**Minutes**

Executive Committee

Sustainable Future Section

October 7, 2011

9:00 AM to Noon

Miller Nash LLP

111 SW Fifth Avenue, Suite 3400, Portland

Attending: Jim Kennedy, Diane Henkels, Michelle Slater, Dick Roy, Jennifer Gates, Robin Seifried., Dallas DeLuca, Rod Wegener, and Pat Neill, plus Bobby Mauger, guest.

Excused absences: Amie Jamieson and Ellen Grover.

1. Opening Remarks--Jim
   1. Dick had been exchanging ideas with Zack Brugman and introduced him to Jim. Zack is working on a book tracing sustainability’s connection to the Founders of the United States. Jim quoted an exchange of letters of Jefferson and Madison.
   2. The Section hosted a fantastic program on Ecosystem Services on October 6. The dual-fee registration system resulted in an increase in membership at event.
   3. Also, the Section will limit telephone call-in to Land Trust Program to section members, expecting that that will increase membership, or at least reduce costs. We have capacity for 80 people at the White Stag building for this event.
   4. Convocation on Equality 2011 for Nov. 4, 2011 announced. It is sponsored by the Diversity Section of the OSB.
   5. Diane is in discussions with the Utah Bar Association to make a presentation to that Bar on sustainability.

2. Discuss Minutes of August 5 and September 9 Executive Committee Meetings (both *approved.*)

3. Inclusion of Best Practices on Web Site--Diane and Bobby Mauger (*Report*)

1. Bobby and Diane led discussion. Stacey Mark, partner at Ater Wynne, is leading subcommittee, which includes Dawn Winalski.
2. Subcommittee task is to write-up individual law firms’ best office practices. Subcommittee members contact the firms to work with firm for a write-up of a best practice.
3. The subcommittee will determine best method for publicizing that practice, either in newsletter or website or elsewhere.
4. Bobby listed firms he and subcommittee have contacted.
5. Diane and Bobby explained the proposal for the interactive component of the program.
   1. Short narrative of practice steps for each best practice. 500-word article by attorney or staff members from law firm that implemented the practice.
   2. Connected to that is a moderated blog on Section website.
6. Examples of best practices: composting implementation in-office; Schwabe’s program with Starbucks in the building to use re-usable Schwabe/Starbucks mugs. Subcommitee will take more examples from the submissions from the nominations for the awards program.
7. Subcommittee will develop themes and connections to how improvements at bigger firms, such as the Schwabe program, can be emulated at small firms.
8. Dallas to investigate the blog-option on the Word Press tool for our Section website.
9. Discussion of planning for use, maintenance, and moderator-role on this blog and structure of the website subsection. Likely, blog-option will be of interest to readers for the first few-days after posting.
10. Main benefit of the narratives is the archive of best-practices articles; blog is smaller component. It is not intended to be an ongoing live-active blog, but a comment, question and feedback tool.
11. Jim led discussion on whether we want to consider giving an award every year for the best practice tip.
12. Dallas to contact Bar programmer to create navigation page link.
13. Subcommittee will prepare a concept paper for next Executive Committee meeting.

4 Inclusion of Sustainability Resources on Web Site--Dallas and Diane (*Report*).

1. The webpage section on Key Legal Resources should be divided into subgroups – see groups from Jim. For example, a subgroup on endangered species – Convention on Biological Diversity, Endangered Species Act and CITES. Also, a subgroup on “what is Sustainability”: Brundtland Definition, article from recent *Long View* issue, and OSB definition.
2. Dallas to send outlines of subgroups to Executive Committee.
3. Executive Committee discussed possible overlap with substantive law covered by Environment and Natural Resource Section. Diane will check with ENR section on what its website will cover.
4. Executive Committee discussed concern about listing “application” issue resources as opposed to “foundational” resources.
5. Leading candidate for title for section is “Key Legal Resources” as link to click on left side.

5. Partners in Sustainability--Dick (*Report and Discussion*)

I. Criteria

1. The Cernitz-led subcommittee created criteria list. See hand-out A.
2. One major part of the criteria is for the law firm office to adopt a sustainability policy, with suggestions for policy sections.
3. Executive Committee provided comments on criteria suggestions.

II. Rollout

1. Dallas and Jim to work with the Markowitz marketing manager re publicity.
2. Jim and Dallas will report on publicity at next meeting. It needs to be part of roll-out, so potential partners have incentive to sign-up.

6. Rio 20--Diane (*Report*)

1. Diane reviewed the Rio 20 report and how our Section can add input into the document.
2. Diane provided the slide presentation that is part of Rio 20 program.
3. Section discussed implication of a Section statement, because it is a statement of the Bar, and would need to be reviewed by Bar.
4. Diane will draft one to two paragraph proposed submission to the Rio 20 report.

7. SFS Leadership Award Recognition and Publicity--Ellen (*Discussion and Decision*)

1. Discussion of text to use in the award announcement advertisement in the *Bar Bulletin* and the MBA Journal.
2. Announcements will be in next newsletter as well, which will be next week.
3. Executive Committee gave approval to Diane for commemorative award for Schwabe.

8. Report of Nominating Committee and Annual Meeting--Dick and Michelle (*Discussion*)

1. Discussed recommendation of Nominating Committee to increase size of Executive Committee by one, to eleven.
2. Section discussed the three recommended nominations, Barry Woods, Bobby Mauger, and Janna Aginsky of Schwabe Williamson & Wyatt (secretary).
3. There was a very long list of good candidates.
4. Report of Nominating Committee adopted.

9. Annual Section Celebration--Robin and Jim (*Discussion*)

1. November 17 is date for event, at 5 PM.
2. Capacity is 100.
3. Clark Brockman is speaker.
4. Schwabe, Williamson & Wyatt contact will tell Jim later today on whether SW&W will absorb costs for event. Section discussed that we should provide $600 to $800, like we did last year for event at Ater Wynne, even if SW&W offers to host.

10. Report on Sustainable Practices at Oregon State Bar--Rod (*Report*)

1. OSB proposed program on sustainability at the annual conference of National Association of Bar Executives (NABE). It was accepted. Conference is in New Orleans in February 2012.
2. OSB has duty to put together a program by December 16. 75-minute program.
3. Program to focus on efforts of Oregon lawyers and Bar.
   1. What Section has done.
   2. What the Bar Board of Governors has done, both internally and with its members.
   3. What lawyers and firms are doing.
   4. Focus appears to be more on office-practices, less not legal practices, but program can be open to both issues.
4. Likely there will be 200 attendees from 100 different Bar associations at NABE event; OSB presentation will be at a break-out or plenary session.
5. Section will support Bar fully in any respect that Bar needs for this program.
6. Rod will follow-up to find participation from other bar sections to supplement or present in conjunction with OSB.
7. Jim, Michelle and Diane will work with Rod on program development.
8. There may be opportunity at a Wednesday lunch round table at NABE for further presentations.

11. Report on OSB Section Legislative Activities--Matt Shields (*Report*)

1. Legislature has historically allowed Bar to propose legislation through the judiciary committee. Usually it is technical in nature, such as error correction and efficiency improvement. It is never big policy issues.
2. For 2013 legislative session, Bar requires sections provide proposals by May 2012.
3. Question: what topics does Section want to be advised on for legislative tracking of bills introduced both for the short session in February 2012 and the normal session in 2013? Diane will provide comments to Matt for screening proposal, for items our Section would like to be advised of.

12. Report on sustainability activities within the Bar (building internal operations) – Rod

1. Sustainability Team has been very active in last year.
2. Started with education to Bar Team from different groups and speakers, such as Max Miller and Jeanne Roy.
3. Rod provided overview of changes, such as using durable dishware (no disposables), more recycling options, and high-use for all (such as dead-battery bins).
4. Big eye-opener was trickle-down effect of Bar decision to not print Bar directories; that has led to moving more practices to electronic dissemination, and copy machine use has dropped 40% over last two years. Also, postage costs have dropped dramatically.
5. For in-house events, the Bar has required caterers to use more durable goods, and has increased recycling at events.
6. Next challenge is transportation, which is difficult partially due to Bar location. Part of problem is that nearest bus stop is one mile away, although a WES train goes right in front of the building.
7. Bar has started discussion on installing solar panels at Bar building.
8. Bar is doing a re-design of the Website, to make it easier to find things. “Push” for new home page will be diversity and sustainability.

13. Old Business

1. Next meeting on November 4th, a Friday, at 3 PM, maybe at MHG&M. This will be annual meeting and then executive committee meeting.
2. Notice to section must be sent soon. Robin to check bylaws.

End 11:51 AM

**Hand-Out A**

October 6, 2011

TO THE EXECUTIVE COMMITTEE OF THE SUSTAINABLE FUTURE SECTION

FROM DICK ROY

Proposed Partners’ Program

I am sending out very preliminary information today because Ellen and I have not had a chance to confer so these are my initial thoughts only.

**Background.** The Cernitz Committee (Dylan Cernitz, Barry Woods, and Elizabeth Goodman) was given a very difficult task. Prepare a draft of criteria for the proposed Partners’ Program to assure that criteria are meaningful and recognition is given to firms that have implemented a meaningful sustainability program. They did an excellent job.

The next step was for Ellen and I to review the draft in light of our background in working on the proposed program as part of the OSB Sustainability Task Force. Because I did not turn my attention to this step in a timely manner, we have not taken this step.

**Initial thoughts.** Because we do wish to move the program along, I will share my initial thoughts.

1. They require a management policy in place substantially in the form of and SFS model policy. I think that is an excellent idea, with one reservation. I think we can draft a model policy noting by asterisk the elements that are required, making clear that the law office has discretion to use creativity in not adopting other elements of the model policy. In other words, we would provide an off-the-shelf policy for firms that would like one, while leaving room for other firms to be creative.
2. I believe the criteria can be shortened.
3. Attached is the Cernitz draft with illustrative redlined changes that might be used to simplify the criteria a bit.
4. Attaches is a cleaned up copy of the redlined version for ease of reading.

At the Executive Committee meeting, I hope we can advance the concept to incorporate in a final work product.