

Minutes of the WSBA Elder Law Section (“Section”) Executive Committee January 17, 2017 Teleconference Meeting

Attendance.

Members Present: Kameron Kirkevold (Chair), Peggy Sanders, Meredith Childers, Carla Calogero, Karen Boxx, Megan Farr, Eric Watness, Mark Vohr, Matthew Parker, Ann LoGerfo, Amy Freeman

Members Absent: Suzanne Thompson Wininger, Ronald St. Hilaire, Dick Sayre, Michael Longyear, Miriam Ayoub

Liaisons Present: Joe Terrenzio (WSBA Sections Liaison), Katie Searing (Young Lawyer Cmte. Liaison/Legislative), Alison Phelan (Legislative Affairs Manager), Angela Hayes (BOG Liaison)

November Retreat Minutes. The minutes from the November 29, 2016 Executive Committee Fall Retreat, as revised by Carla and circulated via email to the Executive Committee on January 12, 2017, were presented for final review and approval. Ann requested that her statement regarding HB 1139 reported in the minutes be corrected as, “Ann stated that the bill has changed by adding estate administration services since the last time we commented on it.” Mark made a motion to approve the November 2016 meeting minutes with revisions suggested by Carla and by Ann. Peggy seconded the motion. The minutes as revised were unanimously approved.

Treasurer's Report. Matt Parker provided the Treasurer’s Report based on the Elder Law Section Financials prepared by WSBA and circulated to the Executive Committee by email on January 12, 2017. The Report included Fiscal Year 2016 Financials.

CLE Update. None; CLE Co-Chairs not present.

Legislative Update and Discussion.

HB 1139 (Office of Public Guardianship Expansion). Alison provided an overview of the House Judiciary Committee public hearing on HB 1139 (10:00 am on 1/17/17). The Executive Committee discussed various concerns members have regarding the bill, and the difficulty of reaching a consensus position (i.e, “Support”, “Support with Concerns”, “Oppose as Written” or “Oppose”) on the proposed legislation.

Representative Jinkins’ sponsored anticipated bill on guardianship isolation. Megan reported that the most recent version of Representative Jinkins guardianship isolation bill (not yet introduced) incorporates the recommendations of the Elder Law Section.

SB 5081 (Revised Uniform Law on Notarial Acts). Karen reported that the WSBA RPPT Section has agreed to vet and taken a position on the bill.

WINGS Report. Katie reported that at the January 9, 2017 Certified Professional Guardianship Board meeting, staff reported that there has been a significant increase in the number of grievances against CPGs. A grievance diversion pilot program will be commenced in an effort to manage the backlog of grievances.

Katie also reported that the WINGS Standards of Practice Committee recommended an Ethics Advisory Committee issue an Ethics Advisory Opinion concerning certain conflicts of interest involving CPGs, legal counsel, and Guardians ad Litem involved. Katie reported that the Board concluded such issues would be more appropriately regulated through the RPCs. Katie indicated bills may be introduced concerning the issue.

LLTs New Practice Group. Kameron reported that the new practice area, “Estate and Health Care Law,” proposed by the LLLT New Practice Committee will be introduced by Steve Crossland and Ellen Reed to the Board of Governors at the January 26-27, 2017 BOG meeting. “Estate and Health Care Law,” as proposed by the LLLT New Practice Committee would estate planning, probate, guardianships, VAPA proceedings, government benefits, and health insurance.

Angela Hayes introduced herself and offered to liaise with the BOG. ahayes@aiin.com

Meeting adjourned.