

**Minutes**

August 18, 2023

The meeting of the Mandatory Continuing Legal Education Board was called to order by Board Chair Todd Alberstone at 10:03 a.m. on Friday, August 18, 2023. The meeting was held via videoconference. Board members in attendance were:

Todd Alberstone, Chair  
Ayanna Coleman  
Asia Wright  
Christopher Bueter

Liaisons and Staff in attendance:

Bobby Henry	Associate Director, Regulatory Services Department
Suzi Segulja	MCLE Analyst
Kevin Fay	Board of Governors Liaison

Review of Minutes

The MCLE Board reviewed the minutes from its July 14, 2023, special meeting. The Board unanimously approved the minutes without change.

Discussion: State of Proposed Amendments and Next Steps

The Board discussed the highlights of its proposed amendment presentation at the August 11, 2023, BOG meeting. Chair Todd Alberstone attended the meeting in-person in Richland, Washington and Member, Asia Wright, attended the meeting remotely. BOG Liaison, Kevin Fay, was also in attendance. The amendments were generally well-received by the BOG. However, not all BOG members were in favor of the amendments. Typical complaints centered on the presumed complexity of making changes. Some members were particularly concerned with the proposed structure having a detrimental effect on ethics because of the credit shift from six (6) to five (5) ethics credits. The MCLE Board has no intent to dilute any of the credit categories. Another complaint presented by the BOG was regarding the ability to find qualified technology presenters. As with other courses, MCLE is thorough in its review of content, including presenter credentials and qualifications. The MCLE Board expects technology courses to be held to the same high standards already implemented by the MCLE team in its review of CLEs.

The BOG voted to support the Mental Health amendment and voted to not support the Technology Security amendment. They neither supported nor attacked the proposed new credit structure and chose instead not to weigh in on a decision regarding the structure issue. The outcome of the BOG meeting was constructive in that it provided the MCLE Board with guidance on how to approach the Supreme Court in its presentation of the amendments.

There was also discussion regarding the MCLE Board's relationship with its BOG Liaison(s). Moving forward, the hope is to have more dialogue and mutual understanding of viewpoints concerning MCLE issues and proposals.

The next step in the process of moving the amendments forward - is to prepare materials for the Supreme Court's review. MCLE staff will draft the GR-9 cover sheet and memo for the MCLE Board to review and edit, as necessary. The deadline for rule submissions to the court is October 15<sup>th</sup>.

There was also discussion of materials submission to the Court in time for the MCLE Board's September 6, 2023, annual meeting with the Court.

#### Action: Proposed 2023-2024 MCLE Board Meeting Schedule

The proposed schedule was discussed, and the Board decided to meet on the proposed alternate dates for meetings one, two and five and meet on the proposed dates for meetings three and four.

The MCLE Board Meeting dates will be:

October 13, 2023

January 19, 2024

April 12, 2024

May 17, 2024

August 9, 2024

The first meeting will be held remotely, and the format of subsequent meetings will be decided by the Board during its first meeting.

#### Discussion: MCLE Board Annual Report to the Court

It was noted that the annual report will closely track last year's structure with applicable data updates. It was suggested that the annual report include the number of courses being approved for Equity Ethics

credits. It was concluded the activity submission numbers can be excluded from the report due to the difficult nature of extracting that data.

It was also noted that the Court will require a report agenda. It was suggested that a Question-and-Answer section as well as a General Comments section be added.

Action: Staff Liaison Decisions

The Board unanimously approved the three proposed staff liaison decisions.

Discussion: Other News

There was discussion regarding future BOG Liaison assignments and how committees and boards can express input on the process.

Adjournment

There being no further business at hand, the meeting was adjourned at 11:01 a.m. The next regularly scheduled MCLE Board meeting will be held at 10:00 AM on Friday, October 13, 2023.

Respectfully submitted,

Robert Henry  
Acting MCLE Board Staff Liaison