



**Board of Governors Meeting
TELEPHONIC & WEBCAST PARTICIPATION URGED DUE TO
WASHINGTON STATE AND KING COUNTY EMERGENCY ORDERS
REGARDING PUBLIC HEALTH
WSBA Office, Seattle, WA
March 19, 2020**

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

ALL ITEMS ON THIS AGENDA ARE POTENTIAL ACTION ITEMS

To participate remotely: dial 1.866.577.9294, access code 528100#

Participation in this meeting by telephone or webcast is urged due to the social distancing measures that have been imposed by state and local government authorities. This meeting is subject to the following local health requirements:

- Events with more than 50 attendees are prohibited.
- Public events with fewer than 50 attendees are prohibited, unless event organizers can take steps to minimize risk. Event organizers must ensure that:
- Older and individuals with underlying medical conditions that are at increased risk for COVID-19 have been encouraged not to attend
- Social distancing recommendations must be met (i.e., limit contact of people within 6 feet from each other for 10 minutes or longer
- Employees must be screened for coronavirus symptoms each day and excluded if symptomatic;
- Proper hand washing, sanitation, and cleaning is readily available
- Environmental cleaning guidelines are followed (e.g., clean and disinfect high touch surfaces daily or more frequently)

9:00 AM – CALL TO ORDER

CONSENT CALENDAR & STANDING REPORTS

WELCOME

CONSENT CALENDAR

A governor may request that an item be removed from the consent calendar without providing a reason and it will be discussed immediately after the consent calendar. The remaining items will be voted on *en bloc*.

- Review & Approval of January 16-17, 2020 BOG Meeting Minutes..... 6
- Review & Approval of January 17, 2020 BOG Meeting Minutes..... 14
- Review & Approval of January 28, 2020 BOG Meeting Minutes..... 15
- Client Protection Board Gift Recommendations 17

PRESIDENT’S REPORT

INTERIM EXECUTIVE DIRECTOR’S REPORT 18

MEMBER AND PUBLIC COMMENTS (30 minutes reserved)

Public comment can be given telephonically (1.866.577.9294, code 528100#) or via email to bogmeeting@wsba.org. Overall public comment is limited to 30 minutes and each speaker is limited to 3 minutes. The President will provide an opportunity for public comment for those in the room and participating remotely. Time will be kept on the clock above the webcast booth. Public comment will also be permitted at the beginning of each agenda item at the President’s discretion.

REPORTS OF STANDING OR ONGOING BOG COMMITTEES

Committees may “pass” if they have nothing to report. Related agenda items will be taken up later on the agenda. Each committee is allocated, on average, 3-4 minutes.

- Executive Committee, Pres. Rajeev Majumdar, Chair
- APEX Awards Committee, Gov. Russell Knight, Chair
- Personnel Committee, Gov. Alec Stephens, Chair
- Legislative Committee, Gov. Kyle Sciuchetti, Chair
- Nominations Review Committee, Gov. Jean Kang & Pres-elect Kyle Sciuchetti, Co-Chairs
- Diversity Committee, Gov. Jean Kang, Co-Chair
- Long-Range Planning Committee, Gov. Paul Swegle, Chair
- Member Engagement Workgroup, Govs. Kim Hunter and Dan Clark, Co-Chairs..... 168
- Budget & Audit Committee, Treas. Dan Clark, Chair 170

SPECIAL REPORTS

REPORTS OF TASK FORCES, WORK GROUPS, LIAISONS, AND OTHER WSBA ENTITIES

- ABA Mid-Year Meeting Report, WSBA ABA Delegate Kaustuv M. Das 176

GOVERNOR LIAISON REPORTS

This is an opportunity for Governors to make reports related to their liaison assignments.

REPORT OF AD HOC COMMITTEE TO INVESTIGATE ALTERNATIVES TO MANDATORY MALPRACTICE INSURANCE, Pres-elect Kyle Sciuchetti

AGENDA ITEMS & UNFINISHED BUSINESS

BUDGET & AUDIT COMMITTEE MATTERS, Treas. Dan Clark, Chair

- Proposal to Sunset the APEX Awards Dinner, Chief Communications Officer Sara Niegowski....196
- FIRST READ: Proposed Amendment to WSBA Bylaws Article III.I.5 Re License Fee Exemptions Due to Hardship, Chief Regulatory Counsel Jean McElroy..... 200
- Recommendation to Maintain Two Legal Research Tools as Member Benefits, Interim Director of Advancement Kevin Plachy..... 205

PERSONNEL COMMITTEE MATTERS, Gov. Alec Stephens, Chair and Director of Human Resources Felix Neals

- Proposed Process for Evaluation of Interim Executive Director 209, LLM-3

LEGISLATIVE COMMITTEE MATTERS, Gov. Kyle Sciuchetti and Outreach and Legislative Affairs Manager Sanjay Walvekar

- Legislative Session Report..... LM-3

- Recommendation Re: Proposed Policy Re: Legislative Activity of Sections, Gov. Carla Higginson... LM-6

PROPOSED AMENDMENTS TO WSBA BYLAWS

- SECOND READ: Article III Re: Judicial Status, Gov. Kim Hunter and Chief Regulatory Counsel Jean McElroy 216

- PROPOSED COMMENT TO SUGGESTED CHANGES TO CrR 3.1, CrRJ 3.1, and JuCR 9.2 Re: Death Penalty**, Council on Public Defense Vice-Chair Travis Stearns and Equity & Justice Manager Diana Singleton 223

- WASHINGTON STATE BAR FOUNDATION TRUSTEE APPOINTMENTS**, President Kristina Larry.. 225

REPORT FROM COURT RULES & PROCEDURES COMMITTEE RE POTENTIAL EMERGENCY RULES FOR WASHINGTON COURTS

- PROPOSED REVISIONS TO MEMBER ENGAGEMENT WORKGROUP CHARTER**, Gov. Kim Hunter, Chair and Interim Director Advancement Kevin Plachy 233

- TEMPORARY AUTHORIZATION FOR RESPONSE TO COVID-19**, Interim Executive Director Terra Nevitt..... LM-10

- PROPOSAL TO EXTEND LICENSING AND MCLE SUSPENSION DATE TO JUNE 30 IN ORDER TO ACCOMMODATE DELAYS DUE TO COVID-19**, Chief Regulatory Counsel Jean McElroy.....LLM-7

NEW BUSINESS

GOVERNOR ROUNDTABLE (Governors’ issues of interest)

- Communications received in Districts – Gov. advance notice, Gov. Higginson
- WSBA activities and connection to policies, Gov. Higginson
- Proactive Management Based Regulation, Pres-elect Kyle Sciuchetti

PRESIDENTIAL RECOGNITION OF IMPROBABLE FEAT OF SERVICE

6:00 PM – ADJOURN

INFORMATION

- Monthly Financial Statements 238
- General Information 278

2019-2020 Board of Governors Meeting Issues

APRIL (Seattle)

Standing Agenda Items:

- Financials (Information)
- Office of Disciplinary Counsel Report (ED Report)
- Editorial Advisory Committee Report

MAY (Bellingham)

Standing Agenda Items:

- Legislative Report/Wrap-up
- Council on Public Defense Report
- Interview/Selection of WSBA At-Large Governor
- Interview/Selection of the WSBA President-elect
- WSBA APEX Awards Committee Recommendations
- Financials (Information)
- FY2020 Third Quarter Outreach & Perception Survey Update (ED Report)
- Office of Disciplinary Counsel Report (ED Report)

JULY (Stevenson)

Standing Agenda Items:

- Draft WSBA FY2021 Budget
- WSBA Treasurer Election
- Court Rules and Procedures Committee Report and Recommendations
- WSBA Committee and Board Chair Appointments
- BOG Retreat
- Financials (Information)
- Office of Disciplinary Counsel Report (ED Report)

AUGUST (Spokane)

Standing Agenda Items:

- Financials (Information)
- Diversity Committee Report
- Office of Disciplinary Counsel Report (ED Report)
- FY2020 Third Quarter Outreach & Perception Survey Update (ED Report)

SEPTEMBER (Seattle)

Standing Agenda Items:

- Final FY2021 Budget
- 2021 Keller Deduction Schedule
- WSBF Annual Meeting and Trustee Election
- ABA Annual Meeting Report
- Legal Foundation of Washington Annual Report
- Washington Law School Deans
- Editorial Advisory Committee Report
- Chief Hearing Officer Annual Report
- Professionalism Annual Report
- Report on Executive Director Evaluation
- Financials (Information)
- WSBA Annual Awards Dinner