

**WSBA Legislative Review Committee**  
**Meeting Minutes: November 13, 2018**

**Members present (in person):** Kyle Sciuchetti, John Yip, Edwin Norton, Brian Considine, Taudd Hume, Rachel Forde, Catherine Szurek

**Members present (via teleconference):** Debra Lefing, Tim Spellman

**Guests present (in person):** Patrick Palace

**Guests present (via teleconference):** Michael Hutchings

**Staff present:** Sanjay Walvekar, Russell Johnson, and Robin Nussbaum (for afternoon training session)

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**SUMMARY OF ACTION TAKEN**

Item Discussed	Bill Number	Vote	Comments
<b>WSBA-Request Bill Proposal: Corporate Act Revisions Committee, Business Law Section</b>	N/A	Vote to sponsor the bill (passed unanimously)	
<b>WSBA-Request Bill Proposal: Proposed Amendment to RCW 51.52.120</b>	N/A	Vote that proposed amendment meets GR 12 requirements (passed unanimously) Vote that proposed amendment has been properly vetted (passed 7 to 1) Vote to table the bill until the Dec. 13 meeting pending additional stakeholder documentation and review (passed unanimously)	

**Call to order and introduction at 1:10 pm by Chair Taudd Hume**

**Patrick Palace and WSBA-Request Bill proposal introduced at 1:12 pm.**

**Presentation by Patrick Palace.**

- Background and general information about the proposed amendment.
- Endorsements include Access to Justice Board, Solo and Small Practice Section, and Low Bono Section.
- Washington State Association of Justice Workers Compensation Section outlined concerns regarding the proposed amendment.
  - Section does not feel that the proposed amendments justify opening up the fee statute.
  - Some concerns/skepticism around 2.7% figure.
- Discussion regarding the origin of the statute, and whether or not this change would result in improved outcomes.
- Concerns raised about the political viability of the amendment, especially given voiced opposition and timing during a budget year.
- Discussion about potential improvements to access to justice.
- Patrick Palace indicates that he has received more support for the amendment than opposition.
- Discussion about where the bill originates.
  - Patrick Palace indicates that it originates from his workgroup and that he has received endorsements from WSBA entities for it.
  - Uncertainty in the committee about whether or not the legislative proposal can be considered by the committee given its origin.
- Concerns over the lack of involvement by stakeholder employer organizations and the ways in which the amendment might affect them.

**Edwin Norton motions that proposal meets GR 12.**

**John Yip seconds the motion.**

**Passes unanimously.**

**Committee discussion on the amendment**

- Concern expressed over supporting the bill if WSAJ may be against it.
- Conversation on potential positive and negative outcomes of the bill.
- Question about whether or not there is any empirical data that show what the results of the amendment might be.
- Concern expressed over political viability of the bill and the role of the committee or the Board of Governors to assess political viability.
- Staff Liaison Sanjay Walvekar is asked by the Committee his thoughts and he shares his concerns regarding the proposal.
- Conversation about whether or not this can be tabled until later. Has work been done to properly vet it and endorse it?

**Motion by Tim Spellman that this is properly vetted.**

**Seconded by Rachel Forde.**

**Seven ayes and one nay.**

Discussion about whether or not it is ready to go to the Board of Governors, given the timing.

Discussion about whether or not there are sufficient materials.

Discussion about whether or not this can wait until the January BOG meeting.

Monday, December 10 discussed as a due date for Patrick Palace to have updated materials in anticipation of a morning meeting of the Committee before the Legislative Stakeholder Roundtable on December 13.

**Edwin Norton makes a motion to table Patrick Palace's proposal until a December 13 meeting in anticipation of updated materials.**

**Brian Considine seconds.**

**Passes unanimously at 2:44 pm.**

**Michael Hutchings calls in at 2:45 pm.**

**Chair Taudd Hume asks Michael Hutchings to give an update regarding stakeholder review**

- CARC received an update from business litigation committee and LLC committee indicating neutral and no opposition.
- WSAJ has given no opposition but has not stated a formal position.
- The Chair asks Michael to forward the emails from the sections indicating their neutrality.
- Michael will be speaking to Senator Pedersen about any additional stakeholders in the near future.

**John Yip moves to sponsor the CARC proposal.**

**Edwin Norton seconds.**

**Passed unanimously at 2:51 pm.**

**Break until 3 pm.**

**Diversity and Inclusion training led by WSBA Inclusion & Equity Specialist Robin Nussbaum began at 3:01 pm.**

**Chair Taudd Hume adjourned meeting at 4:33 pm.**