



Board Meeting Digest

A summary of the Board of Governors meeting May 17-18 in Seattle

Top Takeaways

1. Congratulations to our new 2018-19 President-Elect [Rajeev Majumdar](#) and New and Young Lawyer At-Large Governor [Russell Knight](#), who were interviewed and elected by the board. President-Elect Majumdar was sworn in immediately; Knight will be seated in October along with governors elected to open district seats in April: [Michael Cherry](#), District 1; [Dan Clark](#), District 4 (unopposed); [PJ Grabicki](#), District 5; and [Jean Kang](#), District 7-South.
2. With the election of Rajeev Majumdar to President-Elect, we have an open seat in [District 2](#) through September 2019. We will soon call for nominations among all active members in that northwestern Washington region. The board will set a special meeting in June to appoint the new governor, who will be seated in time for the regular July meeting.
3. A package of bylaw amendments will, in general, expand the responsibilities of the Board of Governors. (More information below.)
4. And the winners are ... soon to be announced! The board selected the [2018 APEX recipients](#), who will be honored at the annual celebration in September.
5. Work it! The board has three new work groups on the horizon—one to collect feedback about a proposed bylaw amendment to remove three new yet-to-be-seated governor positions (two for public members, one for a Limited License Legal Technician or Limited Practice Officer); another to analyze the eligibility requirements for the President-Elect position; and the final to explore ways to enhance member engagement. (More information below.)
6. Updates: WSBA has launched an [ongoing perception survey](#) to better understand and respond to members as well as a new [Professionalism in Practice award](#) (our first winner, surprised Publishers-Clearing-House-style, was attorney Bill White from Tacoma). We are also exploring new options for providing members with health insurance.

Meeting Recap

- The board approved several bylaw amendments to shift responsibilities from the WSBA President to the Board of Governors. The amendments affirm that, subject to the plenary authority and supervision of the Washington Supreme Court, the board retains authority of WSBA except where limited by statute, order, case law, or court rule; allow governors to move items on and off meeting agendas via a motion and a second; change the

composition and voting authority of members of the Executive Committee; give the President's discretion to call an executive session, subject to override by a majority of the board, while limiting those who can presumptively attend; and more.

- In a unique parliamentary procedure, a governor raised a question of privilege about whether the board is improperly constituted under its own bylaws and, therefore, unable to take any action (the board is currently holding in abeyance a court order adding three new seats pursuant to the bylaws). President Pickett denied the point of order.
- The board approved the charter for a New Governors Work Group ([page 307](#)). Under the current bylaws, the Board of Governors consists of an additional three at-large governors, with two seats for public members and one seat for a Limited License Legal Technician (LLLT) or Limited Practice Officer (LPO). The Board of Governors in April formed a work group to review a proposed bylaw amendment to remove these three new seats and instead have LLLTs/LPOs run against all other members for election to the board in open Congressional district seats. The 21-member work group will gather feedback and information in public meetings to make a recommendation to the board in September 2018 about whether to remove or alter these seats on the board. The roster is being finalized for approval by the president.
- The board approved the charter for a President-Elect Selection Work Group ([page L-8](#)). The Board of Governors in May formed a work group to review and gather feedback about eligibility, outreach, and selection criteria in the bylaws for the WSBA President-Elect office. Under the current bylaws, the President-Elect must come from eastern Washington if no President-Elect in the preceding three years was from the eastern part of the state. The work group will also consider WSBA's diversity goals for leadership positions and explore how to recruit and encourage more candidates from underrepresented backgrounds to run for President-Elect. The roster is being finalized for approval by the president.
- The board formed a Member Engagement Work Group, with a charter and roster to come. The group will define member engagement and its role in the governance process; establish processes to proactively inform and include members in governance decisions; and measure and regularly provide member-engagement updates to the board.
- The board discussed several revised revenue and fee structures recommended by the Budget and Audit Committee, which will be discussed and presented for action at the July meeting in conjunction with the first draft of the FY19 budget:
 - *Continuing Legal Education (CLE) revenue-sharing model.* Beginning with seminars delivered in FY2019, net revenues will be split evenly between the WSBA CLE Fund and partnering sections, up to a total net revenue of \$8,000; revenue exceeding \$8,000 will be split 65 percent to WSBA and 35 percent to the section. WSBA will

absorb any net losses. This new revenue model was widely vetted and has been supported by section leadership.

- *Limited Practice Officer (LPO) and Limited License Legal Technician (LLLT) license fees.* For the 2019 licensing year, license fees for active LPOs and LLLTs would increase to \$200; license fees for inactive LPOs and LLLTs would be \$100; and active LLLTs would pay a \$30 Client Protection Fund assessment.
- The board also considered and approved Budget and Audit Committee recommendations to increase the Mandatory Continuing Legal Education (MCLE) fee structure in FY2019 (not for members, but for sponsors, accredited sponsors, and LPO/LLLT late certification fees). The fee increases are to help ensure that the MCLE program remains self-sustaining and that the fees are consistent for all license types.
- Governors supported a proposed resolution being submitted to the American Bar Association that urges legislative, judicial, and government bodies to adhere to guidelines for equitable court fines and fees; this resolution addresses the fundamental unfairness created when people are subjected to disproportionate sanctions because they cannot pay a court fine or fee.
- Governors extended the timeline for the Civil Litigation Rules Drafting Task Force. The board formed this task force in November 2016 to present suggested amendments to Washington’s Civil Rules by May 2018; that deadline was moved to July 2018 (which will still provide time for the board to meet the Supreme Court’s October deadline for General Rule 9 submissions).
- The Practice of Law Board updated governors about its Legal Health Checkup initiative to help Washington residents recognize when they have a legal problem and identify appropriate legal resources. The Practice of Law Board is a Washington Supreme Court created board administered by WSBA.

The agenda and materials from this Board of Governors meeting, as well as past meetings, are [online](#). The next regular meeting is July 27–28 in Vancouver, WA. The Board of Governors is WSBA’s governing body charged with determining general policies of the Bar and approving its annual budget.