



**Board of Governors Meeting  
WSBA Conference Center  
Seattle, WA  
November 22-23, 2019**

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

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**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#

**FRIDAY, NOVEMBER 22, 2019**

**9:00 AM – CALL TO ORDER**

**BOARD TRAINING**

- ANTI-HARASSMENT TRAINING**, Julie Lucht, Perkins Coie LLP

**CONSENT CALENDAR & STANDING REPORTS**

- WELCOME**

- CONSENT CALENDAR**

- REVIEW & APPROVAL OF SEPTEMBER 26-27, 2019 MEETING MINUTES ..... 7
- REVIEW & APPROVE OF EXECUTIVE SESSION MEETING MINUTES
  - December 3, 2018
  - January 17-18, 2019
  - March 1, 2019
  - March 4, 2019
  - March 29, 2019

- PRESIDENT’S REPORT**

- MEMBER AND PUBLIC COMMENTS** (30 minutes reserved) ..... LM3

- REPORTS OF STANDING OR ONGOING BOG COMMITTEES**

- EXECUTIVE COMMITTEE, Pres. Rajeev Majumdar, Chair
- APEX AWARDS COMMITTEE, Gov. Russell Knight, Chair
- BUDGET & AUDIT COMMITTEE, Treas. Dan Clark, Chair ..... 51
- 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 WORK GROUP, Govs. Kim Hunter and Dan Clark, Co-Chairs

**12:00PM – LUNCH WITH WLI FELLOWS, LIAISONS, AND GUESTS**

## SPECIAL REPORTS

### **REPORTS OF TASK FORCES, WORK GROUPS, & LIAISONS**

- JUDICIAL INFORMATION SYSTEMS COMMITTEE UPDATE, Robert Taylor, WSBA Liaison..... 54

## AGENDA ITEMS & UNFINISHED BUSINESS

- WASHINGTON STATE BAR FOUNDATION ANNUAL REPORT**, Kristina Larry, President and Laura Sanford, Foundation Development Officer ..... 57
- BUDGET & AUDIT COMMITTEE MATTERS**, Treas. Dan Clark, Chair and Chief Financial Officer Jorge Perez
  - BANK RESOLUTION AUTHORIZING BANKING RELATIONSHIPS..... 59
  - APPROVAL OF THE 2021 LICENSE FEE..... 61
  - RECOMMENDATION TO REDUCE THE CLIENT PROTECTION FUND ASSESSMENT ..... 63
  - \$5,000 BUDGET REQUEST TO INCREASE FUNDING FOR A CONTRACT LOBBYIST ..... 69
  - \$10,000 BUDGET REQUEST FOR STRATEGIC TRAINING & PLANNING FOR PUBLIC OUTREACH CAMPAIGN ..... 70
  - GOVERNOR & OFFICER TRAVEL POLICY..... 73, LLM3
- PERSONNEL COMMITTEE MATTERS**, Gov. Alec Stephens, Chair and Director of Human Resources Felix Neals
  - FIRST READ: PARTIAL PROPOSED AMENDMENT TO WSBA BYLAWS RE: EXECUTIVE DIRECTOR TERM LIMIT ..... 76
  - 1-YEAR EXTENSION OF TERRA NEVITT AS INTERIM EXECUTIVE DIRECTOR..... 79
- EXECUTIVE COMMITTEE MATTERS**, Pres. Rajeev Majumdar, Chair
  - PROPOSED AMENDMENTS TO EXECUTIVE COMMITTEE CHARTER..... 80
- LEGISLATIVE COMMITTEE MATTERS**, Pres-elect Kyle Sciuchetti, Chair and Outreach & Legislative Affairs Manager Sanjay Walvekar, John Reed, Corporate Act Revision Committee of the Business Law Section
  - 2019-2020 LEGISLATIVE PRIORITIES ..... 85, LM4
  - 2019-2020 LEGISLATIVE REVIEW COMMITTEE RECOMMENDATIONS..... 87
- COUNCIL ON PUBLIC DEFENSE (CPD) MATTERS**
  - PROPOSED APPELLATE GUIDELINES, Gideon Newmark, and Equity & Justice Manager Diana Singleton ..... 92
  - PROPOSED DEFENDER RESOURCE GUIDE, Jaime Hawk, CPD Member, and Equity & Justice Manager Diana Singleton..... 100

### **5:00PM – RECESS**

**SATURDAY, NOVEMBER 23, 2019**

**9:00 AM – RESUME MEETING**

**AGENDA ITEMS & UNFINISHED BUSINESS**

- PROPOSAL RE WSBA MAGAZINE NAME**, Gov. Carla Higginson and Chief Communications Officer Sara Niegowski ..... 123
- 2020 MEETING SCHEDULE RESOLUTION** ..... 134
- PROPOSED POLICY RE: POTENTIAL CONFLICTS IN GOVERNOR/OFFICER ROLES**..... 141
- ALTERNATIVE DISPUTE RESOLUTION SECTION PROPOSED BYLAWS AMENDMENTS**, Melvyn J. Simburg, ADR Section Chair-Elect..... 144
- BUSINESS LAW SECTION THIRD-PARTY LEGAL OPINIONS**, Diane Dick, Chair-elect, Scott MacCormack, Legal Opinions Committee of the Business Law Section Executive Committee ..... 155
- PROPOSED AMENDMENTS TO WSBA BYLAWS**
  - FIRST READ: ARTICLE II RE: DEFINITION OF QUORUM ..... 208
  - FIRST READ: ARTICLES IV & VI RE: BOARD TERMS, COMPOSITION, AND ELECTIONS .... 210, LM35
  - FIRST READ: ARTICLE VII RE: EXECUTIVE COMMITTEE COMPOSITION..... 213
  - FIRST READ: ARTICLE XI RE: SECTIONS..... 214

**12:00 PM – LUNCH**

**AGENDA ITEMS & UNFINISHED BUSINESS**

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

**EXECUTIVE SESSION**

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

**3:00 PM - Adjourn**

**INFORMATION**

- General Information ..... 300
- Financial Statements..... 316
- New Advisory Opinions 201902 & 201903 ..... 357
- Interim Executive Director’s Report ..... 15
- Washington Leadership Institute (WLI) Fellows Report ..... LM36

## 2019-2020 Board of Governors Meeting Issues

### **NOVEMBER** (Seattle)

#### Standing Agenda Items:

- 2019-2020 Legislative Priorities
- 2019-2020 Legislative Review Committee Recommendations
- WSBF Annual & Financial Reports
- Financials (Information)
- Washington Leadership Institute (WLI) Fellows Report (Information)
- FY2019 Fourth Quarter Management Report (ED Report)
- Office of Disciplinary Counsel Report (ED Report)

### **JANUARY** (Seattle)

#### Standing Agenda Items:

- ABA Midyear Meeting Sneak Preview
- Client Protection Fund (CPF) Annual Report
- Access to Justice Board Annual Report
- Legislative Session Report
- FY2019 Audited Financial Statements
- WSBA Sections Annual Reports (Information)
- Financials (Information)
- FY2020 First Quarter Management Report (ED Report)

### **MARCH** (Olympia)

#### Standing Agenda Items:

- ABA Mid-Year Meeting Report
- Legislative Report
- Financials (Information)
- Supreme Court Meeting

### **APRIL** (Seattle)

#### Standing Agenda Items:

- Financials (Information)
- Office of Disciplinary Counsel Report (ED Report)

### **MAY** (Bellingham)

#### Standing Agenda Items:

- Legislative Report/Wrap-up
- Interview/Selection of WSBA At-Large Governor
- Interview/Selection of the WSBA President-elect
- WSBA APEX Awards Committee Recommendations
- Financials (Information)
- FY2020 Second Quarter Management Report (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)
- Office of Disciplinary Counsel Report (ED Report)
- FY2020 Third Quarter Management Report (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
- Chief Hearing Officer Annual Report
- Professionalism Annual Report
- Report on Executive Director Evaluation
- Financials (Information)
- WSBA Annual Awards Dinner

**Board of Governors – Action Timeline**

Description of Matter/Issue	First Reading	Scheduled for Board Action
CPD Proposed Defender Resource Packet	Sept 26-27, 2020	Nov 22-23, 2020