

WASHINGTON STATE BAR ASSOCIATION

BOARD OF GOVERNORS SPECIAL MEETING

Minutes

Held Virtually

August 29, 2020

[\(video recording link\)](#)

The meeting of the Board of Governors of the Washington State Bar Association (WSBA) was called to order by President Rajeev D. Majumdar on Saturday, August 29, 2020 at 9:00 AM. Governors in attendance were:

Sunitha Anjilvel

Daniel D. Clark

Peter J. Grabicki

Jean Kang

Russell Knight

Tom McBride

Bryn Peterson

Kyle D. Sciuchetti

Alec Stephens

Paul Swegle

Judge Brian Tollefson (ret.)

Also in attendance were Immediate Past President William D. Pickett, Gov-Elect Lisa Mansfield, Gov-Elect Brent Williams, Gov-Elect Lauren Boyd, Gov-Elect Brett Purtzer, Gov-Elect Mathew Dresden, Interim Executive Director Terra Nevitt, General Counsel Julie Shankland, Chief Disciplinary Counsel Doug Ende, Executive Administrator Shelly Bynum, Disciplinary Program Manager Thea Jennings, Nancy Hawkins (Family Law Section), and James E. Macpherson (Washington Defense Trial Lawyers).

Ad Hoc Committee to Investigate Alternatives to Mandatory Malpractice Insurance Report

Gov. Kyle Sciuchetti reported that the Committee had developed a proposed alternative for potential submission to the Washington Supreme Court, which is currently considering a proposal for mandating malpractice, with comments due September 30, 2020. Professor Spitzer presented the proposal to amend RPC 1.4 as provided in the materials. Committee member Michael Cherry noted his agreement with the proposal as a compromise that protects the public but does not mandate acquisition of malpractice insurance. Discussion followed regarding the details related to the scope of disclosure, informed consent, and the level of coverage. Gov. Stephens moved to

table the discussion to September and with direction to WSBA staff to broadly inform the membership of the proposal and that it is being tabled for action in September and to provide ample time for full discussion in September before a vote. Motion passed unanimously.

Committee Chair Appointments

Pres-Elect Sciuchetti presented the appointments and noted his interest in revisiting the committee-chair appointment process in the future. Gov. Grabicki moved for approval. Motion passed unanimously.

ADJOURNMENT

There being no further business, Pres. Majumdar adjourned the meeting at 10:00 AM on Saturday, August 29, 2020.

Respectfully submitted,

Terra Nevitt

Terra Nevitt
WSBA Interim Executive Director & Secretary