



**Board of Governors Meeting  
The Hilton  
Vancouver, WA  
July 27-28, 2018**

*WSBA Mission: To serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice.*

**PLEASE NOTE: ALL TIMES ARE APPROXIMATE AND SUBJECT TO CHANGE**

**FRIDAY, JULY 27, 2018**

**GENERAL INFORMATION** ..... 2

**1. AGENDA**..... 21

**8:00 A.M.**

**2. EXECUTIVE SESSION**

- a. Approval of May 17-18, 2018, Executive Session Minutes (**action**)..... E-2
- b. Approval of June 25, 2018, Special Meeting Executive Session Minutes (**action**) ..... E-13
- c. President’s and Executive Director’s Reports
- d. Client Protection Board Gift Recommendations – Julie Shankland (**action**)..... E-15
- e. Discipline Report (written)..... E-22
- f. Litigation Report – Julie Shankland..... E-31
- g. Meeting Evaluation Summary..... E-48

**12:00 P.M. – LUNCH WITH LIAISONS AND GUESTS**

**1:15 P.M. – PUBLIC SESSION**

- Welcome
- Report on Executive Session
- President’s Report & Executive Director’s Report
- Consideration of Consent Calendar\*

**MEMBER AND PUBLIC COMMENTS**

This time period is for guests to raise issues of interest.

**OPERATIONAL**

**3. FIRST READING/ACTION CALENDAR**

- a. Budget and Audit Committee Recommendations – Treasurer Kim Risenmay, Chair; Ann Holmes, Chief Operations Officer; and Tiffany Lynch, Associate Director of Finance
  - 1. Draft WSBA FY2019 Budget (**first reading**)..... 26

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\* See Consent Calendar. Any items pulled from the Consent Calendar will be scheduled at the President’s discretion.

2. Continuing Legal Education (CLE) Revenue Sharing Model <b>(action)</b> .....	124
3. Limited Practice Officer (LPO) and Limited License Legal Technician (LLLT) License Fees and Client Protection Fund Assessment <b>(action)</b> .....	136
4. Law Clerk Program Annual Fee <b>(action)</b> .....	164

**4:00 P.M.**

b. Committee on Professional Ethics (CPE) Report and Recommendation re Suggested Amendments to RPC 1.2 and 8.4 Concerning Marijuana-Related Conduct – Don Curran, CPE Chair (phone); Lucinda Fernald, CPE Subcommittee Chair; and Jeanne Marie Clavere, Professional Responsibility Counsel (phone) <b>(action)</b> .....	166
c. Update from Washington New and Young Lawyers Committee – Mike Mocerri, Chair; Kim Sandher, Chair-elect; and Ana LaNasa-Selvidge, Member Services and Engagement Manager	

**SATURDAY, JULY 28, 2018**

**8:00 A.M. – PUBLIC SESSION**

<b>OPERATIONAL (continued)</b>
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d. Approve March 19, 2018, Special Meeting Public Session Minutes <b>(action)</b> .....	179
e. Selection of 2018-2019 WSBA Treasurer <b>(action)</b> .....	189
f. Update from Personnel Committee – Governor Angela Hayes, Chair .....	190
g. Update re Free Legal Research Tool for Members – Terra Nevitt, Director of Advancement/Chief Development Officer; Ana LaNasa-Selvidge, Member Services and Engagement Manager; and Destinee Evers (phone), Practice Management Assistance Program Specialist .....	196
h. Update re Member Health Insurance – Kim Hunter, Governor; Terra Nevitt, Director of Advancement/Chief Development Officer, and Ana LaNasa-Selvidge, Member Services and Engagement Manager.....	201

**10:00 A.M.**

i. Update re Mandatory Malpractice Insurance – Hugh Spitzer, Chair, and Doug Ende, Chief Disciplinary Counsel.....	203
j. Update from Civil Litigation Rules Drafting Task Force – Ken Masters, Chair.....	215
k. Recommendations from Court Rules and Procedures Committee – Jefferson Coulter, Criminal Rules for Courts of Limited Jurisdiction (CrRLJ) Subcommittee Chair (phone), and Julie Shankland, Interim General Counsel <b>(first reading)</b> .....	323
l. Committee on WSBA Mission Performance and Review Update and Recommendations <b>(first reading)</b> .....	391
m. Update from Addition of New Governors Work Group – Governor Alec Stephens and Governor Dan Bridges, Co-Chairs .....	457

n. Proposed Bylaw Amendment re Endorsing Candidates – Governor Chris Meserve <b>(first reading)</b> .....	462
o. Approve Member Engagement Work Group Charter and Roster – President-elect Rajeev Majumdar, and Sara Niegowski, Chief Communications and Outreach Officer <b>(action)</b> .....	467
p. Continued Discussion of Referendum Process Review Work Group Recommendations – Governor Kim Risenmay, Chair, and Julie Shankland, Interim General Counsel.....	471
q. Appoint Chairs and Vice-Chairs to WSBA Committees and Boards <b>(action)</b> .....	<b>late materials</b>

**GOVERNOR ROUNDTABLE**

This time period is for Board members to raise new business and issues of interest.

**OPERATIONAL (continued)**

<b>4. <u>CONSENT CALENDAR</u></b> .....	512
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b. BOG Activity Reports.....	644
c. FY2018 Third Quarter Management Report.....	648
d. Demographics of WSBA Committee Applicants .....	660
e. President-elect Selection Work Group Roster.....	<b>late materials</b>
f. Committee on Professional Ethics Advisory Opinion (#201802).....	664
g. ABA 2018 Annual Meeting Summary of Resolutions .....	669
h. Diversity and Inclusion Events .....	677
i. Financial Statements	
1. Financial Statements as of April 30, 2018.....	679
2. Investment Update as of April 30, 2018 .....	723
<b>6. <u>PREVIEW OF SEPTEMBER 27-28, 2018, MEETING</u></b> .....	725

## 2017-2018 Board of Governors Meeting Issues

### **NOVEMBER** (Seattle)

#### Standing Agenda Items:

- Financials
- FY2017 Fourth Quarter Management Report
- BOG 2017-2018 Legislative Committee Priorities
- WSBA Legislative Committee Recommendations
- Office of Disciplinary Counsel Report (Executive Session – quarterly)
- Outside Appointments (if any)
- Washington Leadership Institute (WLI) Fellows Report
- WSBA Practice Sections Annual Reports (information)
- WSBF Annual Report

### **JANUARY** (Bellingham)

#### Standing Agenda Items:

- ABA Midyear Meeting Sneak Preview
- Client Protection Fund (CFP) Board Annual Report
- Financials
- FY2017 Audited Financial Statements
- FY2018 First Quarter Management Report
- Legislative Report
- Office of Disciplinary Counsel Report (Executive Session – quarterly)
- Outside Appointments (if any)
- Third-Year Governors Candidate Recruitment Report

### **MARCH** (Olympia)

#### Standing Agenda Items:

- ABA Mid-Year Meeting Report
- Financials
- Legislative Report
- Outside Appointments (if any)
- Supreme Court Meeting

### **May** (Seattle)

#### Standing Agenda Items:

- BOG Election Interview Time Limits (Executive Session)
- Financials
- FY2018 Second Quarter Management Report
- Interview/Selection of WSBA At-Large Governor
- Interview/Selection of the WSBA President-elect
- Legislative Report/Wrap-up
- Office of Disciplinary Counsel Report (Executive Session – quarterly)
- Outside Appointments (if any)
- WSBA Awards Committee Recommendations (Executive Session)

## **JULY (Vancouver)**

### Standing Agenda Items:

- BOG Retreat
- Court Rules and Procedures Committee Report and Recommendations
- Financials
- Draft WSBA FY2019 Budget
- FY2018 Third Quarter Management Report
- Office of Disciplinary Counsel Report (Executive Session – quarterly)
- WSBA Committee and Board Chair Appointments
- WSBA Mission Performance and Review (MPR) Committee Update
- WSBA Treasurer Election

## **SEPTEMBER (Seattle)**

### Standing Agenda Items:

- ATJ Board Report
- 2019 Keller Deduction Schedule
- ABA Annual Meeting Report
- Chief Hearing Officer Annual Report
- Professionalism Annual Report
- Report on Executive Director Evaluation (Executive Session)
- Financials
- Final FY2019 Budget
- Legal Foundation of Washington and LAW Fund Report
- Washington Law School Deans
- WSBA Annual Awards Dinner
- WSBF Annual Meeting and Trustee Election

## **Board of Governors – Action Timeline**

<b>Description of Matter/Issue</b>	<b>First Reading</b>	<b>Scheduled for Board Action</b>
Continuing Legal Education (CLE) Revenue Sharing Model	May 17-18, 2018	July 27-28, 2018
Limited Practice Officer (LPO) and Limited License Legal Technician (LLLT) License Fees and Client Protection Fund Assessment	May 17-18, 2018	July 27-28, 2018
WSBA FY2019 Budget	July 27-28, 2018	Sept 27-28, 2018
Committee on WSBA Mission and Performance and Review (CMPR) Update and Recommendations	July 27-28, 2018	Sept 27-28, 2018
Recommendations from Court Rules and Procedures Committee	July 27-28, 2018	Sept 27-28, 2018
Proposed Bylaw Amendment re Endorsing Candidates	July 27-28, 2018	Sept 27-28, 2018