

Office of the Executive Director

August 2011 ■ Volume XIV ■ Number 5

The Board of Governors met July 22–23 in Ocean Shores. For information on this or past Board meetings, please contact Margaret Shane at <u>margarets@wsba.org</u>.

Welcome to Ocean Shores!

Sixth District Governor **Patrick Palace**, of Tacoma, welcomed the Board of Governors to Grays Harbor County.

President's Report

President **Steve Toole**, of Bellevue, reported that members of the Board of Governors and the WSBA directors held their annual retreat the day before the Board meeting. Led by President-elect **Steve Crossland**, of Cashmere, the retreat focused on diversity issues. President Toole and President-elect Crossland will be attending the National Conference of Bar Presidents in Toronto in early August.

Executive Director's Report

Executive Director **Paula Littlewood** was pleased to announce that thanks to a \$1.1 million grant* from the Washington State Attorney General's Consumer Protection Division, the Home Foreclosure Legal Aid Project* will be expanded and continue for another two years. (Funds came from a settlement reached with Wells Fargo regarding certain home loan practices.) The WSBA developed the Project in partnership with the Northwest Justice Project. To date, several hundred WSBA members have provided volunteer legal assistance to families whose homes were in danger of foreclosure.

Local Hero Award

At a luncheon with WSBA members from Grays Harbor County, President **Steven Toole** presented the local hero award to Aberdeen attorney **Jeffrey Damasiewicz**.*

2011-2012 Budget

Treasurer **Patrick Palace** and Director of Finance and Administration **Julie Mass** walked the Board through the proposed 2011–2012 budget (the WSBA's fiscal year is October through September). Prior to developing the budget, the Board and directors had examined WSBA programs in light of the WSBA's two core functions of

ensuring competent and qualified professionals and promoting the role of lawyers in society, and evaluated programs based on: (1) whether the program furthers one of the WSBA's core functions; (2) whether the WSBA has the competency to operate the program; (3) how the WSBA, as the mandatory bar, is uniquely positioned to operate the program; (4) whether statewide leadership is required in order to achieve the program's mission; and (5) whether the program's design optimizes the expenditure of WSBA resources devoted to the program. The Board will vote on the budget at its September 22–23 meeting.

Election of 2011–2112 WSBA Treasurer

Nancy Isserlis,* of Spokane, governor from the 5th District, was elected by the Board as the 2011–2012 treasurer.* As treasurer, she will serve as chair of the WSBA Budget and Audit Committee. Isserlis has been with the firm of Winston & Cashatt since 2004, where her practice focuses on bankruptcy and commercial law issues. Prior to joining the firm, she was the regional directing attorney for Columbia Legal Services. Isserlis has a longstanding commitment to the legal profession, having served as president of the Spokane County Bar Association (SCBA), founding member of the Access to Justice Board, and vice president of Columbia Legal Services. She is a past recipient of the Smithmoore P. Myers Professionalism Award and the Volunteer Lawyer of the Year Award, both awarded by the SCBA.

Court Rules and Procedures Committee

Court Rules and Procedures Committee Chair **Kenneth Masters**, of Bainbridge Island, provided a first reading of the Committee's recommendations regarding several court rules. The Board discussed three Committee recommendations: (1) amending Evidence Rule (ER) 501 on privileges to cite only to the statutes, and adding citations to statutes making the spousal privilege applicable to domestic partners; (2) adopting comments in response to the Office of Public Defense's proposed amendment to Rule of Appellate Procedure (RAP) 18.13A and proposing an alternative amendment; and (3) rejecting the Superior Court Judges' Association's proposed amendment to Superior Court Criminal Rule (CrR) 3.1,

regarding the court's ability to control or limit a *pro se* criminal defendant's questioning of witnesses in certain circumstances. The Board will be voting on the Committee's recommendations at its September 22–23 meeting, and any approved recommendations would be forwarded to the Supreme Court for consideration.

Work Group to Develop Immigration Issue Opinion

The Board voted to create a work group to develop an ethics opinion regarding whether an attorney can threaten to use a person's immigration status against that person in an unrelated civil matter.

ELC Task Force Report

Rules for Enforcement of Lawyer Conduct (ELC) Task Force Chair **Geoff Gibbs** (Everett) and WSBA Disciplinary Counsel **Scott Busby** presented recommendations from the Task Force. The Task Force was formed two years ago to undertake a comprehensive review of the ELC, the procedural rules that govern Washington's lawyer discipline system. The memo to the Board, matrix of proposed changes, and other information is available online. The Board is scheduled to vote on recommended rule changes at its September 22–23 meeting.

Upcoming Events

Many more events are listed on the Legal Community Events Calendar on the WSBA website homepage.

September

September 22: WSBA Annual Awards Dinner, Hyatt at Olive 8, Seattle

September 22–23: WSBA Board of Governors meeting, WSBA offices, Seattle

September 24: Legal Voice Auction, Renaissance Hotel, Seattle

October

October 14: Washington Women Lawyers Annual Dinner, Grand Hyatt, Seattle

October 20: Asian Bar Association of Washington 22nd Annual Banquet, Four Seasons Hotel, Seattle

October 20: Northwest Immigrant Rights Project's 27th Anniversary Celebration, Wing Luke Museum, Seattle

October 28–29: WSBA Board of Governors meeting, Hotel Murano, Tacoma

* Web addresses

\$1.1 Million Grant Enables Continuation of Home Foreclosure Legal Aid Project

http://bit.ly/nBBbkI

Home Foreclosure Legal Aid Project

http://www.wsba.org/help4homeowners

Local Hero Jeffrey Damasiewicz

http://bit.ly/qylCV7

Governor Nancy Isserlis Elected WSBA Treasurer http://bit.ly/oIjHqb

ELC Task Force Memo to Board of Governors http://bit.ly/mQofFa

ELC Task Force Matrix of Proposed Changes http://bit.ly/oUptoe

ELC Task Force Information http://bit.ly/qDnvO9