



WASHINGTON STATE BAR ASSOCIATION

## Taxation Section

**COUNCIL MEETING MINUTES – October 16, 2020**

Zoom Meeting due to COVID-19 Pandemic

### **Persons in Attendance by Zoom or Telephone:**

Brett Durbin -- President

Claire Taylor -- Vice-President

Kristi Richards Secretary

Sam Barnes – Treasurer

Cat Connell

Bob Mahon

Al Mullins

Megan Lowe

Bret Durbin

Reed Jones

Aaron Johnson

Daniel Sito

Jill Fairchild

Tuan Ngo

Derek Jarski

William Richard

Dan Jenson

Jason Harn

Rich Johnson

- 
- 8:05 a.m. The meeting was called to order.
  - A motion to approve the prior meeting minutes was made and passed.

### **Treasurer's Report (Sam Barnes)**

- Approved annual budget
- Generally same as 2020
- Primary difference – reducing dues by \$5, which should creating net loss of \$26,000
- Current excess is \$43,000, but without annual meeting it is unclear of reduction in dues will overall reduce current excess



WASHINGTON STATE BAR ASSOCIATION

## Taxation Section

COUNCIL MEETING MINUTES – October 16, 2020

Zoom Meeting due to COVID-19 Pandemic

### Individual Committee Reports

#### Transactional Tax (Dan Sito) – moved for scheduling

- Not much to report
- Dan installed and working with mailing list and committee
- First meeting being planned (discussed with Dana Romans)
- Working on speaker and topic – legislative changes as consideration going into new year
- Generally section leader keeps list of membership; looking for committee specific list; WSBA lacks ability to maintain sub-section lists (Rich Johnson)
- Any suggestions for more directed lists;
  - Opt-in email/survey?
  - Administration issues of keeping lists; automation possible?
  - Additional ideas / solutions requested

#### Estate & Gift Tax (Cat Connell & Reed Jones)

- Reed gave report
- Second E&G meeting today at noon
- Tips/tricks on filing estate tax returns in WA
- Forming task force with KCBA/WSBA sections continuing (indexing issue)

#### International Tax (Tuan Ngo & Al Mullins)

- Al Mullins provided report
- Recently had International primer CLE w/Jason and Alison on CLE committee
- Great feedback and looking for deeper drive for next CLE
- Considering next topics (more in depth)
- Looking for list of individuals with interest in international issues
- Joint conference with Washington State CPA not possible this year, but looking for future collaborations
- Looking at LLM tax students in coordination with Young Lawyers to create happy hour
  - Hosting? Zoom/Virtual
  - Publication through LLM student organization
  - WSBA LLM recommended something similar (Megan Lowe comment)
- See also Young Lawyers committee notes

#### IRS Liaison (William Richard & Tyler Jones)

- William Richard
- IRS taxes going down as offices closing again
- Expect people to be phone only



WASHINGTON STATE BAR ASSOCIATION

## Taxation Section

COUNCIL MEETING MINUTES – October 16, 2020

Zoom Meeting due to COVID-19 Pandemic

- Tax court efilings go down today; links to tax court opinions changing; due dates extended (filed through 10/28)
- New efile system being implemented; no longer like pacer; timeline – shortly after Christmas

### DOR Liaison (Dan Jensen)

- Email re ability on video conferencing to list serve; did not see listserve email; never showed up in his email
- ARHD – Mary Barrett is retiring at the end of December
  - Potential replacement?
  - Dan Jensen appointed as replacement!
- Dan intends continue to serve as tax section liaison
- Any agency requests for legislation?
  - Not certain
  - Will review for next month
- Bad debt decision – Reversal of Lowes?

### Legislative (Brett Durbin)

- Proposed taxation of lawyers issue (Aaron /Sanja speaking)
  - BOG working with lobbyists
  - Meaning – 0% mfg rate and increase in legal services rate
  - Not much other than proposal itself
  - They have until 12/7 to get something in the Bill hopper
  - Professional services in adjacent services (not legal) are talking to lobbyists
  - Historically would not have watched, but should here based on individual submitting proposal
- Proposal not completed yet (rumors)
  - Capital gains tax
  - Recent national news that there may be state-wide payroll tax to mirror Seattle
  - Oregon is in the same situation
  - Lot of state legislatures talking re early start; then recess – issue of how to hold in-person meetings in 2021

### Communications & Website (Rich Johnson)

- Discussed generally throughout meeting
- Nothing more to add



WASHINGTON STATE BAR ASSOCIATION

## Taxation Section

COUNCIL MEETING MINUTES – October 16, 2020

Zoom Meeting due to COVID-19 Pandemic

### Young Lawyers (Megan Lowe)

- 2 items from last meeting
  - Ways to support young lawyers and LLM program (financial options)
  - Virtual happy hours
- Megan talked to Kelly Ruhlig and Heather Alhadoff (UW tax program)
  - Best Financial assistance options would be textbook funds
  - Happy hours – target practice areas would likely be most helpful
- Any best practices for Zoom HHs?
  - Beneficial to have same members of WSBA involved in committee/meetings invite students to those meetings?
  - Prompt for happy hour meeting
  - Break out rooms – big meeting/then discussion groups
- Megan/Al I (Young Lawyers & International) to work together on HH and determine how it works out and obtain best practices
- Aaron Johnson would like to assist with HH planning options
- Overall discussion re scholarships for textbooks
  - Books seem ineffective method to assist with obtaining membership for tax section in the long-run
  - Alternate options proposed
    - Grants for new attorneys working for public/nonprofit sections
    - Assistance to unpaid summer tax clinic externs
    - DOR intern grants
    - Assist with info on finding less expensive books and/or connecting with prior LLM graduates that have books they will contribute
- Further proposals to assist young lawyers/LLMs, and obtain membership for tax section
  - Work with UW Alumni association to be connected and responsive to members/students
  - Work with outreach/scholarship committee
- Fundraising question – need to first address how money will be spent
- Consider fundraising at annual dues payment
  - Address how money will be spent
  - Consider adding \$5 for scholarship?

### Outreach/Scholarship (Jill Fairchild)

- Brett to reach out to Jill and discuss potential changes to scholarship options
- Concerned re method of choosing specific interns
- See Young Lawyers Section discussions



WASHINGTON STATE BAR ASSOCIATION

## Taxation Section

**COUNCIL MEETING MINUTES – October 16, 2020**

Zoom Meeting due to COVID-19 Pandemic

### Pro Bono Committee (Jennifer Gellner)

- No report

### State & Local Tax (SALT) (Aaron Johnson)

- Election creating some SALT ramifications
- WA making national news; getting contacts from foreign offices and across country; cap gains/payroll tax
  - Seattle Payroll Expense tax
  - Hearing 12/2 coming up; would be helpful to have input on comments
- Aaron's experience over the past 3 years on OR state bar section indicates with a section our size with everyone following the law helps with buying management and success of creating beneficial relationship with DOR
  - Specific group looking for unintended consequences of legislation
  - Workgroup proposed
- Working for additional guidance from membership
  - Suggestions on how to build out SALT/executive committee
  - Options for being more impactful to tax section
  - Is PNW important or solely WA
- SALT/DOR CLE –
  - working on preparing
  - intend to introduce early 2021
  - introduce Dan in new role
  - Explain ARHD – best practices, pain points, problem areas, etc. (open discussion with DOR)
- Would like suggestions for topics; and ways to be more helpful to tax section
  - Look for ways to get into room earlier
  - Look for buy-in from legislatures/DOR to get into decisions process earlier
- Other ways to get involved in legislative side and get buy-in
- Goal to craft better legislation by communicating with all stakeholders as early as possible

### CLE (Alison Warden & Jason Harn)

- Jason Harn
- Wrapped up mini CLE on Tuesday
- Generally success
  - Good turn out
  - Low drop numbers



WASHINGTON STATE BAR ASSOCIATION

## Taxation Section

**COUNCIL MEETING MINUTES – October 16, 2020**

Zoom Meeting due to COVID-19 Pandemic

- Attendee survey feedback seems positive; there is call for deep dive CLEs rather than high level
- Also note – if doing an hour engagement, consider accreditation for activities
- Average attendance for mini CLEs?
  - Federal law update (quarterly options? Biannual) – over 100 attendees
  - New landscape for voluntary disclosures hit mid 30 – 40
  - International panel – over 50
  - Also note – low costs; just general admin fee \$12; WSBA platform is another \$100; if use different platform like Zoom = \$12 per CLE

### **Discussion**

Have some items to talk forward for January

If people have Qs/comments before then; email Brett or group

Diversity/inclusion w/in tax section

- Is there a way to start a discussion on what we can do as a group to try to increase membership from minority groups?

**Meeting Adjourned at 9:15 AM**