

Administrative Law Section

of the Washington State Bar Association



Administrative Law Section Executive Committee Telephonic Meeting December 16, 2019

Executive Committee Members Present: Robert Krabill (Chair), Katy Hatfield (Treasurer), Bob Murphy (2017-2020), Alexis Hartwell-Gobeske (2019-2022), Bill Pardee (2019-2022), Michael Addams (Young Lawyer Liaison), Eileen Keiffer (Chair-Elect), Lea Anne Dickerson (2018-2021), Susan Pierini (2018-2021), Scott Boyce (2018-2021);; Marjorie Gray (2019-2022).

Also Present: Richard Potter (Legislative Committee Chair), Gabe Verdugo (Publications and Practice Manual Committee Chair).

Absent Executive Committee Members: Richelle Little (Secretary), Jonathon Bashford (Immediate Past Chair), Chad Standifer (2017-2020), Robert Rhodes (2019-2020).

Meeting called to order at 12:04 p.m.

1. Approval of Minutes (all)

Three technical corrections proposed to the draft minutes. A motion was made (Michael) and seconded (Bill) to approve the corrected minutes from the November 18, 2019 meeting; the motion passed unanimously.

2. Approval of Agenda (all)

A motion was made (Eileen) and seconded (Katy) to approve the agenda; the motion passed unanimously.

3. Financial update (Katy Hatfield)

Katy did not have any new information since the October meeting. Section is still waiting for last year's final financials from WSBA. The mini-CLE and reception last week at Mercado should cost approximately what was expected, but we don't have final numbers yet.

4. Retreat Update (Marjorie Gray)

No update.

5. Committee updates

5.1 CLE (Eileen Keiffer, Robert Krabill, Susan Pierini, Lea Dickerson)

Eileen gave the update. CLE Committee is meeting this week to continue discussing the planning of a full-day CLE on the Public Records Act (April, Seattle) and a mini-CLE on the Cougar Den case (Yakima).

Note of interest: The Washington State Supreme Court cited to the Admin Law Section's PRA Deskbook in the recent case *Kilduff v. San Juan County*.

Kudos to Robert Krabill for an excellent job presenting at last week's well-received *Faithless Electors* CLE, which was held in Olympia.

5.2 Legislative (Richard Potter)

Upcoming Legislative Session starts January 13, 2020, but WSBA has still not scheduled the legislative training for Sections. WSBA has already been sending Admin Law Sections bills to review; Richard has received 10 from WSBA already.

Re: the State Agencies' Indices of Orders and Statements, Section and WSBA authorized Richard and John Gray to reach out to Environmental Land Use Board regarding its implementation of SB 5151 (2019 – Requiring the Growth Management Hearings Board to topically index the rulings, decisions, and orders it publishes) and the Attorney General's Office regarding its model rule (WAC 44-14-03003, which states, in part, that agencies "could consider using their records retention schedules as their index, or direct requests to the schedules as a way to describe the types of records an agency retains and for what periods of time.")

Richard had productive hour-long conversation with Nina Carter from Environmental Land Use Board about SB 5151 and the requirement already in RCW 42.56.070, and she welcomes input the Section wants to provide. John Gray contacted Nancy Krier from AG's Office, who indicated she could have a meeting regarding this topic after the holidays.

5.3 Publications and Practice Manual (Gabe Verdugo)

The Public Records Act Deskbook supplement is on track for publication in the first quarter of 2020. Meeting scheduled for later today with WSBA.

5.4 Diversity and Outreach (Alexis Hartwell-Gobeske / Robert Rhodes)

Committee members plan to meet in mid-December to finalize details. The program will be marketed in Jan-Feb, the committee will create and communicate matches in March, and a training for participants will be offered in April.

5.5 Homan Award (Lea Anne Dickerson)

Homan Award presented last week to Katy Hatfield.

5.6 Newsletter (Bill Pardee)

Newsletter on track to be sent to WSBA in early January. Newsletter will include Richard's legislative update from last year, which although late, may be helpful to people before 2020 Session. Newsletter will also include at least 4 case updates, including the recent new WA State Supreme Court case on Public Records Act.

If anyone has ideas for articles, send the ideas to Bill.

6. In Person Meeting

To ensure everyone can attend meeting, decision made to have regular February telephonic meeting (moved to Feb 10 to avoid holiday), but then to add a social-only gathering, no host and no agenda, scheduled for February 21 at 4:30 p.m. for those who can attend for informal networking and socializing.

7. WSBA Open Sections Night

WSBA Open Section Night is in February in Seattle. Section has budgeted to donate \$50 to WSBA for the event, which is the requested amount. Alexis will attend for Admin Law Section. Katy will submit RSVP to WSBA on behalf of Section.

8. Future of the Bar

No update.

9. Next Meeting

January and February meetings each moved one week, to avoid holidays. Next meeting is January 13 at 12:00 p.m. February meeting will be February 10 at 12:00 p.m. Social-only gathering will be February 21 at 4:30 p.m.

The meeting adjourned at 12:45 p.m.