Board of Governors Meeting
November 8, 2013
Mayflower Park Hotel
Seattle, WA

AGENDA
(Please note – times listed are tentative)

Friday, November 8, 2013

GENERAL INFORMATION 2

1. AGENDA 9

10:30 A.M.

2. EXECUTIVE SESSION
a. Approval of September 25-26, 2013, Executive Session Minutes **(action)** E-2
b. President's Report
c. Discipline Report – Felice Congalton, Associate Director, Intake and Outreach E-6
d. Litigation Report – Jean McElroy E-48
e. Executive Director's Report – Paula Littlewood
f. Meeting Evaluation Summary E-57

11:30 A.M.

3. PUBLIC SESSION – INTRODUCTIONS and WELCOME
a. Approval of September 25-26, 2013, Public Session Minutes **(action)** 14
b. Report on Executive Session
c. President's Report
d. Executive Director's Report 30

4. CONSENT CALENDAR 90
a. Amendment to Bylaws re Email Addresses 91
b. Amendment to Bylaws re Election Deadlines 94
c. U.S. Civil Justice Tax Fairness Act (CJTFA) of 2013 96
d. Amendments to WSBA Admission Policies 107
e. Final Report from FY2013 BOG Committee on Committees 121
f. Appoint Member to Mandatory Continuing Legal Education Task Force 160

5. FISCAL MATTERS – Governor Brian Kelly, Treasurer, and Ann Holmes, Chief Operations Officer

a. Request for Funding Civil Legal Needs Study Update **(action)** 164
b. August 31, 2013, YTD Financial Statements **(information)**..... 167
c. October 31, 2013, Investment Update **(information)** ..... **late materials**

6. WASHINGTON STATE BAR FOUNDATION (WSBF) ANNUAL REPORT – Judy Massong, President..... 207

7. DIVERSITY AND INCLUSION MATTERS – Governor James Armstrong, Chair; Megan McNally, Director of Advancement/Chief Development Officer; and Joy Eckwood, Diversity Program Manager

a. Diversity & Inclusion Plan Progress Report..... 209
b. Update on Mentorship Work Group
c. Upcoming Diversity Events Reminders **(information)** 211

8. GOVERNORS' FORUM

9. LIAISONS' FORUM

<u>12:30 P.M.</u> – Lunch

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

10. REPORT ON WASHINGTON LEADERSHIP INSTITUTE (WLI) 2013 FELLOWS' COMMUNITY SERVICE PROJECT – Governor Karen Denise Wilson, WLI Liaison and Fellows 212

11. BOG 2013-2014 LEGISLATIVE COMMITTEE PRIORITIES – Governor Vern Harkins, Chair, and Kathryn Leathers, WSBA Legislative Liaison (action) 214

12. WSBA LEGISLATIVE COMMITTEE – John Cary, Chair, and Kathryn Leathers, WSBA Legislative Liaison

a. WSBA Legislative Committee Proposals **(action)**
   1. Matrix of 2014 Legislative Proposals ..... **late materials**
   2. Compilation of One-Page Summaries of Legislative Proposals..... **late materials**
   3. Memos and Bill Language for Legislative Proposals
      a. Corporate Conversion – Michael Hutchings and Doug Batey, WSBA Business Law Section ..... **late materials**
      b. International Commercial Arbitration Act – Paul McVicker, WSBA Alternative Dispute Resolution Section..... **late materials**
b. Recommended Revision to Juvenile Rehabilitation Administration Policy #38 (Reporting Juveniles to ICE) **(action)**..... 217
c. Update on Selected Legislative Proposals
   1. Uniform Common Interest Ownership Act
   2. Uniform Power of Attorney Act
   3. Uniform Collaborative Law Act Proposed Rules
d. Update on Issues of Importance in the Upcoming Legislative Session

3:00 P.M.

13. BOG MATTERS

a. Various WSBA Appointments and Nominations **(action)**
   1. Appoint Members to Council on Public Defense 225
      - *Additional Application Materials* *S-2*
   2. Appoint Chair-elect to Washington Young Lawyers Committee ..... **late materials**

b. Various External Appointments and Nominations **(action)**
   1. Appoint Members to Bench-Bar-Press Committee of Washington 239
   2. Appoint Members to Legal Foundation of Washington Board of Trustees 257
      - *Additional Application Materials* *S-136*
   3. Appoint Members to Northwest Justice Project Board 273
      - *Additional Application Materials* *S-164*
   4. Nominate Member to the Supreme Court Ethics Advisory Committee 296

c. Proposed Design-Build Model Construction Contracts – Construction Law Section **(first reading)** 315

d. Multi-faith Observations Calendar and Policy **(information)** ..... **late materials**

e. Annual Reports from WSBA Practice Sections **(information)** 366
   - *Full Annual Reports* *S-288*

14. WRITTEN REPORTS

a. President's Activities 381

15. FUTURE MEETINGS

a. Preliminary January 2014 Agenda 383

BOARD OF GOVERNORS
MEETING ISSUES
2013 - 2014

NOVEMBER (Seattle)
Standing Agenda Items:
- ABA Midyear Meeting Sneak Preview
- Legislative Committee Priorities
- Legislative Committee Recommendations
- LFCP Annual Report & Proration Recommendation
- Office of Disciplinary Counsel Report (quarterly)
- Outside Appointments (if any)
- Washington Leadership Institute Fellows Report
- WSBA Practice Sections Annual Reports (information)
- WSBF Annual Report

JANUARY (Olympia)
Standing Agenda Items:
- Fiscal Matters
  - FY2013 Audited Financial Statements
- Legislative Report
- Office of Disciplinary Counsel Report (quarterly)
- Outside Appointments (if any)
- Supreme Court Meeting
- Third-Year Governors Candidate Recruitment Report

MARCH (Seattle)
Standing Agenda Items:
- ABA Mid-Year Meeting Report
- Legislative Report
- Outside Appointments (if any)

APRIL (Moses Lake)
Standing Agenda Items:
- Legislative Report/Wrap-up
- Office of Disciplinary Counsel Report (quarterly)
- Outside Appointments (if any)
- WSBA Awards Committee Recommendations – Executive Session

April 2014 Agenda Item
- Recommendations from Mentorship Work Group (first reading)

JUNE (Seattle)
Standing Agenda Items:
- ATJ Board Report
- Fiscal Matters
- Interview/Selection of WSBA At-Large Governor
- Interview/Selection of the WSBA President-elect
- Legislative Committee Appointments
- Outside Appointments (if any)
- WSBA Awards Committee Recommendations – Executive Session
- WSBA Delegation Appointments to the ABA

June 2014 Agenda Item
- Recommendations from Mentorship Work Group (action)

JULY (Skamannia)
Standing Agenda Items:

- BOG Committee on Committees Annual Report
- BOG Retreat
- Court Rules and Procedures Committee Report and Recommendations
- Fiscal Matters
  - Draft FY2015 Budget
- Hearing Officer Selection Panel Recommendations
- Office of Disciplinary Counsel Report (quarterly)
- Outside Appointments (if any)
- WSBA Standing Committee Appointments
- WSBA Treasurer Election

SEPTEMBER (Seattle)
Standing Agenda Items:

- 2015 Keller Deduction Schedule
- ABA Annual Meeting Report
- Chief Hearing Officer Report
- Executive Director's Evaluation
- Fiscal Matters
  - Final FY2015 Budget
- Legal Foundation of Washington and LAW Fund Report
- LFCP Gift Recommendations (Executive Session)
- Outside Appointments (if any)
- ABA Annual Meeting Report
- WSBA Annual Awards Dinner
- WSBF Trustee Election and Annual Meeting

Board of Governors – Action Timeline

Description of Matter/Issue	First Reading	Scheduled for Board Action
Amendments to Bylaws re Email Addresses	Sept 26-27, 2013	Nov 8, 2013
Amendments to Bylaws re Election Deadlines	Sept 26-27, 2013	Nov 8, 2013
Proposed Design-Build Model Construction Contracts	Nov 8, 2013	Jan 23, 2014