

Meeting Minutes
October 19, 2018

Members Present:

Chair Jefferson Coulter (by phone), Mimy Bailey, Olga Blotnis (by phone), Claire Carden (by phone), Jody Cloutier (by phone), Rike Connelly, Stephanie Dikeakos, Tony Di Tommaso, Geoff Grindeland, D. Jack Guthrie (by phone), Joyce Heritage, Karen Horowitz (by phone), Alison Markette, Kirk Miller (by phone), Tim Mora, Isham Reavis, Ashton Rezayat (by phone), Rachel Rogers (by phone), Rooein Roshandel (by phone), Dalynne Singleton (by phone), James Smith (by phone), Ann Summers, Brian Zuanich, and Judge Kevin Korsmo.

Members Excused:

Bertha Fitzer, Richard Greene, John Ledford, Sarah Lee, Jon Zimmerman, and Judge Blaine Gibson.

Also Attending:

Nicole Gustine (WSBA Assistant General Counsel), Shannon Hinchcliffe (AOC Liaison), and Sherry Lindner (WSBA Paralegal).

Chair Jefferson Coulter called the meeting to order at 9:30 a.m.

Welcome and Introductions

The Chair welcomed the Committee and asked each member to introduce him or herself.

The Chair explained that the rules up for review this year's cycle are the Superior Court Evidence Rules (ER) (subcommittee chaired by Kirk Miller), the Superior Court Infractions Rules for Courts of Limited Jurisdiction (IRLJ) (subcommittee chaired by Jon Zimmerman), and the Subcommittee X (subcommittee chaired by Tony Di Tommaso).

The Chair explained that the majority of the work is done in the subcommittees and attendance at those meetings is crucial. It is also very important that subcommittees reach out to stakeholders and interested parties or receive feedback and input. Subcommittee meetings are open to the public.

The Chair discussed the rule making process and stated that getting the input of the other members and stakeholders is very crucial to vetting and scrubbing a rule. The Chair further discussed the Committee's timeline and deadlines in order for the Board of Governors (BOG) to get materials to the Supreme Court by their annual deadline.

MAR Subcommittee Report

Subcommittee Chair Stephanie Dikeakos report to the Committee the enacted EHB 1128-Civil Arbitration which went into effect September 1, 2018, and this Committee (by the Court's request) was asked to review the rule to make the MARs consistent with the bill and the corresponding amendments to RCW Chapter 7.06, Mandatory Arbitration of Civil Actions.

Chair Dikeakos explained the title references to the word "mandatory" are removed through the arbitration law, and "Mandatory Arbitration" is replaced with "Civil Arbitration." The title is changed accordingly to Superior Court Civil Arbitration Rules or SCCAR.

Chair Dikeakos will make the appropriate changes to the proposals and the proposals will be sent to stakeholders by the end of October.

GR 12.4 – Public Records Request to Bar Records

Ms. Gustine discussed that WSBA is subject to public disclosure requirements that are similar but not identical to those governing state agencies. Communications of the Committee, including emails on which WSBA staff is copied, are subject to disclosure if a records request is made.

Reimbursement Policy

Ms. Lindner explained the reimbursement policy – parking and mileage will be reimbursed. The WSBA will reimburse the cheapest method of travel and ask members to be considerate if they need hotel accommodations. Ms. Lindner also stated that if it is easier to attend meetings by telephone to please do so.

Ms. Lindner also stated that she will provide a template "Report" for subcommittee chairs to complete on month basis so that all members of the Committee are kept apprised of each subcommittee's work and progress.

Chair Coulter thanked everyone and is looking forward to a very productive year.

There being no further business, the meeting was adjourned at 10:30 a.m.