

Meeting Notes

Oregon Law Commission

Simple Estate Affidavit Criteria Work Group

August 18, 2026

I. Call to Order

In Attendance: Valerie Sasaki, Tabitha Palmer DuPrau, Channa Newell, Heather Gilmore, Martha Klein Izenson, Meg Clark-Kilcoyne, Sam Sears, Donna Williams, Matt Schrumpf, Brian M. Thompson, Rebecca Kueny, Kevin Christiansen, Tisha Pascone, Riley Gombart, Amy Zubko, Nora Robison

II. Discussion

a. Areas of Interest document and work plan

The group reviewed the draft Areas of Discussion document, prepared from the June 30 and July 21 discussions, to identify topics members had expressed interest in considering. The document attempted to map the next year of meetings while recognizing that the proposed schedule may need to change as the project develops. The group discussed using quarterly check-ins to ask whether the work group is on track, whether the schedule or focus should be redirected, and whether the scope of the conversation should be narrowed. The group also discussed meeting every other month during the legislative session to account for the workloads of Legislative Counsel, legislative staff, and other participants involved in the session.

The group discussed how this work group differs from OLC projects with a narrower charge. The current project may require broader consideration of whether Oregon's simple estate process can be improved, rather than only whether to adopt a specific uniform law or proposed draft. Members generally supported the Areas of Discussion document as a starting framework but noted that it should remain flexible.

b. Proposed revisions and additions

The group discussed adding time early in the schedule to review other state approaches if members identify states, beyond those already listed, that may provide useful models. The group identified bonds as an additional topic to consider adding to the work plan. The group also discussed that productive work group discussion should not be cut off solely to meet a proposed timeline, particularly if the group is considering whether to adopt a procedure from another jurisdiction. Staff noted that the project is expected to produce a 2029 bill at the earliest, which gives the group time to adjust the schedule as needed.

The group discussed whether bills introduced during the 2027 legislative session could affect the work group's plan. Members noted that the long session may include proposals or placeholders that could later become relevant to the group's work. The group also discussed that legislators may be looking to the Oregon Law Commission for guidance on these issues.

c. September discussion topics

The group discussed beginning substantive work by contextualizing Oregon's simple estate process and reviewing *Tulsa Professional Collection Services, Inc. v. Pope*. The next discussion is expected to include the current simple estate affidavit process, Oregon's notice requirements, and the *Pope* case. Brian Thompson agreed to prepare written materials on the current simple estate affidavit process and notice requirements, and the *Pope* opinion will be circulated before the next meeting. Staff asked that any meeting materials be provided more than a week before the next meeting so they can be circulated with the agenda and other materials.

The group also discussed whether to place firearms transfers under ORS 166.435 on the work plan calendar. The group later discussed whether the issue should be a discrete topic for 2027 discussion, rather than a proposal to send to the 2027 legislature. The group also discussed creating a spreadsheet so members can identify issues of particular interest and areas where they can help lead or inform future discussion.

Members suggested that the group should spend time identifying what kinds of estates, assets, heirs, or proceedings the simplified process is intended to serve. Riley Gombart agreed to help present information about the kinds of estates his office encounters and how those estates use or might use the simple estate process. The group also discussed that its work may be easier if it identifies whom the process is intended to help and whose expenses the group is trying to reduce. A suggestion was made to compare simple estate notice requirements with full probate notice requirements to identify gaps or similarities.

III. Scheduling

The group reviewed possible recurring meeting days and times, including third Mondays, third Tuesdays, and fourth Thursdays. Staff will send a poll to the full work group before finalizing future meetings. The group expressed a general preference for Tuesday meetings, while recognizing that staff should be notified if Tuesday meetings will not work for members. Staff will follow up with Brian Thompson and Riley Gombart about the framework for the next discussion and will circulate materials before the next meeting. The group did not finalize the next meeting date and time.

IV. Open Questions

- Whether to add bonds to the work plan.
- How to define the ideal simplified estate process.
- Whom should the process serve?
- When should the firearms-transfer question be taken up?