

WASHINGTON STATE BAR ASSOCIATION

Court Rules and Procedures Committee

Meeting Minutes

November 22, 2021

Members Present: Chair Isham Reavis, Lesli Ashley, Rane Casalegno, Paul Crisalli, Brian Esler, Ofelia Granados, Zachary Pekelis Jones, Travis Kennedy, Karen Knutsen, Kathleen Shircliff, Laurel Smith, Andrew Van Winkle.

Members Excused: Tony DiTommaso, Duffy Graham, Margaret Macrae, Matthew Monahan, Jeff Sbaih, Elena Skillicorn, Alexandra Tomp, Coreen Wilson, and Emory Wogenstahl.

Also Attending: Judge Blaine Gibson, Judge Bradley Maxa, J Benway (AOC Liaison), Nicole Gustine (WSBA Assistant General Counsel) and Kyla Jones (WSBA Paralegal).

The meeting was called to order at 9:32 a.m. once a quorum was established.

1. Approval of Minutes

A motion was made and seconded to approve the October 18, 2021 meeting minutes. The motion passed unanimously.

2. Subcommittee Reports

- Criminal Rules for Superior Courts (CrR)

Subcommittee Chair Paul Crisalli reported on the status of the CrR Subcommittee. The group is working to set up a regularly scheduled time to meet. The group hopes to meet sometime in December. Proposed ideas have been floating around.

- Criminal Rules for Courts of Limited Jurisdiction (CrRLJ) – Rane Casalegno

Subcommittee Chair Rane Casalegno reported on the status of the CrRLJ Subcommittee. The group had their first introductory meeting. Subcommittee Chair Casalegno discussed reaching out to stakeholders for input on potential rule amendments.

- Subcommittee X

Subcommittee member Judge Blaine Gibson reported on Subcommittee X. The subcommittee has not met yet. Chair Reavis announced he has received one e-mail regarding Civil Rule 34, which will be forwarded to Subcommittee X since this is an out-of-cycle suggestion.

3. Request from the Civil Litigation Committee of the Court Recovery Task Force re GR 40 and CR 39

The Committee received a request from WSBA Past-President Kyle Sciuchetti and WSBA Executive Director Terra Nevitt to consider forwarding comments regarding [CR 39](#) and [GR 41 \(formerly known as GR 40\)](#) revisions to the Civil Litigation Committee of the Court

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Recovery Task Force. The Committee reviewed Judge Gibson's memo to Judge O'Donnell with suggested points of clarification. Chair Reavis suggested the Committee format Judge Gibson's memo into a letter for forwarding to the Civil Litigation Committee of the Court Recovery Task Force.

A motion was made and seconded to format Judge Gibson's memo into a letter and forward to the Civil Litigation Committee of the Court Recovery Task Force. The motion passed unanimously.

A motion was made to amend the previous motion to include in the letter a recommendation the standard for ordering a videoconference be changed to "good cause" rather than "good cause in compelling circumstances." The motion was seconded and passed by consensus, with Committee Member Zachary Pekelis Jones abstaining. There were no votes in opposition.

Judge Gibson, Chair Reavis, and Kyla Jones will work to format the letter for the Task Force and forward to the appropriate contact. Judge Gibson clarified that the BOG has authorized the Committee to send comments directly to the Task Force, not the Supreme Court. Members may comment on these proposals in their personal capacities by the December 29, 2021 comment deadline.

4. Other Business for the Good of the Order
There being no further business, the meeting adjourned.