

Elder Law Executive Committee – Meeting Minutes

Tuesday, January 16, 2018, 12:30 – 1:30 p.m.

Members Present:

Megan Farr, Chair
Peggy Sanders, Secretary
Matthew Parker, Treasurer
Carla Calogero, Trustee
Michael Longyear, Trustee
Mark Vohr, Trustee
Katie Hurt, Legislative Co-Chair
Karen Clark, CLE Co-Chair
Lisa Kremer, Communications Co-Chair
Amy Freeman, Communications Co-Chair
Miriam Ayoub, Outreach/Mentorship Co-Chair
Ann LoGerfo, Outreach/Mentorship Co-Chair
Meredith Childers, Grants Co-Chair
Ronald St. Hilaire, Grants Co-Chair
Kameron Kirkevold, Immediate Past Chair

Members Excused

Karen Boxx, Chair-Elect and Legislative Co-Chair
Suzanne Thompson Wininger, CLE Co-Chair

Liaison Present:

Julianne Unite, Section
Sage Graves, Young Lawyer Committee
Kevin Plachy, **WSBA CLE Committee**, also attended.

The meeting was called to order at 12:30 by Megan.

1. 12-19-17 Meeting Minutes

Katie Hurt moved to approve the minutes from the December 19, 2017 meeting, and Lisa Kremer seconded. Amy Freeman noted she would be abstaining from the vote because she had not attended. The motion passed.

2. Treasurers Report

Matthew Parker discussed the Treasurer's report. He state that the Section will have the same budget in 2018 that it had in 2017. He also reported that the Section was able to increase its balance even in light of the additional \$10,000 contribution made to Columbia Legal Services.

3. CLE Update

The spring CLE will be held on March 22, 2018. There was a discussion about the date of the fall CLE because the preferred September 21st date conflicts with the Solo and Small Practice Section's meeting on September 21st and 22nd. September 14th was suggested as

an alternative. Kevin Plachy will hold the date at the venue pending a decision on the new date.

Kevin provided an update on the status of discussions concerning the split of CLE revenues between WSBA and the sections. He reported that there has been a 42% drop in attendance at live CLE sessions since the rule change allowing attorneys to satisfy their CLE requirements through online CLEs. To date, the sections don't share in the revenue from the Bar's online CLE products.

Kevin provided detailed information on the revenue of CLEs under the current model and what the revenues and sharing would look like under a new model that includes revenue sharing on online CLEs. The WSBA CLE is intended to be self-sustaining and not use license fee funding. The CLE program also needs to be able to keep some funds in reserve to account for market fluctuations and to cover the costs of CLEs for some of the small sections.

There will be a Section Leaders meeting on January 26th from 9:30 to 12:30. There will be a round table discussion about the new process and the resulting revenue split if online revenues are included. Karen and Susanne will be attending this meeting.

Following this discussion, Karen requested that if members have ideas or requests for CLE topics, that they forward them to Karen and Susanne with a cc to Megan.

4. Outreach/Mentorship CLE Update

Because of time limits, Miriam and Ann provided the following update by e-mail:

First, we will be attending Open Sections Night, hosted by the WSBA, next week. This event is to encourage new members to join sections, and give us a chance to talk and mingle with new lawyers who may be interested in elder law.

Second, we are working with Mike Longyear and Tyler Farmer, an estate planning lawyer in Yakima, to plan an event in Yakima on May 15th. The plan is for members of the elder law section to present at the Yakima Estate Planning Council meeting, and Tyler has suggested a wide range of possible topics. In conjunction with this, we will have a social event before or after the presentation. Miriam and I will work with Mike and Tyler to plan this out, and would love for people to join.

5. Communications Update

Lisa provided the following update by e-mail:

We worked with Julianne Unite at WSBA to update the ELS section of the website:

<https://www.wsba.org/legal-community/sections/elder-law-section>

There still are changes to be made. We'll be working on that with Julianne Unite, and after she changes jobs, with Parise Eriksen at the WSBA. If you see something that needs a fix, let me know. I'm happy to rewrite/revise or work with you on that, and get things updated with the WSBA.

There have been a few COA decisions that we'll send to the listserve at some point; the goal is to post them on the web page and let the listserve know about that resource as well.

Let me know if you have something you'd like sent to the listserve that you would like to come from us. Happy to help.

6. Legislative

The section has started getting bills to review. Katie and Karen are monitoring bills on Medicaid fraud control units, property tax exemptions, and increasing the personal needs allowance for Medicaid recipients. Members should contact Katie with any questions.

So far there's been nothing new on the proposed changes on guardianship fees for Medicaid recipients. If anyone hears anything further, Katie would like to be informed.

Karen attended a **WSBA Legislative Committee(???)** conference call discussing legislative procedures for the Sections. There is a need for clarification on two major items:

When the Executive Committee members vote on whether to comment on legislation, an abstention will be considered a "yes" vote. It is unclear if this new rule will apply for absences or failure to respond for an e-mail vote.

It appears that the Sections must get through the WSBA Legislative Committee before the Section can comment on any bill. We may not be able to participate in the legislative process like we have in the past. WSBA is also rejecting a lot of comments on "political matters". It seems to apply for any legislation where the Democrats and Republicans could disagree.

The bottom line appears to be that the Sections will be much more restricted in commenting or communicating with members of the Legislature than in the past. Frustration was expressed.

7. Dementia Action Collaborative Advance Care and Legal Planning Team

Due to time constraints, this report was deferred to the next monthly meeting.

8. Proposed Early Mediation Requirement

There is a proposed Court Rule change for civil lawsuits to require mediation early in the civil process. Since Section members already need to do this in TEDRA actions, Kameron did not think it would have a significant impact on our members. However, let Kameron know if anyone thinks we should comment.

Adjourned: 1:30 p.m.

Upcoming Events and Meetings:

February 20, 2018, Executive Committee Monthly Teleconference