

## **WSBA CONSTRUCTION LAW SECTION COUNCIL MEETING**

**October 9, 2019 @ Noon**

<b>OCTOBER MEETING</b> <b>STOEL RIVES LLP</b> <b>600 University Street, Suite 3600</b> <b>Seattle, WA 98101</b> <b>Orcas Conference Room</b>	<b>CALL IN INFORMATION</b> Zoom: <a href="https://oacsvcs.zoom.us/j/332790995">https://oacsvcs.zoom.us/j/332790995</a> Dial-In: (720) 707-2699 or (646) 558-8656 Meeting ID: 665 942 661
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### **AGENDA**

1. Welcome and Introductions – A. Hardwick  
New council members: Allison Murphy, Brian Guthrie, Masaki James Yamada
2. Approval of September 2019 minutes – A. Hardwick (See Attachment 1)
3. Financial Report – J. Beyerlein
4. Mid Year Meeting/CLE – R. English/ B. Hill
5. Road Trip CLE - Vancouver – J. Piskel/ B. Sinner/ P. Spratt
6. Writing Competition - Next Year – S. Millstein/B. Guthrie
7. Section Membership Benefits Webpage – J. Piskel/ J. Beyerlein/ B. Hill/ Hardwick
8. Annual Fall Section Leaders Meeting-Oct. 31 – A. Hardwick (See Attachment 2)
9. Executive Council Dinner – A. Hardwick
10. Fall Forum-Space Needle – J. Piskel/ B. Guthrie (See Attachment 3)
11. Winter Forum-Cutters – B. Reed.
12. Bar Issues Update – J. Piskel (See Attachment 4)
13. Newsletter Update – A. Tramountanas
14. NWLawyer “Year in Review” – J. Piskel
15. For the Good of the Order

ATTACHMENT 1

Construction Law Section  
Meeting Minutes  
September 11, 2019

Jason Piskel	Eleen Trang, WSBA (phone)
Jennifer Beyerlein	Will Young (phone)
Ron English	Brian Guthrie
Athan Tramountanas	Rick Wetmore (phone)
John Evans	Allison Murphy
Bart Reed	Bryce Sinner (phone)
Paige Spratt	Brett Hill
Amber Hardwick	Seth Millstein
Masaki Yamada	

The meeting commenced at 12:00 p.m. at Stoel Rives. Chair Jason Piskel presided.

Discussion

1. Approval of July Minutes. Minutes for July 10, 2019 were presented and unanimously approved.
2. Financial Report. Treasurer Jennifer Beyerlein gave a financial report that net income from the mid year was \$13,921.53 and that we have approximately \$40,500 as a cash balance.
3. Deskbook. Editor in chief Ron English reported the WSBA preferred that we not provide a supplement to the deskbook until January, 2022 as three years is its standard supplement time frame. The WSBA has sold 189 hard copies and 15 electronic. Editorial note: All revenue from deskbook sales is retained by the WSBA, not the section.
4. Midyear Meeting/June 2020 CLE. Ron English is willing to again co-chair the event. Brett Hill volunteered to co-chair. Stoel Rives was tentatively set as the location. Ron English reminded everyone that we should have a theme and topics by the November meeting.
5. Spring 2020 CLE – Vancouver, WA. Paige Spratt and Bryce Sinner have located Warehouse 23 as a possible venue near the river. A date has not been set but March or April likely. Coordination with the Clark County bar and OSB is planned. A keynote speaker and possible construction tour are being considered. The current theme planned is “Practicing on the Border” doing a comparison of Oregon/Washington law.
6. Writing Competition. Seth Millstein will continue to chair this committee and will be joined by Brian Guthrie as co-chair.
7. Section Benefits Page. Jason Piskel reported some logistic problems and has agreed to continue working on this issue beyond the termination of being chair. Jennifer Beyerlein will assist in possible updating of form jury instructions and Brett Hill and Amber Hardwick will assist is providing a new GMP residential form contract.

8. Fall Section Leaders Meeting. Will be held October 31, 2019 and is open to all executive committee members. In a change from prior years, one hour of CLE credit will be offered.
9. Fall Forum. We are now looking at late October as obtaining a speaker from the city to talk about the seawall and viaduct demolition has not been very successful. A suggested alternative was the work on the Space Needle. Brian Guthrie has a contact and will report to committee leadership.
10. Next Meeting. Chair elect Amber Hardwick announced that meetings will continue at Stoel Rives. The next meeting is October 9, 2019.

END OF MINUTES

# WASHINGTON STATE BAR ASSOCIATION



## Annual Fall Section Leaders Meeting

October 31, 2019 | 9:00 am - 4:00 pm

WSBA Conference Center, 1325 4th Avenue, Suite 600, Seattle & Webcast

**NEW Content and 1.25 Ethics CLE Credit Available!**

### *Top Tips for Starting Your Year Off Right*

9:00 a.m.	<b>Welcome &amp; Introductions</b>	Kevin Plachy, <i>Interim Director of Advancement</i> Paris Eriksen, <i>Sections Program Manager</i>
9:30	<b>Overview &amp; Updates: WSBA Mission, Strategic Goals, Bar Structure Work Group and the Advancement Department</b>	Terra Nevitt, <i>Interim Executive Director</i> Rajeev Majumdar, <i>WSBA President</i>
10:15	<b>Group Activity: Sharing our Successes</b>	Sections Team
10:55	<i>Break</i>	
11:05	<b>Planning an Event in FY20: From Idea to Evaluation</b>	Pat Mead, <i>Sections Program Specialist</i> Eleen Trang, <i>Sections Program Specialist</i>
11:45	<b>WSBA CLE &amp; Sections</b>	Shanthi Raghu, <i>Interim Education Programs Manager</i> Miriam Gordon, <i>Education Programs Lead</i> Devorah Signer-Hill, <i>Education Programs Lead</i>
12:15	<i>Lunch (will be provided)</i>	
12:45	<b>Event Sponsorship</b>	Paris Eriksen, <i>Sections Program Manager</i>
1:15	<b>WSBA Bylaws: Key Excerpts and Article XI</b>	Julie Shankland, <i>WSBA General Counsel</i>
1:45	<b>WSBA Fiscal Policies</b>	Sections Team
2:15	<b>Diversity in Decision-Making</b> <i>(up to 1.25 ethics CLE credit available)</i>	Robin Nussbaum, <i>Senior Inclusion &amp; Equity Specialist</i>
3:30	<b>FY20 At-a-Glance</b>	
3:45	<b>Wrap-Up &amp; Adjourn</b>	Sections Team

*Your commitment as a section leader is valued and appreciated – thank you for being here today!*

ATTACHMENT 3

**Amber Hardwick**

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**From:** Jason T. Piskel <jpiskel@pyklawyers.com>  
**Sent:** Tuesday, September 24, 2019 10:38 AM  
**To:** Amber Hardwick; Athan E. Tramountanas; Bart W Reed; Brett Hill; Colm Nelson; J. Todd Henry; Jennifer Beyerlein; John Evans; Lena Holohan; Paige B. Spratt; R. Bryce Sinner; Rick Wetmore; Seth Millstein; Zachary Tomlinson  
**Cc:** Eleen Trang; Lauren Varney; Brian M. Guthrie; masaki.yamada@acslawyers.com; Allison Murphy  
**Subject:** WSBA Construction Law Section | Call for a Vote re: Fall Forum at Space Needle

Executive Committee Members (Voting):

Following up on an unfinished item of business from this month's meeting, we have some details about holding our fall forum at the Space Needle. Brian Guthrie reports as follows:

I connected with Randy Cote at the Space Needle. They have 10/9, 10/10, and 10/24 available. \$5,000 minimum for the space, food, and beverages (plus tax and 22% service charge). Not cheap. The room can hold up to 140 people. Here is a link for additional information: <http://www.spaceneedle.com/private-events/>. Also, Randy Cote (the Director of Marketing who is speaking at Ashbaugh Beal's annual construction law forum in October) is interested and available to speak about the history of the Space Needle and the recent renovation project. Let me know if you have any questions or would like me to connect your with Carolyn Henning (Sales Manager for the Space Needle) to reserve a date. Thanks.

This could fit into our budget for next fiscal year when we consider the sponsorship support for the beverage costs between \$1500-\$2000. So the question to you is: are you in favor of moving forward with this event as outlined above and the date Thursday October 24, 2019? **So everyone's inbox is not inundated with reply-all e-mails, please just reply to me and Lauren Varney (my legal assistant) and we will tally the votes, unless you have a point for e-mail discussion.**

-JTP

Jason T. Piskel  
Piskel Yahne Kovarik, PLLC  
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The Supreme Court  
State of Washington

MARY E. FAIRHURST  
CHIEF JUSTICE  
TEMPLE OF JUSTICE  
POST OFFICE BOX 40929  
OLYMPIA, WASHINGTON  
98504-0929



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E-MAIL MARY.FAIRHURST@COURTS.WA.GOV

September 25, 2019

*Via electronic mail*

Ms. Terra Nevitt  
Interim Executive Director  
Washington State Bar Association  
1325 Fourth Avenue, Suite 600  
Seattle, Washington 98101-2539

WSBA Board of Governors  
Washington State Bar Association  
1325 Fourth Avenue, Suite 600  
Seattle, Washington 98101-2539

Dear Ms. Nevitt and Washington State Bar Board of Governors:

The Supreme Court received and reviewed the *Report and Recommendations* dated September 2019 from the Supreme Court Work Group on Bar Structure and the minority report dated August 28, 2019. The Court also reviewed comments to the report received from individuals and organizations.

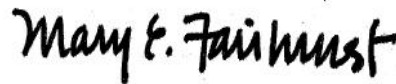
By a majority vote, the Court acted on the recommendations as follows:

Work Group Recommendation	Court Decision
Retain an integrated bar structure.	Retain an integrated bar structure for now (5-4, Johnson, Madsen, Stephens, Wiggins, JJ., dissenting).
Make no fundamental changes to the six Court appointed boards administered and funded by the WSBA: the Access to Justice Board; the Disciplinary Board; the Limited License Legal Technician Board; the Limited Practice Board; the Mandatory Continuing Legal Education Board; and the Practice of Law Board.	Make no fundamental changes, as recommended (5-4, Johnson, Madsen, Stephens, Wiggins, JJ., dissenting).
Consider amending court rules to specify that the prohibitions of General Rule (GR) 12.2(c) apply to Court appointed boards.	Review whether the prohibitions in GR 12.2(c) apply to Court appointed boards and seek additional input, especially from the affected entities (6-3, Madsen, Stephens, Wiggins, JJ., dissenting).
Consider ordering the WSBA Board of Governors and staff to adopt and execute a	Request, but do not order, that the WSBA Board of Governors and staff do a thorough

thorough <i>Keller v. State Bar of California</i> , 496 U.S. 1, 110 S. Ct. 2228 (1990) interpretation when calculating all future <i>Keller</i> deductions.	<i>Keller v. State Bar of California</i> calculation for the Court's review (6-3, Madsen, Stephens, Wiggins, JJ., dissenting).
Reexamine the <i>Report and Recommendations</i> from the WSBA Governance Task Force dated June 2014.	Review and reexamine recommendations from the 2014 Governance Task Force report (5-4, Johnson, Madsen, Stephens, Wiggins, JJ., dissenting).
Consider adding public member(s) to the WSBA BOG.	Reevaluate the composition of the BOG membership including adding public member(s) to the WSBA BOG (5-4, Johnson, Madsen, Stephens, Wiggins, JJ., dissenting).

The Court appreciates the efforts of the Work Group to analyze issues and develop recommendations. We are sharing with you the Court's actions to date on these recommendations and look forward to working with the WSBA and the Board of Governors as we consider further decisions regarding the recommendations.

Very truly yours,



MARY E. FAIRHURST  
Chief Justice

cc: Justices