



**Board of Governors Meeting
Hilton Garden Inn
Yakima, WA
May 16-17, 2019**

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

THURSDAY, MAY 16, 2019

GENERAL INFORMATION 2

AGENDA..... 18

8:00 A.M. – PUBLIC SESSION

- Welcome
- President’s Report and Executive Director’s Report

8:15 A.M. – OPEN PUBLIC MEETINGS ACT (OPMA) TRAINING – Nancy Krier, Assistant Attorney General for Open Government 23

10:00 A.M. – RECESS

10:10 A.M. – INSURANCE UPDATE

10:30 A.M. – INTERVIEW, SELECTION AND SWEARING-IN OF WSBA 2018-2021 DISTRICT 1 GOVERNOR (action) (order determined by random drawing) 59

1. Peter Arkison..... 60
2. Hunter Abell..... 69
3. Sunitha Anjilvel 90
4. Doug Shepherd 97
5. Karrin Klotz..... 100

12:00 P.M. – RECESS FOR LUNCH WITH LIAISONS AND GUESTS (Local Hero Awards)

1:15 P.M. – WORKING WITH LIMITED LICENSE LEGAL TECHNICIANS (LLLTs) IN THE COMMUNITY – Dianne Loepker, LLLT and Cowlitz-Wahkiakum County Bar Association President; Kellie Dightman, LLLT; and Sherri Farr, LLLT..... 108

1:45 P.M. – INTERVIEW AND SELECTION OF 2019-2020 WSBA PRESIDENT-ELECT (action) (order determined by random drawing) 118

1. Zachary Mosner 119
2. Kyle Sciuchetti..... 132
3. Alec Stephens..... 164

2:45 P.M. - RECESS

3:00 P.M. – REPORT FROM ABA MIDYEAR MEETING – James Williams, Washington State Delegate to the American Bar Association (ABA) (by phone) 179

3:30 P.M. – INTERVIEW AND SELECTION OF 2019-2022 WSBA AT-LARGE (A) GOVERNOR (action) (order determined by random drawing) 182
1. Vicki Lee Anne Parker 183
2. Drew Pollom..... 189
3. Sunitha Anjilvel 194
4. Hunter Abell..... 201

4:45 P.M. – MEMBER AND PUBLIC COMMENTS (guests’ issues of interest)

5:00 P.M. - RECESS

FRIDAY, MAY 17, 2019

PUBLIC SESSION (continued)

8:00 A.M.

BOG COMMITTEE REPORT ON DIRECT STAKEHOLDER INPUT RE RECOMMENDATIONS FROM CIVIL LITIGATION RULES DRAFTING TASK FORCE – Governor/Treasurer Dan Bridges (first reading)..... 221

CRITERIA FOR ADDING AND NAMING WSBA APEX AWARDS – Governor Russell Knight, Chair, And Sara Niegowski, Chief Communications and Outreach Officer (first reading)..... 260

UPDATE FROM BOG MEMBERS OF THE WASHINGTON SUPREME COURT WSBA STRUCTURE WORKGROUP – Governors Dan Clark, Kyle Sciuchetti, and Paul Swegle

UPDATE RE WSBA BOG NO RETALIATION POLICY PERSONNEL COMMITTEE REVIEW PLAN – Governor Chris Meserve, Chair, and Frances Dujon-Reynolds, Director of Human Resources

REPORT AND RECOMMENDATION RE INVESTMENT PORTFOLIO AND FACILITIES RESERVE FROM BUDGET AND AUDIT COMMITTEE (action) – Governor/Treasurer Dan Bridges and Ann Holmes, Chief Operations Officer 263

SUGGESTED AMENDMENTS TO MANDATORY ARBITRATION RULES (MARs) PER WASHINGTON SUPREME COURT REQUEST – Stephanie Dikeakos, MARs Subcommittee Chair (phone) (action).. 265

COMMITTEE ON PROFESSIONAL ETHICS (CPE) PROPOSED AMENDMENTS TO RPC 1.15A(h)(9) RE SAFEGUARDING PROPERTY – Ann Seidel, CPE Member (phone) (first reading)..... 345

9:45 A.M. - RECESS

10:00 A.M. – RECOMMENDATIONS FROM MANDATORY MALPRACTICE INSURANCE TASK FORCE – Hugh Spitzer, Chair (phone), and Doug Ende, Chief Disciplinary Officer (action) 348

11:30 A.M. – LOCAL AND NATIONAL TRENDS IN COURT REPORTING – Phyllis Lykken and Liz Harvey, Central Court Reporting 354

12:00 P.M. – RECESS FOR LUNCH WITH LIAISONS AND GUESTS

1:00 P.M.

DISCUSSION RE BOARD UPDATES AND COMMUNICATIONS – President Bill Pickett and Sara Niegowski, Chief Communications Officer..... 396

2:00 P.M. – CONSENT CALENDAR (action)

- a. March 7, 2019, Public Session Minutes 398
- b. March 12, 2019, Emergency Public Session Minutes 407
- c. March 15, 2019, Emergency Public Session Minutes 411
- d. April 18, 2019, Special Public Session Minutes..... 414
- e. April 22, 2019, Special Public Session Minutes..... 416
- f. WSBA APEX Awards Committee Recommendations..... 420
- g. Client Protection Board Gift Recommendations 421
- h. Technical Corrections to RPC 6.1(a)(2) re Pro Bono Publico Service..... 422

2:15 P.M. – GOVERNOR ROUNDTABLE (Governors’ issues of interest)

2:30 P.M. – EXECUTIVE SESSION PURSUANT TO RCW 42.30.110(1)(i) TO DISCUSS WITH LEGAL COUNSEL PENDING LITIGATION TO WHICH THE WSBA IS A PARTY

3:00 P.M. – PUBLIC SESSION

Take any action related to executive session, if needed.

INFORMATION

- a. Interim Executive Director’s Report 424
- b. FY2019 Second Quarter Management Report 470
- c. Legislative Report..... 481
- d. Diversity and Inclusion Events 484
- e. Financial Statements
 - 1. Second Quarter FY 2019 Budget to Actual Narrative 486
 - 2. February 28, 2019, Financial Statements 489
 - 3. March 31, 2019, Financial Statements 530
 - 4. March 31, 2019, and April 30, 2019, Investment Updates..... 576

PREVIEW OF JULY 26-27, 2019, MEETING 577

3:15 P.M. – ADJOURN

2019-2020 Board of Governors Meeting Issues

NOVEMBER (Seattle)

Standing Agenda Items:

- Access to Justice Board Annual Report (Information)
- Financials
- FY2018 Fourth Quarter Management Report
- 2018-2019 Legislative Priorities
- 2018-2019 Legislative Review Committee Recommendations
- Office of Disciplinary Counsel Report (ED Report Information – quarterly)
- Outside Appointments (if any)
- Washington Leadership Institute (WLI) Fellows Report
- WSBA Practice Sections Annual Reports (ED Report Information)
- WSBF Annual Report

JANUARY (Seattle)

Standing Agenda Items:

- ABA Midyear Meeting Sneak Preview
- Client Protection Fund (CPF) Annual Report
- Financials
- FY2018 Audited Financial Statements
- FY2019 First Quarter Management Report
- Legislative Session Report
- Office of Disciplinary Counsel Report (ED Report Information – quarterly)
- Outside Appointments (if any)

MARCH (Olympia)

Standing Agenda Items:

- ABA Mid-Year Meeting Report
- Financials
- Legislative Report
- Outside Appointments (if any)
- Supreme Court Meeting

March 2018 Agenda Items:

- BOG Civil Litigation Rules Committee Report
- Mandatory Malpractice Insurance Final Report

May (Yakima)

Standing Agenda Items:

- BOG Election Interview Time Limits (Executive Session)
- Financials
- FY2019 Second Quarter Management Report
- Interview/Selection of WSBA At-Large Governor
- Interview/Selection of the WSBA President-elect
- Legislative Report/Wrap-up
- Office of Disciplinary Counsel Report (ED Report Information – quarterly)
- Outside Appointments (if any)
- WSBA APEX Awards Committee Recommendations (Executive Session)

JULY (Richland)

Standing Agenda Items:

- ATJ Board Report
- BOG Retreat
- Court Rules and Procedures Committee Report and Recommendations
- Financials
- Draft WSBA FY2020 Budget
- FY2018 Third Quarter Management Report
- Office of Disciplinary Counsel Report (ED Report Information – quarterly)
- WSBA Committee and Board Chair Appointments
- WSBA Mission Performance and Review (MPR) Committee Update
- WSBA Treasurer Election

SEPTEMBER (Seattle)

Standing Agenda Items:

- 2020 Keller Deduction Schedule
- ABA Annual Meeting Report
- Chief Hearing Officer Annual Report
- Professionalism Annual Report
- Report on Executive Director Evaluation (Executive Session)
- Financials
- Final FY2020 Budget
- Legal Foundation of Washington and LAW Fund Report
- Washington Law School Deans
- WSBA Annual Awards Dinner
- WSBF Annual Meeting and Trustee Election

Board of Governors – Action Timeline

Description of Matter/Issue	First Reading	Scheduled for Board Action
Recommendations from BOG Civil Litigation Rules Committee	March 7, 2019	TBD
Recommendations from Mandatory Malpractice Insurance Task Force	March 7, 2019	May 16-17, 2019
CPE Proposed Amendments to RPC 1.15A(h)(9) re Safeguarding Property	May 16-17, 2019	July 26-27, 2019
BOG Committee Report on Direct Stakeholder Input re Recommendations from Civil Litigation Rules Drafting Task Force	May 16-17, 2019	July 26-27, 2019