

**MINUTES OF THE EXECUTIVE COMMITTEE OF THE  
CREDITOR/DEBTOR SECTION OF THE WASHINGTON STATE BAR  
ASSOCIATION**

**DATE: April 12, 2013 at 5:30 P.M.**

**LOCATION: NWBI- Alder Room, Hilton Hotel, Vancouver, WA**

**1. Introduction:**

The meeting was called to order by Chair John Rizzardi. Attendance at the meeting in person included Chair John Rizzardi, Chair Elect Jim Hurley and Past Chair Gloria Nagler. In attendance in person were Board Members: William Malaier, John Knapp, Sheila O'Sullivan, Kevin O'Rourke, Erik Bakke, Russ Garrett and Karen Gibbon. Also, in attendance in person were guests Ian Ledlin, Marty Snodgrass and Bill Hames. Attending by telephone was Board Member/Recorder Tom Linde. Newsletter editor Mark Northrup and Board members Brett Wittner and Noel Pitner were unable to attend.

**2. Approval of the Minutes:**

The Minutes of the last regular meeting held December 7, 2012, were previously approved by the executive committee shortly after the last meeting by an email vote and have been posted on the Section's website.

**Chair Update:** Chair John Rizzardi congratulated Past Chair Gloria Nagler on her well-deserved receipt of the Sidney C. Volinn Award during the NWBI conference.

**3. Grant Program Awards:** Bill Malaier reported that the grants awarded at the last meeting had been disbursed and that the process for grant awards in 2013 would begin later in the year.

**4. Receivership Task Force:** John Rizzardi reported that the members of the receivership task will be meeting in May 2013 to outline specific amendments to the receivership statute that the task force may recommend and present to the board to consider sponsoring. Members of the receivership task force, in addition to John Rizzardi, are: Stuart Kastner, Chris Brain, Heidi Anderson, Dan Bugbee and John Ruhl.

**5. Financial Report:** John Rizzardi reported on the Section's current financial status and a financial summary report was forwarded to board members prior to the meeting. Given the positive revenue received from co-sponsored CLE programs, the financial reserves of the Section are currently in excellent shape.

**6. NWBI Update:** Erik Bakke reported that there apparently were a large a number of Washington State Bar Association members who never received notice of the NWBI CLE program this year. A discussion of the co-sponsorship history of NWBI was had and the issues relating to how the sponsorship of the NWBI program has evolved over the years. This year, the noticing of the program was done by the Oregon State Bar Association who apparently obtained its list for mailing and email notice to attorneys in Washington from the WSBA. It appears the list provided was incomplete due to the large number of interested attorneys (and even judges) in Washington who are reporting to have never received any notice of the program. John Rizzardi offered to write a letter to the WSBA to advise what had occurred this year and to propose a procedure that will ensure better notice of the NWBI program is provided to attorneys in Washington in the future.

Overall, the parties in attendance at the board meeting agreed that the program content for NWBI this year was excellent.

7. **Report on CLE's:** Gloria Nagler reported that the revenue to the section from the co-sponsored Bankruptcy Litigation CLE was \$3,400.00. A discussion was had regarding holding a similar bankruptcy litigation CLE every year and perhaps taking it on the road for presentation in eastern Washington. It was noted by Jim Hurley that the opportunities to network with other attorneys in the field has diminished greatly in the electronic age and that scheduled events which require more actual human interaction should be encouraged. Gloria Nagler offered to approach the WSBA CLE Department to explore the idea of doing the CLE presentation outside of the CLE Conference Center in Seattle.

Gloria Nagler reported that the bi-annual Judgment CLE co-sponsored with WSBA has been scheduled for December 12, 2013.

Gloria Nagler and Tom Linde reported on their attendance (on behalf of the Section board) of a conference held in late March between the WSBA CLE Department and WSBA section leaders relating to ways to better improve CLE programs. Some good ideas for this board to consider which arose from the CLE conference were: (1) providing scholarships to co-sponsored CLE programs to newly admitted members; (2) exploring sponsoring mini-CLE's more frequently; and (3) better cross pollinating with other sections relating to CLE programs and the recruitment of speakers.

8. **Report of Legislative Liaison:** John Knapp reported that the 2013 legislative session is winding down with no pending bills for which input from the board has been requested. Due to the sheer volume of bills forwarded with review and input requests this session, the creation of a mini-legislative committee to initially review bill review requests has been proposed. The purpose of the mini-committee would be to initially review the bills being forwarded to the Section board for input and only forward those bills which significantly relate to creditor debtor issues to the full board for review and comment. The initial volunteers to serve on the legislative mini-committee are John Knapp, Erik Bakke and Marty Snodgrass. They may report on suggested process ideas at Sun Mountain, but a more formal discussion will occur at our meeting in September.
9. **News Letter Report:**  
Prior to the meeting, Mark Northrup had reported to John Rizzardi that the 2013 Winter Edition of the Section newsletter has been published and is available to section members on line. The deadline for articles for the next newsletter is July 31, 2013. Mark also reported that the WSBA will improve noticing to our members in the future as to the on-line availability of the newsletter.
10. **Deed of Trust Revision Committee Update.** Sheila O'Sullivan reported that the bills reflecting certain proposals of the Deed of Trust Revision Committee (which has been created by state senator Adam Kline in 2012) are not proceeding in the legislature this session.
11. **List Serve.** John Rizzardi reported that he had received a complaint regarding whether the Section's list serve was being properly used by members who perhaps should be doing more research before posting an inquiry. After a discussion, there appeared a consensus that the list serve was serving its function of encouraging discussion and debate about topics of interest to the Section's members.
12. **New Business:** A discussion relating to the current process relating to sponsorship of legislation

by the Section was had but there was no new business reported.

13. **New Meeting Date:** The next meeting date of the Section's board was set for June 28, 2013, at 5:00 p.m., at Sun Mountain Lodge in Winthrop, Washington.
14. **Adjournment:** There being no further business, the meeting was adjourned at approximately 6:25 p.m.

Respectfully submitted,

Thomas S. Linde, Recorder