

WSBA Family Law Executive Committee Meeting Minutes

Meeting date and place: October 22, 2022, by Zoom

FLEC member name	Present?	Proxy	Alternate proxy	Unexcused?
Deborah Bianco	yes			
Shelley Brandt	no	Beth Helm	Jackie Jeske	
Cynthia Buhr	yes			
Stephen Foster	yes			
Christopher Fox	yes			
Tamara Garrison	yes			
Elizabeth Helm	yes			
Jacqueline Jeske	yes			
La Vonna Jones	yes			
Kimberly Loges	yes			
E. Susan O'Toole	yes			
Patrick Rawnsley	no	Jackie Jeske	Beth Helm	
Tonilynn Savage	yes			
Mei Shih	yes			
Dawn Sydney	yes			
Boaz Weintraub	yes			
OTHERS				
*Non-voting member				
Alan Funk				

Nancy Hawkins was present as the BOG liaison.

Carolyn MacGregor was present as the WSBA liaison.

Chair began the meeting at 9:05am. The group went around and introduced themselves to the new members given the new FLEC term.

Secretary went through roll call and proxy votes.

Adoption of the Agenda/Minutes: Kim moves to approve agenda. Deb seconds. The minutes from September were not circulated. Kim will need to work with Deb on Deb’s addition to the minutes from September.

Elections: Beth proposed Kim and Shelley continue in their roles as secretary and treasurer respectively. Beth moves into conversation regarding the Chair elect. Nancy expressed interest if there is none. Beth proposes the election of the position be delayed until the next meeting.

Vote for Kim as Secretary: votes in favor-all.

Vote for Shelley as Treasurer: votes in favor—all. Kim mentioned Shelley’s history as Treasurer and knowledge of the WSBA budget.

Legislative Liaison: Beth has appointed Pat Rawnsley as the Liaison.

BOG Liaison: Beth has appointed Nancy as the Liaison.

Formation of Nominations Committee: Beth would like to form a committee early this FLEC year so that there is more time for the committee members to be able to reach out to our membership about possibly running for and participating in FLEC. We need two FLEC members and a non-FLEC member.

Volunteers: Susan, La Vonna, Jackie

Beth suggests the volunteers discuss who to ask as the non-FLEC member.

Legislative Liaison Report: Pat is absent for the meeting. No report this month. Pat and Jackie have been exchanging emails with Sen. Petersen and Sanjay about the Uniform Arbitration act. Pat and Jackie's edits/suggestions for the most part have been approved/heard by Sen. Petersen.

Upcoming BOG Meetings dates: 1st weekend of Nov., Jan 13-14, March 3-4, May 5-6, June 23-24, Aug 11-12, Sept 23-24

Report from WSBA Staff Liaison: Carolyn is the staff liaison to all 29 sections of the bar. She lends support for the sections, assistance with event planning, and administrative assistance. On November 14th, there will be a training for new and old members. It is a three-hour session providing updates, discussing Open Section night, updates from executive director and finance team. Carolyn will resend us the information on how to register to attend.

Treasurer's Report/Financials: Shelley is absent for the meeting. No report this month.

FLEC Training Updates:

Winter Family Law CLE report from Jackie. She has lined up five speakers. Pat has agreed to talk about the UFLAA. She has some queries out to eastern Washington to try to get more geographical diversity. She is tentatively considering February dates. She is working on a title and agenda. She is working on how long to make the CLE. One half of it will be on how to prepare clients for mediation and arbitration. She is trying to decide on what to pair it with. One is to do a group of parenting evaluators/GALs. When do you need these services? The other suggestion is to do business valuations, financials that come up within mediation. Susan asked about whether informal trials may be an option to discuss in light of conversations of whether Washington will adopt statewide informal trials. Beth-we don't know what those informal trials will look like if/when adopted. Beth asked about the timing of this CLE with the Basic Skills Training. CLE possibly February, Basic Skills Training March.

Basic Skills Training: La Vonna –Cowlitz county is still interested. A judge suggested discussing preserving the record for appeal. Discussion surrounding preserving the record for appeal. Many agreed this was a good idea.

Copied proposed older agenda from La Vonna from chat:

Schedule & Topics:

Day One

8:30 a.m. Check-in and walk in registration, distribution of course materials, coffee and pastries.

8:45 a.m. Welcome and introductions – Monique Gilson Moreau

9:00 a.m. Opening the File – Lisa Ward, FLEC (Vancouver)

The initial client interview and determination of whether to accept the case and client; identification and discussion of the issues, goals and strategies; fee agreements.

9:45 a.m. Obtaining Information and Documents – [TBD]

Requests and checklists for the client, discovery from the other party, requesting information from other entities.

10:30 a.m. Break

10:45 a.m. Working with Experts – [TBD – Local Attorney?]

Tips and best practices for working with appraisers, evaluators, actuaries, guardians' ad litem, and other professionals.

11:30 a.m. Professionalism and Ethics, in the Courtroom and Out – Superior Court Judge [??? Or FLEC Attorney TBD]

Rules of professional conduct, courtroom conduct and demeanor, communication with opposing counsel and parties.

La Vonna: There is really only one location for people to stay at. The location is a little dated; she has concerns that people may scoff at the accommodations.

Dawn: asks if there is anything in the training about the life cycle of a case? What is expected? What happens? If there is room for this, she suggests it. La Vonna feels there is room at the top/start to include this.

Tamara: what about discussing when to use experts, a cost-benefit analysis within the case.

Susan: a list of resources for new attorneys to turn to if they have questions.

La Vonna: Needs help with the hotel/accommodations and whether to proceed with booking them? Concerns about whether people will be put off by the look of the accommodations. Continued discussion about the accommodations. Bo asked about the room rates. La Vonna wanted to get dates scheduled first. Nancy discussed whether to use the two days to cover substantive materials and look at whether past participants found the motion practice on the second day helpful or not. Jackie-it would be worth going back and looking at the survey results from the Tri-Cities event. Volunteers to help—Mei, Deborah, Chris, Susan,

La Vonna raised Monique's suggestion that the Basic Skills Training be developed into a training series in the future.

Jackie reminded everyone that this training is not in partnership with the WSBA.

2023 Mid-Year: Cynthia—Beth introduced the Mid-Year team to Sally Romero with the WSBA. We are on track in terms of the WSBA's timeline. They are discussing speakers and presentations. The contract is being confirmed for the July dates. July 28-30th, 2023. Dawn asks about the option of

reviewing the 2022 Mid-Year surveys. Cynthia provided the dates, location and the hybrid nature of the CLE.

Beth returns to the idea of making the Basic Skills Training a series. She raises the idea of doing lunchtime CLEs and maybe using basic skills training as an option. Kim raises the idea of fixing months and subjects every year. Jackie—making a new practitioner series and make the topics very consumable.

Nancy suggests forming a CLE committee composed of FLEC members to explore this option. Dawn, Susan, and Beth express interest. Chris suggests recording CLEs and taking them around the state to introduce FLEC and reach out to family law practitioners.

Kim moves that FLEC form a CLE committee to explore creating a basic skills training series/small CLES. Dawn and Jackie second the motion. Anyone not in favor? No. Motion passes. Beth Dawn Susan Chris Stephen La Vonna and Kim. Jackie points out that this is a great way to invite local judges and commissioners to join and provide input.

Break until 11:05am.

Susan will need to leave by 11:30am today. Her proxy vote to Jackie.

Dawn will need to leave by 11:45. Her proxy vote to Beth.

BOG Update from Nancy: At the last meeting there was a proposal from the LLLT that went to the Supreme Court. Nancy spoke on her opposition to the proposal. The BOG voted against recommending the changes to the Supreme Court. The proposed changes were changing the number of board members, expanding the practice areas and one other issue.

Nancy: BOG discussed GR 9 (rule changes) and then went into executive session. The Supreme court has issued so many unilateral rule changes over the last several years and there are several judges are unhappy about the rule changes. They want to be involved in conversations and have advanced notice of proposed rule changes. Nancy doesn't know if this particularly affects FLEC because of the way we receive notice presently. Does anyone want Nancy to take a position one way or another on GR 9? Jackie asked Nancy additional questions about what happened after the BOG left executive session. Nancy did not know. If you would like to read more on GR 9, there are materials within the BOG materials for the BOG retreat/meeting today. New members joined the BOG this month, for some this is their first meeting. The next BOG is November 4th. The materials will be released before the meeting. The vaccination policy will be addressed at the next meeting. Vaccinations for both WSBA employees and volunteers.

GR 12-Whenever we do something with the legislature, we have to perform a GR 12 analysis to ensure our participation fits.

Support the change absent an objection from Alec, Sunitha or Patrick.

Jackie moves that FLEC have Nancy privately communicate our support for the proposed change to GR 12.2 prior to the November 4th meeting and then publicly support it, absent an email objection from Nancy or Patrick in which case FLEC will hold an email vote. Beth seconds. Discussion: Tamara requests Nancy or Patrick send out their objection to the FLEC listserv. Vote: Bo and Tonilynn abstain from voting. Motion passes.

GR 31 and GR 55: Beth does not necessarily know if we need to discuss these proposed rule changes. Jackie proposes we address this at the next meeting so that everyone has more time to review these. AGENDA ITEM.

Meeting Schedules and structure for 2022/2023: Discussion regarding scheduling a November meeting. Beth: November's meeting will be by Zoom. November 19th is the next meeting.

Jackie proposes January 21st. That date is after the BOG meeting.

Beth to send out a survey regarding in person meeting and future meetings. Jackie will commit to looking at possible meeting dates that do not conflict with holidays or the BOG meetings.

Chris discussed an inquiry from the Pew Charitable Trust requesting input on the UGA. He would like to see volunteers to respond and be available to this individual (Darcy White). Jackie asks if we respond to the Pew people whether it would be individually or as a group. Chris suggests individual responses.

Kim moves to adjourn the meeting. Chris and Jackie second. No opposition. Meeting adjourned.