

**WSBA Litigation Section
Executive Committee
Meeting Minutes**

**Date: May 5, 2017
4:00 p.m.**

Attendance

	In Person	Telephone	Absent
Stephanie Bloomfield, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Philip Havers, Chair Elect	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Greg Hesler, Secretary/Treasurer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will Dixon, Past Chair	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vinnie Nappo	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Carrie Coppinger-Carter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mike Pfau	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joel Comfort	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michelle Pham, YLD Liaison	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Nelson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Daniel Berner	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Julianne Unite, Staff Lead	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dan Bridges, BOG Liaison	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other:			

Agenda Item 1: Approval of the Minutes

- Minutes of the Meeting held on March 17, 2017 were approved.

Agenda Item 2: Committee Reports

Supreme Court Dinner (Phil and Mike)

- Supreme Court dinner is tonight. Have 29 people RSVP'd yes. If there are any vegetarians, just ask for it. Have a designated area upstairs set up for drinks and appetizers and then will be downstairs for dinner.
- Those sponsoring alcohol will be using credit cards at the end of the evening to cover their portion of the cost. That has been coordinated with Butcher's Table in advance.

Newsletter (Michelle)

- We had talked about opening a call for success stories from our membership at large. This would be done through the Listserve, and would help open up the discussion beyond just the Executive Committee.
- Michelle also had a social media research issue relating to jurors that came up during a recent case. Michelle may work on that issue for use in the newsletter.
- Mike mentioned that he has a trial starting next Monday, and they will be using social media for juror-based research. This topic may be timely for the CLE, and Mike can provide some additional information to Michelle to incorporate into newsletter write-up.

- Susan also mentioned that there is an app that can be installed on the Ipad that will collate social media information on juries in real time, for use in courtrooms. That may be worth looking into as well.

Outreach (Mike)

- Seattle U would like to do the outreach in the fall. They have asked that we provide them with some dates. Mike will give them some dates between the beginning of the school year and September 21 and give them the preference of lunch or evening. They can then decide what they would like to do. Will try to have three or more Executive Committee members in attendance.
- Stephanie, Mike, Will and Michelle were at UW a few weeks ago to host a “Thirsty Thursday” event. It was a good event, and Michelle had a few people follow up with her afterwards.

Agenda Item 3: Bylaw Amendments Required by WSBA (Stephanie)

- Major changes to the bylaws involve elections and the timing of our annual meeting.
- With respect to elections, the idea is to move to electronic voting. That raises a related question of what we want to do with our annual meeting. We currently use our annual meeting as the forum for election of executive committee members. If we want to separate the voting from the annual meeting, what do we want to do with the annual meeting?
 - Julianne noted that the Bar does not require annual meetings, so it is really up to the Section as to whether they want to hold an annual meeting. Further complicating the issue is that the elections need to occur between March and May, but we typically hold our annual meeting in the fall. Consequently, we would need to move the annual meeting if we were going to still hold elections at the annual meeting.
 - The primary business we have at the annual meeting is the election of EC members. Even that has been fairly mundane, as we have not had contested elections.
 - We have also tried to have lunch so that people at the CLE would stay for the meeting, but people don’t tend to stay.
 - It was suggested that we do this year’s elections in August as currently planned, but then shift elections for next year and get rid of the annual meeting going forward. We could then eliminate the annual meeting, and maintain a provision that does allow for special meetings of the membership when needed.
 - There was consensus to get rid of the annual meeting after this year.
- We also need to decide how to handle elections.
 - If we do elections without a meeting, and open it to electronic elections, then we need to determine what kind of response is required.
 - Julianne noted that a quorum for WSBA rules is just those that participate, so there isn’t really a quorum requirement.
 - We may elect by plurality, meaning whoever has the most votes wins. The section could specify something more creative, but a plurality will work.
 - Julianne also noted that more than half of the Sections do electronic elections already. See more participation than in-person voting or paper ballots.

- Given past participation of Section members, we may have difficulty getting sufficient participation to make it work. That being said, we only need 1 person to vote, which could include any member of the Executive Committee.
- We will still have a nominating committee to help identify potential candidates.
- One related issue: if we are doing away with our annual meeting, there is a nominating committee, but we also need a process for nominations from the floor of the membership.
 - Julianne’s suggestion to address this is to allow for self-nomination by any interested parties.
 - Would also probably set a deadline for nominations by the nominating committee (say, 30 days from vote), followed by a separate deadline for any nominations from the membership at large (say, 15 days from vote).
 - Administratively, Julianne needs at least 2 weeks lead time from the moment she gets all the information regarding candidates and the time the ballot would go out to membership.
 - Can also require that a self-nomination have a certain number of endorsements from members. They also need to fill out the electronic nomination application form.
 - General consensus was to have an endorsement requirement for self-nominations.
 - Also consensus to designate the winner of the election as the person who has a plurality of the votes (as opposed to a majority with run-offs, etc.)
- The nominating committee also attempts to ensure a good mixture of people on the EC—both geographically and by practice type. There is a risk that we could end up with a King County dominated board through the new process.
 - One option would be to emphasize, almost like a mission statement, the need for diversity.
 - An alternative would be to have an open call for nominations, and then have the nominating committee propose alternatives.
 - Can start with an open e-mail blast for people with interest, then use the nominating committee to vet those people and make their recommendations. Any additional nominations beyond the nominating committee would have to have a minimum number of endorsements.
- Stephanie will take a stab at the re-writes and we can vote on it at our June meeting. It was suggested that we skip our May meeting, since we are already meeting in May. With that in mind, Stephanie will have a draft circulated prior to June meeting.

Agenda Item 4: Treasurer’s Report (Greg)

- Budget looks okay for the time being, but haven’t hit our big spend items yet. Currently at 86% of revenue for the year and 45% of expenses (almost all of the expense is the per-member charge). Appear to be on track to stay within budget.

Agenda Item 5: CLE Update (Joel)

- Joel provided a rough outline of the schedule for the CLE, which was put together by Stephanie, Joel and Vinnie thus far. Topic will be jury and voire dire, but nothing is set in stone at this point.
- Next step will be to identify potential presenters. Any help from the Executive Committee on tracking down and securing presenters would be appreciated.
- Likewise, if there are any comments on potential agenda items, please voice them.
- Julianne noted that, as a general matter, revenue for CLEs has decreased. However, certain CLEs have been strong—particularly mid-year-style CLEs. The WSBA has been looking at different options to see what improves attendance—serving lunch, increasing networking opportunities. At this point, however, that research has not successfully identified trends in that process.
- CLE is scheduled for August 11, so things will move fast over the next few months. We will need to have speakers tied down by the end of May in order to get materials together ahead of the CLE.

Agenda Item 5: Other Business

- Website (Carrie)
 - Tabled
- Legislative Update (Stephanie)
 - Stephanie noted that it was amazing how many of the bills that were sent to us for comment never made it out of committee.
- Rules Task Force (Stephanie)
 - Stephanie has been appointed to a rules task force. The recommendations that came out of the committee on escalating costs of litigation, and were referred to new committees to actually work on the rules themselves. That is currently in process, so if anyone has interest in that process, let Stephanie know.
- Fall Meeting Walla Walla (potential)
 - Still would like to have a meeting on the East side in either September or October.
 - Susan mentioned that we may be able to have an open meeting on the Whitman campus if we hold it a little earlier. Susan will provide some information to Stephanie to look at.

Future Agenda Items

- None.

Meeting adjourned at 5:15 p.m.

Approval Notes

Date Approved: _____

Secretary Initials: _____