



**Board of Governors Meeting
WSBA Conference Center
Seattle, WA
September 28-29, 2017**

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 AND SUBJECT TO CHANGE

THURSDAY, SEPTEMBER 28, 2017

GENERAL INFORMATION 2

1. AGENDA 13

8:00 A.M.

2. EXECUTIVE SESSION

- a. Approval of July 27-28, 2017, Executive Session Minutes (**action**) E-2
- b. President’s and Executive Director’s Reports
- c. Report on Executive Director’s Annual Evaluation – Ann Danieli and Paula Littlewood E-8
- d. BOG Election Interview Time Limits (**action**) E-43
- e. Judicial Recommendation Committee Recommendations (**action**) – Jennifer Olegario E-45
- f. Client Protection Fund Board Gift Recommendation (**action**) E-49
- g. Litigation Report – Sean Davis E-54
- h. Discussion of Executive Session – Brad Furlong and Sean Davis
- i. Meeting Evaluation Summary..... E-76

12:00 P.M. – LUNCH WITH LIAISONS AND LEGAL FOUNDATION OF WASHINGTON

1:15 P.M. – PUBLIC SESSION

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

OPERATIONAL

3. FIRST READING/ACTION CALENDAR

- a. Election of WSBA At-Large (New and Young Lawyers) Governor (**action**) 19
 - 1. Jean Y. Kang 21
 - 2. Annie Yu 34
 - 3. Russell Knight 47
- b. 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**) 55

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

- c. Proposed Mandatory Malpractice Insurance Task Force Charter **(action)** 69
- d. Proposed WSBA Bylaw Amendment re Vacant Immediate Past-President Seat
(first reading)..... 75

3:30 P.M.

STRATEGIC ITEMS

4. ANNUAL DISCUSSION WITH DEANS OF WASHINGTON STATE LAW SCHOOLS

FRIDAY, SEPTEMBER 29, 2017

8:00 A.M. EXECUTIVE SESSION (*tentative*)

9:00 A.M. PUBLIC SESSION

MEMBER AND PUBLIC COMMENTS

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

9:15 A.M.

STRATEGIC ITEMS (continued)

- 5. ORIENTATION TO WSBA DIVERSITY AND INCLUSION PHILOSOPHY AND PLAN** 80

10:30 A.M.

OPERATIONAL (continued)

- 6. FIRST READING/ACTION CALENDAR (continued)**
 - e. Council on Public Defense (CPD) Proposed Performance Guidelines for Juvenile Offense Representation **(first reading)** – Eileen Farley, CPD Chair; Daryl Rodrigues, CPD Vice-Chair (by phone); Kimberly Ambrose, CPD Member; and Terra Nevitt, Director of Advancement/Chief Development Officer **(first reading)** **late materials**
 - f. Final WSBA FY2018 Budget **(action)** – Governor Kim Risenmay, Treasurer-elect, and Ann Holmes, Chief Operations Officer..... 90
 - g. Proposed Formation of Cannabis Law Section **(first reading)** – Joshua Ashby and Sativa Rasmussen, Formation Group Members, and Paris Eriksen, Sections Program Manager... 164
 - h. Proposed WSBA Statement Denouncing Recent Acts of Violence and a Reaffirmation of Equity and Inclusion Principles **(action)** 205
 - i. Follow-up from July Retreat re 2017-2018 BOG Priorities 208

12:00 P.M. – LUNCH WITH LIAISONS AND GUESTS

1:00 P.M. – PUBLIC SESSION

GENERATIVE DISCUSSION

7. AMBASSADOR AND LIAISON RESPONSIBILITIES 216

GOVERNOR ROUNDTABLE

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

OPERATIONAL (continued)

8. CONSENT CALENDAR..... 218

- a. July 27-28, 2017, Public Session Minutes 219
- b. 2018 Keller Deduction Schedule 229
- c. Proposed Amendments to Article XI Sections re Legislative Activity 245
- d. Proposed Amendments to Antitrust, Consumer Protection, and Unfair Business Practices Section Bylaws and to Family Law Section Bylaws 256
- e. Conforming Amendments to Indian Law Section Bylaws 283
- f. Mandatory Continuing Legal Education (MCLE) Board Recommendation to Coordinate Fees 297
- g. Committee on Mission Performance and Review (CMPR) Report and Recommendations 299
- h. Legislative Work Group Recommendations 367
- i. Council on Public Defense re Rules for Appeal of Decisions of Court of Limited Jurisdiction (RALJ) 9.3 369
- j. Discipline Advisory Round Table (DART) Annual Report and Suggested Amendments to Charter 372
- k. Updated WSBA Amicus Brief Policy 379

9. INFORMATION

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- b. Activity Reports 426
- c. Referendum Work Group Roster 437
- d. Chief Hearing Officer Annual Report 440
- e. Legal Foundation of Washington Report 443
- f. ABA Annual Meeting Report 459
- g. Report on Western Regional Summit on Civil Justice Reform 479
- h. Juvenile Law Section Dues Increase 483
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j. Financial Statements	
1. Third Quarter FY2017 Budget to Actual Narrative	486
2. June 30, 2017, Financial Reports	489
3. July 31, 2017, Financial Reports.....	531
4. Investment Update as of June 30, July 31, and August 31, 2017	572
10. PREVIEW OF NOVEMBER 16, 2017, MEETING.....	574

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)

May 2017 Agenda Items

- Proposed Amendments to WSBA Sections Bylaws

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 or 206.239.2125.

JULY (Alderbrook)

Standing Agenda Items:

- ATJ Board Report
- BOG Retreat
- Court Rules and Procedures Committee Report and Recommendations
- Financials
- Draft WSBA FY2018 Budget
- FY2017 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

July 2017 Agenda Items

- Proposed Amendments to WSBA Sections Bylaws

SEPTEMBER (Seattle)

Standing Agenda Items:

- 2018 Keller Deduction Schedule
- ABA Annual Meeting Report
- Chief Hearing Officer Annual Report
- Disciplinary Advisory Round Table Annual Report
- Professionalism Annual Report
- Report on Executive Director Evaluation (Executive Session)
- Financials
- Final FY2018 Budget
- Legal Foundation of Washington Report
- Washington Law School Deans
- 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	Nov 13, 2015	TBD
WSBA Religious and Spiritual Practices Policy	July 22-23, 2016	TBD
Proposed WSBA Bylaw Amendment re Vacant Immediate Past-President Seat	Sept 28-29, 2017	Nov 16, 2017
Council on Public Defense (CPD) Proposed Performance Guidelines for Juvenile Offense Representation	Sept 28-29, 2017	Nov 16, 2017
Proposed Formation of Cannabis Law Section	Sept 28-29, 2017	Nov 16, 2017