

Administrative Law Section

of the Washington State Bar Association



Minutes

Administrative Law Section Executive Committee Telephonic/Zoom Video Meeting June 6, 2020

Executive Committee Members Present: Robert Krabill (Chair), Eileen Keiffer (Chair-Elect), Richelle Little (Secretary), Lea Anne Dickerson (2018-2021), Alexis Hartwell-Gobeske (2019-2022), Katy Hatfield (Treasurer), Bob Murphy (2017-2020), Bill Pardee (2019-2022), Susan Pierini (2018-2021).

Also Present: Richard Potter (Legislative Committee Chair), Eleen Trang.

Absent Executive Committee Members: Michael Addams (Young Lawyer Liaison), Jonathon Bashford (Immediate Past Chair), Scott Boyce (2018-2021), Marjorie Gray (2019-2022), Bryn Peterson, Robert Rhodes (2019-2020), Chad Standifer (2017-2020).

Meeting called to order at 8:05 a.m.

1. Approval of Minutes (all)

A motion was made and seconded to approve the minutes from the May 18, 2020, meeting; the motion passed unanimously.

2. Approval of Agenda (all)

The agenda was proposed as sent out by Robert Krabill. A motion was made and seconded to approve the agenda; the motion passed unanimously.

3. Financial update and FY 2021 Budget (Katy Hatfield)

Katy provided an overview of our year-to-date spending this fiscal year, historical spending trends, and a budget proposal for FY 2021. Katy provided the following documents, which are attached to these minutes:

- 3 Year History 2016-18.pdf
- APR 2020 SUMMARY.pdf
- Membership Count 5 year history.pdf
- Sections Membership Dues 2015-2020.pdf
- SEPT 2019 SUMMARY.pdf
- Draft FY 2021 Section Budget Request- ADMIN.xlsx

We discussed potential sources of revenue and the probable ongoing impact of the COVID-19 pandemic through the next fiscal year. Alexis proposed increasing the Membership &

Recruiting budget by \$25 based on anticipated events. Robert Krabill proposed increasing the conference calls budget, because our current year-to-date spending appears higher than budgeted for this fiscal year. Adjustments were made to reflect probable revenue and expenses for four to five remote mini-CLEs and no in-person CLEs. Katy will send out a revised proposal after this meeting, for consideration at our June 15, 2020 meeting.

4. Retreat Update (Marjorie Gray)

Marjorie was unavailable and sent the following written report via email prior to today's meeting:

Our new contract carries over the details of the contract we had with Alderbrook for the 2020 retreat. We reserved 4 cottages and 14 rooms for Friday and Saturday night. The rooms and the President's cottage cost \$175 per night. The other 3 cottages had an extra \$175 per night paid by the member. There was a resort fee of \$20 per room per night.

We had breakfast and lunch buffets on Saturday in the Board room where our meeting was to be held. We had hospitality charges on Friday and Saturday evenings for items needed for the potlucks. We paid a \$1000 deposit.

We cancelled this contract in the spring due to the corona virus restrictions on travel.

We were able to negotiate a contact with the same terms, and carryover of our deposit for a retreat to begin June 11, 2021. Katy has all of the data for our final costs from past retreats. Those are the numbers that should be filled in for the budget you are planning on Saturday.

5. Committee updates

5.1 CLE (Eileen Keiffer, Robert Krabill, Susan Pierini, Lea Dickerson)

The PRA CLE that was originally going to be a full day CLE will instead be offered as multiple mini-CLEs. The first offering will be on June 30 and is now posted in WSBA's CLE store for the live course registration; mini-CLEs are not recorded for future viewing.

A possible all-day in person CLE that brings these topics back together and results in an on-demand product on the WSBA website will be considered at some point in the future.

The Cougar Den CLE has been rescheduled for July 28 and will be a virtual event. This has not been promoted by WSBA yet.

Robert Krabill provided a summary of estimated financials from the joint Oregon/Washington CLE held in Seatac last October. See attached documents:

- 20101 Estimated Financials.pdf
- CLE REVENUE SHARING FISCAL POLICY (8.1.18).pdf

Katy explained the cost sharing and profit sharing structure for in-person CLEs with WSBA. WSBA personnel costs are included in the event's budget. If the event does not break even,

WSBA covers the loss. If the event becomes profitable, we share the proceeds. At this time, the October CLE is at an approximate net loss of \$7,735. Sales of the on-demand product will go against losses for now. Recordings are available for three years following the event date.

5.2 Legislative (Richard Potter)

Richard provided an update and a written report, which is attached to these minutes:

- Legis Committee report June 6 2020.pdf

5.3 Publications and Practice Manual (Robert Krabill)

Robert Krabill is the current acting chair of the Publications and Practice Manual Committee. The position is currently open and does not need to be an Executive Committee member. Robert provided a draft contract regarding revenue sharing between WSBA and our section of proceeds from the PRA deskbook sales. The draft contract is attached to these minutes:

- Memo re PRA Deskbook revenue sharing with Admin Law Section draft 5.12.2020.docx

5.4 Diversity and Outreach (Alexis Hartwell-Gobeske / Robert Rhodes)

Alexis provided an update. Because the quality of the mentorship program relies on being able to have an in-person introduction, the committee has made the decision to cancel the 2020 program. The hope is to schedule an in-person event in March 2021.

The committee is continuing to pursue planning an open sections night at Gonzaga Law School in collaboration with other sections. Each section would contribute \$75 to the event. The target date for this event is now spring 2021.

Robert Rhodes discussed the possibility of doing additional direct communication to all lawyers. Eleen explained that communications about section programs from WSBA need to be targeted to a specific audience rather than all WSBA members. Another option would be to write an article for the WSBA blog. Robert will draft a proposal that Eleen can share with the WSBA communications team to request that each section be allowed a limited number of educational email communications to the entire WSBA membership. Meanwhile, Robert is contacting specific sections to share information with their members.

5.5 Homan Award (Lea Anne Dickerson)

Nominations close for this year on June 30, 2020, and we have received one nomination so far (Richard Potter). Lea will send out a reminder about the June 30 nomination deadline, Bill will add it to the newsletter, and Eleen will update our website with this information.

5.6 Newsletter (Bill Pardee)

Bill is putting the finishing touches on the next edition of the newsletter, which will be distributed on Monday. Bill will also include a request for new committee members for the Publications and Practice Manual committee, and our need for a Newsletter editor/chair.

5.7 Elections (Robert Krabill, Lea Dickerson)

We have three vacant at-large positions on the executive committee. After the current election deadline had passed, Robert received a self-nomination from an individual who is willing to serve as an at-large member. He will circulate this person's information for possible appointment to one of our vacant positions. Susan will reach out to former award recipients to see if they may be interested.

We discussed the process for appointing members to a vacant position, and consulted the bylaws. The language of Article 7.7 seemed somewhat in conflict with itself, but we determined that per Article 7.7, the executive committee may appoint a member to fill a vacancy, and an election must be held for that position at the next election.

There was discussion about making sure potential new board members are aware of our need for committee participation and help with publications.

5.8 Bylaws (Robert Krabill)

Robert asked whether anyone had proposed changes to our bylaws. Richelle will review Article 7.7 to determine whether changes are warranted, and bring a proposal to the next meeting.

5.9 Membership Services (Robert Krabill)

We discussed what additional services we can offer to the membership, outside of what is already being handled by committees. Social events were discussed and deemed not realistic in the current public health situation (COVID-19). Robert suggested holding a quarterly general membership meeting. We decided to plan one general membership meeting in July, to see how it goes. We will use Zoom as the platform, and Eileen will host on her firm's Zoom account. If we continue to utilize Zoom for section purposes, we will consider getting a section Zoom account.

5.10 Membership Recruitment (Robert Krabill)

This topic was discussed within other topic headings, not as a separate item.

5.11 Executive Committee (Robert Krabill)

- a) Recruitment
- b) Training
- c) Succession Planning

We discussed how to increase participation in the executive committee by filling vacant positions with new people and ensuring that committee chair positions are filled. We will use existing platforms, such as mini-CLEs, the upcoming newsletter, and our general membership meeting, to communicate our need for new executive committee members who are willing to take on committee work, particularly help with our publications and newsletter.

5.12 Meeting Schedule (Robert Krabill)

Executive Committee will continue to meet every 3rd Monday of the month at 12:00 PM.

6. Good of the Order (all)

Richelle brought up the desire to acknowledge the deaths of George Floyd, Manuel Ellis, and others. We discussed the potential for administrative law involvement in systematic reforms such as police accountability. Robert Krabill pointed out that discipline proceedings for local government employees are administrative law proceedings. Robert Rhodes brought up immunity as another topic of interest, and he will reach out to his network for potential speakers/collaborators familiar with current discussions regarding potential changes to immunity law in furtherance racial equality.

7. Next Meeting

Next meeting is June 15, 2020, at 12:00 p.m. with the goal of approving a budget for FY 2021 and PRA deskbook contract.

The meeting adjourned at 12:00 p.m.

Washington State Bar Association

Statement of Activities
FY16, FY17, FY18, FY19 YTD
YTD as of 5/22/19

	2016	2017	2018	YEAR TO DATE
ADMINISTRATIVE LAW SECTION				
REVENUE:				
INTEREST - INVESTMENTS	233.19	381.39	553.51	-
SECTION DUES REVENUE	5,812.50	6,911.50	6,868.75	5,775.00
PUBLICATIONS REVENUE	8,859.77	5,389.80	5,316.17	2,747.95
MINI-CLE REVENUE	1,965.00	1,445.00	2,940.00	-
TOTAL REVENUE:	16,870.46	14,127.69	15,678.43	8,522.95
DIRECT EXPENSES:				
CONFERENCE CALLS	369.38	246.55	256.83	71.98
PER MEMBER CHARGE	4,368.75	5,193.75	5,156.25	4,331.25
AWARDS	464.74	-	641.54	-
NEWSLETTER EXPENSES	412.50	262.50	1,031.25	637.50
RECEPTION EXPENSE	1,378.50	-	1,523.33	-
MINI-CLE EXPENSE	2,842.24	2,709.42	2,698.05	-
MEMBERSHIP & RECRUITING EXP	160.80	100.00	138.63	50.00
NEW LAWYER OUTREACH	373.50	-	-	-
SCHOLARSHIPS/DONATIONS/GRANT	8,000.00	5,000.00	3,000.00	5,000.00
EXECUTIVE COMMITTEE EXPENSES	1,424.33	447.92	300.37	-
LDSHIP/PROF DEVELOP/RETREATS	6,713.88	10,892.41	9,781.32	-
ANNUAL OR OTHER MEETING EXPENSE	614.32	-	-	-
TOTAL DIRECT EXPENSES:	27,122.94	24,852.55	24,527.57	10,090.73
NET INCOME:	(10,252.48)	(10,724.86)	(8,849.14)	(1,567.78)

Washington State Bar Association

Statement of Activities

For the Period from April 1, 2020 to April 30, 2020

58.33% OF YEAR COMPLETE

	FISCAL 2020 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
ADMINISTRATIVE LAW SECTION					
REVENUE:					
INTEREST - INVESTMENTS	400.00	-	-	400.00	0.00%
SECTION DUES REVENUE	7,500.00	60.00	6,575.00	925.00	87.67%
PUBLICATIONS REVENUE	10,000.00	310.11	2,603.82	7,396.18	26.04%
MINI-CLE REVENUE	1,000.00	-	890.00	110.00	89.00%
TOTAL REVENUE:	18,900.00	370.11	10,068.82	8,831.18	53.27%
DIRECT EXPENSES:					
CONFERENCE CALLS	350.00	-	291.50	58.50	83.29%
PER MEMBER CHARGE	4,687.50	37.50	4,125.00	562.50	88.00%
AWARDS	400.00	-	-	400.00	0.00%
NEWSLETTER EXPENSES	1,000.00	-	712.50	287.50	71.25%
RECEPTION EXPENSE	1,000.00	-	606.18	393.82	60.62%
MINI-CLE EXPENSE	1,500.00	-	656.87	843.13	43.79%
MEMBERSHIP & RECRUITING EXP	300.00	-	-	300.00	0.00%
ATTENDANCE AT BOG MEETINGS	125.00	-	-	125.00	0.00%
EXECUTIVE COMMITTEE EXPENSES	700.00	-	-	700.00	0.00%
LDSHIP/PROF DEVELOP/RETREATS	9,000.00	-	1,000.00	8,000.00	11.11%
TOTAL DIRECT EXPENSES:	19,062.50	37.50	7,392.05	11,670.45	38.78%
NET INCOME:	(162.50)	332.61	2,676.77		
FUND BALANCE AS OF 9/30/19:	13,395.92		13,395.92		
NEW FUND BALANCE:	13,233.42		16,072.69		

Washington State Bar Association

Statement of Activities

For the Period from September 1, 2019 to September 30, 2019

100.00% OF YEAR COMPLETE

	FISCAL 2019 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
ADMINISTRATIVE LAW SECTION					
REVENUE:					
INTEREST - INVESTMENTS	300.00	483.84	483.84	(183.84)	161.28%
SECTION DUES REVENUE	6,250.00	-	5,825.00	425.00	93.20%
PUBLICATIONS REVENUE	4,000.00	164.19	3,832.02	167.98	95.80%
MINI-CLE REVENUE	1,500.00	-	105.00	1,395.00	7.00%
TOTAL REVENUE:	12,050.00	648.03	10,245.86	1,804.14	85.03%
DIRECT EXPENSES:					
CONFERENCE CALLS	350.00	151.96	322.09	27.91	92.03%
PER MEMBER CHARGE	4,687.50	-	4,368.75	318.75	93.20%
AWARDS	400.00	185.81	185.81	214.19	46.45%
NEWSLETTER EXPENSES	1,000.00	-	637.50	362.50	63.75%
RECEPTION EXPENSE	1,500.00	-	946.45	553.55	63.10%
MINI-CLE EXPENSE	2,000.00	-	574.57	1,425.43	28.73%
MEMBERSHIP & RECRUITING EXP	300.00	-	50.00	250.00	16.67%
SCHOLARSHIPS/DONATIONS/GRANT	5,000.00	-	10,000.00	(5,000.00)	200.00%
ATTENDANCE AT BOG MEETINGS	125.00	-	-	125.00	0.00%
EXECUTIVE COMMITTEE EXPENSES	700.00	-	-	700.00	0.00%
LDSHIP/PROF DEVELOP/RETREATS	10,000.00	-	8,236.20	1,763.80	82.36%
TOTAL DIRECT EXPENSES:	26,062.50	337.77	25,321.37	741.13	97.16%
NET INCOME:	(14,012.50)	310.26	(15,075.51)		
FUND BALANCE AS OF 9/30/18:	28,471.43		28,471.43		
NEW FUND BALANCE:	14,458.93		13,395.92		

SECTION MEMBERSHIP COUNT 5 YEAR HISTORY

SECTION	2016			2017			2018			2019			2020		
	BUDGET	ACTUAL	DIFFERENCE	BUDGET	ACTUAL	DIFFERENCE	BUDGET	ACTUAL	DIFFERENCE	BUDGET	ACTUAL	DIFFERENCE	BUDGET	ACTUAL	DIFFERENCE
Administrative Law	233	225	(8)	225	266	41	250	275	25	250	236	(14)	250	219	(31)
Alternative Dispute Resolution	400	405	5	400	377	(23)	385	356	(29)	346	314	(32)	316	309	(7)
Animal Law	100	112	12	100	112	12	100	103	3	100	94	(6)	100	83	(17)
Antitrust, Consumer Protections, & Unfair Business Practices	214	202	(12)	202	209	7	209	215	6	207	208	1	207	193	(14)
Business Law	1,290	1,344	54	1,344	1,359	15	1,360	1,274	(86)	1,250	1,258	8	1,250	1,212	(38)
Cannabis Law	-	-	-	-	-	-	75	63	(12)	75	103	28	90	94	4
Civil Rights Law	132	128	(4)	132	191	59	175	170	(5)	167	175	8	175	142	(33)
Construction Law	520	508	(12)	520	524	4	520	510	(10)	500	499	(1)	490	501	11
Corporate Counsel	875	1,048	173	1,000	1,143	143	1,100	1,090	(10)	1,100	1,116	16	1,100	1,068	(32)
Creditor Debtor Rights	600	574	(26)	560	546	(14)	560	506	(54)	500	466	(34)	469	443	(26)
Criminal Law	465	473	8	465	510	45	465	432	(33)	465	407	(58)	400	357	(43)
Elder Law	650	678	28	665	701	36	680	656	(24)	680	623	(57)	650	619	(31)
Environmental Land Use Law	870	826	(44)	830	821	(9)	830	787	(43)	800	793	(7)	800	753	(47)
Family Law	1,250	1,257	7	1,250	1,260	10	1,250	1,145	(105)	1,250	1,033	(217)	1,250	941	(309)
Health Law	375	379	4	375	398	23	375	385	10	375	381	6	385	380	(5)
Indian Law	300	322	22	320	329	9	320	315	(5)	320	326	6	320	310	(10)
Intellectual Property	840	943	103	940	960	20	960	895	(65)	900	875	(25)	900	865	(35)
International Practice	300	284	(16)	285	263	(22)	270	241	(29)	250	225	(25)	250	236	(14)
Juvenile Law	150	193	43	175	210	35	150	196	46	188	165	(23)	150	132	(18)
Labor & Employment Law	950	999	49	1,050	1,026	(24)	1,000	991	(9)	1,000	996	(4)	1,000	971	(29)
Legal Assistance to Military Personnel	125	100	(25)	110	87	(23)	100	90	(10)	90	75	(15)	90	63	(27)
Lesbian, Gay, Bisexual, & Transgender (LGBT) Law	95	105	10	107	136	29	130	110	(20)	110	102	(8)	110	110	-
Litigation	1,115	1,171	56	1,170	1,135	(35)	1,140	1,059	(81)	1,067	1,018	(49)	1,050	993	(57)
Low Bono	113	120	7	117	114	(3)	120	99	(21)	100	70	(30)	90	56	(34)
Real Property, Probate, & Trust	2,350	2,325	(25)	2,200	2,374	174	2,320	2,356	36	2,340	2,291	(49)	2,320	2,229	(91)
Senior Lawyers	336	286	(50)	300	303	3	300	262	(38)	300	239	(61)	260	224	(36)
Solo & Small Practice	950	999	49	1,000	987	(13)	1,000	975	(25)	1,000	907	(93)	900	853	(47)
Taxation	626	632	6	630	661	31	660	652	(8)	650	625	(25)	650	595	(55)
World Peace Through Law	125	103	(22)	100	113	13	115	97	(18)	93	108	15	100	124	24
TOTALS	16,349	16,741	392	16,572	17,115	543	16,919	16,305	(614)	16,473	15,728	(745)	16,122	15,075	(1,047)

WASHINGTON STATE BAR ASSOCIATION

WSBA Sections Membership Dues 2015 – 2020

SECTION	2015	2016	2017	2018	2019	2020
Administrative Law	\$25	\$25	\$25	\$25	\$25	\$30
Alternative Dispute Resolution	\$35	\$35	\$35	\$35	\$35	\$35
Animal Law	\$25	\$25	\$25	\$25	\$25	\$25
Antitrust, Consumer Protection & Unfair Business Practices	\$20	\$20	\$20	\$20	\$25	\$25
Business Law	\$25	\$25	\$25	\$25	\$25	\$25
Cannabis Law	-	-	-	\$25	\$25	\$25
Civil Rights Law	\$30	\$30	\$30	\$30	\$30	\$30
Construction Law	\$25	\$25	\$25	\$25	\$25	\$25
Corporate Counsel	\$20	\$20	\$20	\$20	\$20	\$20
Creditor Debtor Rights	\$27.50	\$30	\$30	\$30	\$30	\$30
Criminal Law	\$30	\$30	\$30	\$30	\$30	\$30
Elder Law	\$35	\$35	\$35	\$35	\$35	\$35
Environmental and Land Use Law	\$35	\$35	\$35	\$35	\$35	\$40
Family Law	\$35	\$35	\$35	\$35	\$35	\$35
Health Law	\$20	\$20	\$20	\$20	\$20	\$20
Indian Law	\$25	\$25	\$25	\$25	\$25	\$30
Intellectual Property	\$25	\$25	\$25	\$25	\$25	\$25
International Practice	\$40	\$40	\$40	\$40	\$40	\$40
Juvenile Law	\$30	\$30	\$35	\$35	\$35	\$35
Labor & Employment Law	\$30	\$30	\$30	\$30	\$30	\$30
Legal Assistance to Military Personnel	\$35	\$35	\$35	\$35	\$35	\$35
Lesbian, Gay, Bisexual and Transgender (LGBT) Law	\$30	\$30	\$30	\$30	\$30	\$30
Litigation	\$30	\$30	\$30	\$30	\$30	\$30
Low Bono	\$30	\$30	\$30	\$30	\$30	\$30
Real Property, Probate & Trust	\$25	\$25	\$25	\$25	\$25	\$25
Senior Lawyers	\$25	\$25	\$25	\$25	\$25	\$25
Solo & Small Practice	\$35	\$35	\$35	\$35	\$35	\$35
Taxation	\$35	\$35	\$30	\$30	\$30	\$20
World Peace Through Law	\$30	\$30	\$30	\$30	\$30	\$30

	A	B	C	D	E	F	G	H
1	Washington State Bar Association Fiscal Year 2021 Budget Request ADMINISTRATIVE LAW SECTION							
2								
3								
4								
5								
6	Account Number & Name							2019 Budget
7								
8	Revenues							
9								
10	Operational Revenue				2019	250 Dues Rate	\$ 25.00	
11					2020	250 Dues Rate	\$ 30.00	
12		48200- Section Dues			2021	250 Dues Rate	\$ 30.00	\$ 6,250.00
13		40500- Interest Income						\$ 300.00
14	Total Operational Revenue							\$ 6,550.00
15								
16	Other Revenue							
17		40800- Publications						\$ 4,000.00
18	Total Other Revenue							\$ 4,000.00
19								
20	CLE Related Revenue							
21		41850- Seminar Splits w/CLE						\$ -
22		41805- Mini-CLE Revenue						\$ 1,500.00
23	Total CLE Related Revenue							\$ 1,500.00
24								
25	TOTAL REVENUES							\$ 12,050.00
26								
27	Expenses							
28								

	A	B	C	D	E	F	G	H
29		Operational Expenses					\$ 18.75	
30					2019 PMC		\$ 18.75	
31			58400- Per Member Charge		2020 PMC		\$ 18.75	\$ 4,687.50
32			50165- Conference Calls		2021 PMC		\$ 18.75	\$ 350.00
33								\$ 5,037.50
34								
35		CLE-Related Expenses						
36			58620- Mini-CLE Expense					\$ 2,000.00
37			58625- Seminar Expense					\$ -
38								\$ 2,000.00
39								
40		Member Benefits Expenses						
41			58450- Reception/Forum					\$ 1,500.00
42			58175- Awards					\$ 400.00
43			58375- Newsletter/Publications					\$ 1,000.00
44								\$ 2,900.00
45								
46		Public Service/Outreach						
47			58525- Scholarships/Donations/Grants					\$ 5,000.00
48			58350- Membership & Recruiting					\$ 300.00
49								\$ 5,300.00
50								
51		Executive Committee-Related Expenses						
52			58150- Attendance at BOG Meetings					\$ 125.00
53			58300- Executive Committee Meetings					\$ 500.00
54			58300- Executive Committee Meetings					\$ 200.00
55			58325- Leadership/Professional Development/Retreats					\$ 10,000.00
56								\$ 10,825.00
57								
58								\$ 26,062.50

	A	B	C	D	E	F	G	H
59					BUDGETED NET INCOME (LOSS)			
60								<u>\$ (14,012.50)</u>
61								
62								
63								
64								
65								
66								
67								

BUDGETED NET INCOME (LOSS)

\$ (14,012.50)

Fund Balance as of September 30, 2018

Fund Balance as of September 30, 2019

Fund Balance as of March 31, 2020

Plus Budgeted Net Income/(Loss) for Fiscal Year 2021

PROJECTED FUND BALANCE AT 9/30/2021

	I	J	K	L
1				
2				
3				
4				
5	2020	2021	% +/- over	Narrative (Please provide a detailed description for each account)
6	Budget	Budget	2020	
7				
8				
9				
10				
11				
12	\$ 7,500.00	\$ 7,500.00	0%	
13	\$ 400.00	\$ 400.00	0%	
14	\$ 7,900.00	\$ 7,900.00	0%	
15				
16				
17	\$ 10,000.00	\$ 6,000.00	-40%	The PRA Deskbook was supplemented in early calendar year 2020. Revenues from supplements typically are elevated for a year or two. The last supplement was in 2010 and publications revenue jumped to nearly \$11K in FY11, which is why we budgeted \$10K in FY20. I don't have enough information to know if this year's revenue is impacted by COVID-19, but I fear that it might have been.
18	\$ 10,000.00	\$ 6,000.00	-40%	
19				
20				
21	\$ -			Unknown at this time. We need data from WSBA re: the OR-WA CLE. Originally WSBA predicted that the section's revenue split for 2021 would be \$2357, but that assumed both the OR-WA CLE and the PRA CLE.
22	\$ 1,000.00	\$ 1,000.00	0%	
23	\$ 1,000.00	\$ 1,000.00	0%	Two mini CLEs? I will be curious to see revenues on Cougar Den CLE, where even members have a tuition
24				
25	\$ 18,900.00	\$ 14,900.00	-21%	
26				
27				
28				

	I	J	K	L
29				
30				
31	\$ 4,687.50	\$ 4,687.50	0%	Don't know 2021 Per Member Charge yet. Putting \$18.75 in as placeholder
32	\$ 350.00	\$ 350.00	0%	
33	\$ 5,037.50	\$ 5,037.50	0%	
34				
35				
36	\$ 1,500.00	\$ 1,000.00	-33%	Two mini CLEs? A mini CLE at Alderbrook is more expensive than this, so likely not enough if we want a mini CLE before retreat.
37				
38	\$ 1,500.00	\$ 1,000.00	-33%	
39				
40				
41	\$ 1,000.00	\$ 500.00	-50%	Trimming reception expenses. Will be problematic if we have reception at Alderbrook, but not if we have it somewhere cheaper.
42	\$ 400.00	\$ 400.00	0%	
43	\$ 1,000.00	\$ 1,000.00	0%	
44	\$ 2,400.00	\$ 1,900.00	-21%	
45				
46				
47	\$ -	\$ -	0%	
48	\$ 300.00	\$ 100.00	-67%	Last year we only spent \$50 of this.
49	\$ 300.00	\$ 100.00	-67%	
50				
51				
52	\$ 125.00	\$ 125.00	0%	Not sure why this category and next category are not combined? Both 58300. I think originally we split out food verses room/AV/travel, but this seems unnecessary
53	\$ 500.00	\$ 500.00	0%	
54	\$ 200.00	\$ -	-100%	
55	\$ 9,000.00	\$ 8,000.00	-11%	Alderbrook already got a \$1000 deposit from this year's budget, so \$8000 this year is really a \$9000 retreat
56	\$ 9,825.00	\$ 8,625.00	-12%	
57				
58	\$ 19,062.50	\$ 16,662.50	-13%	Note; our exenses this current year (the middle column) won't actually be this high since we didn't go to Alderbrook

	I	J	K	L
59				
60	\$ (162.50)	\$ (1,762.50)	985%	
61				
62				
63	\$ 28,471.43			
64	\$ 13,396.00			
65	\$ 15,740.00			
66	\$ (1,762.50)			
67	\$ 13,977.50			

Washington State Bar Association
Fiscal Year 2019 Budget Request
Administrative Law Section

Account Name	WSBA Account #	2018 Budget	2019 Budget	Please Provide a Detailed Budget Narrative for Each Revenue/Expense Accounts
Revenues				
Operational Revenue				
Interest Income on Section Fund Balance	40500	\$ 150.00	\$ 300.00	Section Dues - Propose to keep section dues the same in 2019. Admin Law Section charges \$25/person.
Section Dues	48200	\$ 6,250.00	\$ 6,250.00	
Total Operational Revenue		\$ 6,400.00	\$ 6,550.00	
Other Revenue				
Publications Revenue (Practice Manual & Public Disclosure Act Manual)	40800	\$ 4,000.00	\$ 4,000.00	Other Revenue - Publications revenue comes from PRA Deskbook and APA Practice Manual.
Total Other Revenue		\$ 4,000.00	\$ 4,000.00	
CLE Related Revenue				
Mini-CLE Revenue				Mini-CLE Revenue - Plan to produce 3 mini-CLEs, each with gross revenue of about \$500 (minus expenses, which are accounted for below). Low-cost/free mini-CLEs are a main member benefit.
<i>(Indicate planned Mini-CLE here, if known, and any applicable details)</i>		\$ 1,500.00	\$ 1,500.00	
Total Mini-CLE Revenue	41805	\$ 1,500.00	\$ 1,500.00	
Seminar Splits with CLE- profit or (loss) (co-sponsored with WSBA CLE)				Seminar Splits with CLE Revenue - NOTE: if approved, the new revenue sharing policy between WSBA CLE and Sections will begin Fiscal Year 2019; however any revenue earned will not be paid until the FY 2019 books are closed and audited in Fall 2019 and will be paid in early FY20. Therefore, the budget for Seminar Splits w/CLE should be \$0 for FY19.
<i>(Indicate planned CLE here, if known, and any applicable details)</i>		\$ 400.00	\$ -	
Total Seminar Splits with CLE	41850	\$ 400.00	\$ -	
Total CLE Related Revenue		\$ 1,900.00	\$ 1,500.00	
Total Revenues		\$ 12,300.00	\$ 12,050.00	
Expenses				
Operational Expenses				
Conference Calls	50165	\$ 350.00	\$ 350.00	To cover the cost of conference calls for telephone meetings
Per Member Charge	58400	\$ 4,687.50	\$ 4,687.50	Per Member Charge - The per member charge will remain at \$18.75 for the FY19.
Total Operational Expenses		\$ 5,037.50	\$ 5,037.50	
Member Benefits				

Washington State Bar Association
Fiscal Year 2019 Budget Request
Administrative Law Section

Account Name	WSBA Account #	2018 Budget	2019 Budget	Please Provide a Detailed Budget Narrative for Each Revenue/Expense Accounts
Reception/Forum	58450	\$ 2,000.00	\$ 1,500.00	Reception/Forum- One reception for all membership after the June mini-CLE, and one reception for all membership associated with presentation of Homan Award (approximately \$600 each)
Awards	58175	\$ 400.00	\$ 400.00	Awards - Award presented to Homan Award winner and gavel (or equivalent) for outgoing chair.
Newsletters/Publication Expenses (includes printing & postage)	58375	\$ 1,000.00	\$ 1,000.00	Newsletter/Publication - Costs cover WSBA graphic designer for newsletter. Newsletter is one of the main member benefits.
Total Member Benefits Expenses		\$ 3,400.00	\$ 2,900.00	
CLE-Related Expenses				
Mini-CLE Expense				Mini-CLE Expense - Plan to produce 3 mini-CLEs, each with gross revenue of about \$500, and expenses up to \$500 each with the exception of Alderbrook which is slightly more expensive (\$1000) for room rental, A/V, and cost of hosting CLE speaker overnight one night at hotel. No/low cost CLEs, especially with the opportunity for professional networking after, are one of the main member benefits.
(List the expenses here and indicate which CLE it would be applied towards, if known)		\$ 3,000.00	\$ 2,000.00	
Total Mini-CLE Expense Budget	58620	\$ 3,000.00	\$ 2,000.00	
Total CLE Related Expenses		\$ 3,000.00	\$ 2,000.00	
Public Service/Outreach				
Scholarships/Donations/Grants	58525	\$ 8,000.00	\$ 5,000.00	Scholarships/Grants - \$5000 grant to law student. We are eliminating the \$3000 public service grant this year.
Membership & Recruiting	58350	\$ 1,000.00	\$ 300.00	Memberships & Recruiting - Money to contribute to WSBA New Lawyer's Open House as well as to hosting food at networking happy hours
Total Service/Outreach Expenses		\$ 9,000.00	\$ 5,300.00	
Executive Committee-Related Expenses				
Annual or Other Meeting Expenses	58125	\$ -		Annual or Other Meeting Exp. - No plan to have an annual meeting next year now that we do online executive committee voting
Attendance at BOG Meetings	58150	\$ 125.00	\$ 125.00	Attendance at BOG Meetings

Washington State Bar Association
Fiscal Year 2019 Budget Request
Administrative Law Section

Account Name	WSBA Account #	2018 Budget	2019 Budget	Please Provide a Detailed Budget Narrative for Each Revenue/Expense Accounts
Executive Committee Expenses				Executive Committee Expenses - Covers the costs of the one in-person meeting that the Board typically has in the winter. We usually try to have it at someone's law firm to save money. Some board members may fly from Spokane to attend, so travel expenses can be high.
Travel/Lodging		\$ 900.00	\$ 500.00	
Meeting Facilities, Food, etc.		\$ 500.00	\$ 200.00	
Total Executive Committee Expenses	58300	\$ 1,400.00	\$ 700.00	
Leadership/Professional Development/Retreats - (ABA Bar Leaders Conference)	58325	\$ 9,750.00	\$ 10,000.00	Leadership/Prof. Dev./Retreats - Retreat for Board members and Committee Chairs. Significant planning for the next year occurs at this meeting, including CLE planning, newsletter planning, publications planning, and planning other member benefits. Mini CLE on Friday night, followed by reception (both billed to separate codes), increase networking opportunities between executive committee and membership.
Total Executive Committee Expenses		\$ 11,275.00	\$ 10,825.00	
Total Expenses		\$ 31,712.50	\$ 26,062.50	
Budgeted Net Income (Loss) for FY2018/FY2019		\$ (19,412.50)	\$ (14,012.50)	
Plus Fund Balance as of September 30, 2017			\$ 37,320.57	
Plus Estimated Net Income/Loss for Fiscal Year 2018			\$ (19,412.50)	
Plus Estimated Net Income/Loss for Fiscal Year 2019			\$ (14,012.50)	
Projected Fund Balance at 9/30/2019			\$ 3,895.57	

Date: June 6, 2020
To: Administrative Law Section Executive Committee
From: Richard Potter
Subj.: Legislative Committee Report

1. Legislative committee meetings - Some committees are having between-session meetings. So far I have not found that any of the committees that usually deal with administrative law issues are meeting. I will monitor the posted meeting agendas to see if that changes.
2. Special Session – As you have probably seen in the press, there may be a special session this summer to address pandemic related issues, especially budget impacts. If that happens, our committee will review any administrative law proposals. For example, one of the Republicans’ objectives for a special session is: “reform and rebalance the powers . . . statutorily delegated to the Governor in times of emergency.”¹ Many of the Governor’s pandemic orders have affected administrative agencies’ activities, as well as Open Public Meeting and Public Records Act provisions.
3. Public Records Indexes Project – John Gray and I are still working on this project.
 - a. In particular, I am looking at all state agencies to see which ones do – or could – conduct APA adjudicatory proceedings and, of those, what the situation is as to their WAC index rule and any online decisions resources. When that effort is finished we will decide what, if anything, to do with the results.
 - b. I have also started to check the new issues of the Washington State Register to find proposed rules affecting agencies’ public records indexes. In doing the omnibus research mentioned above I saw that a few agencies had late last year made rule changes or created new index rules that do not meet the requirements of the PRA. If we detect any such rulemaking activity going forward we might offer comments to the agencies.
 - c. In the meantime, we have submitted a short article for the next Section newsletter giving kudos to the new significant decisions index rule and online database of the Department of Children, Youth and Families (DCYF).
4. The Committee has no recommendation for any Section sponsored bills for the 2021 legislative session.

¹ <http://src.wastateleg.org/wp-content/uploads/2020/05/Republican-Guiding-Principles-and-Framework-for-2020-Special-Session-May-21.pdf>

Section	Administrative Law
Split Earned in FY20 to be Paid 1st Qtr FY21	No
Seminar Name	Admin Law/Oregon
Seminar Number	20101STC/WEB
Seminar Date	10/25/2019
Seminar Location	Seatac Conference Center
Estimated Total Attendees	65
Total Credits	6.5 Live Credits
Tuition Rate	\$275 non members; \$225 section members

Actual Attendance 15 In Person; 14 Webcast; 12 Faculty

REVENUE	
Seminar Registrations	\$ 7,450.00
On-Demand Seminar Revenue FY20 Q1 10/01/19-12/31/19	\$ 2,272.00
On-Demand Seminar Revenue FY20 Q2 01/01/20-03/31/20	\$ 1,718.00
TOTAL REVENUE	\$ 11,440.00

DIRECT EXPENSES	
Staff Travel/Parking	\$ 95.74
Postage	\$ 100.42
Accreditation Fees	\$ 99.00
Seminar Brochures	
Speakers/Program Development	\$ 653.76
Facilities	\$ 3,498.43
Estimated On Demand Direct Expenses	\$ 700.00
TOTAL ESTIMATED DIRECT EXPENSES	\$ 5,147.35

ESTIMATED INDIRECT EXPENSES	
Personnel (salaries/benefits/overhead)	\$ 19,175.00
TOTAL ESTIMATED INDIRECT EXPENSES	\$ 19,175.00

Total Estimated Expenses \$ **24,322.35**

Estimated Net Revenue through FY20 Q2	\$ (7,735.00)
Section Split at 50/50 up to 8k and 65WSBA/35Section over 8k	\$0.00

*Facilities charge includes rental, lunch, registrations and break refreshment items and webcasting/wifi for attendees.
 Parking for attendees is also included

Projected Per Credit Indirect Cost	\$3,000.00
Projected Per Credit Non-Event Specific Direct Costs	
TOTAL PROJECTED PER CREDIT COST	\$3,000.00

CLE PROFIT SHARING MODEL - REVISED FISCAL POLICY

(UPDATED AND APPROVED BY THE BOARD OF GOVERNORS ON JULY 27, 2018)

WSBACLE and Programs Presented in Partnership with Sections

Programs Co-sponsored with Sections

The goal of all WSBA CLE programs is to support the mission and strategic goals of the organization. WSBA Sections are an important partner in these efforts. WSBA retains fiscal reserves (“WSBA CLE Fund”) to mitigate against changes in the CLE market, sustain and improve important technology required for the delivery of CLE programs, and protect against unexpected revenue shortfalls.

Net seminar and any associated net on-demand product revenue for all WSBA CLE programs developed in partnership with Sections (excluding mini-CLEs) will be split between the WSBA CLE Fund and the partnering Section’s cost center. Beginning with seminars delivered in FY19, net revenues will be split 50-50(%) between the WSBA CLE Fund and the partnering Section’s cost center, up to a total net revenue of \$8,000. Net revenue exceeding \$8,000 will be split 65% to WSBA and 35% to the Section. WSBA will absorb any net losses sustained by individual programs.

In calculating net revenue, WSBA will subtract all direct and indirect costs for the development of the live program and on-demand product from the gross revenue of the live program and on-demand product sales. WSBA will keep the Section informed of the program financials in a timely and transparent manner. Following each fiscal year’s close, the partnering Section will receive its portion of any net revenue earned in that fiscal year, based on audited financial statements.

Because the CLE market is dynamic, WSBA and the Sections will annually review overall results and may seek to adjust the revenue sharing terms set forth in this policy to ensure that CLE programming and WSBA CLE Fund reserves are sustainable.

Mini-CLEs

WSBA CLE also supports Section CLE programming through a “mini-CLE” model. Mini-CLEs are seen as exclusively member-benefit programs. They do not exceed 2.0 credit hours in length and registration fees must be \$35 or less. For mini-CLEs, WSBA staff provides limited assistance at no charge to the Section (e.g. program accreditation, reporting and attendance tracking). Sections do much more of the preparation and production of seminars than regular CLE programming, and are responsible for working in collaboration with WSBA (e.g. following procedures outlined including timely notice, providing onsite registration personnel, etc.).

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DRAFT

To: ~~Katy Hatfield~~Robert Krabill, Chair, WSBA Administrative Law Section

From: Margaret Morgan, Senior Legal Editor, WSBA Communications Department

Re: Revenue-sharing from sales of ~~2014~~ second edition of *Public Records Act Deskbook* and ~~2020 Supplement~~

Date: ~~Feb. 19, 2015~~May 29, 2020

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This memorandum summarizes the terms under which the Washington State Bar Association (WSBA) published the ~~supplement to the 2014~~ second edition of the *Public Records Act: Washington's Public Disclosure and Open Public Meetings Laws (PRA)* in ~~Nov. 2014~~March 2020 [~~second edition plus 2020 supplement hereinafter referred to as PRA~~] and will share revenues generated from sales of the PRA, in print format and via annual subscription to the online version, with the Administrative Law Section of the WSBA (ALS).

1. The copyright to the PRA ~~will be~~is registered in the name of the WSBA, which ~~will have~~has the exclusive right to publish, ~~translate, adapt,~~ and sell the PRA, in whole or in part, in all print and electronic forms (now or hereafter known).
2. Decisions made by the WSBA relating to publication of the PRA, such as editing, typesetting, printing, the number printed, binding and production, distribution in print or various electronic forms, as a whole or by the chapter, pricing, and advertising or other promotional activities shall be within the sole discretion of the WSBA. The WSBA shall use reasonable efforts to promote sales of the PRA.
3. The ALS shall be identified as a co-developer of the PRA with the WSBA. "WSBA Administrative Law Section" shall appear, together with "Washington State Bar Association," on the binder and the title page of the PRA as well as on print and online promotional materials prepared by the WSBA relative to the PRA. ~~The only exception will be the re-use of approximately 40 binders from the first edition of the PRA that do not have "WSBA Administrative Law Section" printed on them.~~

4. Commencing with sales of the print version of the PRA, the WSBA will transfer to the ALS, on a quarterly basis, an amount equal to 35 percent of net sales for the print version of the PRA, as shown on the accounts of the WSBA. ~~With the exception of discounted sales addressed in ¶¶ 6 and 8, at any point prior to the publication of a supplement to or new edition of the PRA that 35 percent of the net sale for a print copy of the PRA equals an amount less than \$25.00, the WSBA shall transfer to the ALS \$25.00 per sale of the print version of the PRA.~~

5. The PRA will also be available via annual subscription to an online version through Casemaker and Fastcase. ~~Annual subscriptions will be sold to (1) the PRA as an individual publication; (2) a “business law library” and a “litigation library” that include the PRA along with WSBA publications in those practice areas; and (3) an “all publications library” that includes the PRA along with all other WSBA publications available online.~~ Commencing with the release of the PRA online through Casemaker and Fastcase, the WSBA will transfer to the ALS, on a quarterly basis, ~~\$18.28~~17.50 per new or renewal subscription to the PRA as an individual publication. ~~The WSBA shall collect sales data for two years from the release of the PRA online showing how many subscriptions to categories (2) and (3) above, which include the PRA, were sold. The WSBA and the ALS will review this collected data 21 months after the PRA is released online and revisit the feasibility of revenue sharing between the WSBA and the ALS in connection with sales of subscriptions to categories (2) and (3).~~

6. “Net sales” means actual revenue collected for sales of the print version of the PRA and for subscriptions to the online version of the PRA as an individual publication, as reported on the accounts of the WSBA, less returns, allowances, applicable discounts, and non-payments. “Net sales” does not include copies of the PRA given away for complimentary, promotional, or review purposes, or copies purchased at authors’ discount, ~~or subscriptions to the PRA included in the category (2) and (3) libraries of WSBA publications identified in ¶5.~~

7. ~~A complimentary print copy of the PRA shall be provided to each contributing author and editor. The cost of providing these complimentary print copies, which is the unit price to create each volume times the number of author and editor complimentary copies, shall be shared between the WSBA and the ALS on a 50/50 basis.~~ The WSBA will also offer each author and editor of the PRA the option of receiving a complimentary subscription to the online version of the PRA, available through Casemaker, in lieu of a print copy. There will be no cost-sharing between the WSBA and the ALS in connection with complimentary online subscriptions to PRA authors or editors.

8. From time to time the WSBA or the ALS may wish to offer the PRA for sale at a discounted price in order to promote the PRA at ALS-sponsored seminars or otherwise. In these situations, any amount discounted from the regular price of the PRA will come out of the Section’s

percentage share of net revenues. The WSBA will continue to receive from each discounted sale an amount equal to 65 percent of the net revenue from a sale at the regular price.

9. The WSBA will provide to the ALS Chair or other member of the ALS Executive Committee designated by the Chair quarterly statements of account stating net revenue derived from the sale of the print and online versions of the PRA for the previous quarter and the portion of those net revenues that has been transferred to the ALS account. If at any time the WSBA makes an overpayment to the ALS, the WSBA may deduct the amount of the overpayment from any payment that becomes due to the ALS thereafter.

10. The terms set out in this memorandum shall run from the date of publication of the ~~second edition of the 2020 supplement to the~~ PRA (~~Nov. 12~~ March 31, 2024) through the publication of the ~~first~~ next supplement to or new edition of the ~~second edition of the~~ PRA, ~~or two years from the release of the PRA online, whichever occurs sooner~~, at which point the terms under which the supplement or new edition is to be published will be summarized in a new memorandum.