Board of Governors Meeting
October 29, 2010
The Hilton
Vancouver, WA

AGENDA
(Please note – times listed are tentative)

Friday, October 29, 2010

GENERAL INFORMATION 1

1. AGENDA 10

8:00 A.M.

2. EXECUTIVE SESSION
a. Approval of Minutes **(action)** E-2
b. President's Report – Steve Toole E-6
c. Discipline Report – Doug Ende E-17
d. Litigation Report – Bob Welden E-50
e. Executive Director's Report – Paula Littlewood
f. Meeting Evaluation Summary E-55

9:30 A.M.

3. PUBLIC SESSION – INTRODUCTIONS and WELCOME
a. Approval of Minutes **(action)** 15
b. Report on Executive Session
c. President's Report
d. Executive Director's Report 35

4. CONSENT CALENDAR 79
a. Approve Washington State Bar Foundation Bylaws 80
b. Approve Appointment of First-Year Governor to Washington State Bar Foundation Board of Trustees 89
c. Adopt ABA Diversity Disability Pledge 92
d. Approve Appointment to Council on Public Legal Education 97
e. Approve Extension of Non-Lawyer Member Appointment to Lawyers' Fund for Client Protection Board 105

5. LAWYERS' FUND FOR CLIENT PROTECTION (LFCP) ANNUAL REPORT - Janice Schurman – LFCP Board Member 107

E = Executive Session Materials / *S* = *Supplemental Materials*

6. ISSUES RE ADMISSIONS TESTING IN WASHINGTON
a. Report on 2010 Spokane Bar Exam 158
b. Report From Bar Exam Review Subcommittee 163

7. DIVERSITY MATTERS
a. Report from WSBA Committee for Diversity – Bob Taylor and Maureen Mannix, Co-Chairs 165
- *Proposal to Reform Diversity Efforts in the WSBA S-5*

8. GOVERNORS' FORUM

9. LIAISONS' FORUM

<u>12:00 P.M.</u> – Lunch

<u>1:30 P.M.</u>

10. BOG MATTERS
a. Update on Legislative Issues 174
b. Update from Local Rules Task Force and Request for Extension of Charter – Jean Cotton, Family Law Section **(first reading)** 177
- *Correspondence from Justice Charles Johnson and Executive Summary S-17*

c. Proposed Bylaw Change re Annual Reports from Sections **(first reading)** 183
d. Approve Release of Interest in lawforwa.org **(first reading)** 187
e. Amendments to Limited Practice Officers Continuing Education Regulations **(information)** 190
- *Comments Received re Proposed Changes S-23*

11. WASHINGTON STATE BAR FOUNDATION (WSBF) – Ron Ward, President
a. Proposed Bylaw Change re Increasing Number of Trustees **(first reading)** 198
b. WSBA License Form Proposed Opt-Out Contribution **(first reading)** ..... **late materials**

12. COUNCIL ON PUBLIC DEFENSE
a. Resolution re Collateral Consequences – Marc Boman, Chair **(first reading)** 201

13. UPDATE ON COURT FUNDING – Jeff Hall, State Court Administrator 205

14. DISCUSSION RE GR 31 (PUBLIC RECORDS ACT) 212
- *Board for Judicial Administration Public Records Work Group Final Report – Executive Summary S-41*
- *WSBA Minority Report S-46*

15. FISCAL MATTERS
a. August 2010 YTD Financial Statements **(information)** 243
b. Investment Update **(information)** 286

16. WRITTEN REPORTS

a. Officers' Reports

- President's Activities 289
  - President's Correspondence 290
- President-elect's Activities 300

17. FUTURE MEETINGS

a. Preliminary December 2010 Agenda..... 301

BOARD OF GOVERNORS
MEETING ISSUES
2010 - 2011

OCTOBER (Vancouver)
- Office of Disciplinary Counsel Report (quarterly)
- Outside Appointments (if any)
- Report on Spokane Bar Exam
- Immigration Enforcement in Washington Courthouses
- Lawyers' Fund for Client Protection Annual Report
- Report from Bar Exam Review Subcommittee

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

JANUARY (Olympia)
- Supreme Court Meeting
- Legislative Report
- Office of Disciplinary Counsel Report (quarterly)
- Fiscal Matters
  - FY2009 Audited Financial Statements
- Outside Appointments (if any)

MARCH (Spokane)
- Legislative Report
- WYLD Report
- Outside Appointments (if any)
- Report on ABA Mid-Year Meeting
- Recommendation on Casemaker
- Report from Rules for Enforcement of Lawyer Conduct (ELC) Task Force

APRIL (Bellevue)
- Legislative Report/Wrap-up
- Office of Disciplinary Counsel Report (quarterly)
- WSBA Awards Committee Recommendations – Executive Session
- Outside Appointments (if any)
- Report from Rules for Enforcement of Lawyer Conduct (ELC) Task Force

JUNE (Kennewick)
- Interview/Selection of the WSBA President
- 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

E = Executive Session Materials / *S* = *Supplemental Materials*

JULY (Ocean Shores)

- BOG Retreat
- Court Rules and Procedures Committee Report and Recommendations
- Fiscal Matters
  - Draft FY2012 Budget
- WSBA Standing Committee Appointments
- Office of Disciplinary Counsel Report (quarterly)
- Report from Chief Hearing Officer
- Outside Appointments (if any)
- Election of WSBA Treasurer
- Hearing Officer Selection Panel Recommendations
- Rules for Professional Conduct (RPC) Committee Report and Recommendations

SEPTEMBER (Seattle)

- Legal Foundation of Washington and LAW Fund – Report
- Executive Director's Evaluation
- Washington State Bar Foundation Trustee Election
- Fiscal Matters
  - Final FY2012 Budget
- WYLD Annual Report and Swearing-In of President
- 2012 Keller Deduction Schedule
- Outside Appointments (if any)
- Awards Dinner
- Report on ABA Annual Meeting

Board of Governors – Action Timeline

Description of Matter/Issue	**First Reading**	**Scheduled for Board Action**
Emeritus/Pro Bono Member Fee Change	October 24, 2008	To be determined
BOG Diversity Committee Mission Statement	March 6-7, 2009	To be determined
Amendment to APR 3 re Permitting Foreign Attorneys with a Master of Laws (LLM) to Take Washington State Bar Exam	June 4, 2010	To be determined