



**Board of Governors Meeting  
July 24-25, 2009  
Tulalip Resort  
Tulalip, WA**

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**AGENDA**  
*(Please note – times listed are tentative)*

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**Friday, July 24, 2009**

<b>GENERAL INFORMATION .....</b>	<b>1</b>
<b>1. AGENDA .....</b>	<b>17</b>
<b><u>8:00 A.M.</u></b>	
<b>2. EXECUTIVE SESSION</b>	
a. Approval of Minutes ( <b>action</b> ).....	E-2
b. President’s Report – Mark Johnson	
c. Discipline Report – Doug Ende .....	E-8
d. Litigation Report – Bob Welden.....	E-27
e. Lawyers’ Fund for Client Protection Recommendation ( <b>action</b> ).....	E-92
f. Judicial Recommendation Committee Recommendation.....	E-127
g. Executive Director’s Report – Paula Littlewood	
h. Meeting Evaluation Summary.....	E-149
<b><u>9:30 A.M.</u></b>	
<b>3. PUBLIC SESSION – INTRODUCTIONS and WELCOME</b>	
a. Welcome by Tribal Chairman Melvin Sheldon Jr.	
b. Approval of Minutes ( <b>action</b> ).....	22
c. Report on Executive Session	
d. Executive Director’s Report .....	33
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b. Chief Hearing Officer Start Date.....	116
c. Presidential Correspondence to Federal Trade Commission re “Red Flag” Rule .....	118

<b>5.</b>	<b>COURT RULES AND PROCEDURES COMMITTEE REPORT – Roger Wynne, Chair</b>	
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	b. Electronically Stored Information (ESI) Amendments <b>(first reading)</b> .....	234
<b>6.</b>	<b>GOVERNORS’ FORUM</b> .....	283
<b>7.</b>	<b>LIAISONS’ FORUM</b>	
<b>8.</b>	<b>WASHINGTON YOUNG LAWYERS DIVISION (WYLD) REPORT</b>	
	– Jaime Hawk, President.....	285

**12:30 P.M. – Lunch**

**1:30 P.M.**

<b>9.</b>	<b>REPORT FROM THE LIMITED PRACTICE OFFICER (LPO) BOARD</b>	
	– Robert Severns, Chair .....	290
<b>10.</b>	<b>LOCAL RULES TASK FORCE RECOMMENDATIONS ON FAMILY LAW RULES</b>	
	<b>(action)</b> .....	291
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	a. Service Center <b>(action)</b> .....	321
	b. New Lawyer Education <b>(first reading)</b> .....	325
	c. Continuing Legal Education <b>(action)</b> .....	334
	d. Public Legal Education (PLE) <b>(action)</b> .....	354
	• Proposed Focus for WSBA PLE Programming.....	358
<b>12.</b>	<b>CIVIL LEGAL AID FUNDING</b>	
	a. Proposed Joint Agreement Between WSBA and LAW Fund <b>(first reading)(late materials)</b>	
	b. Update on Proposed Opt-Out Provision .....	363

**Saturday, July 25, 2009**

**8:00 A.M. – EXECUTIVE SESSION**

**9:00 A.M. – PUBLIC SESSION**

<b>13.</b>	<b>WSBA IT UPDATE – Mark McDonald, IT Director</b> .....	366
<b>14.</b>	<b>FISCAL MATTERS</b>	
	a. Draft FY2010 Budget <b>(first reading)</b> .....	384
	b. May 2009 YTD Financial Statements <b>(informational)</b> .....	432

<b>15. BOG MATTERS</b>	
a. WSBA Committee Appointments <b>(action)</b> .....	474
b. Various Committee and Board Appointments <b>(action)</b>	
• Approve Law Clerk Board Appointments .....	489
• Approve Practice of Law Board Appointment .....	501
• Approve Disciplinary Board Appointments .....	533
c. Election of 2009-2010 WSBA Treasurer <b>(action)</b> .....	598
d. ABA Formal Opinion Regarding Legal Process Outsourcing .....	601
e. Co-Sponsor ABA Resolution Re Repeal of Federal Ban on Extending Benefits to Lawfully Married Same-Sex Marriages <b>(action)</b> .....	604
f. Co-Sponsor ABA Resolution Re Standards for Representation of Children in Abuse and Neglect Proceedings <b>(action)</b> .....	608
g. Update from Planning Ahead Committee .....	631
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h. Proposed Comment to RPC 1.3 Re Succession Planning <b>(first reading)</b> .....	634
i. Update from BOG Diversity Committee .....	636
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a. President's Activities .....	660
b. President-elect's Activities .....	661
 <b>17. FUTURE MEETINGS</b>	
a. Preliminary September 2009 Agenda .....	663

# BOARD OF GOVERNORS MEETING ISSUES 2008 - 2009

## **OCTOBER** (Spokane)

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

## **DECEMBER** (Bellingham)

- Legislative Committee Recommendations
- Update from Local Rules Task Force
- Bylaws for Proposed Civil Rights Section
- Revised *Bar News* Handbook
- WYLD Report (quarterly)
- Outside Appointments (if any)

## **JANUARY** (Olympia)

- Supreme Court Meeting
- Legislative Report
- Update From Planning Ahead Committee
- Office of Disciplinary Counsel Report (quarterly)
- Finances
  - FY2008 Audited Financial Statements
- Update on Statewide Greater Access and Assistance Project (GAAP) Proposal
- Outside Appointments (if any)

## **MARCH** (Seattle)

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

## **APRIL** (Richland)

- Legislative Report/Wrap-up
- Office of Disciplinary Counsel (quarterly)
- Outside Appointments (if any)
- Recommendations re Withdrawing/Retaining Formal Opinions
- Chief Hearing Officer Selection Panel Recommendations
- Recommendations on Family Law Local Rules

## **MAY** (Yakima)

- Interview/Selection of the WSBA President
- Interview/Selection of At-large (WYLD) Governor
- WYLD Report (quarterly)
- WSBA Awards – executive session
- Finances
- Legislative Committee Appointments
- ABA Appointments for the WSBA Delegation
- ATJ Board Report
- Outside Appointments (if any)
- ATJ/Bar Leaders Conference

**JULY** (Tulalip)

- BOG Retreat
- Court Rules and Procedures Committee Report and Recommendations
- Finances
  - Draft FY2010 Budget
- WSBA Committee Appointments
- Office of Disciplinary Counsel (quarterly)
- Outside Appointments (if any)
- GAAP Business Proposal

**SEPTEMBER** (Seattle)

- Lawyers' Fund for Client Protection Annual Report
- Legal Foundation of Washington – Report
- Washington State Bar Foundation
  - Election of Trustees
  - Report on Proposed Business Plans
- Executive Director's Evaluation
- Washington State Bar Foundation Trustee Election
- Finances
  - Final FY2010 Budget
- WYLD Annual Report – Swearing-In of President
- 2010 Keller Deduction Schedule
- Outside Appointments
- Awards Dinner & Business Meeting
- Report on ABA Annual Meeting

**Board of Governors – Action Timeline**

<b>Description of Matter/Issue</b>	<b>First Reading</b>	<b>Scheduled for Board Action</b>
WYLD Criteria	July 25-26, 2008	To be determined
Emeritus/Pro Bono Member Fee Change	October 24, 2008	To be determined
YLD Diversity Plan	March 6-7, 2009	To be determined
BOG Diversity Committee Mission Statement	March 6-7, 2009	To be determined
Local Rules Task Force Recommendations on Family Law Rules	January 22-23, 2009	July 24-25, 2009
Proposed Joint Agreement Between WSBA and LAW Fund	July 24-25, 2009	September 24-25, 2009
Draft FY2010 Budget	July 24-25, 2009	September 24-25, 2009
Electronically Stored Information (ESI) Amendments	July 24-25, 2009	September 24-25, 2009