



# Work Session Summary Minutes

OREGON

## Review and Update Litigation Defense Policy

March 20, 2025. 1:30 PM

Courthouse Square, 555 Court St. NE, Salem  
5th Floor, Suite 5232, Commissioners Board Room

### ATTENDANCE:

**Commissioners:** Colm Willis, and Kevin Cameron.

**Board's Office:** Toni Whitler, Heather Inyama, and Matt Lawyer.

**Legal Counsel:** Steve Elzinga.

**Business Services:** William White.

Commissioner Colm Willis called the meeting to order at 1:40 p.m.

### **Summary**

Key changes include aligning policy and procedure sections, expanding the general policy to cover administrative actions, and ensuring clarity in tort claims. The policy aims to protect county employees from legal actions related to their official duties, except for clearly criminal activities. The Compensation Board will review and approve the policy, ensuring it is part of the compensation package.

### **Discussion of Proposed Updates to Legal Defense Policy**

- Proposed shift from subject-specific to more generalized policy language.
- Expand coverage to have administrative actions and official duty-related matters.
- Key policy goal is protecting employees from questionable allegations while excluding clearly illegal activities.
- Specific examples discussed:
  - Sheriff's property sale legal challenge.
  - Potential ethics complaint scenarios.
  - Protection for employees following board directions.
- Address potential licensing board complaint scenarios.
- Broad protection for county employees across all departments.
- Incorporate flexibility to adapt to changes in Tort Claims Act.
- Define clear boundaries between defendable and non-defendable actions.

### **Process for Legal Defense Policy Updates**

- Proposed structural changes:
  - Move specific details to procedure section.
  - Create more adaptable policy framework.
- Consultation with ethics commission guidelines.
- Consider potential compensation implications.
- Review potential interpretative challenges.
- Discuss broad applicability across county employee classes.

- Evaluate risk management interactions.
- Alignment with existing legal standards.
- Address potential conflicts of interest.

### **Next Steps**

- Immediate Actions:
  - Finalize policy language refinements.
  - Prepare comprehensive documentation.
- Formal Review Process:
  - Present updated policy to Compensation Board.
  - Seek board recommendation.
  - Schedule formal board vote.
- Implementation Planning:
  - Develop communication strategy for employees.
  - Create training materials explaining policy changes.
  - Establish clear guidance for policy application.
- Long-term Considerations:
  - Regular policy review mechanism.
  - Ongoing legal consultation.
  - Monitoring of policy effectiveness.

**Adjourned** – time: 2:05 p.m.

**Minutes by:** Mary Vityukova

**Reviewed by:** Gary L. White