

# **Executive Committee: Creditor-Debtor Section of the WSBA**

## Minutes of Quarterly Meeting Held September 20, 2013, at 3:00pm

(Next meeting – December 17, 2013 at 3:00 pm at the WSBA offices in Seattle)

### **Present at Meeting**

The following were in attendance in person: John Rizzardi, Gloria Nagler, Bill Malaier, Christine Tobin-Presser, Kevin O'Rourke, Doug Cameron, Metiner Kimel, Mark Northrup, Sheila O'Sullivan and Jim Hurley the following were in attendance via telephone: Brett Wittner, , Russ Garrett, and Karen Gibbon. There were also several guests personally in attendance and monitoring the video of the meeting.

### **Introduction and Welcome to New Members**

Christine Tobin-Presser and Metiner Kimel were introduced to, and welcomed by, the Committee.

### **Chair Update**

John Rizzardi discussed the WSBA Memo, attached to the Agenda, pertaining to expense reimbursement procedures, fiscal year and other State Bar issues

### **Receivership Task Force Update**

John Rizzardi discussed the previously disseminated memo related to Receivership Task Force. No comments or edits were proposed, and as a result, the deadline for such comments was extended to the third week of October, 2013. The final proposed draft will be circulated for approval in November, 2013.

The board also discussed the Thomas T. Glover Mediation Program; it is successful, with 75% of the cases assigned to the program settling. John Rizzardi's term as Chair of that program is terminating, and Larry Ream is assuming the role of Chair; the program will be looking for a few new mediators in the near future.

### **Financial Report**

John Rizzardi briefly discussed the current financial state of the Section. The financials are looking good, the Section currently enjoys a large surplus of net funds on hand.

### **Discussion of Permanent Standing Committees**

Russ Garrett proposed the idea of creating permanent standing committees, with chairs, for certain tasks/areas, specifically delegated to such committees by the Executive Board. An example of such a committee would be a legislative review committee. The Board generally liked the concept, though some concern was raised about generating sufficient interest in potential members/chairs of such committees. Russ Garrett agreed to draft a proposal outlining the formation, duties, etc. of these committees and will circulate the proposal amongst the Executive Board prior to the December, 2013 meeting.

### **CLE Report**

Gloria Nagler reported that she and Tom Linde have put together a CLE on Judgment Collection, scheduled for December 12, 2013. The Board reviewed the draft agenda of the CLE, and will sponsor/create a CLE on foreclosures in October, 2014. The Board also discussed doing a “road-show”/Eastern District CLE at a future date, although the trend is to do webinars to save costs. Russ Garrett suggested a CLE on litigation skills/practice.

### **Legislative Session Issues**

The Board discussed the need to replace Erik Bakke (who has termed off of the Board) on this particular committee, ideally by the December, 2013 meeting. The Board discussed how this particular subcommittee may be superseded in some manner by Russ Garrett’s proposal re: permanent standing committees. Kathryn Leathers will hold a training session on October 25, 2013 at 1:45pm re: legislative process/review/input at the WSBA offices. Karen Gibbons will attend and we may have others willing to attend as well.

### **Newsletter Update**

Mark Northrup announced that the Summer, 2013 Newsletter is about to be released, and that there are already sufficient submissions for the Fall, 2013 Newsletter. The Summer, 2013 edition will contain a case-law update, as well as our first article by a law student (Josh Feinstein). Mark confirmed that he is always accepting submissions for future editions.

### **NWBI Noticing Update**

John Rizzardi will be discussing the noticing issue with Karen Lee of the OSB and will coordinate directly with her. The Board will explore the idea of using ECF to provide notice of the NWBI. Bill Malaier and Kevin O’Rourke briefly discussed the progress made in planning the April, 2014 NWBI in Seattle, including the fact that Judge Keith Lundin and Hank Hildebrand have been confirmed as plenary topic speakers re: Chapter 13 case-law update.

### **DOT Revision Committee**

Sheila O'Sullivan confirmed that nothing new has occurred with regard to this committee during the past quarter.

### **New Business**

Bill Malaier discussed the Grants Program, including new deadlines for application submissions, the fact that we have doubled the amount of money available for grants from \$8,000.00 to \$16,000.00. Applications are due on November 1, 2013, and once all timely applications have been filed, Bill will prepare a summary/recommendation list for final review and vote by the Board at the December, 2013 meeting.

### **Next Meeting Date**

Thursday, December 12, 2013 at 3:00pm was selected as the date for the next quarterly meeting. It was learned after the meeting adjourned that there was a conflict, so the meeting date was reset to December 17 at 3:00 pm at the WSBA offices in Seattle.

**Meeting adjourned by motion and vote at approximately 3:40pm.**

Prepared by Bill Malaier (in absence of Tom Linde, Recorder)