



Welcome to the Administrative Law Section's Inaugural E-Newsletter!

We hope you enjoy our electronic format, and encourage your feedback. Please also feel free to forward our newsletter to your colleagues.

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2009 Frank Homan Award Recipient – Kristal Wiitala

By John Gray

The Administrative Law Section is pleased to announce that Kristal Wiitala was the 2009 recipient of the Section's Frank Homan Award. The Frank Homan Award is given annually to an individual who has demonstrated contribution to the improvement or application of administrative law.

The award was not intended to be a surprise, but it worked out that way! The Section managed to keep Kristal in the dark as to the true purpose of showing up at the Water Street Café in Olympia even while friends and colleagues walked past her, in plain view, to the room where the award was given.

Kristal's nomination for the 2009 award was unanimously approved by the Section's Board at its annual meeting. Kristal has been with Washington's Department of Social and Health Services (DSHS) since 1984, where she served as a Review Judge at the DSHS Board of Appeals, and, since 2001, as the agency's Public Disclosure Manager. The Board recognized Kristal with this award because of her long-term distinguished service. In addition to her work as an administrative lawyer in state government, she has volunteered her time, talent and energies to the WSBA, the Administrative Law Section, the National Association of Hearing Officials (NAHO), and the Government Lawyers Bar Association (GLBA). She has served on the WSBA Board of Governors, where she was also liaison to the Administrative Law Section; and has been actively involved in the planning and presentation of CLE programs. As NAHO president, she led the split with NAHO's former parent organization, becoming the James Madison of the organization. Kristal is a senior editor

of the PRA Deskbook, for which she has authored or co-authored three chapters. All this, and she still has time to go on fantastic cruises.

The award is named for Frank Homan, a dedicated teacher and mentor who was passionate about improving the law. After receiving his law degree from Cleveland State University of Law in 1965, he began practicing law in Washington in 1968, serving as an Employment Security Department hearings examiner from 1970 to 1974, and as a senior administrative law judge at the Office of Administrative Hearings from 1975 to 1993. He continued to serve as an ALJ pro tem after his retirement in 1993. He was an early proponent for the creation of a central hearings panel, and played an important role in the creation of the Office of Administrative Hearings (RCW 34.12). Frank was generous with his time and expertise, and is well-remembered for his sense of humor, his command of the English language, and his writing style – including his knowledge of legal terminology and history. His commitment to promoting justice for all and the practice of administrative law is the inspiration for the award that bears his name.

Please join the Administrative Law Section in congratulating Kristal for her well-deserved recognition with the Frank Homan Award.

The Board of Trustees is seeking nominations for the 2010 Frank Homan Award. Please send your nomination to any board member or officer of the section. You can find a list of board members and officers on page 2, and by clicking [here](#).

Contact Us
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2010 Legislative Session

The 2010 regular legislative session opened on January 11, 2010. As of the date of publication, the following bills have been forwarded to the Administrative Law Section's Legislative Committee for review, and may be of interest to practitioners of administrative law.



HB 2502 – Making changes to rule adoption requirements.

HB 2555 – Authorizing the department of labor and industries to issue subpoenas to enforce production of information related to electricians and electrical installations.

HB 2736/SB 6383 – Establishing the office of open records.

HB 3031 – Regarding costs of public records requests.

SB 2610 – Exempting from disclosure personal information used to identify a person filing a complaint with an agency.

SB 6268 – Amends the Administrative Procedure Act.

SB 6408/2910 – Changing remedies for actions under the Public Records Act.

SB 6717/3409 – Concerning administrative review of public assistance decisions.

SB 6741 – Regarding special meetings notice under the Open Public Meetings Act.

Board Business

The Administrative Law Section's Board of Trustees will next meet on February 27th at 12:00 p.m. in Olympia (location to be determined). Current Administrative Law Section members are invited to attend. If you would like an agenda of topics to be discussed at the meeting, contact John Gray.

The Nominating Committee is seeking interested individuals to fill open positions on the Board. We seek a balanced Board, considering nature of practice or employment, geographic location, and other bases of diversity. The membership annually elects three Trustees to serve on the Board, each to serve a three-year term. Interested members are encouraged to contact John Gray or any other current Board member (see listing this page).

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The Administrative Law Section also welcomes other articles and items of interest for publication. The editors and Board of Trustees reserve discretion whether to publish submissions.

Send submissions to: Merrilee Harrell (*mharrell@rtwgc.com*).

Desktop Publisher • Ken Yu/Quicksilver • *k.yu@earthlink.net*

Administrative Law Research Resources, Part I

By John Gray and Merrilee Harrell

As we began compiling a list of legal research resources we have found useful as practitioners of administrative law, it became evident that our individual lists, developed over many years, cover a broad range. We have broken down the resource list into two parts, the first of which is more focused on Washington resources (below). The second list will be published in the next issue, and will include federal resources, and commercial resources that are not necessarily state-specific.

We encourage you to let us know about your favorite resources so we can publish them in upcoming newsletters! If you have a website or publication that you find useful that is not listed here, please send us the information.

Print Resources

The following print resources are available at most law libraries throughout the state. A directory of Washington's county law libraries can be found at www.wacll.org.

Washington Administrative Law Practice Manual

Published by LexisNexis, this practice manual provides a guide to administrative law generally in Washington state. The Administrative Law Section has placed copies of this publication in Washington's 39 county law libraries. The manual is also available for purchase from LexisNexis.

Public Records Act Deskbook: Washington's Public Disclosure and Open Public Meetings Laws

Published by the WSBA CLE Department, the Deskbook is the definitive publication on the subject of public records for the Washington practitioner. The book is available at many county law libraries in Washington, and is also available for purchase from the WSBA CLE Department.

Washington Legal Researcher's Deskbook, 3d Edition (2002)

Published by the University of Washington's Gallagher Law Library, Chapter five in the Deskbook covers "Administrative Decisions and Materials," which includes an overview of administrative law, useful administrative law databases in LexisNexis and in Westlaw, agency-specific publications and websites containing agency decisions, lists of searchable databases of public records collected and maintained by public agencies, and "administrative agency decisions at a glance," a chart showing print and electronic resources for agency decisions.

Internet Resources

Revised Code of Washington (RCW): <http://apps.leg.wa.gov/rcw>.

Washington Administrative Code (WAC): <http://apps.leg.wa.gov/wac>.

Washington State Legislature: <http://www.leg.wa.gov>. An excellent starting location for finding laws, bills, legislators, agency information, and more.

Court Rules (state and local): http://www.courts.wa.gov/court_rules.

Municipal Research and Services Center (MRSC): <http://www.mrsc.org>. A great resource for finding information on Washington cities and counties, including municipal codes.

Casemaker: <https://pro.wsba.org/Casemaker>. This search engine, available to all WSBA members free of charge, allows the user to search federal and state laws, case law, journals, and much more.

The State of Washington: <http://access.wa.gov>. The state's home page is a portal to many other useful resources, including a list of state agencies: <http://access.wa.gov/agency/agency.aspx>.

Washington Secretary of State: <http://www.sos.wa.gov>. Allows one to search for corporations registered in Washington, among many other things.

Washington State Office of the Code Reviser: <http://www.leg.wa.gov/CodeReviser>. A useful link for anyone researching administrative rules.

Libraries – Library websites are a rich source of information, and librarians are particularly skilled at developing research guides. Look for these guides when visiting a library's website.

Washington State Library: <http://www.sos.wa.gov/library>. Materials on the government, history, culture, and natural resources of the state.

Washington State Law Library: <http://www.courts.wa.gov/library>.

The Washington Association of County Law Libraries (WACLL): <http://www.wacll.org>. Includes a directory of Washington's county law libraries.

The University of Washington, Gallagher Law Library: <http://lib.law.washington.edu>. Access their list of research guides from the home page.

Seattle University: <http://www.law.seattleu.edu/Library.xml>. Their research guides are accessible by clicking the "online resources" tab.

This is a publication of a section of the Washington State Bar Association. All opinions and comments in this publication represent the views of the authors and do not necessarily have the endorsement of the Association nor its officers or agents.

Washington State Bar Association

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WSBA Proposed Bylaw Changes

The WSBA is considering changes to its bylaws that could affect membership status. Details can be found at the WSBA website at <http://www.wsba.org/news.htm#status>. You can follow the links to read the proposals and to send your comments to the WSBA.

Join the Administrative Law Section!

We encourage you to become an active member of the Administrative Law Section. Benefits include reduced tuition at Section-sponsored CLEs, a subscription to this newsletter, and networking opportunities in the field of administrative law. Click [here](#) to join!

The Section also has seven committees (see pg. 2) whose members are responsible for planning CLE programs, publishing this newsletter, tracking legislation of interest to administrative law practitioners, and much more. Feel free to contact the chair of any committee you have an interest in for more information.
