritus committee formed to include Sam Bratton, Blaine Schwabe, Tim Kline, Ross Plourde
  
- VIII. Oklahoma Bar Association Leadership Counsel- Ross Plourde
  - \*committee requirements, budgetary considerations and bar association participation.

### **May 15, 2012, Meeting held in Tulsa, Oklahoma, Celebrity Club Restaurant**

#### Agenda

- I. Scholarships- Therese Buthod, Jeff Tate, Layla Dougherty
  - a. OU
  - b. OCU
  - c. TU
  - d. Future scholarship selection

\*OU, OCU to be awarded however TU has not responded. Future discussion regarding scholarship selection
  
- II. Budget- Layla Dougherty
  - a. Review of budget by all directors
  - b. Membership review by all directors
  
- III. Advanced Seminar Update- Therese Buthod, chair-elect
  - \*All slots are filled with the exception of 2- please forward suggestions
  - \*Venue for speaker dinner- Colcord, menu selection and date
  
- IV. Bankruptcy List Serve- All directors
  - a. Issues
  - b. Proposed Changes
  - c. Discussion

\*No changes will be made at this time.
  
- V. County Bar CLE- Sam Bratton
  - a. Updates
  - b. Needs

\* all programs are covered and there are no needs at this time.

## September 11, 2012, Meeting held in Oklahoma City, Oklahoma, Metro Wine and Bistro

### Agenda

- I. Seminar Update and Finalization-Therese Buthod, chair-elect
  - \*the agenda for the seminar is complete and has been submitted to the bar association for publication.
  
- II. Annual OBA Meeting Oklahoma City, Oklahoma- November 14-16- directors
  - a. Presenters
  - b. Topics
  - c. Materials
  - d. Meeting Time for Director Meeting/Place
  - \*Sam Bratton has volunteered to head this up, all other members will assist as needed.
  
- III. Emeritus Committee Update- Blaine Schwabe, Ross Plourde
  - a. Proposal
  - b. Comments
  - c. Possible vote for November meeting?
  - \*a proposal will be circulated around for director comment in the next 30 days.
  
- IV. Annual Report- Layla Dougherty, Jeff Tate
  - \*inform directors of annual report due date
  
- V. Budget Preparation for November Meeting- directors
  - \*to be provided at November meeting
  
- VI. Scholarship Updates- Therese Buthod, chair-elect
  - \*TU declined their scholarship that was offered
  - \*Student thank you note
  - \*possible reallocation of funds to be used towards community involvement
  
- VII. County Bar Updates- directors
  - a. Timothy Kline- Bartlesville
  - b. Layla Dougherty- Canadian County

## **2011-2012 Summary of Activities and Accomplishments**

- Conducted a 2 day seminar in December of 2011 which received national attention regarding the faculty, content, quality and interaction of the speakers and attendees.
- Awarded a scholarship to an outstanding bankruptcy student at the University of Oklahoma.
- Awarded a scholarship to an outstanding bankruptcy student at Oklahoma City University.
- Made available to the University of Tulsa, a scholarship for outstanding bankruptcy student.
- Continues to provide continuing legal education to county bar association throughout the state. The CLE classes are always taught by one of the directors. No county is too small, or too far away!
- Participates in the Leadership committee sponsored by the Oklahoma Bar Association.
- Will be participating in the Oklahoma Bar Association Annual Convention, by conducting a 2 hour seminar that will benefit both the novice and the experienced practitioner.
- Is scheduled to conduct a 2 day advanced seminar in December of 2012, continuing to provide advanced practice tips to the more advanced practitioner.
- Provide courtesy copies of the United States Bankruptcy Code in all court rooms, in all 3 federal districts.
- Continue to provide access to the bankruptcy list serve, a forum which encourages all practitioners to discuss new and old bankruptcy issues.

## **Criminal Law Section**

The Criminal Law Section of the Oklahoma Bar Association is a blend of defense counsel and prosecutors, encouraging and promoting professionalism in the pursuit of justice in the area of criminal law. The Section's burgeoning membership includes more than 600 practitioners on both sides of the aisle.

The Section's Executive Board divides leadership between defenders and prosecutors, who work together on issues of common interest in the criminal justice system. Officers this year included Chairperson Cindy Danner, Chief of the General Appeals Division at the Oklahoma Indigent Defense System; Chairperson-Elect Charles Rogers, Assistant Attorney General's Multi-County Grand Jury Unit; Secretary Virginia Sanders, Appellate Defense Counsel with the Oklahoma Indigent Defense System; and Treasurer Russ Cochran, First Assistant District Attorney in District 23 (Pottawatomie and Lincoln counties). Board members include Trent Baggett, Assistant Executive Coordinator for the District Attorney Counsel; Ben Brown, Juvenile Division Attorney, Oklahoma County Public Defender's Office; Doug Drummond, First Assistant District Attorney for Tulsa County; Jim Drummond, criminal defense private practitioner; Kathy Lafortune, Chief of the Forensic Division of the Oklahoma Indigent Defense System; and Mike Wilds, Professor of Criminal Justice at Northeastern State University.

The 2011 Criminal Law Section Annual Luncheon was held at the Crown Plaza Hotel in Tulsa in conjunction with the OBA's Annual Meeting. Mike Turpen gave a rousing keynote address relating his experiences as both a prosecutor and defender. The section presented its annual Professional Advocacy Awards to Defender Stan Monroe from Tulsa, and Prosecutor Edward J. Kumiega, from the Western District US Attorney's office. The Professional Advocacy Awards are unique because they require nominations from

The Section's Seventh Annual Forensic Academy focused on legal issues related to juveniles in the criminal justice system, particularly issues relating to juvenile competency, evaluation of developmental issue, prosecution and treatment of juvenile sex offenders, programs and services of the Office of Juvenile Affairs, and legislative issues. The Academy was attended by 86 individuals, including 18 speakers, guests & board members staffing the event, 17 judges, 13 ADAs/DAC (not including board members & speakers), 5 OIDS attorneys (not including board members & speakers), & 34 private-pay attorneys or others. Ben Brown, CLE chair, brought in nationally-renowned experts from The University of Oklahoma, the University of Massachusetts, and Colorado, as well as judges and practitioners in the Oklahoma justice system, to address these issues.

Doug Drummond and Mike Wilds continued editing the valuable "Q&A" newsletter distributed to Section members. The newsletter provides valuable insight on issues percolating in the criminal justice system, and perspective pieces from prosecutors and defenders on matters of interest to practitioners. Additional contributors are always welcome and solicited for this valuable effort to keep Section members on the cutting edge of legal developments.

Jim Drummond did an excellent job of obtaining renowned juvenile advocate and bestselling author Andrew Vachss as the keynote speaker for the 2012 Annual Meeting Luncheon. The Professional Advocacy Awards also will be presented at the luncheon, and Section members will receive a T-shirt and the opportunity for door prizes of tickets to a Thunder-Grizzlies game.

Cindy Danner  
Chairperson

## **ENERGY AND NATURAL RESOURCES LAW SECTION**

The Oklahoma Bar Association's Energy and Natural Resources Law Section (formerly known as the Mineral Law Section) had a full and exceptional year as it continued to build on past successes and made expanded strides to open up additional areas of practice for our members.

Officers of the Energy and Natural Resources Law Section 2011/2012 were: Pamela S. Anderson, Hall, Estill, Hardwick, Gable, Golden & Nelson, Chairperson; Lisa T. Silvestri, GableGotwals, Chairperson-elect; Brad Gungoll, Gungoll, Jackson, Collins, Box & Devoll, Secretary/Treasurer; Eric Huddleston, Elias, Books, Brown & Nelson, Budget Director; and Vance L. Brown, Elias, Books, Brown & Nelson, Immediate Past Chairperson.

As noted above, the OBA Board of Governors changed the name of the Mineral Law Section to the Energy and Natural Resources Law Section. As a result of this change and expansion of membership, the Section now serves not only traditional oil and gas lawyers, but also practitioners involved in the areas of wind, water and agricultural law.

The Energy and Natural Resources Section continues to be active in connection with continuing education seminars presented. In November 2012, the Section will co-sponsor the 2012 Oklahoma Corporation Commission Oil and Gas Institute to be held in Oklahoma City. This will be the sixth year of an invaluable partnership with the Oklahoma Corporation Commission, and it is expected that attendees will receive up-to-date information and guidance as to the OCC's rules and regulations. This event is traditionally well attended.

In addition, the Section, in conjunction with the University of Oklahoma College of Continuing Education, will be sponsoring the Eugene Kuntz Conference on Natural Resources Law and Policy, also to be held in November in Oklahoma City. This seminar is an advanced educational program concentrating on current issues in oil and gas law and natural resources. This event is usually sold out, and members desiring to attend should plan on registering early.

This year also saw the continued success of the Energy & Natural Resources Law Section Newsletter, which is sent electronically to all Section members. Written by students from the University of Oklahoma College of Law and published under the guidance of Professor Owen Anderson of the University of Oklahoma College of Law, the students continue to do an excellent job of collecting and providing information on new cases and regulatory law changes to ensure that Section members are current with respect to industry legal issues in all regions of the country where the oil and gas, water, wind, and agricultural industries are active. The Newsletter is well-received by the Section membership, and our Section is extremely grateful to Professor Anderson and the student editors for their work in continuing the publication of this invaluable tool.

This year, for the first time, the Section presented scholarships to law students from each of the Oklahoma law schools. The scholarships were in the amount of \$2000.00 each, and were awarded to incoming 3L students chosen by the law schools on the basis of a demonstrated interest in oil and gas law, academic excellence in oil and gas courses, and demonstrated need.

The 2012 scholarship recipients were: Elizabeth Knox, OU College of Law; Brett M. Mize, OCU College of Law; and Erin Potter, University of Tulsa College of Law. The Section hopes to present these scholarships on an annual basis.

The 2012/2012 Energy and Natural Resources Law Section officers will be elected at this year's annual meeting and reception to be held during the OBA's Annual Meeting in November. Membership will receive email notification of the time and place of the annual meeting. All Energy and Natural Resources Law Section members are invited to attend, as well as any member seeking to join the Section. Section membership has significantly increased as a result of the expanded focus of the Section and the increased level of activity by the oil and gas industry in Oklahoma. We look forward to another great year of education and service by the Energy and Natural Resources Law Section.

Finally, please do not forget about the relatively new membership category of "associate member" for your non-attorney colleagues and clients. This category allows other persons, who by reason of their enrollment in law school, their profession or occupation, or other demonstrable interest in the activities of our Section, to become associate members by making written application to the OBA and paying annual dues. Associate members have all the privileges of full Section members, except for the right to vote and hold office in the Section.

Pamela S. Anderson  
Chairperson

Oklahoma Bar Association  
**Environmental Law Section Annual Report**  
October 2012

The Environmental Law Section includes about 200 members including a number of out-of-state lawyers from the ArkLaTex region. Chair for 2012 is Mike Wofford of Doerner, Saunders, Daniel & Anderson LLP. Chair-elect is Jeri Fleming who is Project Manager, Biosystems and Agricultural Engineering, Oklahoma State University; Secretary is Laura Finley of the Oklahoma Department of Environmental Quality; and Treasurer is Betsey Streuli of the Oklahoma Department of Environmental Quality. These members constitute the Section's Executive Committee, which meets approximately once each month to plan and manage the work toward accomplishing the Section's goals and meeting the Section participation requirements of the OBA.

The Section conducted its annual fall charitable/environmental project in December 2011 at Oklahoma State University, where members assisted with tree planting in the botanical gardens and observed and received a briefing on a stream bank erosion prevention project being managed at the site. The Section donated \$500 to Oklahoma State University in furtherance of the work.

The Section has held two meetings this year prior to October in 2012, the first an organizational meeting laying out the agenda for 2012, in which the Chair suggested that the Section would emphasize programs to give back to Section members and facilitate participation in Section programs and activities. The members expressed an interest in receiving CLE related to the practice of environmental law in the state agencies. The Executive Committee of the Section has committed to conducting three additional Section meetings during the year at which the members

will be served lunch and receive one hour of free CLE on an environmental law topic related to agency practice, along with the conducting of regular Section business.

The second Section meeting at the Bar Center reflected this program. Free lunch was served and one hour of free CLE was provided to those in attendance. The CLE program was brought by Teena Gunter of the Oklahoma Department of Agriculture, Food, and Forestry. Ms. Gunter made a presentation on the pending delegation from Region VI EPA to the ODAFF of the Clean Water Act discharge permit program for agricultural discharges.

The average attendance at the first two meetings of the Section has been between 30 and 35 members, which represents an approximate 100% increase from recent years, possibly attributable to the attractiveness of the free lunch-and-learn format and the interest of agency attorneys and other members in the content of the CLE program. Two more Section meetings, planned for November and December, will follow suit.

On September 15 the Section was scheduled to provide the labor for a post-Labor Day cleanup of the Illinois River in conjunction with the Illinois River Commission, Commissioner Ed Fite, and Commission Board Member Gerald Hilsher (past president of the Section), to be attended also by five OU law students as guests of the Section and the Commission. Unfortunately the event had to be canceled because of the threat of thunderstorms in the Illinois River basin on that day.

The Section is sponsoring, in coordination with and at the request of the Oklahoma Water Resources Board, five hours of environmental and water law CLE to be provided to those attending the Governor's Water Conference in Tulsa on November 13, 2012.

The budget of the Section includes a total of \$3000 in donations to the University of Oklahoma for the Mark Coleman Fellowship on the Environment, the Jimmie Pigg graduate environmental scholarship at Oklahoma State University, and prizes for excellence in the study of environmental law at the University of Tulsa and/or Oklahoma City University.

The Section will hold its annual December Section meeting which will include free lunch for members, one hour of free CLE, and participation in an environmental/charitable project yet to be determined. The Section budget also includes an amount for donating to the charity or environmental project in which the members participate at that meeting. The specific project will be identified at the December meeting of the Section.

Mike Wofford

Section Chair, Assisted by the Executive Committee

## **ANNUAL REPORT**

### **ESTATE PLANNING, PROBATE AND TRUST COMMITTEE**

This was a tough year for our committee board. We all worked extremely hard conducting weekly conferences for much of the first half of the year. However, due to matters beyond our control, we were prevented from realizing our promised plans for the year. By the time it was clear we would not be able to provide the Section with the year as planned, we regrouped. Some of the time we spent putting together the expected program will be recouped by the presentation of part of it in the early part of next year.

Ultimately we presented a joint probate seminar with the CLE division of the Bar, our legislative sub-committee worked hard analyzing areas with regard to which we will need to propose new statutes, we laid the ground work for a web based application for our Section, we successfully amended our out of date By-laws and at the Annual Meeting we will be providing our Section members with free CLE in our practice-specific ethics.

Gale Allison

Chairman

**OBA Family Law Section 2012 Report**  
**Tamera A. Childers, Tulsa, Chair**

The largest section of the Bar, the Family Law Section (“FLS”) has grown to 1,128 members, comprised of lawyers, law students, judges, and non-lawyers. The FLS annual dues are \$25.00 for attorneys and associate members (non-attorneys), and membership to members of Judiciary and law students is free. Upon registration, FLS members immediately begin receiving benefits. For example, the Section offers 12 (twelve) hours of continuing legal education annually to Members at no additional charge as a member benefit.

Seven one-hour CLE programs (including 1 hour of Ethics) are offered throughout the year at monthly meetings. The monthly business meeting and CLE presentations occur on the second Friday of each month and are teleconferenced between Bar Center in Oklahoma City and Tulsa at the OSU-Tulsa Conference Center. The monthly business meeting Agenda and past Minutes are emailed to the Members to keep them informed of the Section business. The one-hour free CLE presentations in 2012 were: January 13 “Recent Case Law Updates” by Professor Robert Spector; February 10 “The Change of Circumstances Requirement in Child Custody Modification Proceedings” by Ron W. Little; March 9 “Grandparental Visitation: In a Child’s Best Interest?” by Maren Minnaert Lively; April 13 “Antenuptial Agreements, Post Nuptial Agreements, & Public Policy by James R. Bullard; May 11 “Issues in Joint and Separate Property by Rees T. Evans; July 13 “Commingling, Transmutation and Tracing: Issues in Property Division” by Megan Beck; September 14 “You Don’t Clock Out at Five: Personal Behavior and Your Law License” by Gina Hendryx, OBA General Counsel; and on October 12, the general topic will be domestic violence. (At the time this Report was submitted to the OBA President, the specific program name and speaker had not been confirmed.) When the FLS monthly meetings adjourned, all members were invited to attend a social gathering in both Oklahoma City and Tulsa in a local restaurant. These informal brainstorming sessions have become a valuable resource for Members to explore legal questions and discuss the practice of family law.

The FLS will conduct three primary CLE programs in 2012. The Spring CLE, entitled “Business Valuation in Divorce”, was held on April 19 (in Tulsa) and April 20 (in Oklahoma City). The Summer CLE, held August 9 (in OKC) and August 10 (in Tulsa), was comprised of 2 components. “Equitable v. Actual Division of Real Property in Divorce Cases” was presented by Kelly Lisa Murray, of Vanderbilt Law School; followed by two hours of Practice Manual Training. The Winter / Last Chance CLE program will be offered in December, and the general topic will involve child custody and related issues. (At the time this Report was submitted to the OBA President, the specific program name and speaker(s) had not been confirmed.)

In addition to the monthly CLE presentations and the full day CLE programs, the FLS takes part in other OBA CLE opportunities. June 21-23 OBA Solo & Small Firm Conference; September 6 (OKC) September 7 (Tulsa) OBA / FLS Co-Sponsored CLE “Divorce: Back to the Basics”; and November 14 OBA / FLS Co-Sponsored Multi-Track CLE. The Section hosts a hospitality suite during both the Solo and Small Firm Conference and the Annual Meeting.

The FLS Annual Meeting occurs on Thursday, November 15, 2012, during which the Section will conduct business, hold elections for 2013, and offer 5 hours of CLE. The program lineup includes Professor Robert Spector's popular "Hidden Law" and "Recent Developments in Family Law" presentations. In addition, Sol R. Rappaport, Ph.D., will present two programs, "The Science Behind Removal (Relocation): a Risk Assessment Approach"; and "Deconstructing a Child Custody Evaluation".

Throughout the year as new Court of Appeals and Supreme Court family law cases are published, Professor Spector creates a summary of the case that is emailed to the membership. These Caselaw Updates provide attorneys with the most up-to-date family law decisions for use in every-day practice.

The Practice Manual Editors have worked diligently in revising and updating the substantive law chapters the accompanying forms. The much anticipated release of the online Practice Manual was launched in 2012. With the low subscription cost of \$100 per year, the response by FLS members has been extremely positive.

The FLS has accumulated funds through the sale of the Practice Manual; and those funds have been specifically set aside to create the Oklahoma Family Law Section Trial Advocacy Institute, loosely modeled after the American Bar Association Family Law Section Trial Institute. The FLS Trial Advocacy Institute committee is chaired by Donelle Ratheal; and her team has worked countless hours in 2012 organizing and planning. The TAI is anticipated to begin in 2013 at four (4) locations across the state, namely Creek, Cleveland, Canadian, and Custer counties. The goal is to offer Oklahoma family law attorneys the opportunity to experience a quality program to enhance trial skills, while making it affordable and a manageable amount of time out of the office.

Another benefit provided to FLS Members is receiving timely and important information from the OBA Listserve. The Listserve is used frequently to advise Members of upcoming events, programs, announcements, and information useful and/or interesting to family law attorneys. FLS Legislative Co-Chairs, Noel Tucker and Phil Tucker, used the Section Listserve to alert members to relevant family law bills introduced. The Membership was offered the opportunity to provide specific comments on the pending legislation and those comments were compiled and shared with various legislators as the individual opinions of family law attorneys from around the state. In addition, Professor Robert Spector provides the Membership with the status of pending legislation and recent case updates.

In 2012, the Section continued its Attendance Appreciation Prize. Each time a FLS Member attends a monthly business meeting, his or her name is recorded by Membership Chair, Brad Cunningham. The Section holds a special prize drawing from the names during the Annual Meeting. The goal is to encourage Members to stay and learn about the Section business and encourage participation and monthly business meeting attendance has increased.

The OBA FLS also supports other Committees and Sections as well as various Oklahoma Bar Association projects. In February 2007, the Section voted to contribute a total of \$10,000.00 to the Lawyers Helping Lawyers project, payable \$2,000.00 per year. The Section donated to the Women In Law Conference 2011 and was again a sponsor of the Solo and Small Firm Conference. The FLS is a co-sponsor of the 2012 Annual Meeting. The FLS worked with the Young Lawyers Division to assist in the costs of the Bar Exam Kits for both bar exams. Some FLS leaders participated in the OBA Day at the Capitol on March 14, 2012. FLS donated to the OU Law Library Public Legal Research System.

Presentations were made at the University of Tulsa College of Law, Oklahoma City University College of Law, and the University of Oklahoma College of Law to law students interested in the practice of family law. Surveys were conducted by the FLS of its members eliciting input about the services and programs provided by the Section to its members.

The Executive Committee gathered at Post Oak Lodge for the Spring Leadership Retreat, and in Enid for the Fall Retreat.

The 2012 OBA Family Law Section Leadership includes Chair: Tamera A. Childers; Immediate Past Chair: Kimberly K. Hays; Past Chairs Emeritus: Gary J. Dean and Doug Loudenback; CLE Committee Chair: Ron W. Little; Chair Elect: Donelle Ratheal; Secretary: Heather Earnhart; Practice Manual Co-editors: Jon Ford, Virginia Henson, Phil Tucker, Keith Jones; Membership Chair: Brad Cunningham; Publications/Journal: Virginia Henson and Noel K. Tucker; Legislative Co-Chairs Noel Tucker and Phil Tucker; Trial Advocacy Institute Chair: Donelle Ratheal; Historian: Rees Evans; Social Co-Chairs: Keith Jones and LeAnne McGill; Budget Chair: Kimberly K. Hays; By-Laws: William G. LaSorsa; Awards/Nominations: David Tracy; Social Committee: Amy E. Wilson (Suites Chair) and Lynn Worley; Judicial Liaisons: Judge Mary Fitzgerald, Tulsa; and Judge Barry Hafar (Oklahoma City).

**Tamera A. Childers, Tulsa**  
**OBA Family Law Section Chair 2012**

## **2012 OBA Financial Institutions and Commercial Law Section Report**

Since the 2011 OBA Annual Meeting, the Financial Institutions and Commercial Law Section ("FICL") has continued to assist new and experienced attorneys practicing in these areas. As always, the Section looks for ways to improve.

As in previous years, numerous members of FICL presented at seminars sponsored by The Conference on Consumer Finance Law headed by Professor Alvin Harrell from OCU, including its annual Commercial Law Update in December 2011 put on in conjunction with the Oklahoma Bar Review CLE, generally considered the most comprehensive program in Oklahoma on these subjects. FICL itself did not sponsor an OBA-CLE program in 2012 although members were involved in a 2011 program. However, Section leadership will consider putting on a program in 2013, in part based on the report that Professor Harrell's December program will not be held in 2012.

A constant in FICL's areas of interest is the valued work of the Legislative Review Subcommittee of the UCC Committee of FICL. Although retired OU Law Professor Fred Miller relocated to the Minneapolis-St. Paul area in early 2011, he remains very active with the Subcommittee. As in previous years, the Subcommittee monitored the progress of bills affecting commercial law during the Oklahoma legislative session, and provided assistance and other input to the members of the House and Senate.

Other challenges remain for FICL to serve its members better, as well as the bar in general. For example, more effective and more frequent communication to and among Section members regarding developments relevant to their practices would be beneficial to all, unquestionably. It is something FICL can and should promote and facilitate. This is particularly true in light of the many regulatory changes in the financial industry resulting from the Dodd-Frank legislation passed at the federal level in 2010.

Officers for the Section for 2011 carried over into 2012, and were Mark Lovelace, chair; Brian Pierson, secretary/treasurer; Bob Luttrell, program chair; Mike Rubenstein, list serve liaison; and Paul Foster, immediate past chair. The annual meeting of FICL is scheduled to be held during the OBA annual meeting in Oklahoma City and 2013 officers will be elected at that time.

J. Mark Lovelace, Chair  
October 2, 2012

**2012 ANNUAL REPORT OF  
THE GOVERNMENT AND ADMINISTRATIVE LAW PRACTICE SECTION OF  
THE OKLAHOMA BAR ASSOCIATION**

Prepared by:  
Tamar Graham Scott, Chair  
October 1, 2012

The Government and Administrative Law Practice Section (GALPS) has had an active and successful year. Section membership has continued to increase and GALPS now has over four hundred (400) members.

This year, an effort was made to allow more active participation by the members of the section. Since the 2011 Annual Meeting, GALPS has met eight (8) times. A business meeting was held every month in 2012, but January and March. We are also teleconferencing our meetings, allowing members to call in from all over Oklahoma and out of state.

During the year, GALPS tracked and discussed pending legislation and new cases of interest to the group. A subcommittee on Legislation was created to assist with legislative issues.

On November 15, 2012, GALPS is planning a reception in conjunction with the Oklahoma Bar Association's Annual Meeting.

Nominations for the 2013 Chair-Elect, Secretary and Treasurer will be made at the November business meeting. The voting will be by email. The 2012 Chair-elect, Oklahoma City Municipal Judge, Gary Payne, will automatically take over the reigns as Chair in 2013.

GALPS is also providing our members with at least twelve (12) hours, one (1) ethics of free Continuing Legal Education (CLE) this year. A two (2) hour seminar on Law Technology and i-Pads in the Courtroom by Jim Calloway, was offered June 26, 2012. We have scheduled a three (3) hour seminar on Administrative Practices for November 8, 2012. This seminar will provide information on practices before the Oklahoma Merit Protection Commission, the Oklahoma Department of Labor and the Oklahoma Employment Securities Commission. We also have in the works a stand alone seminar for late November or early December on Legislative Changes. GALPS is also planning the now tradition day long December seminar. Offering six (6) hours, one (1) ethics of CLE on public sector and administrative law, it is scheduled for December 14<sup>th</sup> at the Oklahoma History Center. Confirmed speakers at this time are David Lee and Jim Priest. Invited speakers are Neal Leader, Gay Tudor, David Prater and Robert Henry. Much of the work in planning and presented these CLE's was handled by the subcommittee on CLE.

October 4, 2012

**Via Electronic Mail: debbieb@okbar.org**

Oklahoma Bar Association  
Attn: Debbie Brink, Executive Assistant  
1901 N. Lincoln Blvd.  
P.O. Box 53036  
Oklahoma City, OK 73152-3036

Re: Health Law Section Annual Report

Ms. Brink:

The following is the annual report of the Oklahoma Health Law Section (a copy of the minutes of the 2011 annual meeting are enclosed):

The officers of the Health Law Section were elected at the November 2, 2011 annual meeting. Elected were: Beau Patterson, McAfee & Taft (President); Cori Loomis, Crowe & Dunlevy (Vice President); Elizabeth Tyrrell, McAfee & Taft (Secretary), Karen Rieger, Crowe & Dunlevy (Budget Officer).

Several members of the Health Law Section attended the 2011 annual meeting. The meeting included presentations from Donna J. Matthews, Associate Director of DVIS, Inc. Ms. Matthews spoke on the efforts of DVIS (a Tulsa women's shelter) in serving the the Tulsa community and its needs for a new facility, for which it was currently embarked on a capital campaign. She thanked the Section for the donation of its \$500 honorarium awarded to featured speaker, Lauren Stevens. Next, Alison Hay, a third-year law student at OU School of Law, made a presentation describing her internship at the Oklahoma State Department of Mental Health, which had been made possible by the Section's support stemming from its 2010 meeting.

After theses initial presentations and dinner, the Section began its business meeting. After approval of the 2010 Annual Meeting minutes, outgoing president Mike McDaniel provided a financial report to the Section. The report was accepted upon motion and vote. Discussions were then had regarding whether to continue the joint sponsorship between the Health Law Section and Oklahoma Health Lawyers Association (OHLA) for dual internships with the Oklahoma Department of Mental Health and the Oklahoma Department of Health. It was decided to continue to sponsor the internships at both departments, with a combined donation of \$4,000 going to each (\$2,000 coming from the health law section and \$2,000 from

the OHLA). The Section then approved a \$500 additional contribution for the DVIS capital campaign, as well as a \$500 law school scholarship to Ms. Hay for her final semester.

After the business meeting, the Section heard from its key note speaker-Ms. Lauren Stevens. Ms. Stevens served as Associate General Counsel for GlaxoSmithKline and was prosecuted – and ultimately acquitted – of being complicit in the alleged intentional violation of illegal off-label marketing of pharmaceuticals. A question and answer period followed, after which the meeting was adjourned.

The Section has had no other formal meetings since its annual meeting. It will hold its next annual meeting in connection with the OBA meetings in Oklahoma City in November 2012. The time, location and speaker(s) for the meeting are being finalized.

Very truly,

Beau M. Patterson, Chairperson

BMP/ck  
Enclosures

cc: Cori Loomis  
Karen Rieger  
Elizabeth Tyrrell

## 2012 Indian Law Section Annual Report

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**2012 Officers:**, Chrissi Nimmo, Chair; Brandy Shores, Chair-Elect; Susan Arkekta, Secretary; Trish Archer, Budget Officer/Treasurer.

**Annual Meeting:**

Will be held at the OBA Annual Meeting.

**Bar Review Scholarships:**

Each year, the Section solicits applications from 3rd or 4th year students from the three in-state law schools and awards up to three scholarships to help with the cost of a bar exam review course. At its annual meeting, the Section voted to continue the scholarship awards of \$750 per student. Recipients are awarded based upon merit, need, participation in Indian law related activities while in law school, and demonstrated intent to practice in the area of Indian law in Oklahoma upon passing the bar. In addition to the scholarships, each recipient received the Cohen's Handbook of Federal Indian Law in June during the Sovereignty Symposium.

The Executive Committee is currently voting to change the scholarship to a fellowship, increase the award to \$1,000.00 and make it available to any new attorney who graduated from an Oklahoma Law school, passed the Bar exam in 2012 and is currently practicing law in Indian Country.

**Sponsorships:**

This year, the Indian Law Section co-sponsored the Annual Meeting of the Oklahoma Indian Bar Association at the Sovereignty Symposium.

The Indian Law Section co-sponsored, "Indian Law for the General Practitioner," a 6 hour CLE with the Oklahoma Bar Association. Presenters included: John Williams, Brandy Shores, Jay Jones, Joe Williams, Debra Gee, Gary Pitchlynn, Susan Work, and Chrissi Nimmo. Covered topics included: Energy Law in Indian Country, Worker's Compensation for Tribal Employers, Practicing Law in Tribal Courts, Indian Gaming Law, Water Issues in Indian Country and Indian Child Welfare Act. The CLE also featured panel discussions on recent developments, case law, and other legal issues in Indian Country.

For the past two years, the Indian Law Section was a sponsor of the Solo-Small Firm Conference, however, the Section chose to discontinue this sponsorship due to lack of involvement by Indian Law practitioners.

**Special Initiatives:**

This year, the Section continues to lay the foundation for inclusion of the Indian Law subject on the Oklahoma bar exam.

Throughout the year, the Section's officers continued to develop relationships with those attorneys within the Oklahoma Bar Association and its sections to garner support for this important issue. To date, the states of New Mexico, Montana, Washington, and South Dakota have already included Indian law as an area of law to be tested on their respective bar exams. With the large tribal presence within the state, the Section hopes to see Oklahoma be the next state to follow suit.

The Indian Law Section also attempts to keep members informed of events relating to Indian Law in the state through the use of the OBA list serve and a Facebook page where members can posts questions and share events.

**Budget:**

As the 2012 meeting has not occurred, the 2013 budget has not been approved, however, the 2012 budget is attached to this report.

**Message from the Chair:**

I have greatly enjoyed my service as an officer of the OBA Indian Law Section and I look forward to continued involvement in the Section's activities this coming year. I would like to encourage all members to continue to stress the importance of testing Indian law on the Oklahoma Bar exam.

Chrissi R. Nimmo, Chair

## 2012 ANNUAL REPORT FOR THE OBA INSURANCE LAW SECTION

Since the filing of last year's Annual Report, the OBA Insurance Law Section held its Fall Meeting on October 17, 2011 at the Oak Tree National Club in Edmond, Oklahoma. A golfing outing was held in the morning. The afternoon CLE presentations were "**Medicare - Secondary Payor Recovery**" by Sally Stalcup, MSP Regional Coordinator, CMS, Medicare Fee for Service Branch, and "**An Overview of the Oklahoma Insurance Commissioner's Office**" by Paul Wilkening, Chief of Staff and Deputy Commissioner of Administration. Forty-one (41) attorneys attended the meeting. Officers for 2012 were elected: Chairperson - Jon Starr; Vice Chairperson - Ryan Harper; Treasurer - Scott Ryan and Secretary - Susan Eads.

On December 14, 2011, the Section cosponsored a three hour "Last Chance Ethics+" CLE by at the Petroleum Club in Oklahoma City. Supreme Court Justice John Reif presented "**Disqualification of Judges**" and "**Ethical Considerations for Evaluating Claims, Defenses, and Other Matters**". Jon Starr, Chairperson OBA Insurance Law Section presented "**An Overview of Oklahoma Automobile Insurance Law**". Twenty-three (23) attorneys attended the CLE.

On April 30, 2012, the OBA Insurance Law Section held its Spring meeting at the Hard Rock Casino in Catoosa, Oklahoma. CLE presentations were "**Dual claims in Worker Compensation Court and District Court**" by Jack Zurawik and John Truskett, and **Randy Maniloff**, co-author of "**General Liability Insurance Coverage – Key Issues In Every State**" (Oxford University Press, 2<sup>nd</sup> edition, 2012) made a presentation based on his book. Seventy-eight (78) people attorneys the meeting. Unfortunately for the second year in a row, due to weather conditions, the golf outing scheduled for the afternoon at the Patriot Golf Club had to be canceled. Members were given certificates to play the course on a later date at their own convenience.

The 2012 Fall meeting is scheduled for October 8, 2012, at Oak Tree National in Edmond, Oklahoma. "**iPad for Litigators**", by Jim Calloway, Director of the Oklahoma Bar Association's Management Assistance Program, and "**Trial and The Digital Age**", by Linette Wright, Attorney at Law, Ailles & Associates, Oklahoma City are scheduled for the CLE presentations.

Members of the Section have been e-mailed throughout the year about new cases or statutes involving insurance law that have come to the attention of the officers.



## INTELLECTUAL PROPERTY LAW SECTION

The 2012 officers for the Intellectual Property Law Section are: Julianna Deligans, president; Scott Zingerman, vice president; Sean O'Connell, director at large/immediate past chairperson; Barbara Krebs Yuill, secretary/treasurer; David Sullivan, District 2 director; and, Andy Peterson, District 1 director.

The Intellectual Property Law Section held its annual mid-year meeting and CLE seminar at the Four Seasons Resort in Las Colinas, Texas, on June 8-10, 2012. The seminar offered eight hours of CLE credit and included one hour of ethics. The speakers and topics for the 2012 CLE included:

- Gale R. "Pete" Peterson, Cox Smith Matthews, San Antonio, TX – "Patent Law Update"
- Wayne Beavers, Wadley & Patterson, P.C., Nashville, TN – "AIA Inter Partes Review and Post Grant Review Proceedings"
- Thomas L. Irving, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, Washington, D.C. – "AIA U.S. Patent Law Reform"
- David Hricik, Mercer Law School, Macon, GA – "Adversity in Patent Litigation, Opinion Work, and Prosecution: What We Know and What We Don't"
- Alan Datri, World Intellectual Property Organization, Geneva, Switzerland – "Madrid System Update"
- Kevin Meek, Baker Botts, Austin, TX – "Recent Developments in Copyright Law"
- Paul F. Gast, Former United States Patent and Trademark Office Trademark Examiner, Henderson, Nevada – "Trademark Filing Tips"
- Fred H. Holmes, Division IP Counsel, The Vitec Group, Videocom Division, Van Nuys, California, "Contrasting the ITC v. District Court: A Client's Perspective"

At the president's dinner held on Saturday night, OBA member Wayne Beavers was honored as the 2012 inductee to the Section Hall of Fame. In addition, Dr. Chris M. Hymel was honored as the Section's 2012 Innovator of the Year.

At the business meeting on Sunday at the conclusion of the CLE program, the 2013 officers for the section were elected. The 2013 officers for the Section are: Scott Zingerman, president; Barbara Krebs Yuill, vice president; David Sullivan, secretary/treasurer; Andy Peterson, District 2 director; Paul Rossler, District 1 director; and Julianna Deligans, director at-large/immediate past president.



September 18, 2012

Cathy Christensen, OBA President  
John Morris Williams, Executive Director  
Oklahoma Bar Association  
1901 North Lincoln Blvd.  
P.O. Box 53036  
Oklahoma City, OK 73152  
SENT VIA EMAIL TO: [debbieb@okbar.org](mailto:debbieb@okbar.org)

RE: Annual Report of Labor and Employment Section

Dear Cathy/John:

The Labor and Employment Section has enjoyed a year of revitalization. After several years of minimal or nonexistent activities, the section has become extremely active in providing services to our members.

The officers of the section met on January 26 and agreed to individually be responsible for putting in place and/or overseeing at least one CLE during the upcoming calendar year. To develop leadership within the section and broaden the number of services we could provide, we took the results of a past interest survey from section members and identified the areas that we felt the section could make the biggest impact. We then contacted the members and solicited those interested in being a part of the leadership of the section and willing to commit to the time that would be involved with a particular role.

Thanks to Crowe and Dunlevy, our first planning session of those willing to undertake leadership roles in the areas of Education, Communication, and Networking, met in the Crowe and Dunlevy suite at the Thunder v. Suns game on April 24. We set some pretty lofty goals of (1) hosting a CLE in each of the remaining months of 2012 except December, (2) putting together three or four “networking” events to coincide with CLEs and/or annual meeting in 2012, with at least two of those being in the Tulsa area (as opposed to Oklahoma City), and (3) develop a website and other tools to communicate with and provide useful content to our members.

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[www.okemployerlaw.com](http://www.okemployerlaw.com)

We have met or exceeded the first two goals and have made progress on the third. We had a **stellar** Education committee who have or did put together CLEs for July, August, September, October, and November. One of those CLEs (the one in August) was co-sponsored with the Tax Section. We have or will have the following networking events with *each* of the CLEs we have or will be hosting, often times thanks to the generous sponsorship of a law firm. The only area in which we have not made as much progress as we would have liked is in the development of a website to communicate with and provide useful content to our members. We have used the list serve to occasionally pass along useful links and/or information to our members. However, the website development has been slower than desired, in part due to our desire to link our efforts to those being made by the Bar Association in general to upgrade and update the technology of the Association.

Our committee leaders and the executive board have already put in place a plan for the upcoming year to ensure that we build on the efforts made in 2012 to make the section a vital one that delivers value to its members.

Finally, the executive board is currently working on revisions to our section bylaws (which were last updated in 1997!). We intend to present those to our members during our section meeting/reception during Annual Meeting.

Our progress this year could not be possible without the hard work of our executive board, and our committee chairs and committees (especially the Education committee who put on an incredible number of events!). We also must recognize the sponsorship from Crowe & Dunlevy, and Lester, Loving & Davies, who sponsored one or more of our events. Finally, we express our sincere appreciation of the support received from the Bar Association and its staff.

Sincerely,

Christine Cave, Chairperson

# 2012 Section Report

## Law Office Management and Technology

Law Office Management and Technology ("LOMT") is a unique practice group consisting of 186 members with available operating funds of around \$10,000.00 (June 15, 2012 numbers).

This section is unique because it does not emphasize a particular practice area. However, that is not to say it is not important, for LOMT has an impact on virtually every practicing attorney in the Bar. Nevertheless, because of this reality LOMT works in conjunction with other Sections and the OBA to promote its objectives. Examples of how LOMT collaborated this year includes its sponsorship of and participation in the OBA Solo and Small Firm Conference; promoting and encouraging participation at the annual ABA Tech Show; performing projects and support with the Family Law Section and OBA Management Assistance Program; coordination of a future CLE program with General Practice/Solo and Small Firm Section; and the direction and oversight of the annual day long OBA Technology Fair in conjunction with OBA Annual Meeting, etc.

A Section meeting was held during the Solo and Small Firm Conference, wherein twelve (12) members were able to attend. No minutes from that meeting were generated. However, from that meeting, the seed of performing Section CLE programs/meetings was started. Specifically, a goal of the LOMT Section is to conduct regular seminar programs ... of up to 4 hours in length that would be a bring your own laptop/iPad -- hands on event -- focused of using current popular software more efficiently. Examples of some "how to" topics discussed were: "How to use Dropbox!"; "How to use Evernote!"; or "How to better use your Android phone." The committee is working on creating a survey monkey to poll the membership regarding what types of software programs generate the most interest and what would be the best times to do programs (Saturday mornings, lunch hours, ½ days on Fridays), etc. Hopefully, this will become active next year.

Also, LOMT would like to participate and contribute office management forms for the new OBA Form Book. This undertaking will probably require a special committee tasked to oversee this important project.

LOMT Section's annual meeting will be held November 15, 2012 (during the OBA Annual Meeting) where officers will be elected, business transacted and goals set for the 2013 year (as well as traditional drawings among section members for "lots of cool

items". The 2011 Officers have been Phillip J. Tucker, Chair and John Brewer, Treasurer.

Lastly, the LOMT Section really exists because of our OBA liaison, Jim Calloway. Jim, of course, is a national law practice management icon ... and just a decent person. The LOMT Section appreciates the continuing support provided by the OBA and Jim Calloway and Amy Kelly. The quality of life for Oklahoma attorneys is better because of their efforts.

*R/ Phillip J. Tucker*  
LOMT Section Chair

## **2012 Annual Report – OBA Litigation Section**

The Litigation Section continues to provide information and seminars on litigation and trial matters to members of the Oklahoma Bar Association. This year the Litigation Section sponsored several litigation related activities for attorneys of all levels, including the OBA Mock Trial activities, which provide high school students with opportunities to learn about trial practice and compete with other schools in a mock trial setting. The Section is also organizing and presenting its second OBA Trial College, which provides 12 hours of MCLE credit, including one hour of ethics, taught by Oklahoma judges and successful trial attorneys who dissect and discuss the different phases of a jury trial. The Litigation Section is sponsoring the CLE Plenary Session at the November 2012 OBA Annual Meeting, with litigation topics relating to the Judicial Nominating Commission, Judicial Complaints, and the Oklahoma Justice Commission. The Section has also conducted an online survey directed to all Section members to explore additional benefits to be provided to Section members.

Renee DeMoss, *Chairperson*

## **MILITARY & VETERANS LAW SECTION**

The Military & Veterans Law Section is in its first year of existence and will undoubtedly build a tradition as proud as the Heroes it is meant to serve. With four military installations in the state of Oklahoma, a very active National Guard and Reserve Component, as well as a growing veteran's population, the need for such a specialized section became evident after September 11, 2001.

The Section spent its first year building its membership to nearly 90 members, developing its mission, electing officials, and developing a CLE plan. Upon the approval of the creation of the Military & Veterans Law Section, the OBA published a specialty issue of the Oklahoma Bar Journal dedicated to military legal issues.

The section will naturally work hand-in-hand with the OBA's "Oklahoma Lawyers for America's Heroes" program in providing legal assistance to servicemembers and veterans. In addition, it will put on CLEs that focus on issues affecting servicemembers. One unique plan is to implement our mission into the CLEs put on by other sections since laws and issues unique to our servicemembers and veterans arise in nearly every area of the law.

Another unique aspect of the section is that there is heavy membership of OBA members serving in uniform stationed all over the world. Section dues for active, reserve, National Guard, and veterans are optional, as they are with the judiciary.

The section will hold its next election during the annual meeting in conjunction with the Heroes meeting. In the interim, the Chairperson is Robert "Bobby Don" Gifford, the Interim Secretary is Kate McClure, the Interim Budget Officer is Stan Evans, and the CLE chairperson Traci Soderstrom.

Robert D. Gifford, *Chairperson*

## **2012 Real Property Law Section Report**

The Real Property Law Section (“Section”) has 865 members and is one of the Oklahoma Bar Association’s most active sections. The 2012 Board of Directors were elected at the 2011 OBA Annual meeting and are the following individuals: Chairperson, Scott W. Byrd, Tulsa; Immediate Past Chairperson, Scott W. Byrd (serving second term as Chairperson); Chairperson-Elect, Jeff Noble, Tulsa; Budget Officer, Chris Smith, Oklahoma City; Secretary, Rebecca Sherwood, Tulsa, and Members at Large, Lucas J. Munson, Edmond and Matthew L. Winton, Edmond. In addition to those members serving on the Board of Directors, other members serving the Section are: Chair of the Title Examination Standards Committee, Kraettli Q. Epperson, Oklahoma City; Legislative Liaison Committee Chair, Jason Soper, Oklahoma City; and Title Examination Standards Handbook Editor-in-Chief, John B. (Jack) Wimbish, Tulsa.

The Section seeks to provide a number of benefits to its membership and the Bar Association. One of its biggest contributions comes from the hard work of the Title Examination Standards Committee which is chaired by Kraettli Q. Epperson. This standing committee meets on the third Saturday of each month from January until September of each year. The committee meets on an alternating basis at locations in Tulsa, Stroud and Oklahoma City. The committee’s purpose is to establish standards against which titles to real property located within the State of Oklahoma will be measured. This committee is charged with drafting new Standards or amending existing Standards which are then submitted to the Section members for approval at the annual business meeting of the Section. This year, the committee has proposed eight amendments to the Title Standards for consideration of the section. Those Standards which are approved will be presented to the OBA’s House of Delegates for approval at its annual meeting on Friday, November 16, 2011. The changes approved by the House of Delegates will be incorporated into the Title Examination Standards Handbook, through the efforts of Title Examination Standards Handbook Editor-in-Chief, John B. (Jack) Wimbish. The Section makes this Title Examination Standards Handbook available to all Section members free of charge as a benefit of their membership in the Section. Non-Section members may purchase copies from the OBA for a nominal charge of \$5.00.

The Section continued its tradition of sponsoring CLE programs. Once again the Section held the Cleverdon Real Property Roundtable Seminar at locations in Tulsa and Oklahoma City in May. The round table format allowed attendees to choose to participate in small group discussions in their choice of three of five different real property related topics. Attendees were then provided lunch and a one-hour ethics presentation. Participation in this CLE was free for Section members. Non-Section members were allowed to participate for a charge of \$35.00. The Section is also co-sponsoring a CLE entitled All About Forms: A Real Property Litigation Review with the OBA to be held in Oklahoma City on October 25, 2012 and in Tulsa on October 26, 2012.

The Section donated \$3,000.00 to each of the state's three law schools. This money was used to purchase books and access to electronic databases in the area of Real Property law. These contributions benefit the students and attorneys who use these libraries by providing materials that would otherwise have been unavailable.

The Section will hold its annual Section business meeting on Thursday, November 15, 2011, at 2:00 p.m., at the Cox Center in Oklahoma City, Oklahoma. Justice Gurich will present a discussion of recent Oklahoma Appellate cases decided in 2011 and 2012. Section members Kraettli Epperson, Dale Astle and Scott McEachin will reprise their popular, "Three Amigos," roles to help facilitate this discussion. After this presentation, there will be a short business meeting to elect next year's officers and board members, to vote on proposed revisions to the Title Examination Standards, and to vote on the Section's budget. Following the meeting, there will be a dinner for the Section's officers, directors, committee chairs and committee members, hosted by the Section's Board of Directors.

Scott W. Byrd  
Chairperson

## **TAXATION LAW SECTION**

The governing board of the Tax Law Section has met monthly during 2012 by conference call on the third Thursday of every month at 3:00pm. All Section members have been invited to participate in those monthly meetings. The governing board consists of the following members:

W. Todd Holman, Chairperson

Alan G. Holloway, Vice-Chairperson

Charlotte Abigail Dillsaver, Secretary

Ralph "Ted" Blodgett, Treasurer

Kurt Schneiter, Member at Large (West)

Kenneth L. Hunt, Member at Large (East)

Julie M. Holmes Chapel, IRS Liaison

Sheppard F. "Mike" Miers Jr., OTC Liaison

In addition to participating in the Section Leaders Council assignments and various Internal Revenue Service Liaison meetings, Tax Law Section highlights include the following.

The Section proposed and recommended enactment of Oklahoma tax legislation that was adopted as part of the 2012 Legislative Program of the Oklahoma Bar Association. The proposed legislation, SB 1297, known as the "State Office of Administrative Tax Hearings Act" was designed to create an independent hearing authority/office to hear taxpayer protests of proposed assessments of additional tax or denials of claims for refund entered by the Oklahoma Tax Commission. The bill was patterned after a model act that is advocated by the Tax Section of the American Bar Association that is intended to improve the administration of state tax laws. While Mike Miers, Section OTC Liaison, spent a great deal of time and effort advancing the proposed legislation, in the end, the sponsoring Senator agreed to remove the measure from the legislative session due to lack of support among the constituent legislators. The Section anticipates a renewed effort to gain support to get this legislation enacted in the next legislative session. Illinois and Georgia enacted this form of legislation in 2012.

During 2012, the Section was called upon to provide input to the Commissioners of the Oklahoma Tax Commission about a proposed procedural policy change by the OTC in the designating of its Orders as "precedential" or "non-precedential." An Order is a formal decision entered by the OTC, when a taxpayer protests the denial of a claim for refund or proposed assessment of additional tax by the OTC's administration and enforcement divisions. The Commissioners of the OTC were considering a change in its policy that would result in all Orders being designated as precedential, except in special and infrequent cases. Members of the Section were asked to respond to the implications of policy change and provide general relevant

input, all of which was provided to the Commissioners to assist in their evaluation of the proposed policy change.

On August 21<sup>st</sup>, the Section co-sponsored a free to the members “Lunch and Learn” CLE session at Oklahoma Bar Center entitled “Tax Aspects of Labor Law Settlements and Judgments,” presented by Clive Seymour of Hall Estill. Materials and lunch were provided by Lester, Loving, and Davies, P.C.

The Tax Law Section awarded three Rick Kells Award of Excellence Scholarships, each in the amount of \$500, to an outstanding law school student at each of the three law schools. Each student receiving an award was determined by the faculty at each school.

The Section will once again send a representative to the annual meeting of the National Association of State Bar Tax Sections. The meeting brings in nationally recognized attorneys for continuing education on recent taxation issues, primarily state and local. The materials are made available to Section members at the Tax Law Section’s annual meeting.

The Tax Law Section’s annual meeting will be held in conjunction with the November 2012 OBA Annual Meeting. The Tax Law Section is scheduled to meet Thursday, November 15<sup>th</sup> from 4:00pm to 6:00pm at the Cox Convention Center, Room 4. Delphine Hensley with the Internal Revenue Service Taxpayer Advocate office will make a presentation on changes at TAS and the available services.

## **Workers Compensation Section**

On behalf of the Workers Compensation Section 2012 was great year. There are currently approximately 325 active members of the Workers Compensation Section.

The year began with our Annual meeting in Tulsa. The section had its business meeting at the Tulsa Court followed by a reception for its members at The Sound Pony. We discussed some various ways to promote outside giving and community outreach.

Our Annual holiday party was hosted at the Bricktown Brewery in Oklahoma City. The event was well attended and importantly we collected several hundred dollars in monetary and in kind donations for children in treatment at OU Medical Center.

This year we continued social events in both Tulsa and Oklahoma City in the spring as an expansion of our mission to provide the membership with opportunities outside of the Court setting to promote camaraderie and civility. At the events we collected donations for the local food banks.

Our annual summer reception, followed the next day by our Golf Tournament was in Tulsa at the Hardrock Hotel in Tulsa. It was the heat of the summer but the tournament was well attended and received significant sponsorship from many friends of the Section. The fundraising from the Golf event has enabled the Section to support its expanding efforts within the Section and Community.

The Section hosted a seminar in Oklahoma City and Tulsa in May. The seminar highlighted some of the changes and affects of the new Code. Highlights of new case law and medical examinations were reviewed as well as some new topics including technology and marketing.

Our Annual business meeting is scheduled for Oklahoma City with the reception to be held at Nonna's. The holiday party is scheduled for Oklahoma City. To close out this year the section plans to adopt families in Oklahoma City and Tulsa and provide them Christmas dinner and what the family may need during the cold winter months. We hope to plan a section wide service project in Oklahoma City and Tulsa and continue our efforts to provide our members opportunities to serve our community in and outside the legal profession.

Jennifer Jackson, *Chairperson*