

# WASHINGTON STATE BAR ASSOCIATION

## BOARD OF GOVERNORS MEETING

### Minutes

Held Virtually

March 30 2020

The meeting of the Board of Governors of the Washington State Bar Association (WSBA) was called to order by President Rajeev D. Majumdar on Monday, March 30, at 1:04 PM. Governors in attendance were:

Hunter M. Abell  
Sunitha Anjilvel  
Daniel D. Clark  
Peter J. Grabicki  
Carla Higginson  
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, Interim Executive Director Terra Nevitt, General Counsel Julie Shankland, Chief Financial Officer Jorge Perez, Chief Disciplinary Counsel Doug Ende, Chief Regulatory Counsel Jean McElroy, Chief Communications Officer Sara Niegowski, Interim Director Advancement Kevin Plachy, Human Resources Director Felix Neals, Executive Administrator Shelly Bynum, Nancy Hawkins and Jean Cotton.

#### Emergency Temporary Bylaws Amendment

Pres. Majumdar introduced the proposal as presented in the materials. Discussion followed. Gov. Stephens moved for adoption of the proposed amendments. Gov. Grabicki offered and Gov. Stephens accepted as a friendly amendment to include the language as paragraph D, "this amendment shall be rescinded upon the date that Gov. Inslee rescinds the Stay Home, Stay Safe proclamation." Discussion followed. Gov. Stephens modified his amended motion to reflect an April 24 end date. Amended motion passed 11-2.

Pres. Majumdar noted that this must be included on the agenda in April and May for first and second reading.

Proposed Guidance to Members on Performing Essential Services

General Counsel Shankland presented her memo as provided in the materials. Discussion followed. Gov. Grabicki moved to amend approve language that, "Legal services are essential services when necessary to assist in compliance with legally mandated activities and critical sector services. Legal service providers should not compromise the health of their employees, the health and integrity of the profession or the health of society by facilitating the transmission of the disease, and except when necessary to do your essential work, should remain at home." Gov. Grabicki accepted an amendment to add language that the guidance is not provided as legal advice. Gov. Grabicki clarified that part of his motion was that it should be sent to the Governor for review. Discussion followed. Gov. Higginson moved to call the question. Motion passed 9-7. Underlying motion failed 7-5. Gov. Tollefson was not present for either vote.

Pres. Majumdar noted that he would respond to the members that the Board took up the question and debated it, but did not feel confident in providing clear direction and refer them to the Governor's order and website where they may apply for clarification with regard to their particular practice. Discussion followed. Gov. Higginson moved that neither the President nor anyone on behalf of the WSBA seek clarification of essential services from the Governor or the Court at this time. The motion failed 8-2. Gov. Swegle was not present for the vote.

Motion to adjourn passed unanimously.

ADJOURNMENT

Gov. Peterson moved for adjournment. Motion passed unanimously. Gov. Swegle was not present for the vote. The meeting was adjourned at 3:44PM on Monday, March 30, 2020.

Respectfully submitted,

*Terra Nevitt*

Terra Nevitt  
WSBA Interim Executive Director & Secretary