

Minutes of the WSBA Elder Law Section (“Section”) Executive Committee

November 29, 2016 - Fall Retreat at Columbia Tower Club, Seattle

Attendance.

Members Present: Kameron Kirkevold (Chair), Suzanne Thompson Wininger, Peggy Sanders, Meredith Childers, Megan Farr, Eric Watness, Dick Sayer, Karen Boxx, Matthew Parker, Ronald St. Hilaire, Carla Calogero, Ann LoGerfo, Mark Vohr, Michael Longyear, Miriam Ayoub

Members Absent: Amy Freeman

Liaisons Present: Joe Terrenzio (WSBA Sections), Katie Searing (Young Lawyer Cmte. Liaison/Legislative); Alison Phelan (Legislative Affairs Manager – present from approximately 1 p.m. to 2 p.m.)

Welcome, Announcements. Introductions and welcome to new members.

October Minutes. The minutes from the October 18, 2016 teleconference were unanimously approved.

Treasurer's Report. Matt Parker provided the treasurer report. He reported that the CLE splits received totaled \$8,518.74. Further, Matt confirmed that the \$15,000 grant to Columbia Legal Services has gone through. He also reported that the Section will be receiving funds from the Master CLE that took place on November 18, 2016.

LLLTs New Practice Group. Kameron is a member of the LLLT New Practice Group which is a subcommittee of the LLLTs. The committee he meets with gets together once a month. Topics discussed for an elder law expansion include will drafting, probate, trusts, Medicaid planning, powers of attorney, community property agreements, and guardianships. Numerous practice areas got “shut down”, including trusts, but there is still some discussion of drafting something straight forward like a minor beneficiary trust in a Will.

Kameron will continue to attend the monthly meetings and report back to the Executive Committee.

Grants Report / CLS Grant Request.

Meredith provided a written report outlining hiring task, fundraising task, and information on the one-year fellow position at Columbia Legal Services.

Meredith also reported on the Peter Greenfield Summer Internship and the funding request from CLS.

Peter Greenfield Summer Internship. This year's intern will be a student from Seattle University School of Law. Applications are due November 30, 2016 for second year students, and first year student applications are due in February 2017.

Meredith confirmed that the Section is currently funded for the Peter Greenfield Summer Internship (The Elder Law Section contributes \$2,500 towards the program); however, she asked for suggestions for fundraising ideas for the future. Dick will send out an email blast to the section regarding donating to the Peter Greenfield Summer Internship.

Elder Law Section funding request from Columbia Legal Services. Ann left the meeting for this discussion.

Meredith provided background on the funding request. She reported that Ann submitted a grant request in the amount of \$10,000 on behalf of Columbia Legal Services to our Section. This is an opportunity to help fund a one-year fellow position at CLS relating to low income seniors and the particular problems they face.

Discussion ensued about the Section's reserve, budget, and ability to make the \$10,000 contribution; the ways the fellowship would support membership; and how the fellowship would benefit our practice area.

Ann was asked to return to the meeting to answer numerous questions presented by the committee in determining how to vote on the requested funds.

Ann was asked to leave the room again, and a vote took place. A motion was made by Eric "to allocate \$10,000 of the WSBA Elder Law Sections budget to the grants request as proposed in the October 14, 2016 letter from Ann LoGerfo at Columbia Legal Services, and the Section will request at a minimum an annual report that details how all funds donated by our Section were used for the fellowship to benefit senior elders." The motion was seconded, and approved unanimously.

The committee also discussed a system to search for additional opportunities in the future. A grants subcommittee was assembled to look into other future opportunities and create a grants request form. The grant's sub-committee will be Meredith Childers, Matt Parker, and Dick Sayer.

Washington Public Guardianship Task Force. Ann reported that they are still trying to keep the program alive. Ann and last year's Peter Greenfield intern conducted research to see how other states are funding their programs.

Ann is meeting with Sean Bleck next week and will present a proposed plan to the task force on December 12, 2016.

The task force includes numerous-a number of attorneys, a CPG, members from DSHS, and the King County Guardian ad Litem specialist.

Wings.

Eric reported that there is an upcoming Judges meeting, which is an opportunity for judges and practitioners to get together and provide input on elder law issues. Megan, Eric, Suzanne, Ann, Peggy, and Kameron will do a telephone conference prior to the judges meeting to compile a list of topics to be addressed at the meeting.

Carla is chair of a Wings subcommittee tasked to look at attorney representations for ~~AIPs and~~ PSalleged and adjudicated incapacitated persons. Carla reported that there have been numerous proposals submitted to the Wings Steering Committee. It was recommended that a member of the WSBA Elder Law Section Executive Committee attend the Steering Committee Meetings (non-Steering Committee members can listen in on the meetings, but only Steering Committee members and WINGS staff person Shirley Bondon can participate in the meetings). Katie and Peggy volunteered to ~~be attend~~ “Wings Steering Committee” meetings and report important updates back to our committee. liaisons” for our section.

Outreach and Mentoring. The bar association held a meeting regarding a mentoring program (“Mentoring in a Box”). The bars program is all based on a hypothetical problem. The benefit to the mentor is to get CLE credits.

The bar association is happy to let us use all of their material for “Mentoring in a Box.” There was discussion of establishing a mentoring program that would allow lawyers to bring in a new attorney to mentor and get the benefit of having someone assist in their practice.

The outreach sub-committee will meet to further discuss the possibility of creating a mentoring program.

Mark and Peggy will start looking into putting together a social in Spokane.

Legislative Report/Issues. Megan explained the voting process and procedure for voting on Elder Law Legislative matters. Megan and Alison both reiterated that timeliness is very important in the voting/response process.

Megan reported on the bills from the past session, including the Uniform Fiduciary Access to Digital Assets Act (effective now) and the Uniform Durable Power of Attorney Act (effective January 1, 2017)

Megan also reported that she participated in a stakeholder meeting with Rep. Jinkins regarding isolation and guardianship. Megan will attend another meeting on December 15th and report back to the group.

A WINGS legislative update was also provided. Megan addressed WINGS legislative proposals that may be introduced this session. Megan stated that we do not know who will introduce the bill(s) yet, but we may have more information after the next WINGS Steering Committee meeting.

The discussion moved to the expansion to Office of Public Guardian (OPG) Bill. Ann stated that the bill has changed substantially since the last time this section commented on it.

Alison stated that on December 1, 2016 the pre-filing for bills will start. Alison will keep us in the loop as things happen.

Alison also reported on the WSBA bar sponsored bills, including the corporate act revision bill and trust decanting. The discussion turned to other potential issues that may be raised during this session, such as, civil legal aid funding issues.

Communications. Dick reported that he continues to post information when he receives it or when he finds information of interest. He requested that we continue to provide information for him to send out to our membership.

CLEs. The spring CLE will take place on March 3, 2017 at the Convention Center.

Mike and Suzanne proposed that the fall CLE take place on September 8, 2017 at the Seatac conference center. The committee agreed on September 8, 2017 for the fall CLE date.

Dick reported on the Master CLE that took place on November 18, 2016 at Seattle University. Dick stated that there was a good turnout and the CLE location was outstanding.

Kameron brought up the topic of doing an extended and/or joint seminar in future. Discussion ensued about potentially working together with RPPT to put on a joint CLE. Suzanne or Mike will reach out to the chair of RPPT to see if they would have any interest.

BOG Report, Bylaw Changes, Section Policy Workgroup Updates. Joe reported that at the November 18, 2016 BOG meeting there was a further discussion on the proposed changes to the bylaws. However, the discussion did not result in a resolution, so they were continued to the January 26-27, 2017 meeting.

Joe stated that we can contact our BOG liaison, Angela Hayes, and encouraged us to do so. He also provided some insight on the proposed amendments to Article XI of the WSBA Bylaws.

Carla also discussed the proposed amendments to Article XI of the bylaw. Carla reported that while our section has not commented on the proposed amendments yet, we can still comment because the proposed amendments were tabled until the January 2017 meeting. The executive committee discussed potential concerns and whether or not they were concerns that needed to be addressed by our Section.

Kameron proposes that we create a sub-committee or group of volunteers to attend BOG meetings and report to the Section regarding the amendments. Carla or Kameron will circulate the BOG meeting schedule to the Executive Committee so that committee members can see the dates and volunteer to attend the meetings.

Kameron will also follow up with Angela Hayes on this matter.

April – September 2016 & Beyond.

There was further discussion on diversity. Mike suggested the idea of a Section sponsored stipend for a summer internship for a diverse student. The grants and outreach committee members will meet and come up with a proposal for an internship in elder law for underrepresented law students.

Meeting adjourned.