



**Board of Governors Meeting
December 9-10, 2011
Hotel Bellwether
Bellingham, WA**

AGENDA
(Please note – times listed are tentative)

Friday, December 9, 2011

GENERAL INFORMATION	2
1. AGENDA	10
<u>8:00 A.M.</u>	
2. EXECUTIVE SESSION	
a. Approval of Minutes (action)	E-2
b. President's Report	
c. Recommendation from Lawyers' Fund for Client Protection Board – Jean McElroy	E-7
d. Petitions for Admission – Jean McElroy	late materials
e. Litigation Report – Jean McElroy	E-9
f. Executive Director's Report – Paula Littlewood	E-15
g. Meeting Evaluation Summary	E-16
<u>10:00 A.M.</u>	
3. PUBLIC SESSION – INTRODUCTIONS and WELCOME	
a. Approval of Minutes (action)	
• October 28, 2011, Minutes	15
• November 21, 2011, Special Meeting Minutes	23
b. Report on Executive Session	
c. President's Report	
d. Executive Director's Report	25
4. CONSENT CALENDAR	74
a. Appoint Member to Adjunct Investigative Counsel Panel	75
5. REPORT FROM RULES FOR ENFORCEMENT OF LAWYER CONDUCT (ELC) TASK FORCE – Geoff Gibbs, Chair (action)	82
• <i>Redline Version of Amendments to Other Rules: RPC 5.8</i>	S-2
• <i>Redline Version of ELCs as "conditionally approved" by BOG to date</i>	S-4

6.	DIVERSITY MATTERS – Governor Roger Leishman, BOG Diversity Committee Chair	
	a. Leadership Recruitment	
	b. Update on WSBA Membership Study	
	c. Update on Judicial Institute Pilot Project	
	d. Update on Race and Law Task Force	
	e. BOG Diversity Goals	
	f. Upcoming Diversity Reminders (information)	95
7.	REPORT FROM IMMIGRATION ADVISORY WORK GROUP – Marc Silverman, Chair (first reading)	97
8.	GOVERNORS’ FORUM	
9.	LIAISONS’ FORUM	
	<u>12:00 P.M.</u> – Lunch	
	<u>1:30 P.M.</u>	
10.	UPDATE FROM CIVIL LEGAL NEEDS WORK GROUP – Wayne Blair, Chair	122
11.	FISCAL MATTERS – Governor Nancy Isserlis, Treasurer, and Julie Mass, Deputy Director for Finance and Administration	
12.	10TH CONGRESSIONAL DISTRICT BOG SEAT – Governor Lee Kerr, Chair (first reading).....	late materials
13.	WASHINGTON STATE BAR FOUNDATION ANNUAL REPORT – Sally Savage, President.....	131
	<u>3:00 P.M.</u>	
14.	UPDATE ON ADMISSIONS – Jean McElroy, Director of Regulatory Services	
	• Uniform Bar Exam Planning	140
	• Report on 2011 Spokane Bar Exam.....	141
15.	UPDATE FROM LAWYER SERVICES – Michael Badger, Associate Director	144
	• <i>WSBA Law Office Management Assistance Program (LOMAP) Materials From January 27, 2011, BOG Meeting.....</i>	<i>S-88</i>
	• <i>Lawyer Services Department Independent Evaluation Materials From April 29, 2011, BOG Meeting</i>	<i>S-93</i>
16.	BOG MATTERS	
	a. Various WSBA Appointments and Nominations (action)	
	• Appoint Member to Pro Bono and Legal Aid Committee (PBLAC)	146
	• Nominate Member to Limited Practice Board	173
	b. Various Non-WSBA Appointments and Nominations (action)	
	• Appoint Members to Northwest Justice Project Board	246
	c. Approve Proposed Updated BOG Committee Policy (first reading)	278

d. Update from BOG Insurance Committee	282
e. Status of Arizona Travel Moratorium	287
f. ABA 2012 Midyear Meeting Sneak Preview (information).....	294
g. Disciplinary Advisory Roundtable (DART) Annual Report (information)	297

Saturday, December 10, 2011

8:00 A.M.

EXECUTIVE SESSION

9:00 A.M.

17. LEGISLATIVE COMMITTEE RECOMMENDATIONS – Kathryn Leathers, WSBA Legislative Liaison	late materials
a. WSBA Legislative Committee Recommendations(action)	
• Matrix of 2012 Legislative Proposals	
• Compilation of One-Page Summaries of Legislative Proposals	
• Memos and Bill Language for Legislative Proposals	
○ Estate Tax Apportionment – Ben Porter, WSBA Tax Section	
○ Escrow Licensing – Nancy Isserlis, WSBA Escrow Task Force	
○ Social Purpose Corporation (tabled by the Legislative Committee) – John Reed and Michael Hutching, Corporate Act Revision Committee of the WSBA Business Law Section	
b. Update on Returning Legislation	
• Service Members’ Civil Relief Act – HB 1615	
• Higher Education and Military Service – HB 1221	
• Surrogacy – HB 1267	
c. Update on Pulled Legislative Proposals for 2012	
• Uniform Transfer on Death Deed Act	
• Washington’s Uniform Power of Attorney Act	
d. Update on WSBA Activity related to Selected Non-WSBA Legislative Proposals	
• Foreclosure Fairness Act	
• Uniform Collaborative Law Act/Rules	
e. Update on Special Session	
• Overview	
• Resolution to the BOG from the WSBA Legislative Committee	
18. WRITTEN REPORTS	
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• President-elect’s Activities	309
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a. Preliminary January 2012 Agenda	314

BOARD OF GOVERNORS MEETING ISSUES 2011 - 2012

OCTOBER (Tacoma)

Standing Agenda Items:

- Office of Disciplinary Counsel Report (quarterly)
- Outside Appointments (if any)

DECEMBER (Bellingham)

Standing Agenda Items:

- Legislative Committee Recommendations
- Update from Local Rules Task Force
- WSBF Annual Report
- Report from WLI Fellows
- WYLD Written Report
- Outside Appointments (if any)

December 2011 Agenda Items:

- Report from Immigration Advisory Opinion Work Group
- Update from Civil Legal Needs Work Group
- ELC Task Force

JANUARY (Olympia)

Standing Agenda Items:

- Supreme Court Meeting
- Legislative Report
- Office of Disciplinary Counsel Report (quarterly)
- Fiscal Matters
 - FY2011 Audited Financial Statements
- Outside Appointments (if any)

MARCH (Walla Walla)

Standing Agenda Items:

- Legislative Report
- WYLD Report
- Report on ABA Mid-Year Meeting
- Outside Appointments (if any)

March 2012 Agenda Item

- Report from BOG Insurance Committee

APRIL (Tulalip)

Standing Agenda Items:

- Legislative Report/Wrap-up
- Office of Disciplinary Counsel Report (quarterly)
- WSBA Awards Committee Recommendations – Executive Session
- BOG Election Process
- Outside Appointments (if any)

April 2012 Agenda Item

- Report on Membership Study

JUNE (Yakima)

Standing Agenda Items:

- Interview/Selection of the WSBA President-elect
- Interview/Selection of At-Large Governor
- WSBA Awards Committee Recommendations – Executive Session
- Fiscal Matters

- Legislative Committee Appointments
- ABA Appointments for the WSBA Delegation
- ATJ Board Report
- WYLD Written Report
- Outside Appointments (if any)
- ATJ/Bar Leaders Conference

June 2012 Agenda Items

- Recommendation re Judicial Recommendation Committee

JULY (Alderbrook)

Standing Agenda Items:

- BOG Retreat
- Court Rules and Procedures Committee Report and Recommendations
- Fiscal Matters
 - Draft FY2013 Budget
- WSBA Standing Committee Appointments
- Office of Disciplinary Counsel Report (quarterly)
- Report from Chief Hearing Officer
- Election of WSBA Treasurer
- Hearing Officer Selection Panel Recommendations
- Outside Appointments (if any)

SEPTEMBER (Seattle)

Standing Agenda Items:

- Lawyers' Fund for Client Protection Annual Report
- Legal Foundation of Washington and LAW Fund – Report
- Executive Director's Evaluation
- Washington State Bar Foundation Trustee Election and Annual Meeting
- Fiscal Matters
 - Final FY2013 Budget
- WYLD Annual Report and Swearing-In of President
- 2013 Keller Deduction Schedule
- Report on ABA Annual Meeting
- Outside Appointments (if any)
- WSBA Annual Awards Dinner

Board of Governors – Action Timeline

Description of Matter/Issue	First Reading	Scheduled for Board Action
Council on Public Defense's Resolution re Collateral Consequences	October 29, 2010	To be determined
DFI Committee's Draft Legislative Proposal to Address Escrow Licensing Requirements for Attorneys	October 29, 2010	Dec. 9-10, 2011
Immigration Advisory Work Group	Dec. 9-10, 2011	Jan. 26-27, 2012
Updated BOG Committee Policy	Dec. 9-10, 2011	Jan. 26-27, 2012
10 th Congressional District BOG Seat	Dec. 9-10, 2011	Jan. 26-27, 2012

