



**Board of Governors Meeting
The Washington State Convention Center, Seattle, WA
May 20-21, 2021**

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

ALL ITEMS ON THIS AGENDA ARE POTENTIAL ACTION ITEMS

**To participate remotely: Join via Zoom or Call 1.888.788.0099
Thursday, May 20th – Meeting ID: 944 6019 4252 Passcode: 784263
<https://wsba.zoom.us/j/94460194252?pwd=OUd5Qjl6OWxLMkZ2RjNITjFIU1JRQT09>**

**Friday, May 21st – Meeting ID: 926 4963 6622 Passcode: 486173
<https://wsba.zoom.us/j/92649636622?pwd=WWRmbmpil2pWZlk4dWI1czNDNGwvdz09>**

THURSDAY, MAY 20, 2021

9:00 AM – CALL TO ORDER

- ANNOUNCE BASIS FOR MOVING INTO EXECUTIVE SESSION PURSUANT TO THE WSBA BYLAWS ARTICLE VII.B.7.a.2, 4

EXECUTIVE SESSION

- RECEIVE CONFIDENTIAL DISCIPLINE INFORMATION (IF ANY) REGARDING CANDIDATES FOR PRESIDENT-ELECT
- DISCUSS WITH LEGAL COUNSEL A REQUEST TO AUTHORIZE COLLECTIVE BARGAINING FOR WSBA STAFF

RETURN TO PUBLIC SESSION

- REPORT ON EXECUTIVE SESSION DISCUSSION

PRESIDENT-ELECT ELECTION

- REVIEW INTERVIEW AND ELECTION PROCEDURES 7
- INTERVIEWS AND SELECTION OF 2020-2021 WSBA PRESIDENT-ELECT 10
 - Allen D. Brecke
 - Daniel D. Clark
 - C. Olivia Irwin

CONSENT CALENDAR & STANDING REPORTS

CONSENT CALENDAR

A governor may request that an item be removed from the consent calendar without providing a reason and it will be discussed immediately after the consent calendar. The remaining items will be voted on *en bloc*.

- Approval April 16-17, 2021 BOG Meeting Minutes 85
- Approve 2021 APEX Awards Nominations..... 95

PRESIDENT’S REPORT

EXECUTIVE DIRECTOR’S REPORT 96

12:00PM – RECESS FOR LUNCH

MEMBER AND PUBLIC COMMENTS (30 minutes reserved)

Overall public comment is limited to 30 minutes and each speaker is limited to 3 minutes. The President will provide an opportunity for public comment for those in the room and participating remotely. Public comment will also be permitted at the beginning of each agenda item at the President’s discretion

REPORTS OF STANDING OR ONGOING BOG COMMITTEES

Committees may “pass” if they have nothing to report. Related agenda items will be taken up later on the agenda. Each committee is allocated, on average, 3-4 minutes.

- Executive Committee, Pres. Kyle Sciuchetti, Chair
- APEX Awards Committee, Gov. Russell Knight, Chair
- Personnel Committee, Gov. Jean Kang, Chair
- Legislative Committee, Gov. PJ Grabicki, Chair
- Nominations Review Committee, Gov. Jean Kang & Pres-elect Brian Tollefson, Co-Chairs
- Diversity Committee, Gov. Sunitha Anjilvel, Co-Chair
- Long-Range Planning Committee, Pres. Kyle Sciuchetti, Chair
- Member Engagement Workgroup, Gov. Bryn Peterson, Co-Chair
- Budget & Audit Committee, Treas. Dan Clark, Chair 270
- Equity & Disparity Workgroup, Gov. Alec Stephens
- Supreme Court Bar Licensure Task Force, Gov. Williams-Ruth

SPECIAL REPORTS

PRACTICE OF LAW BOARD REPORT, Chair Michael Cherry

BOARD OF BAR EXAMINERS REPORT, Chair Bruce Turcott, Chair Cathy Helman, RSD Admissions Manager Gus Quiniones 273

LEGISLATIVE SESSION WRAP-UP, Gov. PJ Grabicki and Chief Communications Officer Sara Niegowski 279

UPDATE RE PROPOSED RULES FOR DISCIPLINE & INCAPACITY, Gov. Brett Purtzer

UPDATE ON THE FUTURE OF WORK AT WSBA, Terra Nevitt, Executive Director

GOVERNOR LIAISON REPORTS

5:00 PM – RECESS

FRIDAY, MAY 21, 2021

9:00 AM – RESUME MEETING

AGENDA ITEMS & UNFINISHED BUSINESS

- COUNCIL ON PUBLIC DEFENSE MATTERS**, Chair Travis Stearns
 - New General Rule: Independence of Public Defense 282
 - Amendments to Standard 18 – Standards for Indigent Defense Services
 - New Standard 19 – Standards for Indigent Defense Services
 - Amendments to CrRLJ 3.1(d)(4)
 - Amendments CrR 3.1
 - Amendments to JuCR 9.2(d)
 - Approve Guidance Re Responding to the Emergency Caused by Pandemic Driven Increased Public Defense Workloads 294
- DISCUSSION RE AT-LARGE YOUNG LAWYER GOVERNOR ELECTION**, Volunteer Engagement Advisor Paris Eriksen, WYLC Chair Brian Neuharth. 303
- BUDGET AND AUDIT COMMITTEE MATTERS**
 - Selection of WSBA Financial Auditor 315
 - Proposal to Increase the Facilities Reserve LM

12:00 PM – RECESS FOR LUNCH

- COMMITTEE ON PROFESSIONAL ETHICS RECOMMENDATION TO WITHDRAW PROPOSED AMENDMENTS TO RPC 7.2 AND 5.4**, Chair Pam Anderson 318
- PROPOSED AMENDMENTS TO APR 9**, Prof. Lisa Kelly, University of Washington School of Law; Prof. Christine Cimini, University of Washington School of Law; Prof. Lisa Brodoff, Seattle University School of Law; Prof. Gail Hammer, Gonzaga Law School; and Associate Director for Regulatory Services Bobby Henry 352

SPECIAL REPORTS

- REPORT ON THE BOARD’S EQUITY, DIVERSITY, AND INCLUSION ACTIVITIES, INCLUDING DISCUSSION OF APRIL 19 TRAINING**, Pres. Kyle Sciuchetti, Past Pres. Rajeev Majumdar, and ChrisTiana Obey Sumner of Epiphanies of Equity 385

NEW BUSINESS

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

4:00 PM - Adjourn

INFORMATION

- General Information 387
- Financial Reports..... 403
- Council on Professional Ethics Advisory Opinion No. 202102..... 446

2020-2021 Board of Governors Meeting Issues

JULY (Portland, OR)

Standing Agenda Items:

- Draft WSBA FY2022 Budget
- Court Rules and Procedures Committee Report and Recommendations
- WSBA Committee and Board Chair Appointments
- BOG Retreat
- Financials (Information)

AUGUST (Bosie, ID)

Standing Agenda Items:

- WSBA Treasurer Election
- Financials (Information)

SEPTEMBER (Seattle)

Standing Agenda Items:

- Final FY2022 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
- Supreme Court Meeting
- Financials (Information)