

WASHINGTON STATE BAR ASSOCIATION

BOARD OF GOVERNORS MEETING MINUTES

Nespelem and Moses Lake, WA

July 18-19, 2024

[Call to Order and Welcome \(link\)](#)

The meeting of the Board of Governors of the Washington State Bar Association (WSBA) was called to order by President Sunitha Anjilvel on Thursday, July 18, at 11:00 a.m. Governors in attendance were:

Francis Adewale
Matthew Dresden
Mary Rathbone
Kevin Fay
Kristina Larry
Brent Williams-Ruth
Nam Nguyen
Allison Widney
Jordan Couch
Kari Petrasek

Officers and Executive Staff in attendance were President Sunitha Anjilvel, Immediate Past President Dan Clark, Executive Director Terra Nevitt, Chief Communications and Outreach Officer Sara Niegowski, Director of Finance Tiffany Lynch, Chief Disciplinary Counsel Doug Ende, Chief Regulatory Counsel Renata Garcia, Director of Advancement Kevin Plachy, Chief Equity & Justice Officer Diana Singleton, HR Director & Chief Culture Officer Glynnis Klinefelter Sio, and General Counsel Laurie Powers.

Also in attendance were Nancy Hawkins, Hon. Lauren King, Hon. Raquel Montoya-Lewis, Hon. Sophie Nomee, Jessica Peyton Roberts, Charissa Eichman, Rhylee Marchand, Brenda George, Bree Black Horse, Jarred-Michael Erickson, Darnell Sam, Cody Desautel, Shelly Bynum, Aziza Ozgoren, Christophe Chovanak, Jennifer Olegario, Neeka Somday, Moulten Asket, Catherine Schur, Paris Eriksen, Bobby Henry, Stephen Crossland, Kyle Sciuchetti, Adelane Shay, Betsylew Miale Gix, Hunter Abell, Lisa Amatangel, Shannon Thomas, Meghan Francis, Mel Tonasket and Andie Anderson.

The meeting commenced with an opening prayer and healing song led by Salmon Chief Darnell Sam of the Confederated Tribes of the Colville Reservation. Pres. Anjilvel reported that this was the bar's first visit to tribal lands and emphasized the importance of building a continued and authentic connection with the tribe. She acknowledged the presence of several tribal leaders and representatives, including Chairman Jared Michael Erickson, Executive Director of Colville Tribes Cody Desautel, and Judge Sophie Nomee.

President Anjilvel highlighted the crisis of missing and murdered indigenous women and relatives and presented a \$2,000 donation to the National Indigenous Women's Resource Center. Colville Business

Council President Jared Michael Erickson accepted the donation and provided an overview of the Colville Confederated Tribes, their traditional territories, and the challenges they face. He also expressed gratitude for the efforts to continue the meeting despite challenges posed by a severe storm and resulting power outages, and a commitment to ongoing collaboration and support.

Member & Public Comments ([link](#))

Hunter Abell welcomed attendees and highlighted the significance of the meeting, which he hoped would address the unique challenges and opportunities of practicing law in Indian Country. He noted issues such as long distances, rural settings, law enforcement response times, and infrastructure concerns like water and power. Abell expressed gratitude to President Anjilvel, Executive Director Terra Nevitt, and the Colville Confederated Tribes leaders for their hospitality and efforts in facilitating the meeting despite the power outage.

There was no further public comment.

Consent Calendar ([link](#))

Gov. Brent Williams-Ruth moved to approve the consent calendar. The motion passed unanimously.

President's Report ([link](#))

Acting President Anjilvel provided a brief report.

Executive Director's Report ([link](#))

Executive Director Nevitt referred to her written report and highlighted two key updates: 1. The Court approved the Board-approved changes to the admission fees effective September 1, 2024, which will be reflected in updated Admissions Policies without further board review.

2. Staff has been preparing a draft court order to authorize the "pilot project" of entity regulation proposed by the Practice of Law Board and endorsed by the Board of Governors in November. The draft order has been approved by the Practice of Law Board. Next it will be posted online, shared with the Board of Governors and submitted to the Washington Supreme Court for approval.

FY25 Treasurer Election ([link](#))

Executive Director Nevitt explained the election process. Candidate Gov. Kari Petrasek made an opening statement emphasizing her experience with financial management in various organizations and her commitment to the role. Gov. Petrasek was interviewed by the Board. President Anjilvel declared Gov. Petrasek as the FY25 WSBA Treasurer as there were no other candidates. It was later determined that a vote should be taken even though there was only one candidate. Following a vote, Gov. Petrasek was again declared to be the FY25 WSBA Treasurer.

First Draft of FY25 Budget ([link](#))

Treasurer Francis Adewale and Director of Finance Tiffany Lynch presented the first draft of the FY25 budget. Director Lynch highlighted key drivers of the budget and significant changes from FY24, including the cost of staff support, new items for the FY25 budget for events (Bar Leaders Summit, Regulatory School, etc.), the need for a new membership database system, the positive impact of the new rent agreement.

The Board discussed the importance of communicating financial decisions to members. Gov. Jordan Couch emphasized the necessity of discussing dues increases early to avoid a significant future hike. Governors debated the timing and justification for such an increase. Director Lynch noted that the final budget will be presented in September, with a recommendation for license fees expected in November.

Panel Discussion with Tribal Practitioners and Leaders ([link](#))

The Board of Governors convened a discussion about emerging issues for tribal practitioners and leaders. Key points of discussion included the perception of tribal law as foreign, the need for Indian law education in Washington law schools, and the challenges faced by tribal courts in gaining recognition and enforcement of their orders by state courts. The panelists emphasized the importance of understanding tribal sovereignty and integrating Indian law into broader legal practices. Specific recommendations included testing Indian law on the bar exam, requiring Indian law CLE credits, fostering relationships between state and tribal courts, and considering the establishment of a task force to address these issues. The session concluded with a call for ongoing collaboration and concrete actions to support tribal legal systems and practitioners.

Executive Session ([link](#))

President Anjilvel moved the Board to executive session at 2:39 p.m. to discuss the Executive Director evaluation. The session concluded at 4:15 p.m.

Day Two ([link](#))

President Anjilvel called day two of the board meeting to order at 9:09 a.m. Roll call was conducted, and it was noted that all governors were present except Tom Ahearn.

Proposed Regulatory Rule Amendments & Bylaw changes ([link](#))

Second Read on Proposed Amendments to WSBA Bylaws RE Resident Agent Requirement

Chief Regulatory Counsel Renata Garcia presented proposed amendments to the WSBA Bylaws, which would eliminate the requirement to designate a resident agent for the purpose of accepting service of process for WSBA members who do not have a physical street address in Washington. A survey indicated strong support for removing the resident agent requirement. Gov. Jordan Couch moved a motion to approve proposed bylaw amendment to remove the resident agent requirement. Motion passed unanimously.

Out-of-State Member Voting Options

Assistant General Counsel Catherine Schur presented options for out-of-state members to vote in Board elections. Options included voting in at-large elections only, designating a resident agent for voting purposes, random district assignment, voting in the district of primary practice, and adding a Board of Governors seat for out-of-state members. The Board discussed the options and commented on the issues. Gov. Kevin Fay moved to designate option four (voting in the district of primary practice) to be considered at second read. Motion passed 7 to 2. Gov. Serena Sayani and Gov. Nam Nguyen were not present for the vote.

Suggested Amendments to APR 3(c)(2) Re Military Spouse Admission by Motion

Chief Garcia presented suggested amendments to APR 3(c)(2) Re Military Spouse Admission by Motion. The proposed amendments would remove barriers for military spouse admission by motion, allowing those with more than one year of practice experience to qualify for this expedited and less costly process. Gov. Couch moved to approve the suggested amendments to APR 3(c)(2) Re Military Spouse Admission by Motion as presented. Motion passed 8 to 1. Gov. Sayani and Gov. Nguyen were not present for the vote.

First Read on Proposed Amendments to WSBA Bylaws to Remove Pre-Suspension Certified Mail Requirement

Chief Garcia presented proposed amendments to the WSBA Bylaws to remove the requirement that pre-suspension notices be sent by certified mail. The Board discussed changing the method of delivering pre-suspension notices from certified mail to either first-class mail or email. Following discussion of the issues and options, Executive Director Nevitt clarified the options under consideration: (1) make no change and retain the requirement to notify by certified mail, telephone call, and email; (2) change the certified mail requirement to first class mail; or (3) eliminate the mail requirement entirely and notify by telephone call and email only. A straw poll indicated a preference for option 2, and the Board decided to revisit this matter in the next meeting.

First Read on Proposed Amendments to WSBA Bylaws Re MCLE Requirements to Return to Active Status

Bobby Henry presented the first read of proposed amendments to the WSBA Bylaws that would simplify and standardize the MCLE requirements for members returning to active status from inactive or suspended status. This will be brought back for second read at the September Board meeting.

First Read on Proposed Amendments to WSBA Bylaws to Add an Inactive License Fee Exemption Due to Significant Health Condition

Chief Garcia and Chief Disciplinary Counsel Doug Ende presented for first read proposed amendments to the WSBA Bylaws to add an inactive license fee exemption for members that are facing a significant health condition. The proposal aims to provide a simpler, less intrusive process for affected members. Discussion followed. This will be brought back for second read at the September Board meeting.

TAXICAB ([link](#))

Executive Director Nevitt and Chair Kyle Sciuchetti presented a policy proposal developed by TAXICAB to outline the relationship between the WSBA and the Supreme Court-appointed boards it supervises. The task force included members from the Board of Governors and representatives from court-appointed boards. The policy aims to mitigate conflicts and provide clarity on the administration of these boards. Key points of discussion included the independence of court-appointed boards, the potential for conflicts of interest, and the need for a clear dispute resolution process. Concerns were raised about the policy's implications for sections and the potential for increased financial and administrative burdens on the WSBA. Those in support of the policy characterized it as a necessary step to formalize existing practices and provide guidance for staff.

Gov. Couch moved to approve the proposed joint administration policy. After extensive debate, Gov. Petrasek moved to call the question. The motion to call the question passed unanimously. The motion to approve the joint administration policy between WSBA and Supreme Court boards passed 8 to 1. Gov. Sayani and Gov. Nguyen were not present for the vote. The next step is to present the policy to the Supreme Court for adoption.

Governor Roundtable ([link](#))

During the Governor Roundtable, Acting President Anjivel invited staff to participate in the Roundtable discussions. Gov. Petrasek provided an update on the Member Status Workgroup's recommendations, which include changes to member status options and qualifications for honorary status. Gov. Williams-Ruth expressed gratitude to WSBA staff and new governors and proposed several initiatives for consideration. These included implementing land acknowledgments at meetings, exploring licensure for graduates from non-ABA accredited law schools, and adding public members to the Board of Governors. A straw poll indicated interest in further discussing each of these proposals. Additionally, Gov. Mary Rathbone emphasized the importance of addressing rural practice issues and thanked everyone for their participation in the Moses Lake meeting.

Meeting Feedback ([link](#))

Several governors provided feedback on the value of visiting remote areas despite the logistical challenges. It was suggested that a physical limitation inquiry be included in meeting RSVP forms.

ADJOURNMENT ([link](#))

President Anjivel adjourned the meeting at 4:00 p.m. on Friday, July 19, 2024.

Respectfully submitted,

Terra Nevitt

Terra Nevitt

WSBA Executive Director & Secretary