



BOARD OF GOVERNORS CIVIL LITIGATION RULES REVISION WORK GROUP

(Adopted by the WSBA Board of Governors September 27, 2019)

Charter Background

In November 2016, following a report from the Escalating Cost of Civil Litigation Task Force, the BOG created the Civil Litigation Rules Drafting Task Force (CLRTF) to review the recommendations of the BOG addressing the ECCL Task Force Report and determine whether amendments to Washington's Civil Rules are needed to implement the BOG's recommendations. In July and September 2018, the CLRTF presented a report to the BOG. The Board tabled action on the proposed rule amendments and created a work group to gather additional input, report back to the Board. Following consideration of the additional stakeholder input, the Board hereby creates this Civil Litigation Rules Revision Work Group to make changes to the proposed rule amendments based on the additional stakeholder input and report back to the Board of Governors. Under WSBA Bylaws Section IX(B)(2), the Board creates and authorizes a BOG Work Group (Work Group) with the specific purposes set forth in this charter.

Work Group Purpose

- Based on the additional stakeholder input received, determine which CLRTF Rule Drafts are recommended for Board approval without changes;
- Based on the additional stakeholder input received, determine which CLRTF Rule Drafts are recommended for changes;
- Modify the current proposed rule drafts based on the new stakeholder input presented to the BOG at the May 2019 Meeting;
- Submit a revised set of draft rules for BOG consideration at its September meeting.

Timeline

The Work Group will meet as soon as possible after the appointment of its members and shall use all due haste in presenting a recommended draft to the Board of Governors with a final version prepared as soon as possible. The Work Group is empowered to set its own meeting schedule with the instruction that its work should result in a draft and ultimately final version as quickly as possible.

Membership

This Work Group will consist of the following members:

- A WSBA member who is a member of the Board of Governors at the time of the creation of this Work Group shall serve as Chair;
- Chairs of the Subcommittees who proposed the original rules will be invited to join the Work Group but the Work Group will not fail for their lack of participation or unavailability: (Initial Case Schedules, chaired by Roger Wynne); (Individual Judicial Assignments and Pretrial Conferences, chaired by Hillary Evans Graber); (Early Discovery Conferences, chaired by Hon. John Ruhl); (Initial Disclosures, chaired by Hon. Rebecca Glasgow); (Cooperation, chaired by Jane Morrow); and (Mediation, chaired by Hon. Averil Rothrock);
- Stakeholders specific to the rules under consideration shall be asked to attend any meeting where the subject matter of those issues is up for discussion.
- Three members who are on the Board of Governors at time of the creation of this Work Group.

In accordance with WSBA Bylaws Section IX(B)(2)(a)-(b), selection of persons to be appointed to the task force and the chair will be made by the President with approval of the Board of Governors.