



Oregon Law Institute
of Lewis & Clark Law School

2004 UPDATE

WORKERS' COMPENSATION PRACTICE

IN OREGON

Not to be missed, this seminar will update you on the emerging trends in workers' compensation practice, procedure, and substantive law that are significant for you and your clients. Hear the analysis on recently decided cases and learn what the Workers' Compensation Division and Board are up to.

Friday, October 1, 2004

Oregon Convention Center
777 NE Martin Luther King, Jr. Blvd.
Portland, Oregon

5.25 General MCLE Credits

SCHEDULE

- 8:00 LATE REGISTRATION AND DISTRIBUTION OF MATERIALS
- 8:25 a.m. WELCOME AND INTRODUCTION
- 8:30 - 9:15 **Red Flags and Red Herrings in Determining AOE/COE—
A Review of Recent Premises Compensability Decisions**
- Injuries on public streets, sidewalks, parking lots, and lesser traveled routes
 - The parking lot rule re-examined
 - Understanding the role of idiopathic causation
 - *Charles R. Mundorff*
 - *Deborah L. Sather*
- 9:15 - 10:00 **Update from the Workers' Compensation Division**
- Legislative concepts from WCD for the next session
 - Management-Labor Advisory Committee (MLAC) interim projects and possible legislative concepts that may follow
 - *John L. Shilts*
- 10:00 - 10:15 BREAK
- 10:15 - 11:15 **Update/Practice Tips from the Workers' Compensation Board**
- New rule regarding DCS/stipulation processing
 - Own motion procedures update
 - Practice tips for processing multiple employer/insurer cases
 - Practice tips for cases involving interpreters
 - *John P. McCullough*
 - *Roger C. Pearson*
- 11:15 - 12:00 **LIER, LIER, Pants on Fire:
Recent Developments in Responsibility Law**
- Tension between "impossibility" and "did not cause" test
 - Hearing loss cases and their impact on Last Injurious Exposure Rule (LIER) standards
 - Interplay of LIER, ORS 656.308, and consequential conditions
 - *Steven R. Cotton*
- 12:00 - 1:15 LUNCH BREAK (on your own)
- 1:15 - 2:00 **Recent Developments in Attorney Fee Cases**
- Fees in addition to compensation
 - Fees at the Department of Consumer and Business Services
 - Extraordinary circumstances
 - *Christopher D. Moore*
- 2:00 - 2:10 BREAK
- 2:10 - 3:10 **View from the Bench**
- Significant decisions of 2004
 - Trends in workers' compensation appellate court cases
 - Settlement of workers' compensation appellate court cases
 - *Hon. Mary J. Deits*
- 3:10 ADJOURN

Program Faculty

Steven R. Cotton
SAIF Corporation

Hon. Mary J. Deits
Oregon Court of Appeals

Hon. Jack L. Landau
Program Planner
Oregon Court of Appeals

John P. McCullough
Presiding ALJ,
Workers' Compensation Board

Christopher D. Moore
Malagon Moore & Jensen

Charles R. Mundorff
Westmoreland & Mundorff

Roger C. Pearson
Managing Attorney,
Workers' Compensation Board

Deborah L. Sather
Sather Byerly & Holloway

John L. Shilts
Administrator,
Workers' Compensation Division

LIVE PRESENTATION

Portland – 10/1/04
Oregon Convention Center
777 NE MLK Jr. Blvd.

MCLE CREDIT

2004 Update: Workers' Compensation Practice in Oregon will receive **5.25** MCLE credits.

PROGRAM TAPES

Even if you cannot attend, you can still get the program on audiotape or videotape. Use the order form in this brochure to order your set today! OLI Annual Passholders may purchase the tapes at 50% off the full retail price.

QUESTIONS?

Please call OLI at (503) 768-6580 in Portland or toll-free in Oregon at (800) 222-8213, e-mail us at oli@lclark.edu; or visit our Web site at www.lclark.edu/org/oli.

VIDEO REPLAYS

Please register at least one week prior to the replay date.

Bend – 10/15/04
Replay 8:30 a.m.
Bryant Lovlien & Jarvis
591 Mill View Way

Eugene – 10/8/04
Replay 8:30 a.m.
Harrang Long Gary & Rudnick, P.C.
360 East 10th Avenue, Ste. 300

Medford – 10/8/04
Replay 8:30 a.m.
Kellington Krack Richmond Blackhurst
Sutton & Glatte LLP
23 Newtown Street

Pendleton – 10/14/04
Replay 9:00 a.m.
Corey, Byler & Rew
222 S.E. Dorion

Portland – 10/20/04
Replay 9:00 a.m.
Oregon Law Institute
Gus J. Solomon Courthouse,
620 S.W. Main St., Suite 706

2004 UPDATE: WORKERS' COMPENSATION PRACTICE IN OREGON

Friday, October 1, 2004

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Firm/Organization _____

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Please "✓" appropriate box below:

- Live presentation
- Video replay. Location: _____ Date: _____

TUITION *(Prices apply to live and video replays.)*

- \$159 "Early Bird" tuition. *(Received by September 27, 2004)*
- \$119 "Early Bird" tuition for new attorneys (admitted 2003–2004), paralegals, or secretaries. *(Received by September 27, 2004)*
- \$ 15 OLI Annual Pass holder (Annual Pass no. _____).
- \$ 20 Add to above tuition if registration received *after September 27, 2004.*

BOOK AND TAPE ORDERS

I am unable to attend. Please send me:

- Audiotapes and course book, at \$169 per set.
- Videotapes and course book, at \$299 per copy.
- Course book only, at \$49 per copy.
- Deduct 50% from order if you are an OLI Annual Pass holder (Pass No. _____)
- \$7.00** *Note: Add \$7.00 shipping & handling fee to above book and tape orders.*

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or email us at oli@lclark.edu.
Check out our website at www.lclark.edu/org/oli.**

CONFIRMATION: Confirmation will be sent via e-mail or fax.

CANCELLATION POLICY: Tuition minus a \$20 handling charge will be refunded if the cancellation request is *written and received* by September 28, 2004.

NEED ASSISTANCE: If you are a person with a disability, please let OLI know in time to make any necessary accommodations for you.

TUITION ASSISTANCE: A limited number of scholarships are available based on financial need. Contact OLI.