

Meeting Notes
Oregon Law Commission
Partition of Heirs Property Workgroup
April 4, 2026

I. Call to Order

In Attendance: Valarie Sasaki, Susan Gary, Mark Comstock, Shane Antols, Jane Sternecky, Andrea Meyers, Jeff Petty, Jeremy Rogers, Channa Newell, Tisha Pascone, Tabithia Palmer-DuPrau, Ashley Krollenbrock, Amy Zubko

II. Discussion

The work group began its discussion by reviewing the materials shared before the meeting. Jane Sternecky has provided updates to the flowchart for section 7 of the draft discussed in the prior workgroup meeting. Some further suggestions were made to improve the flowchart, including simplifying the language to make it more accessible. It was also suggested that the 3rd slide detailing the election to purchase available interest be adjusted to clearly define the 3 possible outcomes: all elected, some paid, or none paid. Also, it would be useful if the slide included clear directions on where they connect.

Valarie raised a question about what a reasonable timeline for the buyout process would be, as described in section 7 and the flowchart. Mark Comstock, Jeremy Rogers and Jeff Petty shared that reasonable timelines might be dictated by the financial aspect of someone not expecting to participate in the buyout process, who would need to effectively participate. Jane Sternecky volunteered to look into how other states have managed timeline requirements for this section. The work group discussed the possibility of including in the timeline an opportunity for potential share buyers to notify the court of an intent to purchase, starting a secondary timeline to allow participants to procure financial assistance. It's possible the workgroup could simplify the drafting language by allowing some court discretion in the timeline without changing the minimums that are currently in the proposed language.

The workgroup then returned to the working draft of the LC 9927. An option would be to allow for an extension of the 20-day period. Language suggested for the 20 days timeline “or such time as the court may determine” to give courts discretion without giving the court the opportunity to go require fewer than 20 days. There was also a discussion of whether this language should be used for the timelines in general.

Further, the workgroup looked at the current draft language regarding timelines in section 6. Section 6, sub 5, currently provides 10-day notice sent out by the court, instead look for language that allows the court to direct a party to send out notice. Language suggested was “the court shall direct a party or attorney to send out the notice within 14 days.”

III. Scheduling

At the next meeting, the workgroup will go through a hypothetical scenario for a property proceeding through the various steps of section 7. As well as beginning to look at section 8 of the draft.