



**Board of Governors Meeting  
WSBA Conference Center  
Seattle, WA  
January 17-18, 2019**

***WSBA Mission: To serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice.***

**PLEASE NOTE: ALL TIMES ARE APPROXIMATE AND SUBJECT TO CHANGE**

**THURSDAY, JANUARY 17, 2019**

**GENERAL INFORMATION ..... 2**

**1. AGENDA ..... 18**

**12:00 P.M. – LUNCH WITH LIAISONS AND ATJ BOARD**

**1:15 P.M. – PUBLIC SESSION**

- Welcome
- Report on Executive Session
- President's Report and Executive Director's Report
- Consideration of Consent Calendar<sup>\*</sup>

**2. ACCESS TO JUSTICE BOARD (ATJ) ORIENTATION FOR BOARD OF GOVERNORS ..... 23**

**2:00 P.M.**

**3. EXECUTIVE SESSION**

- a. Approve November 16, 2018, Executive Session Minutes **(action)** ..... E-2
- b. Approve November 23, 2018, Emergency Executive Session Minutes **(action)** ..... E-9
- c. Approve December 3, 2018, Emergency Executive Session Minutes **(action)** ..... E-11
- d. Approve December 17, 2018, Special Meeting Executive Session Minutes **(action)** ..... E-12
- e. Approve January 7, 2019, Emergency Executive Session Minutes **(action)** ..... E-16
- f. Judicial Recommendation Committee Recommendations – Sanjay Walvekar **(action)** ..... E-17
- g. Appeal from Law Clerk Board Decision – Renata Garcia **(action)** ..... E-22
- h. President's and Executive Director's Reports
- i. Litigation Report – Julie Shankland ..... E-105

**FRIDAY, JANUARY 18, 2019**

**8:00 A.M. – PUBLIC SESSION**

**MEMBER AND PUBLIC COMMENTS**

This time period is for guests to raise issues of interest.

<sup>\*</sup> See Consent Calendar. Any items pulled from the Consent Calendar will be scheduled at the President's discretion. The WSBA is committed to full access and participation by persons with disabilities to Board of Governors meetings. If you require accommodation for these meetings, please contact Kara Ralph at [karar@wsba.org](mailto:karar@wsba.org) or 206.239.2125.

## OPERATIONAL

### 4. FIRST READING/ACTION CALENDAR

- a. Request for BOG Support of Diversity Committee Statement of Solidarity – Governor Alec Stephens **(first reading)** ..... 44
- b. Council on Public Defense (CPD) Request to Approve Performance Guidelines for Attorneys Representing Respondents in Civil Commitment Proceedings – Eileen Farley, CPD Member, and Diana Singleton, Access to Justice Manager **(action)** ..... 59
- c. Approve Recommendations re Military Spouse Admission Rule – Jean McElroy, Chief Regulatory Counsel (phone) **(action)** ..... 72
- d. Approve Recommended Revision to WSBA Fiscal Policies and Procedures from Budget and Audit Committee re Attendance at National/Regional Events – Governor Dan Bridges, Treasurer, and Ann Holmes, Chief Operations Officer **(action)** ..... 82
- e. Recommendation on Section Representatives to Washington Supreme Court Structure Workgroup **(action)** ..... 83
- f. Adopt Board of Governors No Retaliation Policy – Governor Chris Meserve, Personnel Committee Chair, and Frances Dujon-Reynolds, Director of Human Resources **(action)**.... 154
- g. Proposed Process for Litigation Matters **(second reading)**..... 158
- h. Report from Third Year Governors re Candidate Recruitment
- i. Update from Budget and Audit Committee – Governor Dan Bridges, Treasurer

## GOVERNOR ROUNDTABLE

This time period is for Board members to raise new business and issues of interest.

## OPERATIONAL (continued)

- 5. CONSENT CALENDAR..... 160
  - a. November 16, 2018, Public Session Minutes ..... 161
  - b. December 17, 2018, Special Meeting Public Session Minutes..... 169
- 6. INFORMATION
  - a. Executive Director's Report ..... 179
  - b. FY2019 First Quarter Management Report ..... 370
  - c. ABA Midyear Meeting Sneak Preview ..... 378
  - d. Client Protection Fund (CPF) Annual Report ..... 381
  - e. Update from WSBA Legislative Review Committee ..... 410
  - f. Legislative Session Report..... 411
  - g. Update from Mandatory Malpractice Insurance Task Force..... 413
  - h. Diversity and Inclusion Events ..... 414

i.	Financial Statements	
1.	FY2018 Audited Financial Statements	
a.	Financial Report for FY2018.....	<b>Late Materials</b>
b.	Special Report on the FY2019 Budget Summary .....	<b>Late Materials</b>
2.	Financial Reports	
a.	Summary of Budget Variances for FY2018 .....	416
b.	Audited Statements as of September 30, 2018.....	420
c.	Financial Statements as of October 31, 2018.....	468
d.	Financial Statements as of November 30, 2018 .....	513
3.	Investments	
a.	Investment Updates as of October 31, 2018, and November 30, 2018.....	558
7.	<b>PREVIEW OF MARCH 7, 2019, MEETING .....</b>	<b>559</b>

**11:45 A.M. – ADJOURN AND ATTEND MARTIN LUTHER KING JR. LUNCHEON**

## **2018-2019 Board of Governors Meeting Issues**

### **NOVEMBER (Seattle)**

#### Standing Agenda Items:

- Access to Justice Board Annual Report (Information)
- Financials
- FY2018 Fourth Quarter Management Report
- 2018-2019 Legislative Priorities
- 2018-2019 Legislative Review Committee Recommendations
- Office of Disciplinary Counsel Report (ED Report Information – quarterly)
- Outside Appointments (if any)
- Washington Leadership Institute (WLI) Fellows Report
- WSBA Practice Sections Annual Reports (ED Report Information)
- WSBF Annual Report

### **JANUARY (Seattle)**

#### Standing Agenda Items:

- ABA Midyear Meeting Sneak Preview
- Client Protection Fund (CPF) Annual Report
- Financials
- FY2018 Audited Financial Statements
- FY2019 First Quarter Management Report
- Legislative Session Report
- Office of Disciplinary Counsel Report (ED Report Information – quarterly)
- Outside Appointments (if any)
- Third-Year Governors Candidate Recruitment Report

### **MARCH (Olympia)**

#### Standing Agenda Items:

- ABA Mid-Year Meeting Report
- Financials
- Legislative Report
- Outside Appointments (if any)
- Supreme Court Meeting

#### March 2018 Agenda Items:

- BOG Civil Litigation Rules Committee Report
- Mandatory Malpractice Insurance Final Report

### **May (Yakima)**

#### Standing Agenda Items:

- BOG Election Interview Time Limits (Executive Session)
- Financials
- FY2019 Second Quarter Management Report
- Interview/Selection of WSBA At-Large Governor
- Interview/Selection of the WSBA President-elect
- Legislative Report/Wrap-up
- Office of Disciplinary Counsel Report (ED Report Information – quarterly)
- Outside Appointments (if any)
- WSBA Awards Committee Recommendations (Executive Session)

## **JULY (Richland)**

### Standing Agenda Items:

- ATJ Board Report
- BOG Retreat
- Court Rules and Procedures Committee Report and Recommendations
- Financials
- Draft WSBA FY2020 Budget
- FY2018 Third Quarter Management Report
- Office of Disciplinary Counsel Report (ED Report Information – quarterly)
- WSBA Committee and Board Chair Appointments
- WSBA Mission Performance and Review (MPR) Committee Update
- WSBA Treasurer Election

## **SEPTEMBER (Seattle)**

### Standing Agenda Items:

- 2020 Keller Deduction Schedule
- ABA Annual Meeting Report
- Chief Hearing Officer Annual Report
- Professionalism Annual Report
- Report on Executive Director Evaluation (Executive Session)
- Financials
- Final FY2020 Budget
- Legal Foundation of Washington and LAW Fund Report
- Washington Law School Deans
- WSBA Annual Awards Dinner
- WSBF Annual Meeting and Trustee Election

## **Board of Governors – Action Timeline**

<b>Description of Matter/Issue</b>	<b>First Reading</b>	<b>Scheduled for Board Action</b>
Board of Governors No Retaliation Policy	Nov16, 2018	Jan 17-18, 2019
Performance Guidelines for Attorneys Representing Respondents in Civil Commitment Proceedings	Nov 16, 2018	Jan 17-18, 2019
Request for BOG Support of Diversity Committee Statement of Solidarity	Jan 17-18, 2019	March 7, 2019