

WASHINGTON STATE BAR ASSOCIATION

BOARD OF GOVERNORS MEETING MINUTES

Vancouver, WA

June 23, 2023

Call to Order and Welcome ([link](#))

The meeting of the Board of Governors of the Washington State Bar Association (WSBA) was called to order by President Dan Clark on Friday, June 23, at 9:06 AM. Governors in attendance were:

Francis Adewale
Sunitha Anjilvel
Matthew Dresden
Kevin Fay
Erik Kaeding
Nam Nguyen
Kari Petrasek
Mary Rathbone
Serena Sayani
Alec Stephens
Brent Williams-Ruth

Also in attendance were Deputy Executive Director Dua Abudiab, President-Elect Hunter Abell, Gov. Elect Tom Ahearne, Pam Anderson, Rick Bartholomew, Gov. Elect Todd Bloom, Executive Administrator Shelly Bynum, Zachary Davison, Chief Disciplinary Counsel Doug Ende, Volunteer Engagement Advisor Paris Eriksen, Chief Regulatory Counsel Renata Garcia, Family Law Section Liaison Nancy Hawkins, Mason Ji, Gov. Elect Kristina Larry, Director of Finance Tiffany Lynch, Sections Program Specialist Carolyn MacGregor, Outreach Specialist Mike Kroner, James Macpherson, Member Engagement Specialist Curtiss Melvin, Executive Director Terra Nevitt, Chief Communications Officer Sara Niegowski, Broadcast Services Manager Rex Nolte, Communication Strategies Manager Jennifer Olegario, Sophia Palmer, Webcast Specialist Clay Peters, Director of Advancement Kevin Plachy, Associate Director ODC Kristen Schimpff, Kyle Sciuchetti, General Counsel Julie Shankland, Chief Equity & Justice Officer Diana Singleton, Hugh Spitzer, Immediate Past President Brian Tollefson, Member Services and Engagement Manager Julianne Unite, Gov. Elect Allison Widney, and James Williams.

Consent Calendar ([link](#))

Pres. Clark asked if anyone wished to remove an item from the consent calendar. Gov. Stephens moved for approval. There was no discussion. Motion passed unanimously. Gov. Sayani was not present for the vote.

Member & Public Comments ([link](#))

Jim Macpherson commented favorably on Gov. Elect Ahearne's election to the Board of Governors.

President's Report ([link](#))

Pres. Clark referred to his written report in the meeting materials.

Executive Director's Report ([link](#))

Director Nevitt referred to her written report in the meeting materials.

Governor Roundtable ([link](#))

Gov. Stephens commented on the rise in hate, intolerance, and violence, and said that DEI supporters need to do more to speak up and speak out.

Gov. Brent Williams-Ruth said that the Washington Supreme Court's Bar Licensure Task Force is set next week to release two reports based on the past two years of work: one about alternatives to the bar exam, the other about the Character and Fitness Process.

President-Elect Abell referred to an email sent to the Board outlining his plans for a meeting schedule next year as well as request to sign up for next year's committees and liaison opportunities. He reported that he recently met with District and Municipal Court Judges and the Connelly Firm.

Gov. Elect Todd Bloom noted that last Sunday was Father's Day and sent well wishes to all father figures.

First Draft Review of FY23 WSBA Budget ([link](#))

Treasure Adewale introduced the topic, stating that they were looking for clarity from the Board to indicate how the license fee and budget will take shape in the coming years according to their budget philosophy. Finance Director Lynch stated the objective in taking a look back at the FY24 budget retreat and identifying how those priorities inform the budget. Director Lynch presented questions to the Board to clarify its direction regarding unrestricted reserves, staffing, handling unknown budget items, WSBA facilities, and license fees. The board was largely in agreement that it is appropriate to use unrestricted reserves to support the FY24 budget and they would like to see a version of the FY24 budget and future projections that incorporate a renegotiation of the WSBA lease at Puget Sound Plaza, as well as a license fee that remain flat through 2026. The Board had mixed views on the WSBA staffing philosophy, how to account for unknown budget items, how to account for future WSBA facilities, and if they wanted to see a budget that offered alternate license fees.

Proposed Amendments to WSBA Bylaws Recommended by the Washington Young Lawyers Committee ([link](#))

WYLC Chair Zachary Davison and At-Large representative Mason Ji spoke about the history and process behind the proposed rule change which they believe will have a positive impact on people entering the legal profession in Washington. Discussion followed about keeping the word "young" in the title of the committee, the possible impact of the change to the committee and its members, and the timing of the request. The amendments may return for a second read at a future BOG meeting.

Proposed Policy for the Administration of Supreme Court Boards Recommended by the Task Force Team Administering Zenial Involvement with Court-Appointed Boards (TAXICAB) ([link](#))

Task Force Chair Kyle Sciuchetti informed the Board about the background and history of the TAXICAB Committee and its purpose is to clarify and strengthen the relationship/role between the WSBA and boards created by the Supreme Court and administered by the WSBA. He commented that the recommendations only apply to court-appointed boards and are not intended to encompass changes to the WSBA Bylaws.

Executive Director Nevitt walked through the proposal and provided additional background on the challenges that the proposal seeks to address.

Discussion followed about the need for the proposal; whether it will solve the identified challenges; and the process of bringing it to the Court. The Board also took comment from Nancy Hawkins expressing concern that the proposal is unfair to Sections and will give too much power to the Supreme Court Boards.

Amendments to GR 12.2 Recommended by the WSBA Equity and Disparity Work Group ([link](#))

Gov. Stephens presented the recommendation. He reiterated that the intent is to clarify what issues the WSBA and its entities may comment or take action on, consistent with the Supreme Court's objectives for the state bar.

Discussion followed, including how the current analysis of GR12 adversely impacts historically marginalized groups; that the DEI Council supports the change; what the change means for the WSBA and its entities; and whether there is a need to include language about *Keller* and First Amendment considerations. The amendments will return for a second read at a future BOG meeting.

Meeting Feedback ([link](#))

Gov. Williams-Ruth and Gov. Dresden requested to bring back the BOG Chair/Liaison standing reports and discussion followed. Gov. Anjilvel asked the group to complete the feedback survey for the June 22nd DEI training. Thanks was given to Treasurer Adewale and Director Lynch for their work on the WSBA budget.

RPC 1.2 and 8.4 RE: Reproductive Health Care Services Recommended by the Committee on Professional Ethics ([link-Part 1](#) [link-Part 2](#))

Committee Chair Pam Anderson and member Hugh Spitzer presented the recommendation to add comments to RPC 1.2 and 8.4 that would provide guidance to attorneys regarding counseling clients on abortion and reproductive rights that may be considered illegal in jurisdictions outside of Washington state.

Discussion followed about whether the comment should be limited to reproductive rights when there could be other situations that warrant the same treatment and with respect to next steps. Gov. Fay moved to give the CPE the opportunity to revise and extend the scope of the proposed comments, consistent with today's discussion. Motion passed unanimously. Gov. Rathbone was not present for the vote.

Board Retreat

The Board held its annual planning retreat on Saturday, June 23. The retreat included discussions about the potential areas of focus for FY24.

ADJOURNMENT

At the conclusion of the retreat, there being no further business, Pres. Clark adjourned the meeting at 3:45 PM on Saturday, June 23, 2023.

Respectfully submitted,

Terra Nevitt

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WSBA Executive Director & Secretary