



**Board of Governors Meeting  
 WSBA Conference Center  
 Seattle, WA  
 January 16-17, 2020**

*WSBA Mission: To serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice.*

**PLEASE NOTE: ALL TIMES ARE APPROXIMATE AND SUBJECT TO CHANGE**

**ALL ITEMS ON THIS AGENDA ARE POTENTIAL ACTION ITEMS**

To participate remotely: dial 1.866.577.9294, access code 52810#

**THURSDAY, JANUARY 16, 2020**

**9:00 AM – CALL TO ORDER**

**CONSENT CALENDAR & STANDING REPORTS**

**WELCOME**

**CONSENT CALENDAR**

A governor may request that an item be removed from the consent calendar without providing a reason and it will be discussed immediately after the consent calendar. The remaining items will be voted on *en bloc*.

- Review & Approval of November 22-23, 2019 BOG Meeting Minutes..... 7
- Review & Approval of December 16, 2019 BOG Meeting Minutes..... 15

**PRESIDENT’S REPORT**

**INTERIM EXECUTIVE DIRECTOR’S REPORT ..... 17**

**MEMBER AND PUBLIC COMMENTS (30 minutes reserved)**

Overall publiccomment is limited to 30 minutes and each speaker is limited to 3 minutes. The President will provide an opportunity for publiccomment for those in the room and participating remotely. Time will be kept on the clock above the webcast booth. Publiccomment will also be permitted at the beginning of each agenda item at the President’s discretion.

**REPORTS OF STANDING OR ONGOING BOG COMMITTEES**

Committees may “pass” if they have nothing to report. Related agenda items will be taken up later on the agenda. Each committee is allocated, on average, 3-4 minutes.

- Executive Committee, Pres. Rajeev Majumdar, Chair
- APEX Awards Committee, Gov. Russell Knight, Chair
- Budget & Audit Committee, Treas. Dan Clark, Chair .....39, LM22, LM34
- Personnel Committee, Gov. Alec Stephens, Chair
- Legislative Committee, Gov. Kyle Sciuchetti, Chair
- Nominations Review Committee, Gov. Jean Kang & Pres-elect Kyle Sciuchetti, Co-Chairs
- Diversity Committee, Gov. Jean Kang, Co-Chair
- Long-Range Planning Committee, Gov. Paul Swegle, Chair
- Member Engagement Workgroup, Govs. Kim Hunter and Dan Clark, Co-Chairs

## SPECIAL REPORTS

- REPORTS OF TASK FORCES, WORK GROUPS, LIAISONS, AND OTHER WSBA ENTITIES**
  - ABA Mid-Year Meeting Preview, WSBA ABA Delegate Maureen Mitchell..... 49
  - Client Protection Fund (CPF) Annual Report, Acting Chair Carrie Umland..... 53
- GOVERNOR LIAISON REPORTS**

This is an opportunity for Governors to make reports related to their liaison assignments.

## AGENDA ITEMS & UNFINISHED BUSINESS

- PERSONNEL COMMITTEE MATTERS**, Gov. Alec Stephens, Chair and Director of Human Resources  
Felix Neals
  - SECOND READ: Partial Proposed Amendment To WSBA Bylaws Re: Executive Director Term Limit ..... 90
- PROPOSED TECHNICAL AMENDMENTS TO APR 8(b) TO CORRECTLY IDENTIFY THE LEGAL OFFICES & SERVICES THAT ASSIST MILITARY PERSONNEL**, Chief Regulatory Counsel Jean McElroy..... 94

### **12:00PM – LUNCH WITH LIAISONS AND OTHER GUESTS**

## AGENDA ITEMS & UNFINISHED BUSINESS

- LEGISLATIVE COMMITTEE MATTERS**, Gov. Kyle Sciuchetti and Outreach and Legislative Affairs  
Manager Sanjay Walkevar
  - Legislative Session Report ..... 99
  - Legislative Review Committee Policies & Procedures.....101
- APPOINTMENT TO CLIENT PROTECTION BOARD**, Pres-elect Kyle Sciuchetti .....LM3
- PROPOSED AMENDMENTS TO WSBA BYLAWS**
  - SECOND READ: Article II Re: Definition of Quorum.....130
  - SECOND READ: Articles IV & VI Re: Board Terms, Composition, and Elections
    - Report of Gov. Knight on the Form of the Proposal for a Bylaw re: Board Terms, Composition, and Elections .....106, 116, LM6
  - SECOND READ: Article VII Re: Executive Committee Composition.....135
  - SECOND READ: Article XI Re: Sections.....111, 137, LM6
    - Report of the Ad-Hoc Advisory Committee on the Form of the Proposal for a Bylaw re: Sections and Public Positions, Gov. Carla Higginson .....113
  - FIRST READ: Article III Re: Judicial Status, Gov. Kim Hunter and Chief Regulatory Counsel Jean McElroy .....141
- UPDATE ON MANDATORY MALPRACTICE INSURANCE**, Pres. Rajeev Majumdar .....232
- PRESENTATION ON OFFICE OF GENERAL COUNSEL’S ROLE IN DISCIPLINARY PROCEEDINGS**,  
General Counsel Julie Shankland.....234

### **5:00PM – RECESS**

**FRIDAY, JANUARY 17, 2020**

**9:00 AM – RESUME MEETING**

**AGENDA ITEMS & UNFINISHED BUSINESS**

- PROPOSED RULEMAKING RE: CIVIL ARRESTS IN CONNECTION WITH JUDICIAL PROCEEDINGS**
  - Brenda Rodriguez, Co-Director, Washington Immigrant Solidarity Network; Vanessa Torres Hernandez, Policy Director, Northwest Justice Project; Annie Benson, Senior Directing Attorney, Washington Defender Association; and Enoka Herat, Police Practices and Immigration Counsel, ACLU of Washington ..... 253, LM44
  - Committee on Professional Ethics Chair Don Curran, CPE Member Pamela H. Anderson, CPE Member Asel Neutze .....344
- PROPOSED POLICY RE PROCESS FOR BRINGING MATTERS TO THE BOG**, Interim Executive Director Terra Nevitt.....358

**NEW BUSINESS**

- GOVERNOR ROUNDTABLE** (Governors’ issues of interest)

**11:30PM – RECESS TO ATTEND THE KING COUNTY BAR ASSOCIATION REVEREND DR. MARTIN LUTHER KING, JR. ANNUAL LUNCHEON**

**1:45 PM – RESUME MEETING**

**EXECUTIVE SESSION**

- ANNOUNCE BASIS FOR EXECUTIVE SESSION PURSUANT TO RCW 42.30.110(1)(i) (if needed)**

**RESUME PUBLIC SESSION**

- LLLT CANDIDATE EDUCATION**

**4:00 PM – ADJOURN**

**INFORMATION**

- General Information.....369
- FY19 Audited Financial Statements.....377
- Monthly Financial Statements .....418
- WSBA Sections Annual Reports.....459
- WSBF FY19 Treasurer’s Report.....568

## 2019-2020 Board of Governors Meeting Issues

### **MARCH** (Olympia)

#### Standing Agenda Items:

- ABA Mid-Year Meeting Report
- Legislative Report
- Committee on Professional Ethics Report
- Financials (Information)
- Supreme Court Meeting
- FY2020 Second Quarter Outreach & Perception Survey Update (ED Report)

### **APRIL** (Seattle)

#### Standing Agenda Items:

- Financials (Information)
- Office of Disciplinary Counsel Report (ED Report)
- Continuing Legal Education Committee Report

### **MAY** (Bellingham)

#### Standing Agenda Items:

- Legislative Report/Wrap-up
- Council on Public Defense Report
- Interview/Selection of WSBA At-Large Governor
- Interview/Selection of the WSBA President-elect
- WSBA APEX Awards Committee Recommendations
- Financials (Information)
- FY2020 Third Quarter Outreach & Perception Survey Update (ED Report)
- Office of Disciplinary Counsel Report (ED Report)

### **JULY** (Stevenson)

#### Standing Agenda Items:

- Draft WSBA FY2021 Budget
- WSBA Treasurer Election
- Court Rules and Procedures Committee Report and Recommendations
- WSBA Committee and Board Chair Appointments
- BOG Retreat
- Financials (Information)
- Office of Disciplinary Counsel Report (ED Report)

### **AUGUST** (Spokane)

#### Standing Agenda Items:

- Financials (Information)
- Diversity Committee Report
- Office of Disciplinary Counsel Report (ED Report)
- FY2020 Third Quarter Outreach & Perception Survey Update (ED Report)

**SEPTEMBER (Seattle)**

Standing Agenda Items:

- Final FY2021 Budget
- 2021 Keller Deduction Schedule
- WSBF Annual Meeting and Trustee Election
- ABA Annual Meeting Report
- Legal Foundation of Washington Annual Report
- Washington Law School Deans
- Editorial Advisory Committee Report
- Chief Hearing Officer Annual Report
- Professionalism Annual Report
- Report on Executive Director Evaluation
- Financials (Information)
- WSBA Annual Awards Dinner