

WASHINGTON STATE BAR ASSOCIATION
Creditor-Debtor Section
Executive Committee

Minutes re: Meeting of Executive Committee on April 7, 2017 @ 5:30pm

Meeting location: Northwest Bankruptcy Institute @ Vancouver, WA Hilton

In attendance: Bruce Mederios (EC), Bill Malaier (EC--Recorder), Jim Hurley (EC--Past Chair), Tom Linde (EC--Chair), Alex Kleinberg (EC), Kathryn McKinley (EC), Todd Tracy (EC), Kevin O'Rourke (EC--Treasurer), Christy Tobin-Presser (EC), Megan Rue (EC), Jason Wilson-Aguilar (EC), Dane Woldseth (YLD Liason), Joe Terrenzio (WSBA liason), Mark Northrup (EC), Roger Bailey (Section member), and Deborah Reback-Cushman (Section member);

1. Introduction and update; Tom Linde
2. Approval of minutes of the 12/2/16 meeting of EC; Motion to approve by Jim Hurley; seconded by Kathryn McKinley; oral vote to approve said minutes passed unanimously;
3. WSBA Bylaw Amendment Article XI--Sections; (1) Revisions to Section Bylaws: The WSBA has circulated redline versions of revised, model bylaws against Section's existing bylaws, and the final version will need to be submitted to the BOG for final vote/approval. Section will vote on the revised bylaws at the annual meeting (Sun Mountain) on June 16, 2017, for submission to BOG's July meeting. Bruce Mederios and Kathryn McKinley are spearheading this process. (2) Open Meeting Requirements--brief discussion; (3) Fiscal Policy--Section Reserves: this BOG imposed requirement will not be incorporated into revised bylaws, but rather will remain as a separate policy document.
4. Legislative Update; Tom Linde discussed the status of the following bills on which the Section took a position:
 - (a) UVTA SB 5085: Bruce Borrus testified in favor of Section-approved revisions to bill; Senate version of the bill passed in the Senate and was currently pending at the time of this meeting before the House Rules Committee;
 - (b) Student Loan Bills--HB 1169 "Student Opportunity, Assistance and Relief Act"--passed in the House and was awaiting Senate action at time of meeting; this bill imposed some restrictions on garnishments and levys attendant to student loan collection; HB 1440--SB 5210--"Student Loan Bill of Rights"; this bill passed in the House and was awaiting Senate action at time of meeting; this bill provides for certain notices and disclosures to students at the time of incurring student loans; HB 1057--SB 5022 "Providing Information to Students about Education Loans"--appears dead;
 - (c) Other Bills: SB 5456, providing for revision to statute of limitations for accounts receivable; Megan Rue testified in support of bill, which passed in Senate as amended, but did not get out of Committee in the House;

5. Receivership Statute update; Christy Tobin-Presser, as a member of the Receivership Task Force, reported that the Task Force will not be ready to formally proposed legislative changes to Washington's existing receivership statutes; Todd Tracy stated that no new revisions had been proposed since comments to previous revisions had been submitted. Substantial revisions to Oregon receivership statutes that are currently pending passage in Salem may inform future revisions to Washington law, so the Receivership Task Force may wait to see how the new Oregon law works out once it is passed and implemented.

6. CR55 Amendment/comment to Supreme Court; Subcommittee members, Jason Wilson-Aguilar, and Kathryn McKinley have not heard anything substantive about this issue and have nothing to report;

7. CLE Update; Tom Linde reported that CLE revenue has decreased significantly due to WSBA change allowing bar members to obtain all CLE credits by video. By way of comparison, Section CLE revenue in 2015 amounted to approximately \$10,000.00, while Section CLE revenue in 2016 amounted to approximately \$3,000.00. If this trend persists, the Grants Program will be seriously jeopardized. Tom also reported that the Section would be sponsoring a Bankruptcy Booster CLE on May 23, 2017, as well as the bi-annual Judgment CLE sometime in December, 2017.

8. Financial Report; Tom Linde summarized the Section's current financial situation;

9. CLE Revenue Sharing: In light of declining in-person attendance, the EC discussed general ideas/concepts for increasing CLE revenue. Ideas included sponsoring CLEs through Seattle University or other providers who provide a more generous revenue split than the WSBA.

10. Recruiting candidates for Election of Expiring Board Members; several board positions are up for election in the coming year, and Tom Linde agreed to ask Gloria Nagler to form a nominating committee to recruit candidates. Elections will be between March and May starting next year as a result of changes to bylaws. That change notwithstanding, winning candidates will still take office on October 1st.

11. Newsletter Update; Mark Northrup discussed the current state of the Spring, 2017 newsletter; included in that newsletter will be an article about the Entz-White decision by Section member, Ben Ellison, and a caselaw update by Section member Chris Young. The target date for publication is early May, 2017.

12. New Business--None;

13. Next Meeting--the next meeting of the EC is scheduled for Sun Mountain, June 16, 2017;

Motion to Adjourn by Todd Tracy, seconded by Bruce Mederios; motion passed unanimously; Meeting adjourned at approximately 6:25pm.

Minutes prepared by Bill Malaier;