

Executive Committee: Creditor-Debtor Section of the WSBA

Approved Minutes of Quarterly Meeting Held December 17, 2013, at 3:00pm
(Next meeting – April 25, 2014, at NWBI –Grand Hyatt Seattle)

Present at Meeting

The following were in attendance in person: John Rizzardi, Gloria Nagler, Bill Malaier, Christine Tobin-Presser, Sheila O’Sullivan

The following were in attendance via telephone: Jim Hurley, Tom Linde, Kevin O’Rourke, Brett Wittner, Karen Gibbon and Mark Northrup.

Chair Update and Approval of Minutes from September Meeting

John Rizzardi introduced the meeting and called for a motion to approve the minutes from the last meeting held on September 20, 2013. A motion was made and the minutes were approved.

Receivership Task Force Update

John Rizzardi reported that the receivership task force was working on specific revisions to the receivership statute in connection with preparing the proposed legislative bill of amendments. The draft should be ready for the next meeting of the Committee for review and comment.

Grant Program

Bill Malaier reported on the result of the annual grant program which was expanded this year in total amount of \$16,000.00. The proposed slate of recipients and their respective proposed grant amounts were the following:

Center of Justice	\$ 1500.00
Chelan County Bar Association	\$ 1500.00
Columbia Legal	\$ 2000.00
Cowlitz Legal	\$ 2000.00
KCBA Bar Foundation	\$ 2000.00
Kitsap Legal	\$ 1500.00
Legal Action Center	\$ 1500.00
NW Consumer Law Center	\$ 1000.00
CENTS	\$ 1000.00
Snohomish County Legal Aid	\$ 1000.00
Spokane County Bar Association	\$ 1000.00
TOTAL	\$16,000.00

A motion to approve the above slate of grants proposed by Bill Malaier was made. A vote was held and the motion was granted (Bill Malaier and Sheila O’Sullivan abstained from the vote).

Financial Report

John Rizzardi briefly discussed the current financial state of the Section, which is quite sound. The most recent financial information had been disseminated to the Committee prior to the meeting.

Discussion of Permanent Standing Committees

Russ Garrett proposal for creating permanent standing committees, with chairs, for certain tasks/areas, specifically delegated to such committees by the Executive Board was tabled for discussion at the next meeting of the Committee.

CLE Report

Gloria Nagler and Tom Linde reported that the CLE entitled: "Judgments: Winning is Only Half the Battle" (presented by WSBA and the Section) had been held on December 12, 2013. Attendance for this program was good and the program was well received. The final financials for the program had yet to be produced by the WSBA but should be available by the next meeting.

Gloria Nagler and Tom Linde also reported that the Distressed Homeowner's CLE program (again to be co-sponsored by the Section and the WSBA) had been scheduled for August 19, 2014. A proposed bankruptcy litigation seminar (similar to one co-sponsored by the Section in 2013) was also discussed with a proposed scheduled date for that program to be in 2015.

Finally, the Office of the United States Trustee has expressed preliminary interest in speaking at some upcoming seminars to address issues of concern to the U.S. Trustee arising in bankruptcy court. It was suggested that the best forum for this type of program may be in conjunction with a bankruptcy bench-bar conference.

Legislative Session Issues.

The Committee discussed addressing the issues which may arise in the upcoming 2014 legislative session. This year a small group approved by the Committee (John Rizzardi, Sheila O' Sullivan, Karen Gibbon and Doug Cameron) agreed to review and summarize proposed legislative proposals and forward their summaries to the rest of the Committee. The Committee would then review the summaries and vote initially on whether the substance of the proposed legislation related to a subject matter of interest to the Section. If a majority of the votes of the Committee voted that the subject matter was of interest, a second vote would then be taken on whether the Committee would want to take a position. John Rizzardi has implemented an electronic voting process for both the processing and tabulation of votes for which the final logistics would be worked out by the time the 2014 legislative session was commenced.

Newsletter Update

Mark Northrup announced that the most recent newsletter was finalized with an article on the cover relating to the recent swearing in of the Honorable Fred Corbit as the newest judge for the United States Bankruptcy Court for the Eastern District of Washington. Mark confirmed that he is always accepting submissions for future editions with the deadline for the next newsletter being in February 2014.

NWBI Update

Bill Malaier reported that the program and speakers are all arranged. This year NWBI will be held on April 25-26 at the Grand Hyatt in downtown Seattle. Preliminary planning has already commenced for the 2015 NWBI which will probably be scheduled in early May 2015 at a venue in downtown Portland, Oregon. John Rizzardi reported that coordinating the notice to WSBA members of the NWBI program is being addressed by WSBA as well as the issues relating to the on-going labor dispute relating to the Grand Hyatt location for NWBI this year.

DOT Revision Committee

Sheila O'Sullivan confirmed that stakeholders would be meeting to review and propose certain modifications to the Foreclosure Fairness Act. Issues to be addressed relate to certain modifications to the mediation requirements of the act. Sheila will keep the Committee posted of any developments along with any proposed legislation.

New Business

A discussion regarding the box of clocks awards from the United States Bankruptcy Court for the Eastern District of Washington was had.

Further, House Representative Morrison has contacted the WSBA regarding the possible formation of a working group to review and propose changes and revisions to Washington's lien statutes. This was a preliminary inquiry and the scope of the work of the proposed working group was not yet clear. It was decided to discuss this further at the next meeting if this proposed working group is to be pursued.

Next Meeting Date

Friday, April 25, 2014, at 5:30 pm at NWBI at the Grand Hyatt in downtown Seattle was selected as the date for the next quarterly meeting.

Meeting adjourned by motion and vote.

Prepared by Tom Linde, Recorder