

Washington Uniform Law Commission (WULC)
Meeting Minutes
October 12, 2016

This meeting took place in the boardroom of Davis Wright Tremaine, 1201 Third Avenue, Seattle, WA.

1. Call to order 4:00 PM/Attendance

Chairman Dennis Cooper called the meeting to order at 4:02 PM.

Commissioners Marlin Appelwick (MA); Dennis Cooper (DC); Jamie Pedersen (JP); Michele Radosevich (MR); and Kyle Thiessen (KT) attended the meeting. Commissioner Anita Ramasastry (AR) was absent.

2. Approval of minutes of August 10, 2016 meeting

JP made a motion, seconded by MR, to approve the minutes. All voted to approve.

3. Legislative Report/2017 Session preparations

The WSBA has changed the role of its legislative committee in vetting uniform acts and is now allowing the sections greater ability to comment directly. The WULC can send new uniform acts to Alison Grazzini, the WSBA's Legislative Affairs Manager, who will then send the acts on to interested bar sections. JP recommends that the WULC serve as a filter and send the WSBA only acts that the upcoming legislature might potentially pass. Bar members know they can now find the texts of uniform acts on the ULC website, www.uniformlaws.org.

Stakeholders other than the bar may also have interest in uniform acts. For example, Legal Voice might have an interest in Recognition and Enforcement of Canadian Domestic Violence Protection Orders.

JP updated the status of acts that the members have considered introducing during the upcoming legislative session:

1. Electronic Legal Materials: This act will be introduced.
2. Revised Uniform Law on Notarial Acts: This act will be introduced.
3. Trust Decanting: The bar has decided to make a version of this act bar-request legislation. JP recommends requesting this act jointly with the bar association. JP emailed the act, consisting of nine critical, conforming sections from the national version, to KT for drafting. The national version has been revised to correct a drafting error.
4. Limited Cooperative Association: The WSBA business section has vetted this act. JP would like to revise the uniform act to give consumer co-ops the ability to merge out of RCW 24.06. REI may be a good candidate for using the uniform act instead of RCW 24.06, and JP would like to show their lawyer a draft of the act.
5. Voidable Transactions: The WSBA business law section is looking at this act. They might make a decision on Voidable Transactions soon, or it might benefit from having another year to percolate.
6. Emergency Volunteer Healthcare Practitioners: The Department of Health and the Military Department had a good meeting in August on this act but have expressed some interest in revising it. It seems unlikely that it will be ready for the 2017 legislative session.
7. Deployed Parents Custody and Visitation: This bill might benefit from substituting a different term, such as [JP: *residential time* or *decision-making authority*] [MA: *residential schedule and parenting plan*], for the term *custody*. This Act is "a question mark"; it is complicated by the prior passage of other uniform laws dealing with the same area.

8. Uniform Common Interest Ownership (UCIOA): The WSBA real property, probate, and trust section has vetted this bill. If control of the senate changes, this act will be introduced and has a reasonable chance of passage.
9. Revised Uniform Unclaimed Property Act: MR will share this act with the WSBA and our state unclaimed property administrator.
10. Uniform Unsworn Declarations Act: If some of the acts lag, this act may be introduced. It should be possible to accomplish this by simply deleting “foreign” from the Unsworn Foreign Declarations Act.
11. Family Law Arbitration: This act will get “walked around” to see “what the temperature is.”

JP will likely sponsor most of the uniform acts due to his presence in Olympia and his knowledge of the acts. For time efficiency, JP prefers not to do house companion bills.

Feedback on acts that passed: Practitioners are finding Collaborative Law very useful. The law makes it “easy to get a stay” so that a dispute can work its way to agreement. Meanwhile, Columbia Legal Services regards the certificate of restoration of rights as a first step toward what they wanted, congruent with the policy purpose of the Collateral Consequences of Conviction Act.

4. 2017/2019 biennial budget status

DC has received an invoice for dues to the national Uniform Law Commission. He noted that the dues have increased less than anticipated in the budget.

The commissioners also noted that the state no longer audits the WULC every two years and that the most recent audit took place in 2008.

5. Webpage review/update

Ruth Beardsley at the UW law school will send PDFs of any approved minutes that are missing from the www.wulc.gov to John Shiflett who maintains the website.

MA has updated the WULC history through last session.

The website should show all the uniform acts approved at last summer’s ULC annual meeting.ⁱ Uniform acts do not need to show a commissioner contact; the absence of a contact shows that the WULC is not currently engaged in passing the act. JP will serve as contact for Trust Decanting.

Electronic Recordation of Custodial Interrogations: The Innocence Project Northwest is very interested in this act; it should move from its present location to “Pending Stakeholder Review.”

6. 2017 meeting schedule

DC will notify the State Register of the WULC’s 2017 meeting schedule: February 8, May 10, August 9, and October 11, all at 4:00 PM. The February, May, and August meetings will take place by conference call. MR will be happy to host the October meeting at Davis Wright Tremaine. If the legislature is in session, thereby preventing JP from attending the February meeting, he will send an update by email.

The 2017 Uniform Law Commission annual meeting will take place in San Diego, July 14-20, and the 2018 Uniform Law Commission annual meeting will take place in Louisville, July 20-26, 2018.

7. Other Business

None.

8. Adjourn

DC adjourned the meeting at 5:02 PM.

ⁱ Acts approved in Stowe Vermont

- i. Amendment to Revised Uniform Law on Notarial Acts.**
- ii. Uniform Family Law Arbitration Act**
- iii. Uniform Employee and Student Online Privacy Protection Act**
- iv. Revised Uniform Unclaimed Property Act.**
- v. Uniform Wage Garnishment Act**
- vi. Uniform Unsworn Domestic Declarations Act**
- vii. Uniform Unsworn Declarations Act**

<http://ulc.wa.gov/HistoryOfService.pdf>