



## OREGON LAW COMMISSION

### Meeting Minutes

March 13, 2026

#### I. Call to Order/ Introductions and Welcome

**Commissioners in Attendance:** Valarie Sasaki, Ben Gutman, Justice Rebecca Duncan, Judge Erin Lagesen, Representative Kim Wallan, Christa Obold Eshleman, John DiLorenzo, Dean Jeffrey Dobbins, Eva Kripalani, Judge Mary James, and Senator Floyd Prozanski

**Unable to Attend:** Cody Hoesly, Dean Sandy Patrick, Representative Willy Chotzen, Professor Kristen Bell.

**Staff in Attendance:** Amy Zubko, Cara Goldfarb, Gabriel Hanson

**Guests in Attendance:** Eric Foster, Lane Shetterly, Jeff Petty, Channa Newell, Tisha Pascone, Lori Anne Sills

Chair Valarie Sasaki led the group in a round of introductions.

#### II. Minutes

Dean Jeff Dobbins moved to adopt the last meeting minutes, Justice Rebecca Duncan seconded. The commissioners voted to adopt the previous meeting's minutes.

#### III. Financials

##### A. Budget

Chair Valerie Sasaki opened a discussion about the budget process for the Oregon Law Commission. Director Amy Zubko explained that after the short session, where cuts to state entities were considered across the board, the Commission remained fully funded for the 2025-2027 biennium. However, the feedback from the Legislature suggested there would be additional budgetary challenges in future biennia. With that in mind, state entities should prepare for potential state-level budgetary constraints,

While the Commission has reserve funds, because of the increased interest in work group projects, the Commission should also take into consideration the workload it will be able to support in the future. The Commission expects to have four bills (Uniform Electronic Wills Act, Revised Uniform Limited Liability Act, Municipal and Justice Courts follow-up bill, and Uniform

Partition of Heirs' Property Act) for consideration for the next session and another ongoing projects (Simple Estate Affidavit Criteria) for the 2029 Legislative Session.

Director Zubko identified three areas of growth included the budget for FY 2027. Two of the proposals have been discussed and approved in prior years, however, because of state budget constraints have not been implemented. First, in the FY 2026 budget, the commission approved the employment of two student research assistants. For FY 2027, the proposed budget includes funding for three student research assistants with a goal of hiring a student from each of the three Oregon Law Schools.

Second, because of the budgetary constraints that came up during the fall of FY 2026, the part-time position has been held vacant; ideally, it would be filled in late 2026 or early 2027.

Third, the FY 2027 budget allocates funding for a legal fellowship position. This position would be a one-year position for a post-graduate legal fellow to support legislative proposals and work groups. If the Commission wants to continue to work on as many projects as they expect, it will likely be necessary to have more people available to handle the workload.

A question was raised about how competitive the compensation would be for Commission staff. The Commission discussed the director's current annual salary and whether the legal fellow salary was in line with other fellowships.

Eva Kripalani moved to adopt the proposed budget, and John DiLorenzo seconded the motion. The Commission members unanimously voted to approve the proposed budget.

#### **IV. Program Committee**

##### **A. Simple Estate Affidavit Criteria Work Group**

Channa Newell and Jeff Petty from the Oregon Judicial Department introduced the proposed work group on the simple estate affidavit process in Oregon. This included an overview of the current simple estate affidavit process in Oregon and an overview of the need to look at this issue. Further, there was some discussion of Washington state's estate processes. The proposal was originally considered at the December 19, 2025 Program Committee meeting. If the Commission voted to approve this project, this work group would produce a report and legislative draft with a goal of submitting the proposal at the 2029 Legislative Session.

Dean Dobbins offered additional language for the proposed work group to address the scope of the project which is as follows: "The work group is charged to examine the estate process in Oregon and other states. In light of those investigations, the work group is charged with evaluating the needs for change to the simple estate process." Further, Commissioner DiLorenzo suggested that the charge be further expanded to acknowledge that the estate tax in

Oregon is a dynamic area with potential changes going on at the ballot or in the legislature. Representative Kim Wallan suggested that the Commission reach out to former State Representative Lily Morgan, who had expressed some interest in the issue when serving in the legislature during the 2023 Long Session.

Director Zubko has been reaching out to groups and individuals who had expressed interest in participating in this work group with a goal of an initial meeting in late spring/early summer. Chair Sasaki shared her interest in the possibility of having a stronger vice chair for the project, and that upon approval, the proposed work group could work to identify a vice chair.

Commissioner Dilorenzo moved to adopt the proposed work group with the modified description, and Judge Mary Mertens James seconded. The commissioners unanimously voted to adopt the proposal.

#### **V. Administration/Governance Update**

Chair Sasaki provided some updates on other discussions for the Commission. The administrative and governance subcommittee has raised several discussions regarding the commission's policies and procedures. Some of these include the storage of archived Commission materials, defining expectations for the role of a commissioner, and the position of the vice chair of the Commission.

#### **VI. Updates on Current Projects**

##### **A. Uniform Electronic Wills Act**

Lane Shetterly and Eric Foster updated the commissioners on the progress of the Uniform Electronic Wills work group. The drafting is moving quickly, but the work group is working through concerns and discussions around execution, security, and the technical aspects of electronic wills procedures. Judge James had a question regarding the work group's reaction to other states' variations. The work group has been looking at, for example, Washington state's provision for incorporating a custodian.

##### **B. Municipal and Justice Courts 2025-2027**

Judge James updated the Commission on the progress of the municipal and justice court work group. The work group has divided into several smaller subgroups to address issues. The waiver of undertaking issue is close to being resolved along with allowing courts of record for justice courts within 50 miles of a circuit court. Judge James shared that another issue under discussion was custody of records from abolished local courts.

Senator Floyd Prozanski raised a question regarding the process for a transfer after an adverse decision in a municipal court has been made and requested the work group review the issue. Judge James offered to do so.

### **C. Uniform Partition of Heirs Property Act**

Chair Sasaki provided updates for the Uniform Partition of Heirs Property work group. Since the last Commission meeting, the work group has begun discussions on the structure of the uniform language and the working LC draft. In early March, the work group hosted an attorney from Alabama to share feedback and describe areas of discussion and the adoption process in Alabama. The intention is to introduce this in the 2027 Legislative Session.

### **4. Revised Uniform Revised Limited Liability Company Act**

Chair Sasaki provided an update on the LLC Act work group. The work group is looking at the cause of the fiscal impact that has arisen in previous proposals of this act to the legislature. Commissioner DiLorenzo provided some context on the fiscal impact state but clarified that there were not substantive feedback from stakeholders that has arisen regarding this proposal in previous legislative sessions. Commissioner DiLorenzo and Senator Prozanski discussed ways to reach out to the Ways and Means Committee co-chairs including creating a packet of materials for the Co-chairs. Suggestions for overcoming the financial hurdles this bill has faced included discussions among legislators, a package for the co-chairs of the Ways and Means Committee, and a presentation at a possible reception for legislators hosted by the Commission.

Senator Prozanski and Representative Wallan suggested that their names be attached to a package of materials to share.

### **VII. Scheduling**

Director Zubko shared that the December 2026 meeting would have to be rescheduled based on the December Legislative Days. A new date would be shared prior to the June 5, 2026 meeting.

### **VIII. Work Plan**

Director Zubko shared the workplan for the end of FY 2026 which covers the four active work groups and the start of the fifth work group.