

WSBA Family Law Executive Committee Meeting Minutes

Meeting date and place: January 20, 2024, by Zoom

FLEC member name	Present?	Proxy	Alternate proxy	Unexcused?
Amber Bighorse	yes			
Shelley Brandt	yes			
Laura Yellish	yes			
Stephen Foster	yes			
Christopher Fox	yes			
Tamara Garrison	no	Dawn Sydney	Amber Bighorse	
Elizabeth Helm	yes			
Jacqueline Jeske	yes			
La Vonna Jones	no	Beth Helm	Amber Bighorse	
Kimberly Loges	yes			
E. Susan O'Toole	yes			
Patrick Rawnsley	yes			
Tonilynn Savage	yes			
Mei Shih	no	Jackie Jeske		
Dawn Sydney	yes			
Boaz Weintraub	yes			
OTHERS				
*Non-voting member				
Alan Funk				
Nancy Hawkins	yes			
Kiona Gallup	no			
Carolyn MacGregor	no			

Meeting began at 8:47am.

Marques Lang, a section member joined us.

Kari Petrsek joined us as BOG liaison.

Public Comment: No public comment.

Legislative update: Meeting with Senator Phil Fortunato this past week. SB 5858-plain and simple bad law. The last part of their meeting was about rewriting some parts and would be giving us a new draft by Thursday, so FLEC could vote by Friday. Pat let it be known that FLEC would not be supporting the bill because it is bad law. It doesn't look like 5858 will make it out of committee. (a non-exhaustive list for a fair/equitable division of property)

SB 5859: Proposing studying the use of separate judges to determine parenting plans and property distribution in marriage dissolution cases. This idea is flawed in a number of different ways. The parenting plan and property divisions. You can't come up with a parenting plan in a vacuum. As far as a study is concerned, he doesn't believe we should take a position.

GR 12: Any opposed? Meets GR 12.

Pat moves that FLEC not take a position on this bill. Kim seconds Pat's motion. Vote: Beth and LaVonna abstain. Motion passes.

SB 5861: Another Senator Fortunato bill. This bill has a number of different requested changes, some of the changes are stacked together. An amendment to the contempt statute, concerning procedures and evidence in civil actions involving domestic relations and protection orders. This is a "it's not broke and doesn't need to be fixed." Also, the bill proposes that the court could modify a support order in a contempt hearing.

Bo joined us at 9:35am.

Discussion regarding how best to discuss legislative issues in a public meeting.

BOG Report: From Nancy and Kari. There was a report from Judge Chung from the Superior Court judges Association. There are 200 judges and 75 commissioners, 75% have less than five years of experience. There seems to be a change from people wanting to end their career on the bench and those using the bench as a career steppingstone.

The new President of Kirsten Ferara, in April of the Superior Court Judges Association

Last year there were 15,000 section members, FLEC was approximately a 1,000 of those membership.

The current per member charge is \$18.73. The remaining \$11.27 goes to the section itself.

\$100,000 in scholarships and grants.

Sections are active. (section/membership review)

A member wellness task force has been started. They are seeking volunteers to sit on the task force. We may want to consider having a FLEC member on the task force.

There is going to be a new Civil Needs Study that the Access to Justice is working on. This will give us an accounting for what the state needs on unmet legal matters.

An issue came up with the LLLT meeting, they had a form of for parties to sign regarding equalizing property. Raises a concern about whether we should have a say in the forms that they draft. We should consider whether FLEC should be involved in reviewing the forms or having a say.

The biggest issue the WSBA is dealing with is licensure. Washington is considering eliminating the bar exam. Oregon is eliminating its bar exam. Nancy suggested having BOG Jordan Couch come to a future meeting and talking with us about this issue. Couch has been very involved in this.

There are some issues, that committee made some recommendations that went to the Supreme Court. Nancy believes we should be prepared to respond at some point. The law clerk program has been very active in this process. Couch has research that shows bar exam passage does not make you a great lawyer.

STAR update from Kari: Discussed legal interns in rural deserts. Student loan forgiveness for lawyers who work in rural areas.

Break

Motion to adopt October minutes. Pat seconds. Jackie abstains. Motion passes.

5861: Went into executive session to discuss SB 5861.

5861: This bill shouldn't pass as a whole; it needs to be broken up. There is one part that Pat feels we should get behind. 9.73 two changes to RCW 9.73 allows one sided recording in a CPO so long as it is used within a year.

Left Executive Session:

Pat moves 2237-moves that FLEC supports this bill as drafted with the exception that the language "if the parents agree."

Pat strikes his motion.

Pat moves that FLEC supports in its entirety with the exception of that if the agreement language in 6a and 6b is not removed, FLEC opposes this bill. Laura seconds Pat's motion. Discussion. Beth and La Vonna abstain. Motion passes.

With respect 5861, Pat moves to oppose this bill only in the sense that it is omnibus. Jackie seconded the motion. Beth and La Vonna abstain. Motion passes.

Pat moves that he be authorized to communicate with Senator Fortunato those sections of SB 5861 that FLEC would support, to include the RCW 11.76.110 and 26.09.170 in the context of the *Ross* case. Laura seconds the motion. Beth and La Vonna abstain. Bo abstains. Motion passes.

Back in Executive session. 11:49am.

5865

5825

Left Executive Session.

Pat moves with respect to SB 5825 that FLEC takes no position. Jackie seconds. Beth and La Vonna abstain. Motion passes.

Pat moves with respect to SB 5865 that FLEC opposes this bill. Dawn seconds. Beth and La Vonna abstain. Motion passes.

Executive session

5928

Left

Pat moves that 5928 meets GR 12. Dawn seconds. Beth and La Vonna abstain. Motion passes.

AGENDA ITEM—GR 12 primer.

Pat moves that FLEC take no position on 5928. Jackie seconds.

Pat requests to withdraw his motion. Jackie agrees.

Pat moves that FLEC oppose 5928. Shelley seconds. Beth and La Vonna abstain. Motion passes.

Back into Executive Session:

HB 2010: Keeping children safe from Domestic violence.

HB2450 Pat moves to support the language with the exception of removing language regarding "tuition"
Laura seconds. Beth and La Vonna abstain. Motion passes.

Website: Here's a brief rundown re the website, which may suffice for keeping the item on the agenda:

584 visits

WA 306 across 46 cities

OR 30 across #10 cities

CA 16

TX 25

ID 3

Highest engagement:

Podcast 488

followed by

Section Events and "Legislative Activity"

If there is a need for a special meeting, Pat will let us know.

The mid-year for 2025 is going to be at the Davenport in Spokane.

Pat moved to adjourn the meeting at 2:04pm. Dawn seconded. Meeting adjourned.