



**Board of Governors Meeting
WSBA Conference Center
Seattle, WA
September 29-30, 2016**

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

PLEASE NOTE: ALL TIMES ARE APPROXIMATE

THURSDAY, SEPTEMBER 29, 2016

GENERAL INFORMATION 2

1. AGENDA 14

10:15 A.M.

2. EXECUTIVE SESSION

- a. Approval of July 22-23, 2016, Executive Session Minutes **(action)** E-2
- b. President's and Executive Director's Reports
- c. Lawyers' Fund for Client Protection (LFCP) Gift Recommendation **(action)** E-7
- d. Report on Executive Director Evaluation E-13
- e. Litigation Report – Jean McElroy E-21
- f. Meeting Evaluation Summary: July 22-23, 2016 E-58
- g. Meeting Evaluation Summary: August 23, 2016 E-63

12:00 P.M. – LUNCH

1:00 P.M. – PUBLIC SESSION

- Introductions and Welcome
- Report on Executive Session
- Consideration of Consent Calendar*

OPERATIONAL

3. FIRST READING/ACTION CALENDAR

- a. Washington State Bar Foundation (WSBF) Annual Meeting – Judy Massong, President, and Terra Nevitt, Director of Advancement/Chief Development Officer
 - 1. Appoint Members to WSBF Board of Trustees **(action)** 19
- b. WSBA FY2017 Budget – Governor Karen Denise Wilson, Treasurer; Ann Holmes, Chief Operations Officer; and Tiffany Lynch, Controller **(action)** 33
- c. 2018-2020 WSBA License Fees – Governor Karen Denise Wilson, Treasurer; Ann Holmes, Chief Operations Officer; and Tiffany Lynch, Controller **(action)** 108

* See Consent Calendar. Any items pulled from the Consent Calendar will be scheduled at the President's discretion.

- d. Recommendation from BOG Legislative Committee re Council on Public Defense (CPD) Statement on Legal Financial Obligations (LFO) Reform in Washington State – Governor Phil Brady, BOG Legislative Committee, Chair; Travis Stearns, CPD Member; and Alison Grazzini, WSBA Legislative Affairs Manager **(action)**..... 112
- e. Lawyers’ Fund for Client Protection (LFCP) Recommendation re Gift Limit – Kathryn Hermann, Chair, and Kevin Bank, Assistant General Counsel **(first reading)**..... 116
- f. Resolution re Limited License Legal Technician (LLLT) Program **(action)** 130

2:00 P.M.

GENERATIVE DISCUSSION

4. LAW SCHOOL EDUCATION AND SKILLS FOR THE 21st CENTURY LEGAL PROFESSIONAL

- a. Institute for the Advancement of the American Legal System (IAALS) Presentation on Foundations for Practice Project Presentation – Alli Gerkman, IAALS Director of Educating Tomorrow’s Lawyers..... 132
- b. Discussion

FRIDAY, SEPTEMBER 30, 2016

8:00 A.M. EXECUTIVE SESSION

9:00 A.M. PUBLIC SESSION

OPERATIONAL (continued)

5. FIRST READING/ACTION CALENDAR (continued)

- g. Suggested GR 12 Amendments – Paula Littlewood, Executive Director; Jean McElroy, General Counsel/Chief Regulatory Counsel; and Doug Ende, Chief Disciplinary Counsel **(action)**..... 206
- h. Proposed WSBA Bylaw Amendments – Immediate Past-President Anthony Gipe, Chair, and Jean McElroy, General Counsel/Chief Regulatory Counsel **(action)** 233
- i. Suggested Amendments to Admission and Practice Rules (APRs) for Administrative Coordination – Jean McElroy, General Counsel/Chief Regulatory Counsel **(action)** 609
- j. WSBA Spiritual Practices Policy – Jean McElroy, General Counsel/Chief Regulatory Counsel, and Frances Dujon-Reynolds, Director of Human Resources **(action)** 730
 - *Additional Materials* S-3
- k. Update re Sections Policy Work Group – Immediate Past-President Anthony Gipe, Chair; Ann Holmes, Chief Operations Officer; and Terra Nevitt, Director of Advancement/Chief Development Officer 742
 - *Additional Materials* S-7

6. CONSENT CALENDAR..... 745

- a. July 22-23, 2016, Public Session Minutes 746
- b. August 23, 2016, Special Meeting Public Session Minutes 753
- c. 2017 Keller Deduction Schedule.....**late materials**
- d. WSBA Committee on Mission Performance and Review (CMPR) Report 759
 - *Additional Materials* S-31

e. Recommendations re WSBA APEX Awards.....	764
f. WSBA Reserve Policy	769
g. Construction Law Section Design Professional Model Residential Contracts	772
h. Proposed Amendments to Civil Rights Law Section Bylaws	790
i. Appoint Member to Continuing Legal Education (CLE) Committee	810
j. Appoint Co-Chair to Pro Bono and Public Service Committee	811

7. **INFORMATION**

a. Activity Reports.....	814
b. Executive Director's Report	839
c. ABA Annual Meeting Report.....	885
d. Chief Hearing Officer (CHO) Annual Report.....	908
e. Legal Foundation of Washington (LFW) and LAW Fund Report.....	911
f. Diversity and Inclusion Events	923
g. Financial Statements	
1. Third Quarter Fiscal Update Memo	925
2. June 30, 2016, Financial Statements	928
3. July 31, 2016, Financial Statements.....	970
4. August 31, 2016, Investment Update.....	1011

8. **PREVIEW OF NOVEMBER 18, 2016, MEETING.....** 1012

2016-2017 Board of Governors Meeting Issues

NOVEMBER (Seattle)

Standing Agenda Items:

- Financials
- FY2016 Fourth Quarter Management Report
- BOG 2016-2017 Legislative Committee Agenda
- WSBA Legislative Committee Recommendations
- Office of Disciplinary Counsel Report (Executive Session – quarterly)
- Outside Appointments (if any)
- Washington Leadership Institute (WLI) Fellows Report
- WSBA Practice Sections Annual Reports (information)
- WSBF Annual Report

JANUARY (Spokane)

Standing Agenda Items:

- ABA Midyear Meeting Sneak Preview
- Financials
- FY2016 Audited Financial Statements
- FY2017 First Quarter Management Report
- Legislative Report
- LFCP Board Annual Report
- Office of Disciplinary Counsel Report (Executive Session – 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

May (Seattle)

Standing Agenda Items:

- BOG Election Interview Time Limits (Executive Session)
- Financials
- FY2017 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 (Executive Session – quarterly)
- Outside Appointments (if any)
- WSBA Awards Committee Recommendations (Executive Session)

JULY (Walla Walla)

Standing Agenda Items:

- ATJ Board Report
- BOG Retreat
- Court Rules and Procedures Committee Report and Recommendations

- Discipline Selection Panel Recommendations
- Financials
- Draft WSBA FY2017 Budget
- FY2016 Third Quarter Management Report
- Office of Disciplinary Counsel Report (Executive Session – quarterly)
- WSBA Committee and Board Chair Appointments
- WSBA Mission Performance and Review (MPR) Committee Update
- WSBA Treasurer Election

SEPTEMBER (Seattle)

Standing Agenda Items:

- 2018 Keller Deduction Schedule
- ABA Annual Meeting Report
- Chief Hearing Officer Annual Report
- Professionalism Annual Report
- Executive Director's Evaluation Report
- Financials
- Final FY2018 Budget
- Legal Foundation of Washington and LAW Fund Report
- WSBA Annual Awards Dinner
- WSBF Annual Meeting and Trustee Election

Board of Governors – Action Timeline

Description of Matter/Issue	First Reading	Scheduled for Board Action
Law Clerk Waiver Policies	November 13, 2015	TBD
WSBA Committee on Mission Performance & Review Report	July 22-23, 2016	Sept 29-30, 2016
WSBA Draft FY2017 Budget	July 22-23, 2016	Sept 29-30, 2016
2018-2020 WSBA License Fees	July 22-23, 2016	Sept 29-30, 2016
WSBA Reserve Policy	July 22-23, 2016	Sept 29-30, 2016
Amendments to APRs for Administrative Coordination	July 22-23, 2016	Sept 29-30, 2016
Recommendations re WSBA APEX Awards	July 22-23, 2016	Sept 29-30, 2016
WSBA Spiritual Practices Policy	July 22-23, 2016	Sept 29-30, 2016
Construction Law Section Design Professional Model Residential Contracts	July 22-23, 2016	Sept 29-30, 2016
Amendments to WSBA Bylaws	August 23, 2016	Sept 29-30, 2016
Lawyers' Fund for Client Protection (LFCP) Recommendation re Gift Limit	Sept 29-30, 2016	November 18, 2016