



## Washington State Bar Association • Elder Law Section

Executive Committee Meeting: January 18, 2022

### Minutes

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|--|---|
| <input checked="" type="checkbox"/> Miriam Ayoub, Immediate Past Chair | <input checked="" type="checkbox"/> Patrick Erker, Grants Chair                 |
| <input checked="" type="checkbox"/> Meredith Grigg, Chair              | <input checked="" type="checkbox"/> Ron St. Hilaire, Grants chair               |
| <input checked="" type="checkbox"/> Sage Graves, Chair-Elect           | <input checked="" type="checkbox"/> Eric Brunstrom, Outreach/Mentorship Chair   |
| <input type="checkbox"/> Angela Macey-Cushman, Secretary               | <input checked="" type="checkbox"/> Michael Longyear, Outreach/Mentorship Chair |
| <input checked="" type="checkbox"/> Matthew Parker, Treasurer          | <input checked="" type="checkbox"/> Carla Calogero, At-Large Member             |
| <input checked="" type="checkbox"/> Nicholas Pleasants, CLE Chair      | <input type="checkbox"/> Megan Farr, At-Large Member                            |
| <input checked="" type="checkbox"/> Suzanne Thompson Winger, CLE Chair | <input checked="" type="checkbox"/> Michelle Siebenaler, At-Large Member        |
| <input type="checkbox"/> Mark Vohr, Communications Chair               | <input type="checkbox"/> Emily Tyson-Shu, Young Lawyer Liaison                  |
| <input checked="" type="checkbox"/> Karen Boxx, Legislative chair      | <input checked="" type="checkbox"/> Carla Higginson, Board of Governors Liaison |
| <input checked="" type="checkbox"/> Sage Graves, Legislative Chair     | <input type="checkbox"/> Carolyn MacGregor, Sections Program Specialist         |

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Call to Order at 12:30 pm                      Meredith Grigg

Meeting Minutes for 12/21                      Meredith Grigg

- **Correction:** Eric last name in the outreach report. Meredith agreed to make correction and re-send.
- **Vote:** Approval of minutes with correction to Eric's name? Mike - 1<sup>st</sup>. Sage - 2<sup>nd</sup>. All present voted in favor of approving the December 2021 meeting minutes. None opposed. December 2021 minutes were approved.

Treasurer Report                                      Matt Parker

- **Budget Issue:** We did not spend our budgeted \$15,000 on "Seniors Bulletin" donation to NJP in 2021. There is a process to make the donation from the 2022 budget - we need to vote and if approved, we submit application to sections leaders and they obtain approval from the WSBA Treasurer. Carolyn MacGregor offered to help with the process. But we could consider other options for spending the money. Ideas:
  1. Donation as usual to NJP for bulletins;
  2. Donation to WSBA Law Foundation for Greenfield scholarship;
  3. Donation to another charitable organization or purpose.

We agreed to give everyone time to think about options and bring this for vote at the February 2022 meeting. In the meantime, Meredith and Matt will share information with the Executive Committee.

CLE Committee Report                                      Nicholas Pleasants & Suzanne Thompson Winger

- **Spring CLE:** WSBA coordinator shared dates - considering dates in April 2022. It will likely be virtual, but can consider options for future (e.g. virtual, in-person and/or hybrid model).
- **Fall CLE:** Considering dates in September 2022 (maybe 9/21/22?)
- **Sponsors:** Karen asked - Do we use sponsors for CLEs? Back in the day, in-person CLEs were sponsored. Mike says Washington Association of Professional Guardians (WAPG) had sponsors at a recent virtual event. They gave sponsors a couple of minutes before each session to make pitch. Suzanne and Nick will check in with Mark Vohr/WAPG about potentially using sponsors at upcoming CLEs.

**Grants Committee Report** Patrick Erker & Ron St. Hilaire

- **Summer 2022 Greenfield Intern Hiring:** The internship announcement will be distributed to Washington law schools and posted on Northwest Justice Project (NJP) website next week. The deadline for applications is March 30, 2022. Meredith will update Committee on progress of hiring.
- **Fundraising:** Patrick will meet with Laura Sanford from Washington Bar Foundation about fundraising soon. We did not get a whole lot of response from the email donation request, but Laura has other ideas.

**Legislative Report** Karen Boxx & Sage Graves

- **Petition for Rulemaking.** Petition to change rule to increase Medicaid home equity exemption: Committee voted to join the petition at the last meeting. Meredith reported that Seattle University *et al* filed the petition with the Department of Social and Health Services (DSHS) on 1/10/22.
- **[SB 5629](#) Disposition of remains.** Nick said the bill number might have changed. Sage reports that Legislative Chairs are tracking for now. The bill proposes changing the disposition of remains statute. Currently someone convicted of murdering the deceased cannot control disposition of deceased's remains. The bill proposes adding individuals who have been convicted of abuse/exploitation of the deceased and individuals against whom a VAPO was entered on behalf of deceased. The Washington Academy of Elder Law Attorneys (WAELA) Board discussed the bill recently. The general sense was that linking VAPO to disposition statute was problematic. The bill originated from the story of a daughter whose father died and her step-mother was allowed to handle disposition even though she'd been found to have financially exploited father. Karen reports that Jamie Pederson is probably supporting. Karen questioned what the funeral industry thinks of the proposed legislation. We will track for now.
- **[HB 1197](#) Informed consent.** Adding to the list of individuals who can provide informed consent. Sage reported that this bill came up during the last session, but didn't proceed. We voted to oppose it. A legislative workgroup worked on it over the break and proposed this substitute bill. The substitute doesn't address the concerns we raised in opposition. Jamie Pederson reached out to our Committee last time about the bill, so Sage or Karen will contact him. We can jump back in if needed with same opposition. Sage will send original and substitute versions of the bill along with our opposition letter from last time.
- **Civil protection order statute.** The statute brings all protection orders together into one statute, adding a new VAPO option ("coercive control") and making other general updates to statute. Sage will send around to review and decide what to do next.
- **Uniform Guardianship Act.** Karen will talk to Jamie Pederson about necessity of council issue. It's a short session and budget session, so it's tight. The problem is with the way King County is interpreting statute. Other counties doing are doing differently. Sage mentioned that Snohomish County interpreted differently.

**WSBA Board of Governors** Carla Higginson

The BOG heard from Justice Steven González who said Washington State Supreme Court interested in having BOG take a look at current structure of WSBA. He referenced recent challenges awaiting decision on writ of cert before US Supreme Court. (see [Schell v Supreme Court of Oklahoma](#) ; [McDonald v Firth](#) ). The BOG voted to undertake review. February 2022 - August 2022, the BOG will hold 8 meetings (9am-4pm) on comprehensive review of WSBA structure and determine whether it should be modified. Carla H. will keep us informed on what they discuss. There may be opportunities for the Section to take a position on certain issues and communicate to BOG. Carla H. recalled that in 2018 Justice Fairhurst convened the WSBA structure group after the *Janus* decision. The group issued a report and recommended keeping WSBA structure as is.

Meeting ended at 1:30 pm