

Administrative Law Section

of the Washington State Bar Association



Administrative Law Section Executive Committee Telephonic Meeting September 21, 2020

Executive Committee Members Present: Robert Krabill (Chair), Eileen Keiffer (Chair-Elect), Richelle Little (Secretary), Katy Hatfield (Treasurer), Michael Addams (Young Lawyer Liaison), Lea Anne Dickerson (2018-2021), Marjorie Gray (2019-2022), Alexis Hartwell-Gobeske (2019-2022), Bill Pardee (2019-2022), Susan Pierini (2018-2021), Robert Rhodes (2019-2020, 2020-2023).

Also Present: John Gray, Selina Kang, Eileen Trang.

Absent Executive Committee Members: Jonathon Bashford (Immediate Past Chair), Scott Boyce (2018-2021), Bob Murphy (2017-2020), Chad Standifer (2017-2020).

Meeting called to order at 12:04 p.m.

1. Approval of Minutes (all)

A motion was made (Robert) and seconded (Margie) to approve the minutes from the August 17, 2020, meeting; the motion passed unanimously.

2. Approval of Agenda (all)

The agenda was proposed, as distributed by Robert Krabill prior to the meeting. A motion was made and seconded to approve the agenda; the motion passed unanimously.

3. Financial update (Katy Hatfield)

Katy provided an update. We have received the most recent accounting (June) from WSBA. Publications revenue is reported quarterly, and was recently added to our account.

4. Retreat Update (Marjorie Gray)

Margie provided an update that Alderbrook is asking us to sign a contract, but she has not wanted to move forward because we don't know if it will be safe to meet in person in June. Eileen stated that WSBA will not sign a contract for any in-person events right now.

5. Committee updates

5.1 Legislative (Richard Potter)

Richard provided an update. Growth Management Hearings Board has a website regarding hearings decisions but has not updated its website with recent decisions because of lack of funding allocated to that purpose. Richard has reviewed 250 state agencies to determine

which agencies have the ability to do administrative hearings. He determined there are 130 agencies that do administrative hearings, but only 14 have promulgated rules regarding a significant decisions index meeting the requirements of the statute. Only 8 have an index posted online. Richard is considering sending a letter from himself personally to agencies, asking if they have the required significant decisions index. It is not within the authority of the Section, so he would send the letters in his personal capacity.

5.2 Publications and Practice Manual (Robert Krabill, Richelle Little, Selina Kang)

Robert Krabill as Section Chair has appointed Selina Kang (section member) and Richelle Little (Secretary) to the Publications and Practice Manual Committee.

A motion was made (Robert) and seconded (Margie) to approve the agreement with WSBA regarding the PRA Deskbook revenue sharing. The motion passed unanimously. Selina will contact the correct party at WSBA

Lexis Nexis has reached out regarding updates of two chapters that were due this month for the Administrative Law Practice Manual and the committee is working on providing something to Lexis Nexis.

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

We had approximately 50 attendees at the recent DFI mini-CLE in September. Some were non-paying employees of DFI, so we are not sure yet whether the event was profitable financially.

We will not have a CLE in October, and at this point do not have a CLE planned for November. Lea has been working on the Homan Award event combined with CLE for a tentative date in December.

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

Alexis provided an update. The committee is working with Gonzaga and other WSBA sections on a virtual event with law students in October.

5.5 Homan Award (Lea Anne Dickerson)

The award is being granted to Richard Potter this year. Lea is working with the CLE committee to present a CLE in conjunction with the presentation of the award.

5.6 Newsletter (Bill Pardee)

Bill is working with Ed on the handoff of the newsletter duties. He also let Ed know that there is an opportunity to be considered for appointment to an open at-large position, and we are waiting to hear back from Ed if he is interested.

5.7 Elections (Robert Krabill, Lea Dickerson)

The elections committee did not have an update. There are three open positions for At-Large Members on the Executive Committee, which are addressed in Paragraph 8, below.

6. Bylaw Amendment

A motion was made by Margie Gray Robert Krabill and seconded by Bill Pardee to approve the proposed amendment to bylaw section 7.7. The motion passed unanimously. The proposal is attached to these minutes. Richelle will submit the amendment to WSBA for approval by the BOG.

7. Superior Court Recovery Task Force - Appellate Committee (Eileen)

Eileen has attended one meeting of the task force. The task force is working on expanding APA certification to the appellate court, in order to relieve the backlog of administrative appeals in superior court. The APA amendment would allow certification to the appellate court if all parties agree, or if certain criteria are met. LUPA appeals would require all parties to consent.

8. Appointments to Vacant Positions

8.1 A motion was made (Robert) and seconded to appoint Sophie Geduchadze to one of the At-Large vacancies. The motion passed unanimously.

8.2 A motion was made (Robert) and seconded to appoint Selina Kang to one of the At-Large vacancies. The motion passed unanimously.

8.3 There is one remaining At-Large vacancy. Bill Pardee is checking with our incoming newsletter chair, Ed Pesik, to see if he would like to be considered.

9. Ratification of Business Decisions made without a quorum.

A motion was made (Robert) and seconded (Margie) to ratify the following decisions made by a majority vote of those present on August 17, 2020.

9.1 Approval of the July 20, 2020, minutes.

9.2 Approval of creation of a section committee regarding the Superior Court Recovery Task Force - Appellate Committee.

The motion passed unanimously.

10. Transfer of the Gavel

As of October 1, 2020, Eileen will take over as section Chair.

11. Good of the Order

11.1 Eileen reminded everyone that there is a Section Leaders Orientation coming up that we are encouraged to attend. At least one representative of each section needs to attend.

11.2 Michael Addams noted that this will be his last meeting as Young Lawyer Liaison. He may attend future meetings as a general section member, as his schedule allows.

12. Next Meeting

Next meeting is October 19, 2020 at 12:00 p.m.

The meeting adjourned at 1:01 p.m.

Attachments:

- Selina Kang letter of interest and resume
- Approved bylaw amendment (needs approval by BOG before effective)

Current

7.7 If there is a vacancy on the executive committee between elections, the voting members of the executive committee, by majority vote, shall appoint a successor to serve for the remainder of the unexpired term. When a member is appointed to fill a vacancy in an unexpired term, the member will do so until the next annual election when an individual will be elected to serve the remainder of the vacated term.

Redline

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Proposed

7.7 If there is a vacancy on the executive committee between elections, the voting members of the executive committee, by majority vote, shall appoint a section member to fill the vacancy until the next annual election, when an individual will be elected to serve the remainder of the vacated term.

Note: majority vote is defined as follows:

5.4 *A majority of the voting members of the executive committee present in person, by telephone, or by videoconference constitutes a quorum. Action by the executive committee is determined by a majority vote of the executive committee members present once a quorum is established. Votes may be conducted by email in accordance with the Bar's Bylaws."*