

WASHINGTON STATE BAR ASSOCIATION  
SENIOR LAWYERS SECTION  
MINUTES OF THE EXECUTIVE COMMITTEE MEETING

**November 20, 2018**

The meeting was called to order by Chair Brian Comstock. Present were Executive Committee members Al Armstrong, Jim Riehl, Steve DeForest (by phone), Jeanine Lutzenhiser (by phone), Eleanor Doermann, Dudley Panchot, Morrie Shore , Patrick Mead, WSBA Liaison, Kevin Plachy of the WSBA (by phone) and Ron Thompson. Not able to be present were Carole Grayson and Scott Osborne.

**CHAIR'S REPORT**

Brian distributed the Agenda for today's meeting (and had emailed it to E.C. members prior to the meeting). The Agenda included four exhibits: (A) Amended Budget Request (B) Al's Minutes for the October 16, 2018 Executive Committee; Kevin's notes from the October 12, 2018 and November 5, 2018 telephonic meetings of our CLE subcommittee, and (D) Draft of suggested items for our Senior Lawyers' Questionnaire. Also attached was a copy of the WSBA Budget Comparison Report for the period October 1, 2018 to September 30, 2019.

It was confirmed again that our former Executive Committee colleagues Jerry Jager, John Bergmann, and Tom Wampold are now Members Emeritus of our Committee.

**TREASURER'S REPORT**

Ron indicated that he has not received the latest information from the WSBA, our financial status has not changed, and remains the same as was set forth in Ron's previous report.

Ron also indicated that the BOG has approved our amended budget for the coming year. Ron reminded us that this budget has three built-in assumptions: (1) that we increase our Section membership; (2) that our Section sponsor one mini-CLE, realizing a profit of \$1,500; and, (3) that we keep our publication cost down by reducing the number of editions of our newsletter. Ron said it needed to be decided in what manner the newsletter will be disseminated, i.e. with a mailed printed copy or through email.

**NEW BOG LIAISON**

Pat indicated that he believes that a new BOG Liaison has been appointed for our Section. The Liaison, he believes, will be Christina Meserve of Olympia.

## **SECRETARY'S REPORT**

The Minutes of the October 16, 2018 Executive Committee meeting Minutes were approved by Motion. Al also said he had prepared an updated version of our Executive Committee Membership Roster and would circulate it as soon as he has official confirmation of the identity of our new BOG Liaison.

### **REPLACEMENT FOR EXECUTIVE COMMITTEE MEMBER RON MATTSON**

Brian asked the Committee members to scout their respective environments for a possible replacement for Ron Mattson. It was mentioned that attorney Joe Gordon of Tacoma might wish to be so appointed.

### **PROGRESS REPORT: OUR APRIL 26, 2019 CLE**

Kevin related that our CLE Subcommittee had a telephone meeting on November 5. It was stated that we have eight speaker confirmations: Jeanne Marie Clavere of the WSBA; Justin Farmer of Private Practice Transitions; Lieutenant Governor Cyrus Habib; attorney Scott Osborne, of-counsel to the Foster Pepper firm; Mike Withey, Seattle-based human rights attorney; Steven Fury, Seattle personal injury attorney; Yakima Attorney Sarah Wixson, specialist in agricultural and employment issues, and Ken Masters, Bainbridge Island appellate attorney.

Brian expressed concern, relative to our CLE attendance, that we need to find a way to appeal to the other 14,000 or so eligible WSBA members. Also, Brian lamented that our Section membership has "drifted down."

Al mentioned the recent availability of inexpensive CLE internet productions, and the WSBA changes with respect to CLE requirements (such as the elimination of any live attendance at CLEs), will make it harder to pull in registrants for our event. Kevin responded that WSBA-produced CLEs, in addition to fostering professional development through personal attendance at CLEs, assure the attendee of relevant Washington-oriented material as opposed to tapes produced for the national market.

Eleanor asked Kevin if the other Section-or-Bar produced CLEs had experienced a fall-off in attendance. Kevin said that overall, personal attendance at CLEs have fallen 45%, while our own CLE fall-off has been only about 15%, quite a bit below the WSBA average.

Pat indicated that he had looked into why former WSBA section members hadn't kept up their section memberships, and many times was told by individual members that they hadn't realized their section membership had lapsed. It was suggested that members be emailed a little reminder towards the end of the year to remain in a given section rather than let that membership lapse.

It was mentioned that Carole was preparing a short survey to poll our current membership as to what they may want from the Section. Brian said we shouldn't just be questioning current members about this and Pat agreed.

Jim wondered whether we should encourage our speakers to spread the word about our CLE's. Kevin said he already does this.

Morrie advocated for the "Dudley Theory,"--that we should emphasize the opportunity for old colleagues and friends to get together; we should try to host what would be a "mini-Bar" convention.

### **MINI CLEs**

Kevin said we should provide more benefits to our membership, such as mini-CLEs. We might offer a cheaper mini-CLE rate for Senior Lawyers' members, to encourage more attorneys to join our section, say, \$15 for members and \$20 for non-members. Kevin also said he would lead our mini CLE effort; he would need someone from our Committee to work with him to come up with a speaker and a topic. That done, he could then "shepherd the CLE through our system." Eleanor said she would work with Kevin on this project. Jim also indicated he would help also.

It was planned that our mini-CLE would take place in September.

### **NEW PUBLICATION SUBCOMMITTEE**

Scott has volunteered to head our new Publications Subcommittee. The task of this subcommittee will be to determine what direction our publication will take. It was noted that publication costs consume a large part of our annual budget. Our current budget allocates \$3,000 for this purpose. Brian indicated that other state bars offer publications that are more cost effective. Brian asked for volunteers to work with Scott and Al said he would.

### **MEMBERSHIP TASK FORCE**

Brian noted that he has been in touch with the new leadership of the Michigan Master Lawyers Program. Brian said that this program has saved the Michigan senior lawyer group.

Carole is preparing a questionnaire to be sent to all current and former Section members. Brian attached, as Exhibit D to this meeting's Agenda, some suggested inquiries that could be asked of our recipients. A short list of questions is anticipated. Brian indicated he wished the questionnaire could to be sent to all eligible members of the WSBA; Eleanor and Jim said it may be best if we begin this process with questions only aimed at our members and previous members.

## **POSSIBLE CHANGES TO WSBA STRUCTURE**

Pat related a possible new development in WSBA structure. He passed around a newsletter which explained questions that are now facing the WSBA. A workgroup is being assembled that will analyze alternatives to WSBA's current integrated bar status. This will be done in light of the U.S. Supreme Court's Janus decision, which raised First Amendment and antitrust issues. Additional issues have also come into play. The workgroup will consist of eleven members, three of which will be representing the various WSBA sections. Pat explained that if changes to the WSBA are coming, the Bar wants to get out in front of the situation and not wait until they are forced to act. Pat felt the sections would be represented by one member from the large sections, one from the middle-size sections and one representing the smaller sections. Jim wondered if the section members of the workgroup would act to represent the interests of the sections themselves or their own respective viewpoints relative to the larger picture. Brian said he would want one of our Executive Committee to be one of the chosen three.

This workgroup is expected to make a recommendation to the Washington Supreme Court this summer, after which they will make a decision as to the Bar's future.

The deadline for applying to serve on the workgroup is December 7. All meetings of the workgroup will be held at the WSBA offices in downtown Seattle.

## **YOUNG LAWYER LIAISON**

Jeanine, our new Young Lawyer Liaison, indicated that she would contact (our past Young Lawyer Liaison) Eleanor about how to proceed.

## **NEXT MEETING**

The next Executive Committee meeting will take place at the Broadmoor Golf Club at 10:30 am on January 15, 2019. There will be no meeting in December. Have a happy holiday season, everyone.