

Meeting Notes
Oregon Law Commission
Workgroup on Partition of Heirs Property
January 8, 2025

I. Call to Order

In Attendance: Valarie Sasaki, Susan Gary, Jane Sternecky, Andrea Meyer, Jeff Petty, Susan Cook, Shane Antholz, Tisha Pascone, Ashley Krollenbrock, Justice Martha Walters, Justice Rajee, Tess Milio, Tabitha Palmer Duprau, Matt Shields, Jeremy Rogers, and Channa Newell

OLC Staff: Amy Zubko, Gabriel Hanson

Guest Presenter: Jacy Fisher

II. Discussion

Amy Zubko expressed her thanks to Jane Sternecky (ULC) for connecting the workgroup to Jacy Fisher, a practitioner in Alabama who has done extensive work on the Partition of Heirs Property Act.

Ms. Fisher led a presentation on the Alabama Partition Statutes, the use of commissioners in partition actions, and the Uniform Act's protections, notice requirements, and generally how the partition of heir's property functions in Alabama.

Questions from the workgroup:

Valarie Sasaki opened the discussion with a question regarding other recommendations when enacting, such as the types of partition actions covered or any other post-enactment issues that arose in Alabama.

Ms. Fischer shared that Alabama's partition notice requirement included an 11x17 size requirement for conspicuous notice.

Andrea Meyer also asked whether it might be appropriate to include a sign size requirement that is adjusted to the property's size.

Jeff Petty had a question about when Alabama's court makes a determination of partition of heirs' property in probate proceedings. Ms. Fisher indicated that it is typically declared in the court's first order.

III. Scheduling

There is no meeting schedule for February, but the workgroup will be meeting again in March.