

**ACCESS TO JUSTICE BOARD 2022
ANNUAL REPORT**



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Access to Justice Board 2022 Annual Report

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ACCESS TO JUSTICE BOARD

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<http://AllianceForEqualJustice.org>



Established by the Supreme Court of Washington
Administered by the Washington State Bar Association

CHAIR

Letter from the Chair

Dear Friends,

On behalf of the Access to Justice Board, I am delighted to present the Board's 2022 Annual Report. Last year, we reported the success of the Access to Justice Conference and the inclusion of diverse community voices in the reform of our justice system. The Board promised then not to relent in the pursuit of fairness and the necessary reckoning for the historic injustice of the past.

Our work with the Community Advisory Panel (CAP) and their impact in the formulation of civil legal aid policies and programs has been tremendous. With CAP members we prioritize hearing the voices of those with lived experience of injustice and compensate them fairly for their time. Their contributions to the development of ATJ Board policies such as the ATJ Technology Plan, discussion of court rules and reviewing progress of the Board's priorities has been profound. Other Access to Justice Commissions have reached out to embrace this unique approach to community justice.

In the last year, the ATJ Board and its Delivery System Committee (DSCo) invested a great deal of time and expense in reflection on how we conceive and roll out policies and ideas. The DSCo Strategic Planning subcommittee continues to work to reexamine our structure and funding and led an Alliance-wide assessment to inform potential changes to our guiding documents. The Civil/Criminal Desiloing subcommittee is leading a pathway to action that emphasizes a mutual aid approach to the endemic problem created by the barriers posed by our silo-ed justice systems. The Undocumented Communities subcommittee continues to advocate for increased funding and awareness to serve undocumented communities. They are working with the Office of Civil Legal Aid to develop a pilot project in Yakima and have hired consultants to conduct a needs assessment of the same area. DSCo continues to oversee the Mapping Project, which aims to use data to identify where services are provided across the state and where resources should be targeted to increase services.



**Francis Adewale, Chair
Access to Justice Board**

CHAIR

One great impact of our investment in diverse community voices is the success of our recruitment committee in attracting applicants from all geographical corners of our state to serve as members of the Board. More than 50% of applicants were Black, Indigenous, and other people of color. We are welcoming:

- **Jane Smith**, a member of the Confederated Tribes of the Colville Indian Reservation and second-generation tribal judge
- **Vanna Sing**, Southeast Asian from Cambodia and founder of Tacoma Community Healing Awareness (THAC) serving the Southeast Asian communities in the South Sound
- **Carnissa Lucas-Smith**, a King County Public Defender, Black woman, and recent law school graduate
- **Brynn Felix**, General Counsel with Peninsula Community Health Services in Kitsap County

This fulfills our promise at the end of the last conference to include voices of those impacted by our justice system from all over the state in the formulation of statewide civil legal policies. What is more, our new incoming Chair, Terry Price, will be the first openly gay Chair of the Access to Justice Board. The Board's internal equity workgroup is committed to continue efforts to conduct a race equity self-audit to identify practices that impede diverse recruitment and retention of Board members, staff, and volunteers, and develop strategies to eliminate those practices.

The Board commits to promoting systemic and internal race-equity practices, working toward a vision that race or color does not determine the availability and quality of services, fairness of outcomes, or opportunities for communities and individuals. This commitment is epitomized by the numerous reflections done in working and public sessions in the last year. But, by far the most profound reckoning we have done is the examination of the impact of our justice systems on Indigenous communities in our state. The Board and its committees committed to active listening and doing the immersive work to learn how we can better come alongside Indigenous communities in our state in the delivery of civil legal aid. We learned a lot. For instance, we eschewed the performative land acknowledgment at meetings that are not founded on knowledge and reckoning for the injustices of the past and rectification of the

CHAIR

same. Our work, which is still ongoing, will continue to unearth all forms of injustice and disparities and make the Board accountable to Indigenous communities in our state.

One of the important priorities of the Board in the past year is to support and uplift partnerships among legal aid providers and with justice-involved and community-based organizations. In furtherance of this objective, the Board co-sponsored the online hate and discrimination CLE with Cardozo Society titled “Online Harassment & Cyberstalking: Navigating the New Frontier of Hate Crimes: Implications in Domestic Violence, the First Amendment and Access to Justice.” It also collaborated with WSBA Board of Governors on the Small Towns and Rural Attorneys project to increase representation in rural communities.

Over the next year the Board looks forward to continuing these important actions, including increasing our partnerships with the Community Advisory Panel and other community partners.

Sincerely,



Francis Adewale, *Chair*
Access to Justice Board

ALLIANCE

Building a Healthier Alliance for Equal Justice

The Delivery System Committee (DSCo) has been in the process of strategic planning, evaluating the Alliance for Equal Justice's role, purpose, and effectiveness and determining a planning process to update the current State Plan. As part of this process, DSCo reviewed foundational documents that serve as guideposts for the ATJ Board and the Alliance for Equal Justice.

One of the foundational documents are the **Hallmarks** for Equal Justice, which DSCo recognized had not been updated since 2014. Much has happened since then including a racial justice reckoning and movement to actively bring community partners into our collective work. In discussing the need to review and update the Hallmarks, DSCo determined that the process should be informed by community partners and those who have been directly impacted by systemic oppression.

Before engaging in updating the State Plan and Hallmarks, DSCo determined it would be helpful to first engage in a self-assessment of the Alliance. In spring 2022 we deployed the **Healthy Alliance Assessment** tool with the help of **RoadMap Consulting** to survey Alliance members on their perceptions of the leadership, structure, and purpose of the Alliance. The Assessment helped us to identify where we are in the "life cycle" of Alliance so we can chart a course for the future. The survey helped us identify our strengths and challenges.



ALLIANCE

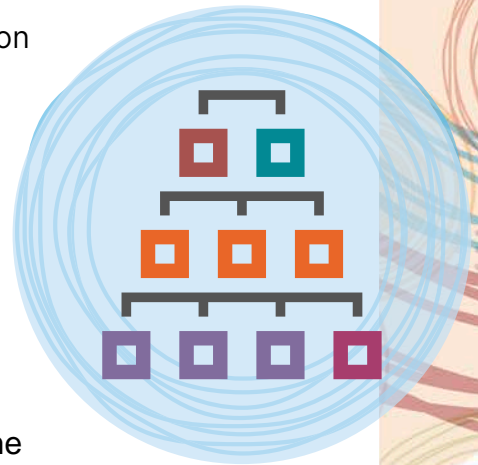
The Assessment shows that Alliance members recognize that the mission, vision, goals, the State Plan, and strategic planning are areas of strength. Access to justice principles, dedication to equity, strong shared commitment to work were identified as ethical strongpoints. The strongest elements and capabilities agreed upon by those surveyed were collaboration, connection, and networking. Areas for growth and learning as a network were also uncovered

There was agreement on the need for clarity on organizational roles, structures, recruitment and onboarding strategies, leadership development, and communications between organizations and decision-makers. The Assessment also surfaced those decision-making processes that need clarity and improvement.

Addressing power dynamics and equity were keys point that came up numerous times with smaller organizations who feel they do not have as much of a voice. Engaging community members and those most directly impacted was noted as very important. There was also a consensus that Alliance members need more space to better connect and learn from each other

The Assessment also uncovered a desire to explore the overall purpose of the Alliance, including who the members are and the respective roles in dismantling systems of oppression and direct client legal services.

The strategic planning work continues to inform DSCo in the effort to be collaborative, relevant, and effective in our work and relationship with communities who have been most harmed by systemic oppression. The Assessment provided us with issues to address as we move towards updating the Hallmarks and the State Plan. ■



CAP

The Community Advisory Panel's Vision Grows

The first year of the Access to Justice Board's Community Advisory Panel (CAP) was an inspiring, informative, and meaningful step toward actualizing the commitments laid forth in the Board's **2020**

racial justice call and commitment to action. The CAP consists of leaders from communities disproportionately impacted by the legal system who are serving as key advisors to the ATJ Board on how to center community voices in decision making.



Practicing the mantra that “change moves at the speed of trust,” CAP has had to endure the pressure and pain points of pursuing change in a culture that is difficult to move.

One CAP participant articulated this understanding, saying:

“Getting into this, we knew it was going to be hard—getting the legal system to change their thinking and way of doing things”

The collective commitment and resilience of CAP members to seek systems transformation and true access to justice for all, in the face of resistance and critique, has resulted in greater influence, deeper analysis and truth telling, and supportive funding.

And another in the same conversation offered:

“There is always a tension between a present and future state. There is no surprise that there is a tension, and the tension arises when there is a significant transformation about to happen.”

CAP

EXPANDING INFLUENCE

Starting in the winter of 2021, the Community Advisory Panel presented at the National Access to Justice Commissions Meeting sharing about the innovative work of CAP, highlighting the essential and nuanced work of centering the voices and building right relationships with those most impacted by systems decisions. The presentation allowed the group to acknowledge our shared learnings, pain points, and promising future. CAP has also played a greater role in providing invaluable input on ATJ Board initiatives, including recruitment to expand community voices on the Board, feedback on the recently adopted ATJ Technology Plan, and input on the Board's progress with its priorities. Additionally, CAP meets regularly to discuss strategies to increase community representation and voices in Alliance for Equal Justice efforts. They recently provided guidance for a community engagement roll-out to break down barriers between the civil and criminal systems and met with the new staff of the Equity and Access to Justice team at the Administrative Office of the Courts.

Community Advisory Panel Members

- **Jordan Chaney**
Jordan Chaney Poet, Governor's Task Force on Independent Investigations of Police Use of Force; *Tri-Cities*
- **Andre Dwayne Henderson**
Civil Survival & Olympic College student, *Kitsap County*
- **Karyn Kameroff, MA, MSW, SWAICL**
Member of the Choctaw Nation working with the Cowlitz Tribe & Clark County Investigative Response Team for the Use of Deadly Force, *Clark County*
- **Carol Caliyah Mitchell**
Living and Leading with Soulfulness and Institute for Black Justice, *Pierce County*
- **Marissa Perez**
Cedar Rising Coalition, *King County*
- **Yonas Seifu**
Collective Justice NW & small business advocate, *King County*
- **Angel Tomeo Sam**
Peer Re-entry Navigators & formerly The Bail Project Spokane and Spokane Regional Law & Justice Council Racial Equity Committee, *Spokane*
- **Duaa-Rahemaah Williams**
Community Member, *Spokane*

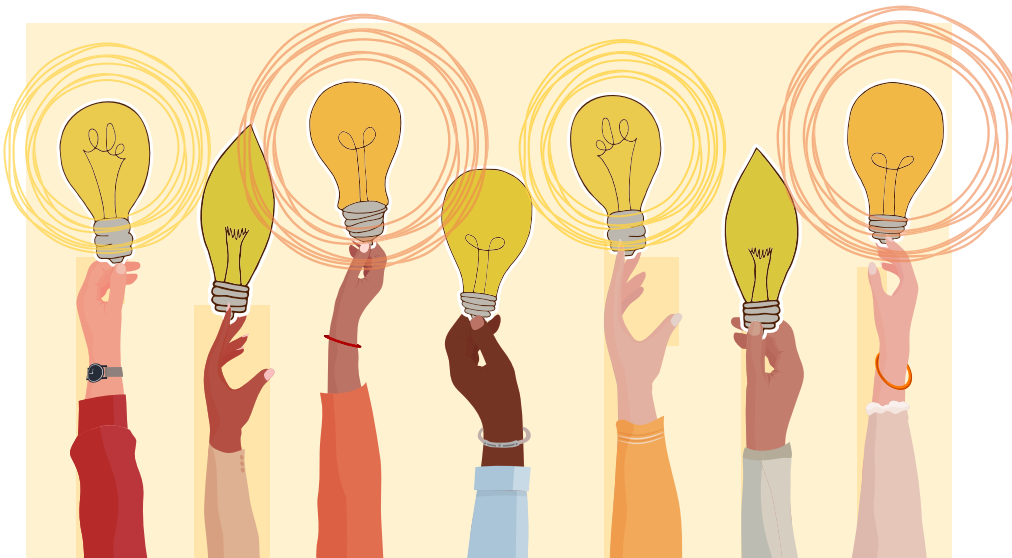
CAP

INCREASING SCOPE

Looking to the next two years, we believe that it is time to expand the Community Advisory Panel's scope to promote and model community leadership within the Alliance for Equal Justice and provide broader systemic input. The first two years with the Community Advisory Panel have involved establishing staffing and infrastructure for the panel, building relationships with the Advisors, and learning how best to integrate the Advisors into Board decision-making. However, the vision has always been to establish the Advisory Panel as integral players in the systemic work of the Alliance. This can include but is not limited to:

- Providing strategic insights into policy work, both of the ATJ board and in relationship with other Alliance members.
- Participating as key voices in the development and review of future State Plans.
- Continuing to bring a community perspective to learning spaces such as the Access to Justice Conference and other Alliance-wide forums.
- Taking a leadership role in designing and articulating what it means for Alliance members to become more fully community-centered and anti-racist.

With the generous support of a Legal Foundation of Washington Race Equity Grant, we are embarking on a path forward over the next two years to implement this vision. ■



RACE EQUITY

Inside-Out Approach to Race Equity

Particularly since the launch of the current State Plan and the overarching goal of race equity, the ATJ Board has been working to create a more inclusive culture, review and improve our operations with an equity lens, and increase the diversity of perspectives and lived experience on the Board.

In 2021, the ATJ Board continued and strengthened its commitment to race equity by reflecting on how interpersonal, institutional, and structural racism affect access to justice. The Board worked with race equity consultant Kyana Wheeler to continue to learn about race equity on a systemic, organizational, and personal level. The Board is using an equity workbook created by Ms. Wheeler as we continue to deepen our self and other-awareness.

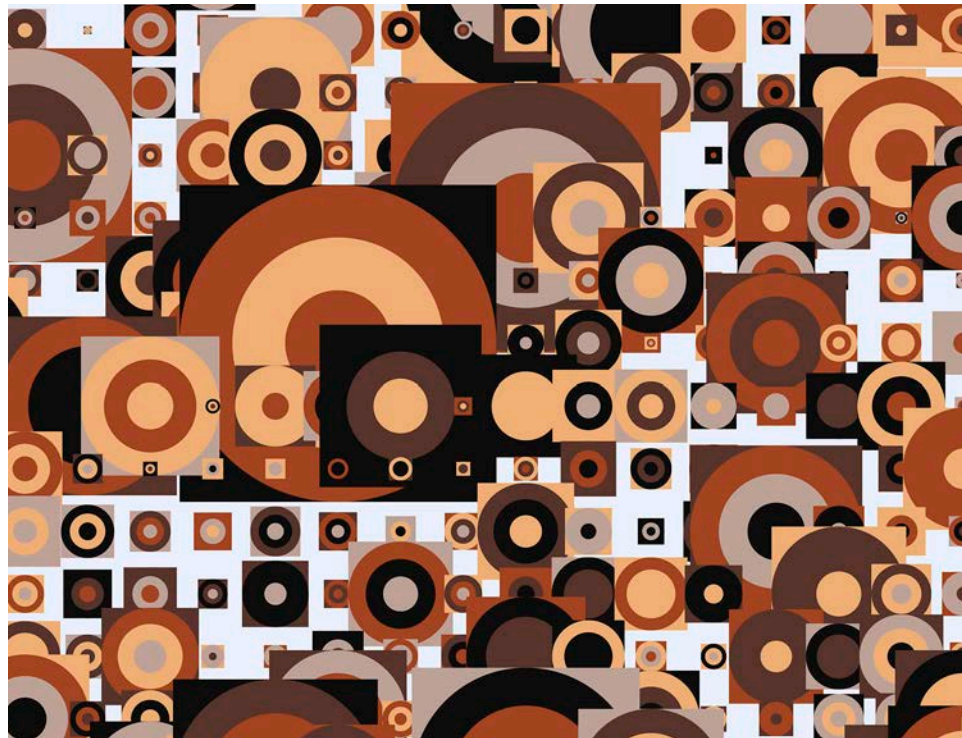


In 2022, the Board engaged equity coaches from JustLead Washington to do an organizational assessment to identify strengths and areas for improvement. JustLead's equity coaches had candid conversations with every Board member and staff and designed an anonymous survey. The assessment showed that the Board's strengths include our collective commitment to race equity, respect for each other and diversity of perspectives. The areas for growth include building trust and a more inclusive space and culture. Another growth area is operationalizing our commitment to take leadership from impacted communities and work in solidarity with those communities in ways that are authentic and effective.

RACE EQUITY

One way the Board has been working toward walking its talk on diversifying the Board and bringing more community-based leaders to the table was through its work to fill four open member positions. This year, the Board recruited beyond the legal community, seeking candidates through the Community Advisory Panel and other community-based networks. The Board received a record number of applications from the most diverse group of people to date. More than half of the Board applicants were people of color and many applicants had firsthand experience of struggling to access to justice. The Board is excited to welcome the following four new and important voices to the Board:

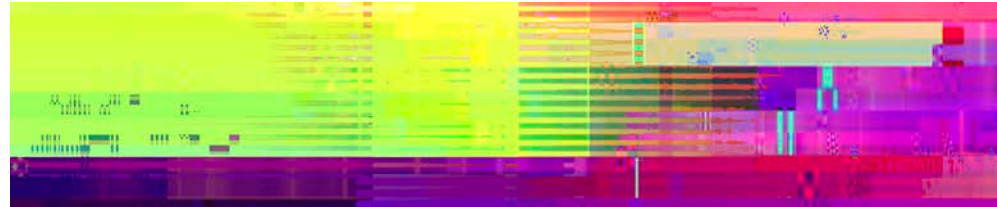
- **Jane Smith**, a member of the Confederated Tribes of the Colville Indian Reservation and second-generation tribal judge
- **Vanna Sing**, Southeast Asian from Cambodia and founder of Tacoma Community Healing Awareness (THAC) serving the Southeast Asian communities in the South Sound
- **Carnissa Lucas-Smith**, a King County Public Defender, Black woman, and recent law school graduate
- **Brynn Felix**, General Counsel with Peninsula Community Health Services in Kitsap County



TECH PLAN

ATJ Tech Justice Plan Launches

As the COVID-19 pandemic continues, technology remains integral to access to justice particularly for people who experience poverty and represent themselves in court. The ATJ Board's Technology Committee continues to be leaders in our state to push for tech justice innovations and solutions. Over the last year, the ATJ Technology Committee launched the [ATJ Technology Justice Plan](#), which laid out specific projects that it will pursue using the ATJ Technology Principles. The [2020 ATJ Technology Principles](#) were drafted pre-pandemic, and the pandemic has shown just how essential fairness and justice are when implementing new court technology.

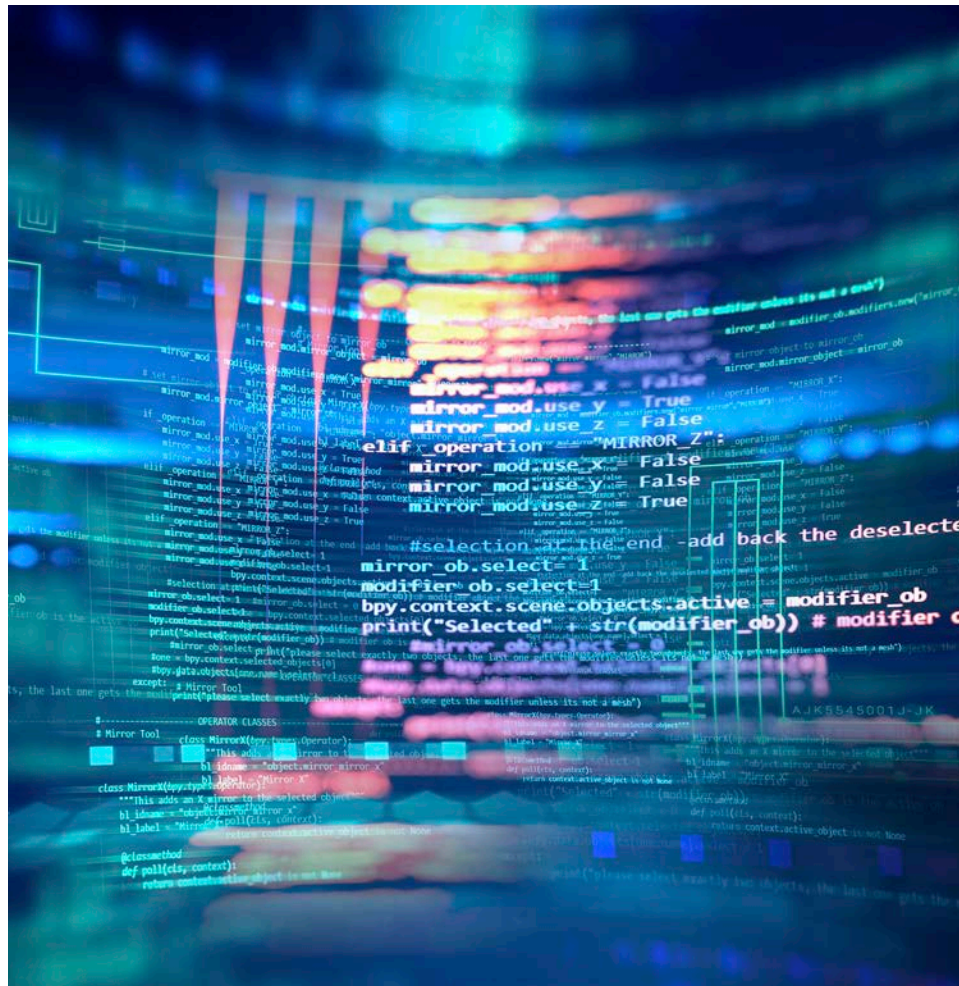


With the pandemic, innovations like accelerated implementation of e-filing and remote hearings have the potential to leave some court users behind or even shut out completely. This is particularly true of self-represented litigants. The Technology Justice Plan identifies some of the barriers for these groups. This includes systemic issues like the digital divide as a result of many parts of the state where broadband and signal reception are poor or just unavailable. But there are also court-related difficulties (confusion about court processes, difficulty with fee waivers or legal financial obligation reductions) where technology could assist. The Plan foresees even more robust online data services for litigants to get information like using YouTube videos in several languages rather than written words. Likewise, the Plan foresees the use of technology to pay court fees or legal financial obligations, or automated ways to apply for fee waivers. Additionally, the Plan anticipates greater use of online legal algorithms and websites/apps for people who cannot afford or find legal services. The ATJ Technology Committee has heard from Michael Cherry, chair of the Practice of Law Board (POLB), about the work of the POLB to design a legal regulatory lab sandbox to explore ways to better regulate online legal service providers. While this is a complex area, it is essential that Washington adopt a position that protects vulnerable consumers.

TECH PLAN

In addition to launching the new Tech Justice Plan, the Committee continues to serve as a place for members to bring their court technology experiences together for sharing and problem-solving. The Committee heard from the Administrative Office of the Court’s new Equity and Access Team about how to better coordinate services. The Committee has also been an informational hub for issues like the data breach with the Odyssey Portal, and how to get that information out to court users. The Committee chairs continue to serve as liaisons to various court technology-related groups like the Superior Court User Work Group, Court of Limited Jurisdiction Court User Work Group, and Judicial Information Systems Committee, which provides some opportunities to learn and share concerns from the perspectives of self-represented litigants and litigants who experience poverty.

Technology concerns, especially user experience issues, continue to proliferate. The ATJ Technology Committee has substantial expertise in this area and will continue to monitor and advise. ■



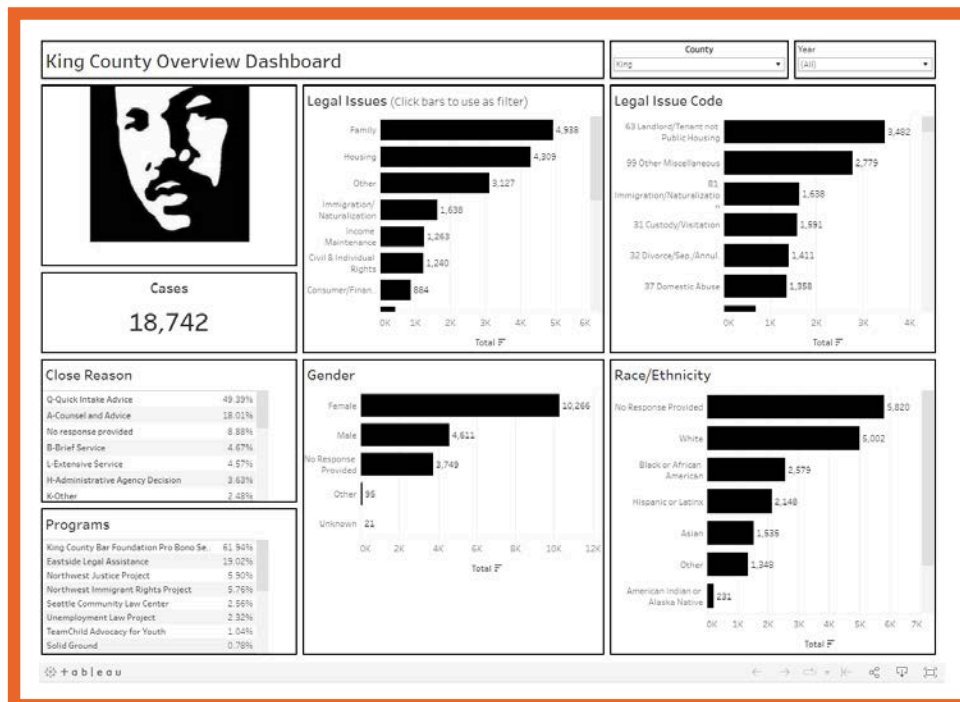
WaLAMP

Washington Legal Aid Mapping Project Takes Form

The Washington State Legal Aid Mapping Project (WaLAMP), led by Michael Terasaki, is a project of the ATJ Board’s Delivery Systems Committee that continued its work to survey legal aid providers and services in Washington state. The mapping tool provides two sets of information:

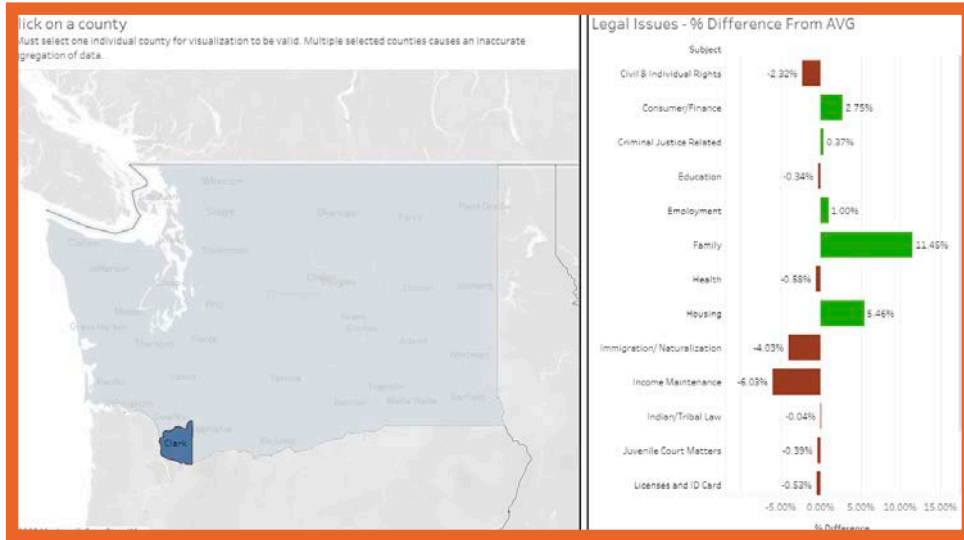
1. Where all types of legal aid providers are located around the state and what services they offer.
2. The demographics and locations of different client-eligible populations, which could be cross-referenced to indicate where services match needs and where there are gaps.

In January, WaLAMP released its first annual report, covering the year 2020 and containing more than 41 pages of data and insights into the legal aid landscape of Washington state. In addition to creating the 2020 report, WaLAMP engaged Scott Gower, a data visualization specialist at Project 3 Consulting, to create a new set of user-friendly and informative maps and tables that incorporate census data. These new maps allow us to see how well specific demographic populations are or are not being served by legal aid programs in Washington.

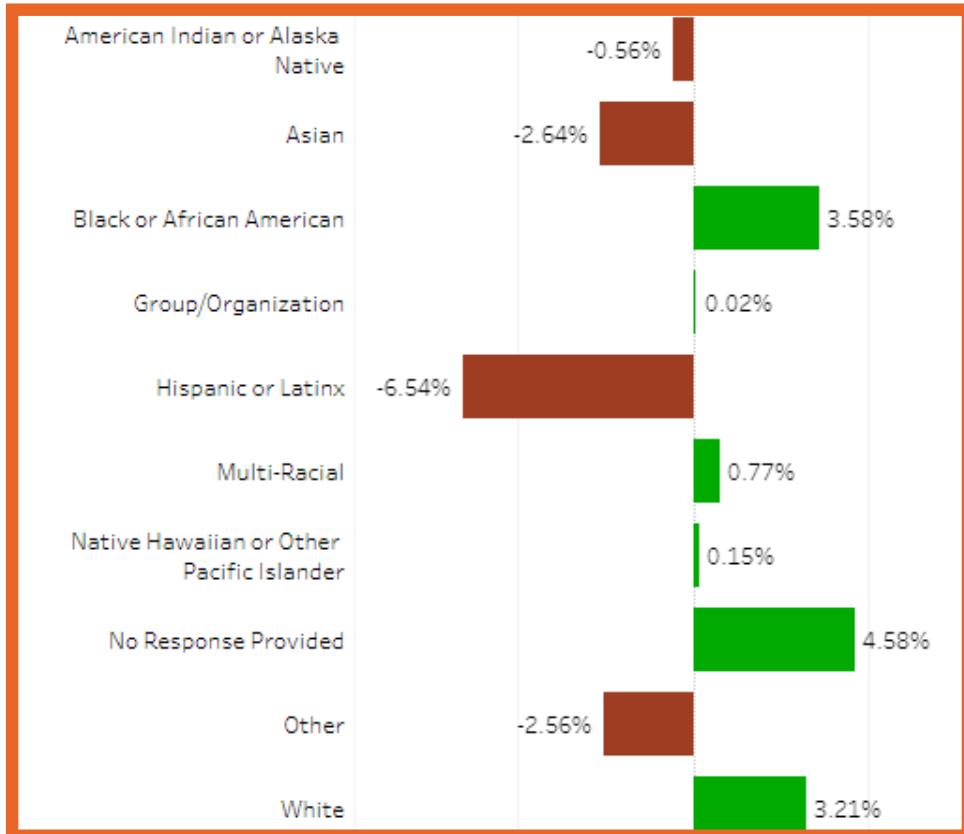


WaLAMP

Explore the county dashboard [here](#) and the interactive map [here](#).



As a volunteer-driven project, WaLAMP has spent the first half of 2022 collecting the data for the 2021 service year. Once this data is collected, the 2021 service numbers will be added to the WaLAMP maps and tables, likely in Fall of 2022. This data can be used to make informed decisions about where to direct resources and funding.



DESILOING

Breaking Down the Barriers Between Civil and Criminal

Advocates in Washington have long recognized that the systems responsible for delivering legal services to those with civil legal needs and criminal legal needs are deeply siloed from one another. The impact of these siloed systems falls heavily and disproportionately on Black, Indigenous, other People of Color and marginalized communities across the state. In Washington, legal services providers do not, largely, practice holistic methods of providing legal services to our clients; however, it is well known that civil legal aid needs impact individuals' criminal cases, and vice versa. Our siloed systems create accessibility issues for the client communities, resulting in the increased likelihood that the legal needs of underserved and underrepresented communities are being left unaddressed.



In 2021, the Delivery System Committee launched a Civil/Criminal Desiloing Subcommittee to explore intentional, well-planned efforts to break down these barriers. The Subcommittee committed time to understanding the attempts to address the problem of siloed systems that have already been explored, what has worked and what needs more intentional solutions. In doing so, the Subcommittee has developed a multi-phase project proposal that prioritizes the following:

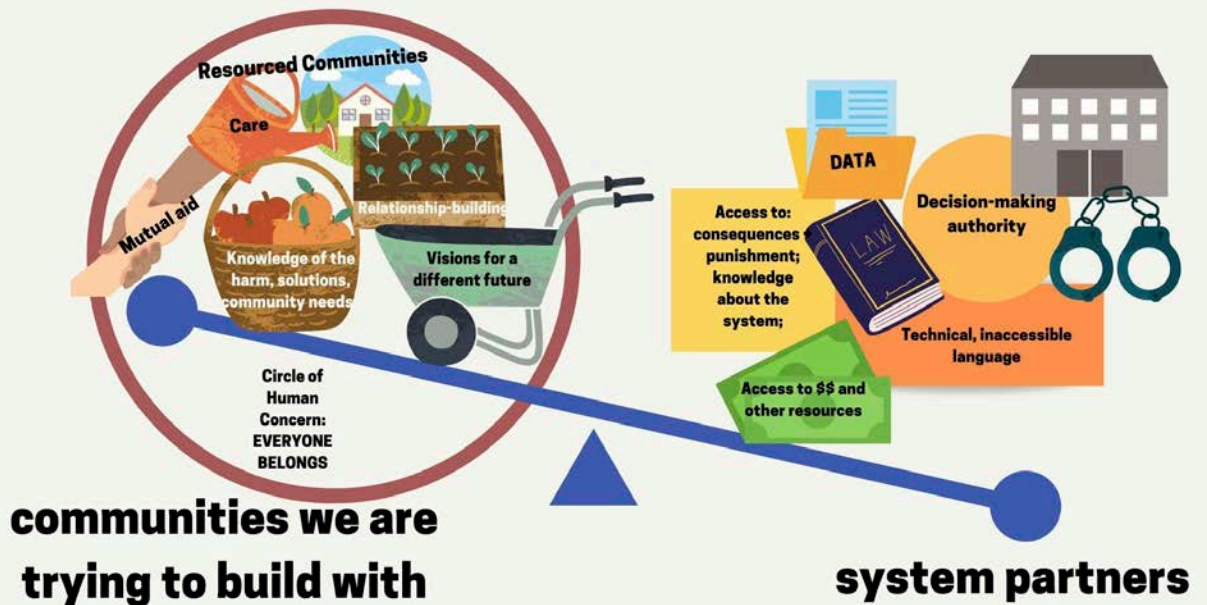
- Using an intersectional lens, acknowledging that to meet the needs of diverse communities we must see the full range of identities and backgrounds and how they interact.
- Leaning into movement lawyering principles, which recognizes that system actors have a wealth of knowledge and skills to navigate the complexities of the legal landscape, but that to truly transform systems and shift power, we need to center, build with, and be accountable to community-led BIPOC movements.

DESILING

By intentionally engaging with diverse stakeholders who are often left out from sharing perspectives, experiences, and ideas, the equity and justice community will be better able to move towards a more equitable and transformative outcome. The first phase of the plan includes intentional outreach and building relationships with community-based organizations, grassroots/movement-based collectives and organizers, impacted community-members, and other stakeholders. Specific action steps to break down the silos have not been identified yet as we need the critical input from the community to drive solutions. We will also invest in operationalizing the project with staff and other infrastructure to ensure that we are creating the adequate space for this work to thrive. We anticipate this project to last a few years and look forward to providing continual updates on progress.

As we address the barriers to justice that marginalized communities face, we must acknowledge that our legal system as historically hoarded decision-making power. This project to desilo the civil and criminal legal systems instead seeks to shift power back to impacted groups to identify solutions and build thriving communities.

REBALANCING POWER



Source: JustLead Washington

UNDOCUMENTED

Undocumented Community Needs Assessment Paves the Way to More Resources

In August 2020, the ATJ Board adopted the Delivery System Committee's (DSCo) [findings and recommendations on equitable legal aid access for undocumented communities](#). The first portion of findings focuses on the importance of increasing resources dedicated to serving undocumented communities. In 2021, the Committee and others successfully advocated for removing the provision in OCLA's statute that denied access to state-funded legal aid services on the basis of immigration status.

While the restriction was lifted, no money was appropriated to directly serve undocumented people. It is imperative to create mechanisms to ensure that services reach undocumented people by tracking data. We must ensure that funds are allocated to serve this community who continues to be overlooked. Funding is very much central to true access to justice.



To that end, in the summer of 2022, DSCo launched a needs assessment of the undocumented community in Yakima Valley, Washington. The assessment will include demographic and economic data, the availability of legal services, the legal and structural inequities that harm the undocumented community, and recommendations for addressing barriers. This needs assessment will be used to make the case for funding and increased resource during the 2023 legislative session and with other funders. ■

EJC

The Equal Justice Coalition Leads on Public Investments

The EJC is a committee of the ATJ Board that is managed and funded by LFW.

Its purpose is to advocate for public funding for civil legal aid. Staffed by the Legal Foundation of Washington's Communications and Advocacy Director, the EJC works with contract lobbyists as well as elected officials, Alliance for Equal Justice partners, and stakeholders.

**EQUAL
JUSTICE
COALITION**

STATE FUNDING UPDATE

Despite the limited nature of this year's 60-day supplemental session, Washington state legislators responded to significant civil justice needs by approving several key new investments.

The Legislature funded an increase of more than \$8 million for programs through the state Office of Civil Legal Aid, including for legal assistance around eviction prevention, the right to counsel in eviction proceedings, domestic violence, and civil relief related to the State v. Blake decision. Additional new funds for legal services include postconviction and reentry assistance and helping cover a shortfall after a federal cut to the Victims of Crime Act, which serves survivors of domestic violence and others through several legal aid programs and community organizations in Washington.



FEDERAL FUNDING

The EJC's traditional spring effort in support of maintaining and expanding federal Legal Services Corporation (LSC) funding did not take place in 2022 as LFW underwent a transition and Alexandra Deas assumed the Communications and Advocacy Director position at the beginning of June. Instead, César Torres, Executive Director of the Northwest Justice Project (the sole state recipient of LSC funding) will travel to D.C. in mid-September 2022 and meet with members of the Congressional delegation in conjunction with an LSC conference.

The EJC's 2021 report noted good prospects for the first significant LSC increase in many years after the House of Representatives followed President Biden's lead and approved a historic \$600 million LSC funding level (a 29% increase). However, the President's FFY-2022 Build Back Better budget blueprint faced severe headwinds, with final action delayed for 6 months (until March 2022, almost a month after the start of the war in Ukraine). In a highly unusual result, the final budget mark for LSC—\$489 million—fell even below the Senate budget approved amount of \$525 million (a 10% increase). This funding level fell far short of even conservative projections, resulting in NJP experiencing a significant federal funding shortfall.

For FFY-2023 the House of Representatives has approved \$675 million for LSC (President Biden's budget requested \$700 million). This is the largest amount ever included in a congressional appropriations bill for legal services. The Senate is on track to approve \$539 million (a 10% increase). Despite continued Congressional bipartisan support for LSC, and among the Washington delegation in particular, the prospects of even worse dysfunction surrounding the upcoming elections makes it impossible to predict an orderly adoption of FFY-2023 spending bills, much less to hazard any projections as the final budget mark for LSC. ■



PRO BONO

Pro Bono Council Year in Review

The mission of the Statewide Pro Bono Council is to further access to justice by supporting and advocating on behalf of the Volunteer Lawyer Programs (VLPs) in Washington state. Major efforts of the last year focused around bringing services back for in-person meetings, hearings, clinics, and events.

RETURN OF IN-PERSON SERVICES

Volunteer lawyer programs across the state spent the last year juggling a return to (new) normal with the realities of a legal system forever changed by COVID-19. Responding to client needs, VLPs reopened their doors at least part-time and restarted many of the in-person legal clinics and consultations that existed back in 2020.

While increased use of courtroom technology, like Zoom or remote hearings, continues to allow many clients to participate in their own cases more easily, those without access to fast internet or technology benefitted from a return to in-person options for hearings and appointments. Volunteer Lawyer Programs, as lean and nimble organizations, were able to provide support for clients in both situations. For example, Skagit Legal Aid revived the annual in-person “Skagit Law Day Clinic” for in-person advice, and most VLPs now offer a safe, private “Zoom room” space for clients without technology access to use during virtual hearings and consultations.

INCREASED INVESTMENT IN NATIVE COMMUNITIES

Pro Bono Council and volunteer lawyer programs spent the last year renewing our commitments to serve native communities and fostering relationships with tribal governments and organizations. Some programs, like Cowlitz-Wahkiakum Legal Aid, increased dedicated staffing for outreach and support of Native Community neighbors. Some programs expanded partnerships with local Tribal courts, like Skagit Legal Aid who hosted a Swinomish Tribal Court CLE event that culminated in the swearing-in of more than 25 new Swinomish Tribal Bar members.



“CWLA’s amazing staff is connecting and learning more about serving the everyday civil legal needs of tribal members with a legal clinic offered regularly at the Administrative Offices of the Cowlitz Tribe. Funding for our general operation is supporting this focused, culturally sensitive work and allows us to offer this program led by staff from the native community.”

**Lori Bashor-Sarancik,
Executive Director of
Cowlitz Wahkiakum Legal Aid**

PRO BONO

RECOGNITION FOR (A LIFETIME OF) GOOD WORK DONE!

This year, longtime PBC Member and volunteer lawyer program board member Gail Smith received the WSBA APEX Lifetime Service Award. This special award is given for a lifetime of service to the legal community and the public. Gail has served on the board of LAW Advocates in Whatcom County, and on the board of Skagit Legal Aid. He is also an inaugural member of the Washington Pro Bono Council. Congratulations, Gail!

DEMENTIA ADVANCED LEGAL PLANNING

This year, the Pro Bono Council launched a new, statewide program to provide free legal assistance to those in need of advanced legal planning documents to plan for the progression of dementia. In partnership with the Washington Dementia Action Collaborative and DSHS, Pro Bono Council staffing increased to operate the new program. Now anyone over the age of 60, anyone with a family history of dementia, or anyone living with dementia of any age can obtain free legal support for dementia legal planning (power of attorney and advanced directive documents). ■

SERVICE NUMBERS

40,131 hours	attorney services provided to low-income clients, including thousands of staff attorney hours through the state eviction “right to counsel” program
15,382 clients	received no cost legal services
17,910 hours	in volunteer attorney work provided
2,722 clients	received direct representation (500 more than last year!)

PRO BONO



Swinomish Attorneys, Skagit Legal Aid Director, and representative of the National Native American Law Students Association at a well-attended Tribal Law CLE that concluded with the swearing in of more than 25 new Swinomish Tribal Bar members.



Cowlitz Wahkiakum Legal Aid director Lori Bashor-Sarancik and PBC Manager Michael Terasaki present at a well-attended community education event about guardianships, conservatorships, and dementia advanced legal planning.

PRO BONO



ELAP staff attorney Dorothy Leggett, Health Center Business Director at Healthpoint's Midway Clinic, Magdalena (Magda) Herrera de Leonis, and ATJ Board Member Esperanza Borboa at the 2022 "Breakfast for Justice" in Bellevue, Washington.



Clark County Volunteer Lawyers Program Volunteer Manager Mia Demay and Survivor Support Program Manager Colin Newton table at the "Pride in the Park" event in Vancouver, Washington.

RULES

Rules Committee Overview

In 2022, the Access to Justice Board Rules Committee continued to thoroughly consider and provide input concerning court rules that potentially create and reduce barriers to accessing the civil and foster care legal systems. For example, the Board wrote in support of amendments to Code of Judicial Conduct Rules 2.2 and 2.6, designed to assist judicial officers in better understanding how they can work with unrepresented litigants. Relatedly, the Rules Committee once again wrote in support of General Rule 40, relating to informal family law trials, emphasizing that the findings of the 2015 Civil Legal Needs Study Update concerning the pressing needs of unrepresented family law litigants support doing more to serve litigants in that area of law.

Also in judicial ethics, the Board wrote in support of amending Code of Judicial Conduct Rule 2.3, making express the requirement that judicial officers not mistreat individuals on account of their gender identity and gender expression.

Significantly, the Rules Committee wrote a lengthy comment expressing the Board's views on proposed amendments to Civil Rule 39 relating to remote trial proceedings and proposed new General Rule 41 relating to remote jury selection. While neither supporting nor opposing the proposed amendments and new rule, the Rules Committee urged consideration of the potential impact of the rules on historically marginalized communities, along with several other important access considerations. ■



LEADERSHIP

2021-2022 ATJ Board Members

Francis Adewale, *Chair*

Esperanza Borboa

Michael Chin

Hon. Frederick P. Corbit

Hon. David S. Keenan

Lindy Laurence

Michelle Lucas

Salvador A. Mungia

Mirya Muñoz-Roach

Terry J. Price, *Chair-Elect*

STAFF

Diana Singleton

Chief Equity and Justice Officer

Bonnie M. Sterken

Equity and Justice Specialist

ACKNOWLEDGEMENTS

The Access to Justice Board would not be able to accomplish its work without the dedication and support of its many committee volunteers. The Board is grateful to the support and guidance of its standing committees over the past year.

COMMITTEES AND CHAIRS

Access to Justice Conference Planning Committee:

Jenae Ball and Esperanza Borboa

Delivery System Committee:

Michael Terasaki, Francis Adewale and Esperanza Borboa

Equal Justice Coalition:

Kara Masters

Pro Bono Council:

Eloise Barshes and Elizabeth Fitzgearld

Rules Committee:

Hon. David Keenan and Chris Durban

Technology Committee:

Terry Price and Stephen Seely

Access to Justice Board*Provided by WSBA Staff**Dated December 15, 2022***FY22 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (*), demographic information was provided voluntarily, and individuals had the option to not respond to any or all of the factors below.

Disability	No	90%
	Yes	0%
	Chose Not to Respond	10%
District*	5	10%
	6	10%
	7N	10%
	7S	10%
	9	30%
	Unknown	30%
	Ethnicity	Asian – East Asian
	Asian – Southeast Asian	20%
	Black, African American, or African Descent	10%
	White or European Descent	40%
	Multi Racial or Biracial	10%
	Hispanic or Latino/a or Latinx	10%
	Chose Not to Respond	0%
Gender	Female	50%
	Male	40%
	Chose Not to Respond	10%
Sexual Orientation	Heterosexual	40%
	No	10%
	Gay, Lesbian, Bisexual, Pansexual or Queer	30%
	Chose Not to Respond	20%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you open identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

WASHINGTON STATE BAR ASSOCIATION

WSBA ENTITY ANNUAL REPORT

FY 2022: October 1, 2021 – September 30, 2022

The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.

Instructions: In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boardsⁱ), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2021 – September 30, 2022. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

Name of Entity:	Board of Bar Examiners (BOBE)
Chair or Co-Chairs:	Bruce Turcott, Chair; Cathy Helman, Vice Chair
Staff Liaison: <i>(include name, job title, and department if known)</i>	Ramana Pendyala, Admissions Manager
Board of Governors Liaison:	Matthew Dresden
Purpose of Entity: <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
<p>The Board of Bar Examiners (BOBE) has two purposes: it grades the Multistate Essay Examination (MEE) and Multistate Performance Test (MPT) portions of the Uniform Bar Exam (UBE), and it produces the content for the Washington Law Component (WLC) test. The Board has no oversight over LLLT and/or LPO exams.</p> <p>The BOBE’s authority stems from the Admission and Practice Rules (APR) adopted by the Washington Supreme Court. APR 2(a)(1), 4(a), 4(d).</p>	
Strategy to Fulfill Purpose:	
<p>The grading of the MEE and MPT is typically completed over the course of one long weekend (in March and August, respectively, for the winter and summer exams). Grading has been remote for the past two years (except for March 2022) but occurred in Seattle when it was in person. The winter exam requires a total of 10 examiners and the summer exam requires a total of 18 examiners. Prior to grading any exams, each examiner must attend the mandatory scheduled NCBE grading workshop, either in person, by teleconference, or by reviewing the conference video. The WLC test is reviewed and updated by members of the BOBE every other year. Currently the Board members are reviewing</p>	

the WLC materials. BOBE leadership, working with bar staff, aims to maintain a sufficient pool of trained bar examiners to fairly and efficiently grade the essay portions of the winter and summer bar exams and update the WLC test to reflect current law.

How does the entity's purpose help further the mission of the WSBA "to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice"?

The BOBE facilitates and ensures accurate grading of the essay portions of the Uniform Bar Exam for the purpose of admission to practice law, to serve the bar, the public, and test takers.

2021 -2022 Entity Accomplishments:

BOBE members graded the winter 2022 exam in person at the WSBA office and summer 2022 bar exam remotely. Grading was completed accurately and on time for both exams. BOBE leadership solicited feedback from examiners on grading software and remote vs. in-person grading. A few graders were happy grading remotely as they thought it saved them time. One grader thought that an increase in stipend may attract new graders. Two of our newly appointed graders have graded exams in other jurisdictions in the past. The graders past experience in a different jurisdiction is an added asset to the Board. In June of this year, the BOBE added 3 new members to the group and has recommended 2 more members to be nominated to the committee.

Looking Ahead: 2022-2023 Top Goals & Priorities:

- | | |
|----------|---|
| 1 | Recruit 10-15 bar examiners and conduct training for new graders and provide refresher training for all graders |
| 2 | Continue to improve online grading software features for graders |
| 3 | In-person grading for winter and summer 2023 exams |
| 4 | Review and update the Washington Law Component as necessary |
| 5 | Assign graders to grade the winter and summer bar exams in 2023 |

Please describe how this entity is addressing diversity, equity, and inclusion:

How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?

WSBA DEI team conducted training to all the examiners (returning and new). Increasing the diversity of graders is a top goal and priority for the Board in 2022-2023.

Please share feedback regarding the support and engagement provided by WSBA.

For example:

- *Quality of WSBA staff support/services, including technology solutions*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

(1) The BOG Liaison and Staff Liaison have been working on recruitment efforts along with the Chair and Vice Chair. APR 2(a)(1) requires that only active members of WSBA be appointed to the Board. We are requesting a rule change to allow attorneys with judicial status to join BOBE. The current Vice Chair was on judicial status and had to return to active status to remain on the Board. It has been a challenge to recruit active attorney members to the Board. (2) The BOBE would appreciate any assistance WSBA can give with recruitment of new members, especially diverse members, to join BOBE and serve as graders. (3) The current stipend, unchanged since the UBE was adopted, should be increased to assist with recruitment and retention of members.

**Entity Detail & Demographics Report:
To Be Completed by WSBA Staff**

Size of Entity:	50 max.
Number of Applicants for FY23: <i>(October 1, 2022 – September 30, 2023)</i>	15
Number of current volunteer vacancies for this entity:	10 (desired)
Direct Expenses*:	\$23,000
Indirect Expenses:	9,948

**Does not include stipends for work performed by committee members for the bar exam.*

FY22 Demographics:

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

Disability	No	86%
	Yes	11%
	Chose Not to Respond	3%
District*	0	4%
	1	4%
	2	4%
	4	4%
	5	20%
	6	14%
	7N	14%
	7S	11%
	8	7%
	9	4%
	10	14%
Ethnicity	Asian – Southeast Asian	7%
	White or European Descent	86%

	Hispanic or Latino/a or Latinx	4%
	Chose Not to Respond	3%
Gender	Female	43%
	Male	54%
	Chose Not to Respond	3%
Sexual Orientation	Gay, Lesbian, Bisexual, Pansexual, or Queer	11%
	Heterosexual	71%
	No	4%
	Chose Not to Respond	4%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

ⁱ Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

WASHINGTON STATE BAR ASSOCIATION

WSBA ENTITY ANNUAL REPORT

FY 2022: October 1, 2021 – September 30, 2022

The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.

Instructions: In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boardsⁱ), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2021 – September 30, 2022. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

Name of Entity:	Character and Fitness Board (CFB)
Chair or Co-Chairs:	Michael A. Morguess
Staff Liaison: <i>(include name, job title, and department if known)</i>	Lisa Amatangel, Associate Director, OGC
Board of Governors Liaison:	Bryn Peterson
Purpose of Entity: <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Character and Fitness Board (CFB) derives its authority from the Washington Supreme Court under APR 20 - 25.6, most recently amended in 2016. The CFB conducts hearings upon referral from Regulatory Services Counsel to determine: (1) if applicants to take the Bar Examination (or waiving in from another jurisdiction or transferring their UBE score; or members seeking to transfer from inactive to active) have demonstrated current good moral character and fitness to be admitted or re-admitted to the practice of law, or (2) have met the requirements to be reinstated after disbarment.	
Strategy to Fulfill Purpose:	
Upon referral from Bar Counsel after review of application materials and supplemental information, the CFB conducts hearings, prepares written findings, and makes recommendations to the Washington Supreme Court (who makes the final decision on all admission/licensing recommendations). By conducting hearings, observing and questioning witnesses, and reviewing voluminous materials, the CFB assesses the credibility of applicants and witnesses and thus serves as a critical fact-finding body on behalf of the Supreme Court. The CFB meets as frequently as necessary, generally meeting one day a month for hearings. Hearings are generally scheduled to last one-half to one day, and the CFB may complete up to two hearings in one meeting.	

October 1, 2021 – September 30, 2022 (FY22)

How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?

The public, members of the Bar, and the integrity of the legal profession are directly impacted by the character and fitness of persons admitted to the practice of law in this state. Attempting to ensure applicants are of current good moral character and have the fitness to practice law serves a direct public protection function to the benefit of the public, the members of the Bar, and the legal profession as a whole. By Court rule, the CFB has three public members that serve on it. The CFB’s public members have an active role in the hearings and deliberations and assist with written findings and recommendations. Their input and participation are invaluable.

2021 -2022 Entity Accomplishments:

Goal 1 : Continue to conduct hearings as necessary, completing all written findings and recommendations in a timely fashion. Accomplishment: The Board convened for annual orientation and implicit bias training and attended to all scheduled hearings (two in this fiscal year). Goal 2: Learn and recognize the additional functions provided by the new online application system when that system is functional, in order to understand how that affects an applicant’s ability to provide accurate and up-to-date information in their applications. Accomplishment: The CFB received training on the new online application system. Goal 3: Provide diversity training at the first CFB meeting, for consideration and reference when conducting all hearings during the year. Accomplishment: This was successfully completed during the first CFB meeting.

Looking Ahead: 2022-2023 Top Goals & Priorities:

1	Continue to conduct hearings as necessary, completing all written findings and recommendations in a timely fashion.
2	Continue to conduct hearings as necessary, completing all written findings and recommendations in a timely fashion.
3	Continue recruiting efforts to fill open positions.
4	Assess/manage a return to in-person/hybrid hearings.
5	Click or tap here to enter text.

Please describe how this entity is addressing diversity, equity, and inclusion:

How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?

The CFB’s makeup is governed by Court rule (APR 23(a)). The members of the CFB come from each congressional district, a wide variety of practice areas and settings, and a variety of ethnic, racial, gender, sexual orientation, disability, and other diversity factors, and therefore represent broad geographic, practice, and experiential diversity. The Board also includes community representatives and it can include additional members from each Congressional district (which occurs sometimes in order to include additional members from historically underrepresented backgrounds). The Chair encourages discussion and invites input from all members, and the CFB works cooperatively, even

when there are significant disagreements in particular cases; diversity of viewpoints is paramount to the deliberative process.

Please share feedback regarding the support and engagement provided by WSBA.

For example:

- *Quality of WSBA staff support/services, including technology solutions*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

WSBA counsel and paralegal have been very professional and responsive to concerns of the Board and ensure that it operates effectively and efficiently. Continued support from WSBA volunteer coordinators and staff is necessary for recruitment

**Entity Detail & Demographics Report:
To Be Completed by WSBA Staff**

Size of Entity:	13
Number of Applicants for FY23 <i>(October 1, 2021 – September 30, 2022)</i>	9
Number of current volunteer vacancies for this entity:	2
Direct Expenses:	\$10,000
Indirect Expenses:	\$136,858

FY22 Demographics:

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

Disability	No	80%
	Yes	10%
	Chose Not to Respond	10%
District*	1	10%
	2	10%
	4	10%
	5	10%
	6	10%
	7S	10%
	10	10%
	Ethnicity	Asian – East Asian
White or European Descent		90%
Gender	Female	50%
	Male	50%

Sexual Orientation	Gay, Lesbian, Bisexual, Pansexual, or Queer	10%
	Heterosexual	70%
	Chose Not to Respond	20%

ⁱ Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

WASHINGTON STATE BAR ASSOCIATION

WSBA ENTITY ANNUAL REPORT

FY 2022: October 1, 2021 – September 30, 2022

The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.

Instructions: In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boardsⁱ), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2021 – September 30, 2022. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

Name of Entity:	Client Protection Board
Chair:	Carrie Umland
Staff Liaison: <i>(include name, job title, and department if known)</i>	Nicole Gustine, Assistant General Counsel, OGC Brenda Jackson, Client Protection Fund Analyst, OGC
Board of Governors Liaison:	Carla Higginson
Purpose of Entity: <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Client Protection Board derives its authority from Admission and Practice Rules (APR) 15. The WSBA Board of Governors (BOG) serve as trustees of the Fund, while the CP Board, working with WSBA staff, administers it. The Washington Supreme Court has ordered an annual assessment on all active lawyer and LLLT members, to be held in trust for the purposes of the fund. The CP Board helps relieve or mitigate pecuniary losses sustained by clients by reason of the dishonesty of, or failure to account for money or property entrusted to, their lawyers. The CP Board reviews fund applications investigated by WSBA staff. Under APR 15, a decision by the CP Board to make a payment on an application for \$25,000 or less is final; a decision on an application for above \$25,000 is a recommendation and must be approved by the BOG.	
Strategy to Fulfill Purpose:	
The CP Board has a staff analyst and counsel/liaison in the WSBA Office of General Counsel. The CP Board meets four times per year to review applications. In accordance with APR 15, the CP Board provides a detailed report to the BOG and the Washington Supreme Court annually.	
How does the entity's purpose help further the mission of the WSBA "to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice"?	

October 1, 2021 – September 30, 2022 (FY22)

The CP Board serves the public and members of the Bar by righting the wrongs of members of the legal profession who dishonestly deprive clients of their funds. The CP Board promotes public confidence in the administration of justice and the integrity of the legal profession. Relieving or mitigating the pecuniary loss of injured members of the public often has a deep impact on their lives, and their view of the legal profession.

2021 -2022 Entity Accomplishments:

Educating WSBA members about the CP Board. 2) Increasing public awareness of the CP Board. 3) Continuing to operate a fiscally responsible fund. 4) Continuing to work to decide difficult claims.

Looking Ahead: 2022-2023 Top Goals & Priorities:

- | | |
|----------|---|
| 1 | Continue to educate WSBA members about the Client Protection Board. |
| 2 | Increase public awareness of the Client Protection Board and uses of the fund. |
| 3 | Continue to operate a fiscally responsible fund. |
| 4 | Continue to work to decide difficult claims. |
| 5 | Attract applicants from a diverse array of lawyer and public members for positions on the CP Board. |

Please describe how this entity is addressing diversity, equity, and inclusion:

How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?

1. The CP Board is not using specific tools; however it is cognizant of diversity and prioritizes it.
2. The CP Board actively recruits members from different backgrounds and areas of the state. It includes members who work in government, solo practice and in larger firms, as well as two community members.
3. The CP Board respects the voice and vote of each member. Each application is discussed extensively before a vote is taken. The CP Board consists of eleven lawyers and two community members. It currently has a diverse membership.

Please share feedback regarding the support and engagement provided by WSBA.

For example:

- *Quality of WSBA staff support/services, including technology solutions*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

CP Board applications are prepared by the WSBA analyst who also attends meetings. BOG liaison attends meetings regularly. The BOG can continue to strengthen and support the CP Board by assisting in the promotion of diverse candidates to the CP Board and by maintaining assessments at a level that allows the fund to have a healthy balance so as to make all deserving qualifying gifts.

**Entity Detail & Demographics Report:
To Be Completed by WSBA Staff**

Size of Entity:	13: 11 lawyers, 2 public members
Number of Applicants for FY23 <i>(October 1, 2022 – September 30, 2023)</i>	6
Number of current volunteer vacancies for this entity:	2
Direct Expenses:	\$1,500
Indirect Expenses:	\$155,750

FY22 Demographics:

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

Disability	No	91%
	Chose Not to Respond	9%
District*	2	9%
	6	9%
	7S	18%
	8	9%
	9	27%
	Unknown	28%
Ethnicity	Black, African American or African Descent	9%
	Hispanic or Latino/a or Latinx	9%
	White or European Descent	55%
	Multi Racial or Bi Racial	18%
	Chose Not to Respond	9%
Gender	Female	55%
	Male	36%
	Chose Not to Respond	9%
Sexual Orientation	Gay, Lesbian, Bisexual, Pansexual, or Queer	18%
	Heterosexual	55%
	Chose Not to Respond	27%

ⁱ Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

WASHINGTON STATE BAR ASSOCIATION

WSBA ENTITY ANNUAL REPORT

FY 2022: October 1, 2021 – September 30, 2022

The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.

Instructions: In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boardsⁱ), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2021 – September 30, 2022. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

Name of Entity:	Committee on Professional Ethics
Chair or Co-Chairs:	Pamela H. Anderson
Staff Liaison: <i>(include name, job title, and department if known)</i>	Jeanne Marie Clavere, Senior Professional Responsibility Counsel; Sandra Schilling, Professional Responsibility Counsel
Board of Governors Liaison:	Brett Purtzer
Purpose of Entity: <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Committee on Professional Ethics (CPE) prepares advisory opinions addressing recurring or emerging ethics issues facing WSBA members. The advisory opinions cover a broad context and provide in-depth guidance on the Rules of Professional Conduct (RPC) as applied to a wide variety of practice areas. The CPE also prepares recommendations for amendments to the RPC and reports to the WSBA Board of Governors when requested regarding stakeholder proposed RPC and GR amendments submitted to the Supreme Court.	
Strategy to Fulfill Purpose:	
The CPE promulgates advisory opinions and reviews, drafts, and edits amendments to the RPC for submission to the Board of Governors. The work of the CPE is done primarily by subcommittees who research and develop drafts in on specific topics. The advisory opinions are provided to the Board of Governors (BOG) for information and posted on the WSBA Advisory Opinions database for the benefit of the membership. The CPE provides reports and recommendations regarding the RPC to the BOG as requested.	
How does the entity's purpose help further the mission of the WSBA "to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice"?	

October 1, 2021 – September 30, 2022 (FY22)

Lawyers practicing ethically enhance the public image of our noble profession resulting in increased public trust. Understanding clearly articulated advisory opinions and rules of professional conduct empower the lawyer to deal competently, confidently, and honestly with peers and the public. Through its analysis and recommendations, the CPE assists the BOG in making proposals for rule amendments that promote access to justice for underserved communities withing Washington State.

2021 -2022 Entity Accomplishments:

Review of suggested amendments brought by the Identifying Biased or Non-Inclusive Language in Court Rules Project and also amendments suggested by QLaw with comment periods that ended on April 30, 2022; promulgation and publication of an advisory opinion regarding the issue of Reply All email responses to opposing counsel with opposing party included; promulgation and publication of an advisory opinion regarding new RPC 1.4(c) Washington’s mandatory insurance disclosure requirement; submission to the BOG and approval for submission to the WSSC regarding amendments to RPC 1.8(e) financial aid exception for indigent clients due to the impact of the COVID 19 pandemic – the proposed amendments will be published with a comment period to the end of April, 2023; research, outreach and recommendation to the BOG regarding work with the LFW for their presentation of a proposed amended rule regarding RPC 1.15A Lawyer’s unidentified trust account funds;

Looking Ahead: 2022-2023 Top Goals & Priorities:

1	Continue work on an advisory opinion regarding remote work by Washington lawyers and multi-jurisdictional issues.
2	Continue work on possible proposed amendments regarding lawyer referral services and fee sharing (RPC 7.2 now 7.3, 1.5(e) and 5.4.
3	Continue work on an advisory opinion from a request by legal aid organizations regarding requests by funding agencies for data on clients. The CPE is conducting an extensive outreach to stakeholders.
4	Continue work on an advisory opinion similar to ABA Formal Opinion 500 when an attorney is challenged to effectively communicate and represent their client because of language barriers.
5	Continue to receive and consider requests for advisory opinions from bar members. Handle and respond to requests from the BOG, the Executive Director, and other entities requesting review and analysis of proposed RPC amendments.

Please describe how this entity is addressing diversity, equity, and inclusion:

How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?

The committee actively seeks input from interested stakeholders and bar members on proposed rule changes or draft opinions. Five out of nine members are women and two come from diverse backgrounds. Each member brings a unique and valuable perspective to the discussions and work of the committee through practice area and years of experience, professional positions and geographic diversity. Through its advisory opinions and analysis of the Rules of Professional Conduct, the CPE

assists members of all backgrounds in clarifying their ethical duties under the rules, thereby helping them to maintain their practices and thrive in the profession.

Please share feedback regarding the support and engagement provided by WSBA.

For example:

- *Quality of WSBA staff support/services, including technology solutions*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

The CPE is supported by the Senior Professional Responsibility Counsel and the Professional Responsibility Counsel in the Advancement Department. As staff liaisons both PRCs advise the committee on policy and procedural issues, participate in discussions to provide additional insights and perspectives as needed, and bring forward broad ethics topics and issues that are trending with the membership to the committee’s attention for possible advisory opinions. Both PRCs provide administrative support to the CPE. The BOG liaison did not attend committee meetings during the last fiscal year; however, he is available to assist the committee with BOG matters.

**Entity Detail & Demographics Report:
To Be Completed by WSBA Staff**

Size of Entity:	9
Number of Applicants for FY23: <i>(October 1, 2022 – September 30, 2023)</i>	9
Number of current volunteer vacancies for this entity:	0
Direct Expenses:	\$3,723
Indirect Expenses:	\$52,746

FY22 Demographics:

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (*), demographic information was provided voluntarily, and individuals had the option to not respond to any or all of the factors below.

Disability	No	100%
District*	1	11%
	6	11%
	7N	22%
	7S	22%
	10	22%
	Unknown	12%
Ethnicity	Asian – Central Asian	11%
	Asian – East Asian	11%
	White or European Descent	78%
Gender	Female	56%

	Male	44%
Sexual Orientation	Heterosexual	78%
	Chose Not to Respond	22%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

ⁱ Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

WASHINGTON STATE BAR ASSOCIATION

WSBA ENTITY ANNUAL REPORT

FY 2022: October 1, 2021 – September 30, 2022

The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.

Instructions: In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boardsⁱ), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2021 – September 30, 2022. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

Name of Entity:	Council on Public Defense
Chair or Co-Chairs:	Travis Stearns, Chair; Jason Schwarz, Vice-Chair
Staff Liaison: <i>(include name, job title, and department if known)</i>	Bonnie Sterken, Equity and Justice Specialist, EJD
Board of Governors Liaison:	Brett Purtzer
Purpose of Entity: <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Council on Public Defense (CPD) was established in 2004 to implement recommendations of the Washington State Bar Association (WSBA) Blue Ribbon Panel on Criminal Defense for maintaining and improving constitutionally effective public defense services in Washington. The WSBA Board of Governors (BOG), finding that the CPD provided a unique and valuable forum for bringing together representatives across the criminal justice system, subsequently established the CPD.	
Strategy to Fulfill Purpose:	
The CPD unites members of the public and private defense bar, the bench, elected officials, prosecutors, and the public to address new and recurring issues impacting public defenders, the public defense system and the public that depends upon it. The CPD, after review of its Charter obligations, has recently been working on issues in which it has the expertise to provide assistance to public defenders, including addressing the impact of Covid-19 on public defense delivery and workloads, revising the Standards for Indigent Defense to address workload limits, and race equity within the CPD and in public defense statewide.	
How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?	

October 1, 2021 – September 30, 2022 (FY22)

The Council on Public Defense serves the public and champions justice. Our efforts raise the standards for public defense Statewide.

2021 -2022 Entity Accomplishments:

Supported the Office of Public Defense’s budget request; Submitted comments to proposed new GR 41 and amendments to CR 39 regarding virtual proceedings; The Standards Committee continued to make progress on evaluating open caseload limits and the definition of fully supported caseloads; Published three statements to help defenders talk to their funders about their workload situation and how it can be addressed; Held a training on bias, stereotyping and microaggressions; Sponsored viewing of Who We Are and panel discussion

Looking Ahead: 2022-2023 Top Goals & Priorities:

- | | |
|----------|---|
| 1 | Implement the work plan developed by the Race Equity Committee, which includes increase diversity, equity and inclusion with the CPD and addressing race equity in public defense services. |
| 2 | Propose updates to the Standards for Indigent Defense regarding open caseload limits and the definition of fully supported caseloads. |
| 3 | Support efforts to secure adequate levels of public defense funding, in collaboration with the Office of Public Defense. |
| 4 | Provide education around the implementation of the new GR 42 Independence of Public Defense Services that will become effective January 1, 2023. |
| 5 | Launch a new Conflict Counsel Committee to evaluation and make recommendations regarding conflict counsel pay structures. |

Please describe how this entity is addressing diversity, equity, and inclusion:

How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?

The CPD launched a Race Equity Committee which has been charged with addressing internal DEI issues and race equity statewide in public defense. The Committee has reviewed the CPD’s recruitment practices and other guiding documents for areas that need to be revised. The overall diversity of the CPD has been intentionally growing and we will continue to work on ensuring that the meetings are inclusive. The Race Equity Committee also facilitated a training recently on bias, stereotypes, microaggression, and their impacts on legal systems. Over the next year the Race Equity Committee plans to learn more about the experiences of BIPOC and marginalized folks working in public defense and learn how to better support them. In September the CPD partnered with the WSBA DEI Council to sponsor a viewing of the film “Who We Are: A Chronicle of Racism in America” followed by a panel discussion.

Please share feedback regarding the support and engagement provided by WSBA .

For example:

- *Quality of WSBA staff support/services, including technology solutions*
- *Involvement with Board of Governors, including assigned BOG liaison*

- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

The Council is lucky to have Bonnie Sterken. The Council and its numerous committees meet frequently, and Bonnie is great at communicating with and coordinating meetings, agendas, minutes, and schedules. The Council can thank a lot of our success on Bonnie's knowledge of WSBA procedures and deadlines along with her insights into BOG practices. Bonnie has been helpful in recruiting and selecting a more inclusive list of new CPD members. The Council recently requested the equivalent of an additional .5 FTE as we address how the national indigent defense standards should be implemented through court rule in Washington, which we are doing at the request of the Court. This additional staff support would be applied to developing a public education and community outreach program, with a thoughtful media strategy, as well as substantive support throughout the drafting process. We look forward to collaborating with the Communications Department and Office of General Counsel on this staffing request. The Council appreciates the BOG's continued support of our work to build on our standards work and produce real change for public defense providers and their clients.

**Entity Detail & Demographics Report:
To Be Completed by WSBA Staff**

Size of Entity:	23 voting members and up to 5 emeritus members
Number of Applicants for FY23 <i>(October 1, 2022 – September 30, 2023)</i>	13
Number of current volunteer vacancies for this entity:	0
Direct Expenses:	\$6,000
Indirect Expenses:	\$16,436

FY22 Demographics:

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

Disability	No	42%
	Chose Not to Respond	58%
District*	1	5%
	2	5%
	3	10%
	4	10%
	5	10%
	6	5%
	7N	16%
	7S	16%
	9	10%
	10	5%

	Unknown	8%
Ethnicity	American Indian	5%
	Asian – South Asian	5%
	Asian – Southeast Asian	5%
	Black, African American, or African Descent	10%
	White or European Descent	26%
	Middle Eastern Descent	5%
	Chose Not to Respond	44%
Gender	Female	10%
	Male	37%
	Chose Not to Respond	63%
Sexual Orientation	Heterosexual	42%
	Chose Not to Respond	58%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

ⁱ Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

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It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

Name of Entity:	CLE Committee
Chair or Co-Chairs:	Sharon Glenn
Staff Liaison: <i>(include name, job title, and department if known)</i>	Shanthi Raghu, Education Programs Manager, Advancement Department
Board of Governors Liaison:	Serena Sayani
Purpose of Entity: <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The purpose of the Continuing Legal Education (CLE) Committee is to support the Washington State Bar Association's (WSBA) development of continuing legal educational programming that ensures competent and qualified legal professionals, supports member transitions throughout the life of their practice, and helps to prepare members for the future with skills required for the 21st century practice of law.	
Strategy to Fulfill Purpose:	
The CLE Committee provides input to the WSBA CLE Team in fulfilling its mission of serving the ongoing education needs of Washington legal professionals and works actively with the WSBA CLE Team to brainstorm ideas for new CLE content and assist in identifying qualified speakers and chairs	
How does the entity's purpose help further the mission of the WSBA "to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice"?	
The CLE Committee continues to address the mission of the WSBA by supporting the development of timely and relevant legal education. Content developed by WSBA CLE promotes both professional and personal development - in turn aiding in ensuring the integrity of the legal profession.	

October 1, 2021 – September 30, 2022 (FY22)

2021 -2022 Entity Accomplishments:	
Developed several new programs for the WSBA CLE including The Future of Finance, and Contracts	
Looking Ahead: 2022-2023 Top Goals & Priorities:	
1	identify new areas of programming for WSBA presents CLE programs
2	identify new speakers and chairs
3	recruit additional Committee Members
4	Click or tap here to enter text.
5	Click or tap here to enter text.
Please describe how this entity is addressing diversity, equity, and inclusion: <i>How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?</i>	
The CLE Committee itself is comprised of several members from diverse backgrounds. This year, intentional effort was made to recruit new Committee members from local and county bars, as well as MBAs. The CLE Committee encourages WSBA CLE staff to engage with a wide range of stakeholders in program development. Additionally, the CLE Committee is committed to helping the WSBA CLE staff provide programming to Bar members on the topic of equity, inclusion and the mitigation of bias, including offering free CLEs on this topic.	
Please share feedback regarding the support and engagement provided by WSBA. <i>For example:</i>	
<ul style="list-style-type: none"> • <i>Quality of WSBA staff support/services, including technology solutions</i> • <i>Involvement with Board of Governors, including assigned BOG liaison</i> • <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i> 	
The WSBA CLE Staff is often invited to attend CLE Committee meetings. This year, Chair Sharon Glenn met with the Board of Governors at their September 2022 meeting to report and share some of the accomplishments and challenges of this past year.	
Entity Detail & Demographics Report: <i>To Be Completed by WSBA Staff</i>	
Size of Entity:	18
Number of Applicants for FY23: <i>(October 1, 2022 – September 30, 2023)</i>	3
Number of current volunteer vacancies for this entity:	12

Direct Expenses:	\$150	
Indirect Expenses:	\$12,075	
FY22 Demographics:		
The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.		
Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.		
Disability	No	100%
District*	3	17%
	6	17%
	7N	33%
	7S	17%
Ethnicity	White or European Descent	83%
	Multi Racial or Bi Racial	17%
Gender	Female	50%
	Male	50%
Sexual Orientation	Gay, Lesbian, Bisexual, Pansexual, or Queer	17%
	Heterosexual	67%
	Chose Not to Respond	16%

¹ Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

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It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

Name of Entity:	Court Rules and Procedures Committee
Chair:	Paul Crisalli
Staff Liaison: <i>(include name, job title, and department if known)</i>	Nicole Gustine, Assistant General Counsel Kyla Jones, Paralegal II, OGC
Board of Governors Liaison:	Lauren Boyd
Purpose of Entity: <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Court Rules and Procedure Committee (Committee) studies and develops suggested amendments to designated sets of Washington court rules on a regular cycle of review established by the Washington State Supreme Court. It occasionally responds to requests for comment from the Supreme Court on proposals developed by others. The Committee performs the rules-study function outlined in General Rule 9 and reports its recommendations to the BOG.	
Strategy to Fulfill Purpose:	
The Committee consists of several subcommittees that review the court rules and obtain input from stakeholders as to possible amendments. Evolution in case law, changes in statutes, or other new developments since last amendment drive amendments to rules. The subcommittees vet, draft, and discuss proposed amendments and submit them to the full Committee for discussion and approval. Proposed amendments approved by the Committee are forwarded to the BOG for approval. If the BOG approves, the proposed amendments are forwarded to the Supreme Court in accordance with General Rule 9.	

How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?

The legal profession and the public depend on a legal system which is accessible, and which renders consistent and just results. Such a system requires court rules which are clearly understandable, internally consistent, and which function as their drafters intended. The Committee ensures our court rules are clear, consistent, and functioning through periodic review of standing rules, and review of proposed rules as directed by the BOG.

2021 -2022 Entity Accomplishments:

The committee continues to carefully vet new proposals. In 2021-2022 the Committee reviewed the Criminal Rules for Superior Courts (CrR) and the Criminal Rules for Courts of Limited Jurisdiction (CrRLJ).

Looking Ahead: 2022-2023 Top Goals & Priorities:

- | | |
|---|---|
| 1 | According to the schedule for review, the Evidence Rules and Infraction Rules for Courts of Limited Jurisdiction will be reviewed in 2022-2023. |
| 2 | Click or tap here to enter text. |
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| 4 | Click or tap here to enter text. |
| 5 | Click or tap here to enter text. |

Please describe how this entity is addressing diversity, equity, and inclusion:

How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?

1. The Committee is cognizant of diversity in selecting its members. It is an important factor in recruitment and consideration of applicants.
2. The Committee seeks input from a wide variety of stakeholders before finalizing proposals, including reaching out to several minority bar associations. The Committee also reaches out to organizations that represent minority viewpoints that might not normally be aware of the Committee’s work.
3. During the application period, the current Chair reached out to the leadership of several specialty and minority bar associations to encourage their membership to apply to be on the Committee.
4. The Committee is composed of members with a wide range of backgrounds, experiences, and identities.
6. The current chair has attempted to spread subcommittee chair assignments across the state to ensure broad, geographic representation.

Please share feedback regarding the support and engagement provided by WSBA.

For example:

- *Quality of WSBA staff support/services, including technology solutions*
- *Involvement with Board of Governors, including assigned BOG liaison*

- Ideas you have on ways WSBA can continue to strengthen/support your entity.

Over the past year, the Committee has continued to depend on the invaluable work of WSBA support staff. The Committee has also enjoyed a good working relationship with the BOG, which has been responsive in taking up matters sent to it by the Committee, and in referring matters to the Committee for consideration. As proponents of changes to the court rules increasingly present those proposals directly to the Washington State Supreme Court, the Committee has increasingly looked to the BOG for direction to consider such proposals.

**Entity Detail & Demographics Report:
To Be Completed by WSBA Staff**

Size of Entity:	28
Number of Applicants for FY23 <i>(October 1, 2022 – September 30, 2023)</i>	8
Number of current volunteer vacancies for this entity:	9
Direct Expenses:	\$100
Indirect Expenses:	\$5,652

FY22 Demographics:

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Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

Disability	No	85%
	Chose Not to Respond	15%
District*	0	10%
	1	10%
	3	10%
	5	10%
	7N	16%
	7S	16%
	8	21%
	9	5%
	Unknown	2%
Ethnicity	Asian – East Asian	5%
	White or European Descent	79%
	Middle Eastern Descent	5%
	Multi Racial or Bi Racial	5%
	Other: Asian	5%
	Chose Not to Respond	1%
Gender	Female	32%

	Male	63%
	Chose Not to Respond	5%
Sexual Orientation	Gay, Lesbian, Bisexual, Pansexual, or Queer	5%
	Heterosexual	74%
	No	5%
	Chose Not to Respond	16%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

ⁱ Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

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Name of Entity:	Editorial Advisory Committee
Chair or Co-Chairs:	Drew Pollom
Staff Liaison: <i>(include name, job title, and department if known)</i>	Kirsten Abel, Bar News editor, Communications
Board of Governors Liaison:	Sunitha Anjilvel
Purpose of Entity: <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Editorial Advisory Committee (EAC) derives its authority from the WSBA Bylaws. Members of the Editorial Advisory Committee work with the editor and WSBA staff overseeing publication of the WSBA's official magazine, Washington State Bar News. This may include establishing guidelines and editorial policy, maintaining an editorial calendar, writing articles, securing content, identifying topics and issues relevant to members, identifying authors for content, reviewing articles, and advising on issues related to content. The magazine's mission statement is: Washington State Bar News will inform, educate, engage, and inspire by offering a forum for members of the legal community to connect and to enrich their careers.	
Strategy to Fulfill Purpose:	
EAC members consult with WSBA staff regarding content selection, recruiting of authors or writing articles themselves, and providing suggestions for feature stories and columns that will provide readers with information about other Bar members and their practices, current events and trends of interest to the legal community, career advice and other practice-oriented topics, programs and services provided to members by the WSBA, and the work of the Board of Governors.	

How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice”?

The EAC helps to make a magazine that educates legal professionals about important topics such as ethics, practice management, pro bono opportunities, case updates, diversity, equity, and inclusion, and other significant news, thereby helping to ensure the competency and integrity of the legal profession on behalf of the public and furthering the mission of the WSBA.

2021 -2022 Entity Accomplishments:

The EAC helped to develop two significant themed issues during the 2021-22 year—one on the topic of family law and one on the topic of law practice transitions, both of which included content written by multiple authors recruited by EAC members. Also in development, with the help of EAC members, is an issue planned for November 2022 on topics important to legal professionals who practice in rural parts of Washington. Other important articles either written or developed by EAC members this year include “Want a Successful Mentoring Relationship? Focus on Building Trust”; “What the Uniform Electronic Wills Act Changes About Wills in Washington”; and several Beyond the Bar Number features and Minority Bar Association Spotlights. During a past presentation by the EAC to the Board of Governors, a Board member stated that they would personally like to see more practical and/or technical content in Bar News. This sentiment was also shared by some EAC members, and the committee has worked to develop more content of practical interest to readers. The last three issues of Bar News contain higher percentages of practical/technical content than any other three consecutive issues (50%, 50%, and 60%). The EAC also continued its collaboration with the Diversity Committee (now the DEI Council), a relationship that resulted in several significant articles this year including “A Look at the Racial Justice Consortium: Examination and transformation for Washington state courts”; “Mentor, Educator, Trailblazer: An interview with Justice G. Helen Whitener”; “Gender, Justice, and the Power of Data: The Washington Supreme Court Gender and Justice Commission’s latest report”; and “Carl Maxey: Boxer, Lawyer, Civil Rights Champion.” Another important accomplishment was the finalizing and implementation of an equity lens for Bar News. We worked with WSBA Equity and Justice Lead Imani Shannon to craft a best practices sheet that addresses ways in which we can ensure the articles we select and publish are equitable and inclusive and consider all relevant perspectives. Lastly, the EAC reviewed each issue of the magazine over the past year and influenced a few key design and publication changes—namely, a redesign of the NWSidebar teasers in Bar News and the move to print “In Remembrance” names in every issue rather than in every three issues.

Looking Ahead: 2022-2023 Top Goals & Priorities:

1	Work to create at least two more themed issues over the next year.
2	Continue to increase reader interest and engagement/response with timely, relevant, practical, and provocative articles.
3	Continue to create opportunities for the magazine (within the parameters of GR 12.2) to be a civil, thought-provoking forum for dialogue among members about current issues relating to the legal system and access to and administration of justice.
4	Continue to work to include voices from diverse backgrounds and areas of practice, with a variety of views and perspectives.
5	Continue to establish relationships with new authors from all parts of the state.

Please describe how this entity is addressing diversity, equity, and inclusion:

How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?

As discussed briefly above, the EAC continued to work with the Diversity Committee (now DEI Council) on a number of issues this year. Those include: to develop regular content for the magazine on DEI-related topics, to invite DEI Council members to attend any and all EAC meetings, to develop an equity lens for the magazine that will help the EAC and WSBA staff evaluate submissions and make the magazine a more equitable space, and to develop content specifically for the February 2022 Black History Month issue. In the past year, all of those goals were met. We were able to develop content on a number of DEI-related topics (including a regular DEI Resource of the Month feature), implement a best practices/equity lens for the magazine, and create an excellent Black History Month issue for February 2022. In addition, there is diversity in background, years in practice, areas of practice, and perspectives among the EAC members who weigh in on story ideas and unsolicited submissions. We are also in regular dialogue with the WSBA Equity and Justice Team regarding language and images used in the magazine. The WSBA Equity and Justice Team also reviews the Bar News six-month editorial calendar every month and provides feedback and suggestions. Lastly, the EAC staff liaison also serves as the staff liaison to the Equity & Disparity Work Group, and as liaison to the GR 12.2 Subcommittee, which works on issues that are very important to the EAC and to the magazine.

Please share feedback regarding the support and engagement provided by WSBA.

For example:

- *Quality of WSBA staff support/services, including technology solutions*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

The EAC works closely with WSBA staff—the staff liaison as well as the entire magazine team. The magazine team attends every monthly meeting, and the staff liaison prepares the agendas and works with the chair to finalize them. The Board liaison also attends some monthly committee meetings and has contributed to the magazine as an author (March 2020 and July/August 2022). In addition, the WSBA Equity and Justice team attends some EAC meetings and contributes to the magazine in many ways. The EAC chair also presents semi-regularly on the committee to the Board of Governors and the Board’s Executive Committee.

**Entity Detail & Demographics Report:
To Be Completed by WSBA Staff**

Size of Entity:	14
Number of Applicants for FY23 <i>(October 1, 2022 – September 30, 2023)</i>	7
Number of current volunteer vacancies for this entity:	5
Direct Expenses:	\$0
Indirect Expenses:	\$11,183

FY22 Demographics:

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Disability	No	78%
	Yes	11%
	Chose Not to Respond	11%
District*	0	11%
	1	11%
	4	11%
	7N	33%
	8	11%
	9	11%
	10	11%
	Ethnicity	American Indian
	White or European Descent	89%
Gender	Female	44%
	Male	44%
Sexual Orientation	Gay, Lesbian, Bisexual, Pansexual, or Queer	11%
	Heterosexual	78%
	Chose Not to Respond	11%

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Name of Entity:	Disciplinary Advisory Round Table
Chair or Co-Chairs:	Justice MaryI. Yu
Staff Liaison: <i>(include name, job title, and department if known)</i>	Darlene Neumann, Paralegal III, Office of General Counsel
Board of Governors Liaison:	Tom McBride
Purpose of Entity: <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The duties and responsibilities of the Disciplinary Advisory Round Table (DART) are as follows: The DART acts as a forum for the identification and discussion of issues and concerns relating to the lawyer, LLLT and LPO disciplinary systems in Washington; The DART may make recommendations for change to discipline-system rules and procedures; The DART shall provide an annual report to the Supreme Court and the WSBA Board of Governors addressing how it has performed the duties and responsibilities set forth in this Charter and, as appropriate, outlining its future work plans; and The DART has no independent decision-making authority or regulatory authority. DART is in compliance with GR 12.3.	
Strategy to Fulfill Purpose:	
When issues concerning the discipline system are identified, the DART will meet on an ad hoc basis with key players of the discipline system, WSBA executive leadership, and others to provide comment. The DART may make recommendations for change to the discipline system rules or procedures as appropriate.	
How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?	

October 1, 2021 – September 30, 2022 (FY22)

The DART’s purpose is focused on the discipline system, which is integral to maintaining the integrity of the legal profession. The work of DART supports the GR 12.1 Regulatory Objectives requiring legal professionals to be regulated in the public interest and the policy of a well-regulated profession that can effectively serve the public and members of the Bar and champion justice, as well as the GR 12.2(a)(7) purpose to administer discipline of WSBA members in a manner that protects the public and respects the rights of the member.

2021 -2022 Entity Accomplishments:

In March 2022, at the request of the Court, the DART met to discuss the public comments to the proposed RDI that specifically addressed the disciplinary system as a whole and provide recommendations to the Court. The DART heard several perspectives regarding the timing of significant changes to the disciplinary system and concerns about the handling of disability proceedings, which led to the recommendation of a task force to study the issue further, and several ideas for providing informal assistance to prose respondents.

Looking Ahead: 2022-2023 Top Goals & Priorities:

1	DART discussed the potential inconsistency between ELC 5.7 and the Court’s internal rule regarding the dismissal of grievances (complaints).
2	DART will consider expanding its membership in the charter to include, for example, an additional lawyer not involved in the discipline system, members from the minority bars, and those with prior experience in the discipline system to broaden the perspective on the round table.
3	DART will continue to meet as needed to address issues or concerns about the discipline system raised by the Court or its members or others.
4	Click or tap here to enter text.
5	Click or tap here to enter text.

Please describe how this entity is addressing diversity, equity, and inclusion:

How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?

The DART charter specifies the member positions to those who hold key roles in the discipline system, a neutral lawyer (no involvement with discipline system), the executive leadership of the Bar, a board of governor, and public members. DART members who represent respondents in the discipline system (respondents counsel) and the MBA representative will elicit input from their members to bring back to DART.

Please share feedback regarding the support and engagement provided by WSBA.

For example:

- *Quality of WSBA staff support/services, including technology solutions*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

The WSBA staff liaison has provided administrative support to the chair and members and performed tasks as directed by the chair. Meetings were conducted via Zoom and proved adequate. The DART utilizes Box for sharing and collaborating on materials. The Board of Governor member did not attend any meetings this fiscal year but has been copied on all meeting communications and materials.

**Entity Detail & Demographics Report:
To Be Completed by WSBA Staff**

Size of Entity:	16
Number of Applicants for FY23 <i>(October 1, 2021 – September 30, 2022)</i>	2
Number of current volunteer vacancies for this entity:	4
Direct Expenses:	\$0
Indirect Expenses:	\$5,936

FY22 Demographics:

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

Disability	No	50%
	Yes	33%
	Chose Not to Respond	17%
District*	7N	17%
	7S	67%
	Unknown	16%
Ethnicity	White or European Descent	67%
	Hispanic – Latino/a or Latinx	17%
	Chose Not to Respond	16%
Gender	Female	67%
	Male	17%
	Chose Not to Respond	16%
Sexual Orientation	Heterosexual	83%
	Chose Not to Respond	17%

ⁱ Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to

provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

WASHINGTON STATE BAR ASSOCIATION

WSBA ENTITY ANNUAL REPORT

FY 2022: October 1, 2021 – September 30, 2022

The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.

Instructions: In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boardsⁱ), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2021 – September 30, 2022. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

Name of Entity:	Disciplinary Board
Chair or Co-Chairs:	V. Paige Pratter, Chair Christopher Sanders, Vice Chair
Staff Liaison: <i>(include name, job title, and department if known)</i>	Nicole Gustine, Assistant General Counsel
Board of Governors Liaison:	Not applicable
Purpose of Entity: <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Disciplinary Board (D-Board) derives its authority from the Supreme Court (see ELC 2.3). The D-Board performs an important role in the disciplinary/regulation process by: (1) serving as an intermediate appellate body for contested disciplinary and disability matters; (2) approving, conditionally approving or rejecting certain stipulations negotiated by the Office of Disciplinary Counsel (ODC) and respondents; and (3) through its review committees, acting on requests from the ODC to order matters to hearing, and on requests from grievants for review of matters that have been dismissed by ODC.	
Strategy to Fulfill Purpose:	
The D-Board is made up of the board chair and vice-chair, plus 12 members composing four review committees, one of which meets every three weeks. The D-Board meets six times each year as a full board. At these meetings, the D-Board reviews hearing officer recommendations for suspension and disbarment when a timely request for review/appeal is filed (or sua sponte review is ordered by the Board), and automatically reviews stipulations for suspension or disbarment. The D-Board issues a written recommendation to the Supreme Court in contested matters. The D-Board holds oral	

arguments in some cases, which are open to the public. The four review committees meet to review requests for hearings and grievant appeals from dismissals. The review committees' work is confidential and not open to the public.

How does the entity's purpose help further the mission of the WSBA "to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice"?

The D-Board serves important functions in the disciplinary process and protects the public by upholding professionalism and ethical conduct among legal practitioners.

2021 -2022 Entity Accomplishments:

In 2021, the review committees of the Disciplinary Board met 15 times to consider 242 matters. They issued 189 dismissals, ordered 35 matters to hearing, ordered investigation in 10 matters, issued one advisory letter, and decided 7 other non-routine matters, such as orders on deferrals, costs, etc. In 2021, the full Disciplinary Board considered 14 disciplinary and disability matters and ordered the transfer of five lawyers to disability inactive status. The full board reviewed and issued orders on 14 stipulations and heard oral argument in one reinstatement from disbarment review. Per court rule, they considered whether to order or deny sua sponte review in three cases involving a recommendation of suspension or disbarment.

Looking Ahead: 2022-2023 Top Goals & Priorities:

- | | |
|---|--|
| 1 | The Disciplinary-Board's work is determined by Court Rule (Rules for Enforcement of Lawyer Conduct). The goal is to continue to perform high quality work in a timely manner in accordance with Court Rules. |
|---|--|

Please describe how this entity is addressing diversity, equity, and inclusion:

How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?

The Disciplinary Selection Panel (DSP), which is a separate entity from the D-Board, makes nominations to the BOG for members to serve on the Board. Under ELC 2.2(f), the DSP considers diversity in gender, ethnicity, disability status, sexual orientation, geography, area of practice and practice experience. The D-Board has been trained by the Diversity Specialist. The D-Board seeks input from all of its members, who must vote on each order/decision in matters involving the full Board. The D-Board has four public members, who each provide different perspectives. One public member serves on each review committee. By court rule, the D-Board has ten lawyer members and four community representative members. The current D-Board includes members self-identified as from several different races/ethnicities. The DSP interviews prospective members and makes nominations to the BOG. As noted above, ELC 2.2(f) states that in making selections, the DSP and the BOG consider diversity. The D-Board provides many leadership opportunities for interested Board members to serve, as Chair or Vice-Chair of the full Board, or as Chairs of each of the four review committees.

Please share feedback regarding the support and engagement provided by WSBA.

For example:

- *Quality of WSBA staff support/services, including technology solutions*
- *Involvement with Board of Governors, including assigned BOG liaison*

- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

Per ELC 2.2(b) the Board of Governors have no right or responsibility to review hearing officer, review committee, or Disciplinary Board decisions or recommendations in specific cases. The Disciplinary Board welcomes BOG support in the form or recruitment of eligible lawyer and public members from diverse backgrounds.

**Entity Detail & Demographics Report:
To Be Completed by WSBA Staff**

Size of Entity:	14: 10 lawyers, 4 public members
Number of Applicants for FY23 <i>(October 1, 2022 – September 30, 2023)</i>	17
Number of current volunteer vacancies for this entity:	0
Direct Expenses:	\$4,118
Indirect Expenses:	\$129,371

FY22 Demographics:

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

Disability	No	87%
	Yes	13%
District*	0	7%
	1	7%
	4	13%
	7N	13%
	7S	27%
	10	7%
	Unknown	26%
Ethnicity	Asian – East Asian	7%
	Asian – South Asian	7%
	Black, African American or African Descent	7%
	White or European Descent	67%
	Chose Not to Respond	12%
Gender	Female	47%
	Male	53%
Sexual Orientation	Gay, Lesbian, Bisexual, Pansexual, or Queer	7%
	Heterosexual	87%
	Chose Not to Respond	6%

ⁱ Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

WASHINGTON STATE BAR ASSOCIATION

WSBA ENTITY ANNUAL REPORT

FY 2022: October 1, 2021 – September 30, 2022

The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.

Instructions: In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boardsⁱ), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2021 – September 30, 2022. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

Name of Entity:	Diversity Committee/DEI Council
Chair or Co-Chairs:	Nam Nguyen, Co-Chair; Gov. Sunitha Anjilvel, Co-Chair
Staff Liaison: <i>(include name, job title, and department if known)</i>	Imani Shannon, Equity & Justice Lead, Equity and Justice Department; Diana Singleton, Chief Equity & Justice Officer
Board of Governors Liaison:	Committee does not have a BOG liaison, but does have 4 BOG members, one of whom is the committee co-chair
Purpose of Entity: <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
<p>The Washington State Bar Association’s Diversity Committee become the Diversity, Equity and Inclusion (DEI) Council midway through the year. For more information on why the Committee became the Council, read this Bar News article (https://wabarnews.org/2022/10/12/wsba-diversity-committee-transitions-to-diversity-equity-and-inclusion-council/). The purpose of the committee and council are largely the same: to advance DEI in the legal profession and the legal system. The DEI Council’s new charter provides more specificity and clarity to the entity’s purpose: “To advance diversity, equity and inclusion and address the problems of bias, systemic inequities and underrepresentation in the legal profession, the Council’s work includes but is not limited to: Increasing and supporting members from underrepresented communities by developing and supporting diversity pipeline and mentorship programs and partnering with schools, students and members from underrepresented communities; Developing diversity, equity and inclusion educational content and programs for members, volunteers and members of the public; Developing diversity, equity and inclusion educational content and programs designed to offer members opportunities to learn, gain skills and fulfill the MCLE ethics requirement on the mitigation of bias; Implementing and updating the WSBA Diversity and Inclusion Plan; Supporting and collaborating with the Minority Bar Associations to promote mutual goals to advance diversity, equity and inclusion in</p>	

the legal profession; Promoting leadership opportunities in the WSBA, legal profession and legal system by engaging in outreach to underrepresented members and the public, promoting diversity in the judiciary, and recommending candidates for At-Large Governors on the WSBA Board of Governors (BOG); and Advising the BOG on examining issues through a diversity, equity and inclusion lens and fulfilling its responsibilities outlined in General Rule 12.2(a)(6), WSBA Strategic Goals, the Race and Equity Justice Initiatives commitments, and approved resolutions concerning diversity, equity and inclusion.

Strategy to Fulfill Purpose:

The Council works with a variety of Bar and community members to ensure it centers underrepresented members and communities, and also works collaboratively with WSBA staff from the Equity and Justice team.

How does the entity's purpose help further the mission of the WSBA "to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice"?

The DEI Council's purpose of advancing DEI in the legal profession and legal system serves the public by working toward a more diverse profession who represents and looks like the public. The Council's purpose also serves the public by building DEI competency among our members so they can better serve the public especially those from underserved and marginalized communities. By serving the public in this way, it ensures the integrity of the legal profession. The Council's purpose furthers the mission of serving the members not only by helping to build their DEI competency but also by working to advance inclusion in the profession so that all members including those who are underrepresented feel like they belong and can enter and thrive in the profession. The Council's work to advance DEI, especially equity, in the profession and the legal system ultimately works towards "championing justice."

2021-2022 Entity Accomplishments:

1. **Create a Seat at the Table for Law Students:** In FY21, the then-Diversity Committee invited law school staff and students to come to their meetings to share about their DEI work and discuss how they could collaborate. Following those conversations, the then-Diversity Committee decided to create an ongoing opportunity for law students to be involved with the committee; they created law student representative positions on the committee so the committee could have law student engagement and perspectives from each law school. After law students from each of the three WA law schools applied and interviewed, the then-committee selected two law students from each law school. Over this past year, committee members volunteered to be paired with the law student representatives to mentor them.
2. **Change from Committee to Council to Promote Diversity and Equity:** In an effort to make the membership of the then-committee more inclusive, the committee submitted a proposal to the Board of Governors to become a council. By becoming a council, it now allows the committee's membership to broaden beyond active bar members and voting membership to broaden beyond Board of Governor members. Now, the council's membership can include not only active and BOG members but also pro bono status members, judicial officers, law school staff, faculty and students and the public.
3. **Support and Work in Solidarity with Minority Bar Associations (MBAs):** The council continued to work in solidarity with MBAs over this last year, specifically supporting their work to create and deliver a proposal to the BOG concerning ways that the BOG can hold itself accountable to its DEI commitments.

4. **Policy Analysis and Outreach to Promote Diversity on Board of Governors:** The committee/council has been working to evaluate the current definition of “diversity” in the WSBA Bylaws as it relates to the At-Large seat on the BOG. The committee/council has researched how the ABA and other bar associations define “diversity” and has been seeking feedback from members of the legal community including MBA members, section leaders and the Gender and Justice Commission. The committee/council will continue to seek feedback from the legal community including the Minority and Justice Commission and submit a proposal to the BOG for a new definition in 2023.
5. **Paving Way for a New DEI Plan:** The committee/council determined that it is time to create a new DEI Plan to replace the 2013 Diversity and Inclusion Plan. They created a small workgroup to begin visioning what the process will involve and the planning process to begin this fiscal year.
6. **Launching the Membership Demographic Study:** The committee/council began working with WSBA staff and other community members to create and send out a Request for Proposals for the 10-year membership demographic study (the 2013 Diversity and Inclusion Plan committed the Bar to do a membership demographic study every 10 years). Many consultants submitted proposals and the membership demographic study workgroup conducted interviews of a handful of consultants. The consult, Know-Why, was ultimately selected and has begun the process of seeking feedback the survey design.
7. **Hosted Annual ARCEvent:** In partnership with Seattle University School of Law’s Access Admissions Program, the committee/council hosted a virtual reception and networking event for incoming underrepresented students from Seattle University School of Law. The event featured a keynote speaker and three networking breakout sessions.
8. **Designed and Delivered DEI Education:** The committee/council collaborated with members of different MBAs and others in the legal community to develop three Legal Lunchbox CLEs devoted to DEI topics.
9. **Co-Sponsored DEI Film Screenings:** The committee/council co-sponsored two virtual film-screening events, “Crime on the Bayou,” and “Who We Are: A Chronicle of Racism in America” which offered members free access to the film and a moderated panel of people who were featured in the films.
10. **Partnered with the Editorial Advisory Committee and Bar News staff to promote diversity, equity, and inclusion in the Bar News:** The committee/council continued to partner with WSBA staff to write DEI-related articles and recruiting Bar members to write articles, with an equity focused lens from the beginning of the process.

Looking Ahead: 2022-2023 Top Goals & Priorities:

1	Complete and finalize the comprehensive membership demographics study.
2	Continue to deepen the relationships with the WA law schools and collaborate on mutual DEI goals for diversifying and making the profession more inclusive.
3	Partner with MBAs to operationalize regular DEI trainings for the BOG, identify ways for BOG members to informally hold themselves accountable to the DEI values, and create infrastructure so that BOG applicants will need to demonstrate their commitment to DEI.
4	Finalize the outreach and feedback phase of evaluating the definition of “diversity” and submit a proposed new definition to the BOG in 2023.

5	Work in partnership with WSBA staff to increase participation and leadership of historically and currently marginalized groups in WSBA volunteers, committees, and boards.
6	Begin the process for evaluating the current Diversity and Inclusion plan and drafting a new plan.

Please report how this entity is addressing diversity, equity, and inclusion:

How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?

- 1. DEI Education for the DEI Council:** The committee/council acknowledges that they continue to learn about DEI and are committed to learning together. This past year, Imani Shannon, an Equity and Justice Lead, gave a training to the committee/council on gender inclusion.
- 2. Strategic Approach to DEI Council Recruitment:** The committee/council created a survey for members to take so we can identify present social identities, skills and experience represented. By creating a baseline on the perspectives and skills/experience offered, the committee/council hopes to engage in more targeted recruitment efforts.
- 3. Mentorship of Law Student Representatives:** As mentioned above, the committee/council mentored underrepresented students in a variety of ways: through our own student representatives, through the Joint Minority Mentorship Program, and the Seattle University School of Law’s ARC reception.

Please describe the relationship with WSBA staff and the Board of Governors.

For example:

- *Quality of WSBA staff support/services*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

There are 4 BOG members on the Committee, who are voting members and not just a liaison. WSBA staff also support the co-chairs in writing memos to the BOG and bringing issues before the BOG.

Entity Detail & Demographics Report:

To Be Completed by WSBA Staff

Size of Entity:	14 (+ 4 BOG Members)
Number of Applicants for FY23 <i>(October 1, 2022 – September 30, 2023)</i>	10
Current volunteer position vacancies:	3
Direct Expenses:	\$24,000
Indirect Expenses:	\$73,289

FY22 Demographics:

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

Disability	No	53%
	Yes	27%
	Chose Not to Respond/Unknown	20%
District*	0	7%
	1	7%
	2	7%
	3	7%
	7N	13%
	7S	20%
	9	13%
	10	7%
Ethnicity	Asian – East Asian	13%
	Asian – Southeast Asian	13%
	Black, African American or African Descent	13%
	Hispanic, Latino/a or Latinx	7%
	White or European Descent	53%
	Multi Racial or Bi Racial	47%
	Other: Japanese American	7%
	Other: Jewish	7%
Gender	Female	53%
	Male	20%
	Non Binary	7%
	Chose Not to Respond/Unknown	20%
Sexual Orientation	Gay, Lesbian, Bisexual, Pansexual, or Queer	33%
	Heterosexual	40%
	Chose Not to Respond	27%

ⁱ The Access to Justice Board (not regulatory, but applicable to the distinction herein) and Regulatory Boards (Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) are not required by Bylaws or Court Rule submit an annual report to WSBA. However, as part of the administration of monitoring of Regulatory Boards, the Boards listed herein typically provide an annual report to the Court and WSBA should be provided this same report an annual basis.

WASHINGTON STATE BAR ASSOCIATION

WSBA ENTITY ANNUAL REPORT

FY 2022: October 1, 2021 – September 30, 2022

The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.

Name of Entity:	Judicial Recommendation Committee
Chair or Co-Chairs:	Michiko Fjeld, Chair
Staff Liaison: <i>(include name, job title, and department if known)</i>	Sanjay Walvekar, Legislative Affairs Manager, COMM
Board of Governors Liaisons:	Alec Stephens & Francis Adewale
Purpose of Entity: <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
<p>The Judicial Recommendation Committee (JRC) derives its authority from the Bylaws of the WSBA. The JRC screens and interviews candidates for state Court of Appeals and Supreme Court positions. Recommendations are reviewed by the WSBA Board of Governors (BOG) and referred to the Governor for consideration when making judicial appointments. Per the JRC Guidelines, “[t]he proceedings and records of the committee, including the comments of applicants, committee discussions, and committee votes, shall be kept strictly confidential.”</p>	
Strategy to Fulfill Purpose:	
<p>The JRC screens and interviews candidates for the state’s appellate courts, the Washington Supreme Court and the Washington State Court of Appeals. Thereafter, it makes recommendations to the BOG. Following Board approval, the recommendations are sent to the Washington State Governor's Office as part of the committee’s role of preparing and maintaining a list of individuals who are well-qualified for and interested in appointment to the appellate bench.</p>	
How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?	
<p>The JRC’s work directly benefits the public, members of the Bar, and the legal profession by providing the Governor’s office with recommendations that help it make informed and quality judicial appointments.</p>	
2021-2022 Entity Accomplishments:	
<p>The JRC held four meetings in which it evaluated nineteen candidates. The JRC’s recommendations were passed on to the Board of Governors which concurred with the JRC. These recommendations were then given to the Governor’s office.</p>	

Looking Ahead: 2022-2023 Top Goals & Priorities:	
1	Continue to offer a thorough and fair process aimed at ensuring well-qualified candidates are presented to the Governor’s office for open positions to the Washington Supreme Court and Court of Appeals.
2	Continue to educate committee members about the importance of reference check assignments, meeting attendance, and ability to make quorum.
3	Click or tap here to enter text.
4	Click or tap here to enter text.
5	Click or tap here to enter text.
<p>Please report how this entity is addressing diversity, equity, and inclusion: <i>How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?</i></p>	
<p>A diversity of perspectives is embedded in the JRC Guidelines under “Composition,” for selection of committee members. The committee received a training from the WSBA’s Diversity, Equity, and Inclusion team at the JRC’s first meeting of the fiscal year. In addition, some of the criteria the committee considers when recommending a candidate are related to a commitment to diversity.</p>	
<p>Please describe the relationship with WSBA staff and the Board of Governors. <i>For example:</i></p> <ul style="list-style-type: none"> • <i>Quality of WSBA staff support/services</i> • <i>Involvement with Board of Governors, including assigned BOG liaison</i> • <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i> 	
<p>The JRC guidelines require a BOG liaison to attend each JRC meeting and JRC recommendations are considered by the BOG periodically throughout the year.</p>	
<p>Entity Detail & Demographics Report: <i>To Be Completed by WSBA Staff</i></p>	
Size of Entity:	22
Number of Applicants for FY23: <i>(October 1, 2022 – September 30, 2023)</i>	11
How many current volunteer position vacancies for this entity?	0
Direct Expenses:	\$4,500
Indirect Expenses:	\$26,273
FY22 Demographics:	

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

Disability	No	90%
	Yes	5%
	Chose Not to Respond	5%
District*	2	5%
	5	14%
	6	19%
	7N	38%
	7S	9%
	9	5%
Ethnicity	Black, African American or African Descent	9%
	Latino/a or Latinx	5%
	White or European Descent	86%
	Multi Racial or Bi Racial	5%
Gender	Female	29%
	Male	67%
	Chose Not to Respond	4%
Sexual Orientation	Gay, Lesbian, Bisexual, Pansexual, or Queer	9%
	Heterosexual	67%
	No	5%
	Chose Not to Respond	19%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

WASHINGTON STATE BAR ASSOCIATION

WSBA ENTITY ANNUAL REPORT

FY 2022: October 1, 2021 – September 30, 2022

The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.

Instructions: In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boardsⁱ), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2021 – September 30, 2022. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

Name of Entity:	Law Clerk Board
Chair or Co-Chairs:	Emily Mowrey
Staff Liaison: (include name, job title, and department if known)	Katherine Skinner, Law Clerk Program Lead, RSD
Board of Governors Liaison:	Dan Clark
Purpose of Entity: <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Law Clerk Board (LCB) supervises the Law Clerk Program under Rule 6 of the Washington Supreme Court's Admission and Practice Rules (APR). The purpose of the LCB is to assist the WSBA in supervising the APR 6 Law clerk Program (Program).	
Strategy to Fulfill Purpose:	
The LCB considers applications for enrollment in the program, interviews and evaluates law clerks and tutors during their course of study, and certifies that law clerks have successfully completed the program thereby meeting the educational requirement for the lawyer bar examination in Washington state.	
How does the entity's purpose help further the mission of the WSBA "to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice"?	
The LCB serves the public and members of the bar by assisting law clerks through a rigorous program to become members of the bar themselves. The LCB monitors the law clerks as they progress through the Program to ensure they are meeting requirements in APR 6 so they are as prepared for practice	

October 1, 2021 – September 30, 2022 (FY22)

as a traditional law school student would be. The Law Clerk Board is working to increase outreach efforts in rural counties in the state to increase access to justice.

2021 -2022 Entity Accomplishments:

APR 6 Rules and Regulations: The LCB submitted the APR 6 suggested amendments to the Supreme Court. The Supreme Court approved the amendments effective September 1, 2022.
MCLE tutor credit: The LCB worked with the MCLE Board to finalize language for the suggested amendment to APR 11 for Law Clerk Program tutors to receive MCLE credit.

Looking Ahead: 2022-2023 Top Goals & Priorities:

- | | |
|----------|--|
| 1 | The LCB, in collaboration with staff, will continue the conversation on reaching out to states to discuss reciprocity for those that completed the Law Clerk Program |
| 2 | Strategize expanding outreach efforts to promote a diverse Board |
| 3 | Continue conversations in strategizing reaching out to rural counties in the state to increase access to justice |
| 4 | Discuss and strategize outreach to increase the public’s knowledge of the program |
| 5 | Update program policies and forms as needed and continue to look for opportunities to create new forms for an easier flow of communication between program participants, the LCB and the WSBA. |

Please describe how this entity is addressing diversity, equity, and inclusion:

How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?

The Law Clerk Program itself provides an alternative to law school for legal education for those who may have barriers to attending law school. The LCB hopes to increase the diversity of the law clerks enrolled in the Program. The LCB seeks board members who represent diversity in geography as well as members who self-identify as individuals that are underrepresented in the legal profession. The LCB seeks to have a diverse group of board members in order to bring a variety of perspectives to the Program.

Please share feedback regarding the support and engagement provided by WSBA.

For example:

- *Quality of WSBA staff support/services, including technology solutions*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

WSBA staff provide technology assistance when needed for participants and Board members. The LCB is assigned at least one BOG liaison that is invited to each LCB meeting. The BOG liaison takes what they learn in the meetings to meetings with the BOG and is able to share the knowledge they have on behalf of the LCB as needed.

Entity Detail & Demographics Report:

To Be Completed by WSBA Staff

Size of Entity:	11
Number of Applicants for FY23 <i>(October 1, 2021 – September 30, 2022)</i>	4
Number of current volunteer vacancies for this entity:	0
Direct Expenses:	\$4,667
Indirect Expenses:	\$63,891

FY22 Demographics:

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

Disability	No	100%
District*	1	9%
	2	9%
	3	18%
	4	9%
	5	36%
	7N	9%
	7S	9%
	Ethnicity	American Indian
White or European Descent		82%
Chose Not to Respond		9%
Gender	Female	45%
	Male	45%
	Chose Not to Respond	10%
Sexual Orientation	Gay, Lesbian, Bisexual, Pansexual, or Queer	27%
	Heterosexual	45%
	No	9%
	Chose Not to Respond	19%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

ⁱ Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

WASHINGTON STATE BAR ASSOCIATION

WSBA ENTITY ANNUAL REPORT

FY 2022: October 1, 2021 – September 30, 2022

The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.

Name of Entity:	Legislative Review Committee
Chair or Co-Chairs:	Brian Considine, Chair
Staff Liaison: <i>(include name, job title, and department if known)</i>	Sanjay Walvekar, Legislative Affairs Manager, COMM
Board of Governors Liaison:	Kyle Sciuchetti
Purpose of Entity: <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
<p>The WSBA Legislative Review Committee (Committee) reviews internal legislative proposals before making a recommendation for sponsorship or support to the Board of Governors (BOG). The Committee’s primary purpose is to ensure that WSBA-request legislation fulfills GR12 and is vetted both internally and externally. The Committee may also consider non-WSBA proposals submitted to the committee for the purpose of seeking WSBA input and support. WSBA-request bills approved by the Board are introduced in the upcoming legislative session.</p>	
Strategy to Fulfill Purpose:	
<p>The Committee determines if a legislative proposal fulfills GR 12.2. If the Committee determines a legislative proposal fulfills GR 12.2 the Committee conducts a thorough analysis of the issue, discusses details with the WSBA entity offering the proposal, and ensures input is included from a broad stakeholder network.</p>	
How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?	
<p>The Committee serves the public, members of the Bar, and the legal profession by vetting and recommending legislation that improves the practice of law and the administration of justice.</p>	
2021-2022 Entity Accomplishments:	
<p>The Committee received and reviewed a significant legislative proposal and forwarded this proposal to be reviewed by the BOG for WSBA request legislation. The Committee vetted the proposal and determined that it fulfilled GR 12.2 requirements. The Committee conducted a thorough analysis of relevant issues and discussed details with representatives of the Business Law Section’s Corporate Act Revision Committee (CARC). Then, the Committee voted to recommend sponsorship of CARC’s</p>	

legislative proposal and this recommendation was approved by the BOG. The bill reached final passage and was signed into law by the Governor during the 2022 legislative session.

Looking Ahead: 2022-2023 Top Goals & Priorities:

1	The Committee will continue to work collaboratively with WSBA entities to thoroughly vet and analyze legislative proposals impacting the practice of law and our justice system.
2	Click or tap here to enter text.
3	Click or tap here to enter text.
4	Click or tap here to enter text.
5	Click or tap here to enter text.

Please report how this entity is addressing diversity, equity, and inclusion:

How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?

Committee appointments follow WSBA’s diversity guidelines and the Committee includes representatives from multiple districts, a variety of practice areas, new/young lawyers, gender, race/ethnicity and other factors. Although it has a narrow focus, the Committee strives to include all members’ perspectives and achieve consensus decision-making.

Please describe the relationship with WSBA staff and the Board of Governors.

For example:

- *Quality of WSBA staff support/services*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

The Committee utilizes the expertise of the WSBA’s Legislative Affairs Manager and Legislative Affairs staff in all of the committee’s work. The Committee also works closely with the BOG Governor assigned to ensure that it considers a BOG perspective in how the committee accomplishes its work. The Committee is critical in using its expertise to ensure the BOG only receives properly worked and vetted proposals before the Committee votes to recommend that the BOG support, sponsor, etc. legislation proposals and that recommendation is ultimately considered by the BOG at its November meeting. The BOG could work with the Committee to consider ways the Committee and BOG can better serve WSBA sections in helping with legislative proposals that impact the practice of law.

**Entity Detail & Demographics Report:
To Be Completed by WSBA Staff**

Size of Entity:	35 max.
Number of Applicants for FY23 <i>(October 1, 2022 – September 30, 2023)</i>	15

How many current volunteer position vacancies for this entity?	0	
Direct Expenses:	\$2,800	
Indirect Expenses:	\$36,782	
FY22 Demographics:		
The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.		
Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.		
Disability	No	61%
	Yes	8%
	Chose Not to Respond	31%
District*	2	15%
	3	15%
	4	8%
	7N	15%
	8	15%
	9	8%
	10	23%
Ethnicity	Asian – East Asian	15%
	White or European Descent	69%
	Chose Not to Respond	16%
Gender	Female	38%
	Male	46%
	Chose Not to Respond	16%
Sexual Orientation	Gay, Lesbian, Bisexual, Pansexual, or Queer	8%
	Heterosexual	61%
	Chose Not to Respond	31%

¹ Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

WASHINGTON STATE BAR ASSOCIATION

WSBA ENTITY ANNUAL REPORT

FY 2022: October 1, 2021 – September 30, 2022

The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.

Instructions: In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boardsⁱ), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2021 – September 30, 2022. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

Name of Entity:	Limited License Legal Technician (LLLT) Board
Chair or Co-Chairs:	FY22 Chair: Nancy Ivarinen, Vice Chair: Jen Bull; FY23 Chair: Stephen Crossland, Vice Chair: Nancy Ivarinen
Staff Liaison: <i>(include name, job title, and department if known)</i>	Jonathan Burke, Innovative Licensing Counsel, RSD
Board of Governors Liaison:	FY22: Lauren Boyd; FY23: Lauren Boyd
Purpose of Entity: <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Limited License Technician Board (LLLT Board) derives its authority from the Washington Supreme Court under Rule 28 of the Admissions and Practice Rules (APR). The purpose of the LLLT Board is to oversee the LLLT Program, perform the responsibilities provided in APR 28(C)(2), and to advise or prescribe the conditions of and limitations upon the provision of certain legal services provided by LLLTs to protect the public.	
Strategy to Fulfill Purpose:	
The LLLT Board will continue to effectuate its ongoing duties regarding license requirements, including proposing appropriate rule changes, addressing LLLT disciplinary issues, developing forms for LLLT use, and developing CLEs relevant to LLLT practice as well as attorneys.	
How does the entity's purpose help further the mission of the WSBA "to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice"?	

LLTs provide needed legal services in the practice area of domestic relations primarily to the working poor and people of moderate means and, in addition, provide pro bono services. The LLLT program provides access to justice to those who otherwise may not be able to afford it.

2021 -2022 Entity Accomplishments:

The LLLT Board created the final two LLLT examinations for the LLLT Program prior to the July 31, 2022 sunset date. It dealt with and encouraged applicants in the pipeline to complete the application process. The LLLT Board proposed an amendment to extend the deadline for those applicants who passed the LLLT exam to complete the application until July 31, 2023, which was adopted by the Supreme Court on June 9, 2022. The LLLT Board prepared an extensive and comprehensive draft Real Estate Division Worksheet for LLLTs to use. The LLLT Board continues to review and assess APR 28 as the LLLT Program transitions to its post-sunset role. The LLLT Board submitted proposed amendments to APR 28, which are currently pending consideration by the Supreme Court. Attached to this report is a copy of a Arkansas Law Review discussing Washington’s LLLT Program, published in January 2022.

Looking Ahead: 2022-2023 Top Goals & Priorities:

1	Propose appropriate and necessary amendments to APR 28.
2	Continue to develop and update forms for LLLTs, including finalizing the real estate worksheet and a request for notice form.
3	Develop CLEs to support LLLTs dealing with various legal topics and issues, including the anticipated changes to APR 28 relating to third party guardianships and protective orders.
4	Develop a means to gather and analyze data about LLLT services being provided to evaluate the LLLT Program.
5	Continue to collaborate with the Practice of Law Board and Access to Justice Board regarding other programs involving limited legal service providers.

Please describe how this entity is addressing diversity, equity, and inclusion:

How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?

The LLLT Board attempted to recruit more Board members from outside the Seattle/Tacoma area, obtain a more gender balanced Board membership and effectuate the inclusion of people who have protected class status. The LLLT Board recruited members in its efforts to seek more economic diversity, and worked toward welcoming practitioners with different levels of legal experience.

Please share feedback regarding the support and engagement provided by WSBA.

For example:

- *Quality of WSBA staff support/services, including technology solutions*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

Towards the beginning of FY 2022, the LLLT Board had some concerns related to issues being discussed by the TAXICAB taskforce (Task Force Team Administering Xenial Involvement). TAXICAB sought to define WSBA policies to comply with the responsibilities in denoted in General Rule (GR) 12.3. The WSBA endeavored to reach a consensus with Supreme Court Boards, including the LLLT Board, regarding the interpretation of GR 12.3. The LLLT Board's concerns included the applicability of immunity and indemnity to conduct by members of the LLLT Board. The LLLT Board's concerns substantially subsided after the TAXICAB taskforce reached a proposed agreement of understanding entitled Joint Administrative Policy Between WSBA and the Supreme Court Boards (Agreement), which includes provisions on indemnity and immunity and addresses other issues.

**Entity Detail & Demographics Report:
To Be Completed by WSBA Staff**

Size of Entity:	15 members
Membership Size:	76 active LLLTs (8 inactive)
Number of Applicants for FY23 <i>(October 1, 2021 – September 30, 2022)</i>	22
Number of current volunteer vacancies for this entity	0
Direct Expenses:	\$15,449
Indirect Expenses:	\$71,889

FY22 Demographics:

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

Disability	No	73%
	Yes	7%
	Chose Not to Respond	20%
District*	2	7%
	3	7%
	4	7%
	5	7%
	7S	7%
	8	7%
	Unknown	58%
Ethnicity	Black, African American or African Descent	7%
	White or European Descent	87%
	Chose Not to Respond	6%
Gender	Female	73%
	Male	20%

	Chose Not to Respond	7%
Sexual Orientation	Heterosexual	80%
	Chose Not to Respond	10%

ⁱ Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

WASHINGTON STATE BAR ASSOCIATION

WSBA ENTITY ANNUAL REPORT

FY 2022: October 1, 2021 – September 30, 2022

The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.

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It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

Name of Entity:	Limited Practice Board
Chair or Co-Chairs:	FY22 Chair: David Bastian; FY23 Chair: Bill Ronhaar
Staff Liaison: <i>(include name, job title, and department if known)</i>	Jon Burke, Innovative Licensing Counsel, RSD
Board of Governors Liaison:	Carla Higginson
Purpose of Entity: <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Limited Practice Board (LPB) derives its authority from the Washington Supreme Court under Rule 12 of the Admission and Practice Rules (APR). The purpose of the LPB is to oversee the Limited Practice Officer (LPO) license program and to work with Bar and others to create and grade a LPO examinations for admission to practice law, improve and approve standard forms for use by LPOs, and handle grievances and enforce discipline under the applicable ethics rules and procedural rules.	
Strategy to Fulfill Purpose:	
The LPB meets four to six times per year to develop and grade the LPO exam and discuss issues and items of concern or that are relevant to the LPO license. The LPB’s Disciplinary Committee handles the resolution of many ethics grievances. The Forms Committee reviews, edits, and creates standard forms used by LPOs that are submitted to the LPB for approval.	
How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?	

The LPB serves the public by overseeing and effectuating the LPO Program, including (1) working with the Bar to prepare, administer, and grade the LPO exam twice a year, and (2) drafting, updating, editing, and approving forms used by LPO. The LPB ensures the integrity of the legal profession by administering the LPO discipline system, including handling grievances against LPOs.

2022 -2023 Entity Accomplishments:

The LPB prepared and graded two LPO examinations comprised of 50 multiple choice questions, 3 essay questions, and 1 performance questions that were administered in February 2022 and July 2022. The LPB worked to administer two in-person LPO examinations this year and started working with a vendor to use computer software for the July 2022 LPO examination. The LPB drafted and added the Appointment of Successor Trustee to the LPO forms.

Looking Ahead: 2022-2023 Top Goals & Priorities:

1	Continue to develop testing software for future LPO examinations
2	Review and make changes to LPO forms, as needed
3	Review, edit, and improve bank of LPO examination questions to ensure content and format appropriately assess the required knowledge and skills to practice as a limited practice officer.
4	Consider changes to LPO Form for Statutory Warranty Deed
5	Click or tap here to enter text.

Please describe how this entity is addressing diversity, equity, and inclusion:

How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?

The LPB encourages diversity, equity, and inclusion in its efforts to recruit board members. These efforts have not yet yielded the positive results that the LPB intended. For example, the last recruitment effort by the LPB did not yield enough applications to fill all of the required positions on the LPB, and the only person to apply for a position on the LPB did not represent a minority or protected class. In the future, LPB will make a stronger effort to encourage more diversity.

Please share feedback regarding the support and engagement provided by WSBA.

For example:

- *Quality of WSBA staff support/services, including technology solutions*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

The LPB has a positive symbiotic relationship with WSBA staff and the BOG liaison. The former BOG liaison is now a member of the LPB.

**Entity Detail & Demographics Report:
To Be Completed by WSBA Staff**

Size of Entity:

9

Number of Applicants for FY23 <i>(October 1, 2021 – September 30, 2022)</i>	4																																	
Number of current volunteer vacancies for this entity	0																																	
Direct Expenses:	\$2,000																																	
Indirect Expenses:	\$52,267																																	
<p>FY22 Demographics: The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.</p> <p>Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.</p> <table border="1"> <tr> <td rowspan="3">Disability</td> <td>No</td> <td>89%</td> </tr> <tr> <td>Chose Not to Respond</td> <td>11%</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td rowspan="3">District*</td> <td>1</td> <td>22%</td> </tr> <tr> <td>2</td> <td>11%</td> </tr> <tr> <td>7S</td> <td>11%</td> </tr> <tr> <td rowspan="3">Ethnicity</td> <td>White or European Descent</td> <td>89%</td> </tr> <tr> <td>Chose Not to Respond</td> <td>11%</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td rowspan="3">Gender</td> <td>Female</td> <td>44%</td> </tr> <tr> <td>Male</td> <td>44%</td> </tr> <tr> <td>Chose Not to Respond</td> <td>11%</td> </tr> <tr> <td rowspan="2">Sexual Orientation</td> <td>Heterosexual</td> <td>67%</td> </tr> <tr> <td>Chose Not to Respond</td> <td>33%</td> </tr> </table>		Disability	No	89%	Chose Not to Respond	11%			District*	1	22%	2	11%	7S	11%	Ethnicity	White or European Descent	89%	Chose Not to Respond	11%			Gender	Female	44%	Male	44%	Chose Not to Respond	11%	Sexual Orientation	Heterosexual	67%	Chose Not to Respond	33%
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To: Washington Supreme Court Justices
From: MCLE Board
Date: August 29, 2022
RE: **2021-2022 MCLE BOARD TERM REPORT**

Background & Purpose:

The Mandatory Continuing Legal Education (MCLE) Board derives its authority from the Washington Supreme Court. Under Admission and Practice Rule (APR) 11(d)(2), the MCLE Board is authorized to accredit courses and educational programs that satisfy the educational requirements of the mandatory CLE rule, consider MCLE policy issues, determine and adjust fees, consider member and sponsor petitions for waivers from requirements and appeals from decisions, and suggest amendments or regulations to APR 11. The MCLE Board is comprised of six (6) WSBA members and one (1) community member. On average, the MCLE Board meets five times a year.

FY 2021-2022 MCLE Board Goals:

1. MCLE Credit for Law Clerk Tutors

Pursuant to APR 11(d)(2)(i), “The MCLE Board shall review and suggest amendments or make regulations to APR 11 as necessary to fulfill the purpose of MCLE and for the timely and efficient administration of these rules and for clarification of education requirements, approved activities, and approved course subjects. Suggested amendments are subject to review by the Board of Governors and approval by the Supreme Court.” Taking into consideration feedback from the public, licensed legal professionals, and with the support of both the Law Clerk Board and the unanimous support of the WSBA Board of Governors at their July 2022 meeting, the MCLE Board decided at their August 5, 2022 meeting to recommend to the Washington Supreme Court an amendment to APR 11 which would allow MCLE credit for tutors in the APR 6 Law Clerk Program.

The MCLE Board plans to submit a GR 9 cover sheet by October 15, 2022, for the Supreme Court to consider.

2. Explore an amendment to the APR 11 ethics requirement—in the topics of both mental health and technology

The MCLE Board formed a workgroup to explore whether to suggest additional amendments to the APR 11 ethics requirement- in the topics of both mental health and technology. This workgroup was delayed in meeting due to the limitations of staff resources during this unprecedented reporting period (the Court ordered extension of the 2018-2021 reporting period resulted in two times the number of



licensed legal professionals reporting during this MCLE Board term), as staff were unable to support the MCLE Board with two preliminary suggested amendments simultaneously. MCLE Board may revisit this topic to see if they would like to explore this in October 2022.

3. Course Audits

MCLE Board members have a goal of auditing two or more CLE courses each year, focusing on accredited sponsors as well as courses covering topics of diversity, equity and inclusion. The MCLE Board has completed five (5) audit reports throughout the 2021-2022 term and are in the process of auditing four (4) additional courses. Accredited sponsors have the same duties as general sponsors, however they have the additional responsibility of approving their own courses and determining appropriate MCLE credit in accordance with APR 11. Accredited sponsors pay an annual flat fee for all course applications submitted in lieu of an application fee for each individual course.

4. Diversity

The MCLE Board will continue to examine and work to increase the diversity of the MCLE Board. The MCLE Board continues to seek board members who represent diversity in geography, and all other diversity criteria used by the WSBA. Additionally, the Board routinely receives and considers input from petitions filed by WSBA members affected by the MCLE rules.

The MCLE Board fosters an atmosphere of civility and collegiality insofar as how the Board receives comments from WSBA members, staff, fellow board members, and others. This is accomplished by active listening and respectful discussion. Consistency in the application of the rules is maintained by active discussion on the merits of each issue brought before the MCLE Board. The MCLE Board aims to achieve Board consensus whenever possible.

WSBA Task Force Team Administering Xenial Involvement with Court Appointed Boards

MCLE Board member Robert Malae serves as the MCLE Board representative on the WSBA Task Force Administering Xenial Involvement with Court Appointed Boards (TAXICAB) and provides regular updates to the MCLE Board regarding the actions of the task force at each MCLE Board meeting. The Task Force charter lists the team's responsibilities as:

1. Assessing the WSBA's collaborative role in administering Court appointed Boards, to include current and future boards appointed or established by the Court. Currently, these Boards include the Access to Justice Board, Disciplinary Board, Limited License Legal Technician Board, Limited Practice Board, Mandatory Continuing Legal Education Board and the Practice of Law Board (Court Appointed Boards).
2. Working with the Court to ensure that WSBA's administration of current Court Appointed Boards is consistent with the Court's intent and to share information that will enable the Court Appointed Boards to better serve their missions. This includes providing information regarding the fiscal impact of the Court Appointed Board and substantive measures that could be taken to improve and better facilitate the Boards.
3. Conveying to the court substantive information about the Boards and member concerns.

Implementation of the amendment to the APR 11 ethics requirement.

On October 15, 2020, the MCLE Board submitted a suggested amendment to the Washington Supreme Court. On July 1, 2021, the Washington Supreme Court entered order 25700-A-1349 approving the MCLE Board's suggested amendment. The order is effective September 1, 2022. The amendment to APR 11 requires, per each three-year MCLE reporting period, that each licensed legal professional complete at least one ethics credit in the topic of equity, inclusion, and the mitigation of both implicit and explicit bias in the legal profession and the practice of law.

After receiving a request for course accreditation guidance from MCLE staff, the MCLE Board has continued to provide guidance on courses—that cover issues of diversity, inclusion, and elimination of bias—and whether they will meet the new ethics requirement that went into effect on 9/1/2022. MCLE staff worked with WSBA IT to update the MCLE online system to allow CLE sponsors to apply for “equity...” credit and determine if those courses held on or after 9/1/2022 meet the new ethics requirement.

As the MCLE Board previously reported to the Court, during the annual meeting between the Court and MCLE Board in September 2021, the MCLE Board adopted two policies with the intent to provide guidance for the implementation of “equity credit”.

MCLE Board Policy – Implementation of New Ethics Requirement

This policy establishes 2023-2025 as the first reporting period required to report and certify the new requirement. The policy is intended to allow time for WSBA staff to develop tracking mechanisms in the MCLE database for certification and course accreditation according to the new requirements. In addition, this policy provides time to notify both licensed legal professionals and CLE sponsors of the new requirement.

MCLE Board Policy – Credit Carryover

This policy clarifies that while all ethics credits earned in excess of the reporting period requirement will be carried over as ethics credit in accordance with APR 11(c)(7), a new equity requirement must be earned in each reporting period. This policy is consistent with the current administration of ethics carryover credits: excess ethics credits carryover in its broader, general definition. For example, activities that relate to the ethical risks to practice associated with diagnosable mental health issues, Rules of Professional Conduct, diversity and antibias as it relates to the legal system all currently carryover as ethics credit.

The MCLE Board drafted an article for the *Washington State Bar News* in an effort to provide guidance to licensed legal professionals and answer frequently asked questions¹. MCLE staff is continuing to work

¹ Set to publish in September, the MCLE Board *Bar News* article can be viewed online at: <https://wabarnews.org/archive/>

with WSBA IT to implement tracking of the new ethics requirement for licensed legal professionals into the new online MCLE system.

Petitions & Board Decisions

At each meeting, the MCLE Board reviews petitions that have been submitted on the basis of undue hardship. Per APR 11(i)(5): “a lawyer, LLLT, or LPO may file with the MCLE Board an undue hardship petition for an extension, waiver, and/or modification of the MCLE requirements.”

All petitions are first reviewed by the MCLE staff liaison and approved, denied, or forwarded to the MCLE Board based on the Board-approved decision matrix, which defines applicable hardships. The MCLE Board also reviews appeals of denials and holds hearings at the request of licensed legal professionals who also have the option to appeal a denial by the MCLE Board to the Supreme Court.

In total, one hundred and eleven (111) petitions of undue hardship were reviewed by the MCLE Board during the 2021-2022 meeting term. Due to the Court ordered extension of the 2018-2020 reporting period, the 2018-2021 extended reporting period and the 2019 -2021 reporting period were reporting and certifying their MCLE requirements concurrently. The MCLE Board began to receive petitions for both reporting periods in the fall of 2022. Twenty-seven (27) petitions were approved, thirty-eight (38) denied, and forty (40) petitions received a partial approval/partial denial. Five (5) denial decision reviews were requested, and one (1) denial was subsequently reversed, and the petition approved, with the remaining four (4) denials upheld. The MCLE Board held one (1) hearing to review a previous partial denial at the request of a lawyer. At the hearing, the partial denial was subsequently reversed, and the petitioner’s request was granted. Please note that one petition may include several requests regarding MCLE requirements. For comparison, the MCLE Board received a total of sixty-eight (68) petitions during the 2017-2019 reporting period.

Board APR 11 Interpretations

The MCLE Board reviewed eighteen (18) activities at the request of either the MCLE staff or a licensed legal professional. The MCLE Board also discussed various hypothetical CLE applications to assist staff with the accreditation of courses covering equity, inclusion, and the mitigation of bias. The Board discussed issues of target audience, content, and speaker biographies as important points for each accreditation decision, in light of the amendment to the ethics credit category defined in APR 11(f)(2), effective September 1, 2022. The hypotheticals included:

1. A presentation on implicit bias presented by a diversity training professional to a law firm, but with no specific link to the legal profession.
2. A presentation discussing implications of harassment and hostile work environments on marginalized communities, presented by a human resources professional to a government office.

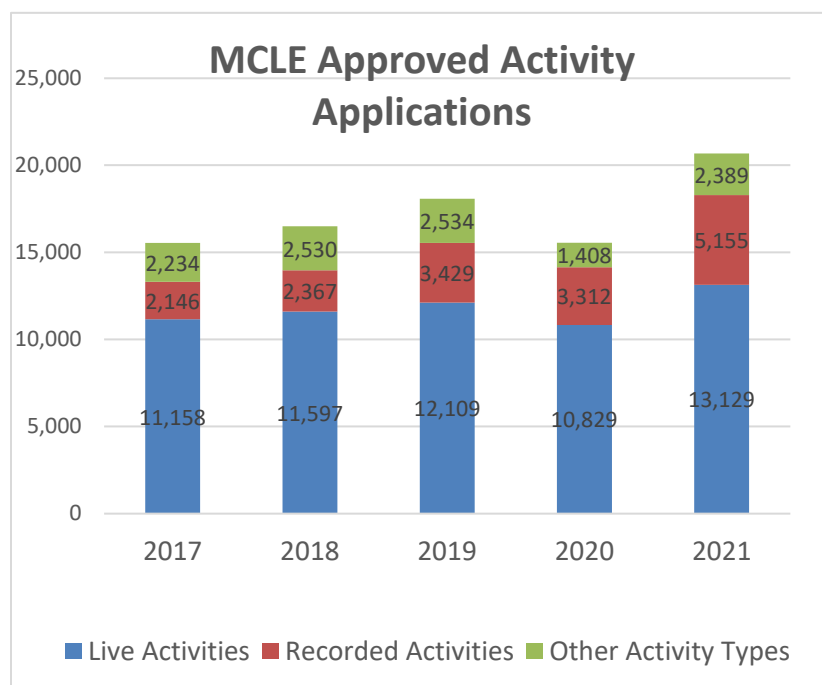
3. A presentation covering the effects of historical bias and legislation and the effects of that legislation today, presented by two lawyers to a university forum. The course is designed for a mixed audience of lawyers, teachers, and law students.

The MCLE Board discussed all three hypothetical courses and decided unanimously that all three would be approved as ethics. The Board encouraged MCLE staff to bring additional ethics accreditation issues to future Board meetings.

Strategies for Mitigating Implicit and Explicit Bias

In an effort to mitigate implicit and explicit bias from the MCLE petition review process, MCLE staff is redacting information pertaining to the petitioner’s identity, such as name, email, and license number before forwarding it to the MCLE Board for review.

MCLE Certification and Activity Submissions



The MCLE Board has delegated approval of courses to the WSBA’s MCLE staff. MCLE analysts regularly review CLE course submissions and accredit activities per standards outlined in APR 11. Hundreds of CLE activity applications are received each month, and MCLE analysts review and approve thousands of activity applications each year. ²

In addition to CLE activity reviews, MCLE staff handle the certification review process. As MCLE reporting and certification are based on a three-year reporting period, MCLE analysts review and verify that the MCLE requirements are completed for

one-third of active membership each year. Due to the Court-ordered extension of the 2018-2020 reporting period (now 2018-2021), twice as many licensed legal professionals were due to certify credits by February 1, 2022. In order to meet and accomplish this increased workload (each individual certification must be reviewed by an MCLE analyst), MCLE staff worked with WSBA IT to open the MCLE certification in July 2021—several months ahead of the customary certification opening month of November.

² The 2020 column of the MCLE Approved Activity Applications table accounts for an additional 514 approved course preparation activities not accounted for in the 2021 annual report.

Over 20,000 licensed legal professional certifications were reviewed and are compliant for the 2018-2021 and 2019-2021 reporting periods. On May 3, 2022, the suspension deadline passed for lawyers, LLLTs, and LPOs in the 2018-2021 and the 2019-2021 MCLE reporting periods. Certification opened on July 1, 2021. On March 4, 2022, the pre-suspension notice was sent to all licensed legal professionals that had not yet completed their licensing or MCLE requirements. On May 5, 2022, a list of 100 licensed legal professionals (96 lawyers and 4 LPOs) were recommended to the WA Supreme Court for administrative suspension for failure to meet their MCLE requirements for the 2018-2021 and 2019-2021 reporting periods. Out of the 100 individuals suspended, 69 licensed legal professionals had outstanding licensing requirements, in addition to incomplete MCLE requirements, listed on the Court order.

Attachments:

1. 2021-2022 MCLE Board Roster
2. MCLE Board Policies
 - Ethics Requirement Implementation
 - Credit Carryover
3. MCLE Board Undue Hardship Decision Matrix
4. MCLE Fee Structure
5. MCLE June 2022 Budget Summary
6. Admission and Practice Rule (APR) 11

2021-2022 MCLE Board Term Report

Attachments

1. 2021-2022 MCLE Board Roster
2. MCLE Board Policies
 - a. Ethics Requirement Implementation
 - b. Credit Carryover
3. MCLE Board Undue Hardship Decision Matrix
4. MCLE Fee Structure
5. June 2022 Budget Summary
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2021-2022 MCLE BOARD

Todd Alberstone (Chair)
Robert J Malae (Vice-Chair)
M. Christopher Bueter
Ayanna Colman
Asia Noel Wright
Efrem Robert Krisher
Merri Hartse

BOG Liaison:
Serena Sayani

Staff Liaison:
Adelaine Shay



- MCLE Board Policies**
- Ethics Requirement Implementation
 - Credit Carryover

BOARD POLICY : Implementation of the New Ethics Credit

The Supreme Court adopted Order No. 25700-A-1349, which amended APR 11(c)(1)(ii) and APR 11(f)(2), to require licensed legal professionals to earn one credit in the category of equity, inclusion, and the mitigation of both implicit and explicit bias (hereinafter referred to as “equity credit”). The MCLE Board issues the following policy to clarify which MCLE reporting period will be the first required to report the new equity credit.

1. The MCLE Board will track the new equity credit—as outlined in APR 11(c)(1)(ii) and APR 11(f)(2)—starting with the 2023-2025 MCLE reporting period. Licensed legal professionals in the 2023-2025 and subsequent MCLE reporting periods will be required to report and certify fulfillment of the equity credit requirement.

BOARD POLICY: Ethics Credit Carryover

The Supreme Court adopted order NO. 25700-A-1349, which amended APR 11(c)(1)(ii) and APR 11(f)(2), to require licensed legal professionals to earn one credit in the category of equity, inclusion, and the mitigation of both implicit and explicit bias (hereinafter referred to as “equity credit”). The MCLE Board issues the following policy to clarify ethics carryover credit. The MCLE Board has determined the following:

1. Equity credit earned in excess of the reporting period requirement may be carried over as ethics credit in accordance with APR 11(c)(7), but a new equity credit must be earned in each reporting period.

MCLE Board Approved

Undue Hardship Petition Decision Matrix

EXTENSION (EXT) REQUESTS MATRIX

Reason No.	SITUATION <i>Applies to first period of non-compliance, and multiple consecutive periods of non-compliance.</i>	DECISION
EXT 1	(1) Significant medical hardship of self or immediate family member for whom member is primary support; and (2) Requested extension deadline is in the same calendar year in which the lawyer is due to report.	* First request -- grant extension with reasonable deadline * Second request -- refer to the MCLE Board
EXT 2	(1) Death of immediate family member which caused lawyer hardship (e.g., emotional, physical, financial, scheduling); and (2) Requested extension deadline is in the same calendar year in which the lawyer is due to report.	* First request -- grant extension with reasonable deadline * Second request -- refer to the MCLE Board
EXT 3	(1) Financial hardship -- due to (a) being unemployed or employed with poverty-level wages; (b) major medical expense for self or family member; or (c) bankruptcy; and (2) Requested extension deadline is in the same calendar year in which the lawyer is due to report.	* First request -- grant extension with reasonable deadline * Second request -- refer to MCLE Board
EXT 4	On an active military assignment in a location where it is possible to access CLE courses but military obligations do not allow enough time to complete credits by the deadline.	* First request -- grant extension with reasonable deadline * Second request -- refer to MCLE Board
EXT 5	All other requests	Deny

CREDIT MODIFICATION (MOD) DECISION MATRIX

Reason No.	SITUATION <i>Applies to first period of non-compliance, and multiple consecutive periods of non-compliance.</i>	DECISION
MOD 1	Significant medical hardship of self or immediate family member for whom lawyer is primary support.	Grant as appropriate
MOD 2	Death of immediate family member which caused lawyer hardship (e.g., emotional, physical, financial, scheduling).	Grant as appropriate
MOD 3	Financial hardship (as defined by the "First Time Late Fee Waiver Requests Decision Criteria" table)	Grant as appropriate
MOD 4	All other reasons	Deny

EXEMPTION (EXM) DECISION MATRIX

Reason No.	SITUATION <i>Applies to first period of non-compliance, and multiple consecutive periods of non-compliance for EXM 3 only. For EXM 1&2, for multiple consecutive periods of non-compliance, bring to board.</i>	DECISION Note: If a waiver is approved and some credits have already been completed, grant the waiver only for the number of credits still needed for compliance. There should be no carry-over as a result of this waiver.
EXM 1	(1) Significant medical hardship of self or immediate family member for whom member is primary support; and (2) Petition is filed by certification deadline; and (3) <u>Less</u> than 15 credits due of which no more than 2 are ethics.	Grant.
EXM 2	(1) Significant medical hardship of self or immediate family member for whom member is primary support; and (2) Petition is filed by certification deadline; and (3) 15 or <u>more</u> credits still due and/or more than 2 ethics credits due.	Grant request if medical hardship is for lawyer and: (a) is life-threatening; or (b) is of long duration (in years); or (c) lawyer is 75 or older. All others: Deny request and grant extension instead
EXM 3	On active military assignment in remote location or on a domestic base where it is difficult to access CLE courses.	Grant.
EXM 4	All other requests.	Deny.

LATE FEE WAIVER DECISION CRITERIA

Note: If "Credits by 12/31" is "Y," then late fee was assessed because certification was submitted after the February 1 deadline.

Y* = Complete at time petition considered

No.	SITUATION	CREDITS BY 12/31?	CREDITS DONE After 12/31?	CERTIFIED?	1st Non-Comp RP	>1 Consecutive Non-Comp RP	DECISION
MEDICAL HARDSHIP/DEATH <ul style="list-style-type: none"> • "Immediate family member" as defined by RPC 1.8(l) subpart 1 as: parent, child, sibling, or spouse • Death must have occurred within six months of end of reporting period • Refer petition requests on basis of death liberally to the Board if any doubt exists 							
A1	Significant medical hardship of self or immediate family member for whom licensed legal professional is primary support, or Death of immediate family member which caused lawyer hardship (e.g., emotional, physical, financial, scheduling)	Y/N	Y*	Y/N	X		Waive if certification submitted or once it is submitted.
A2	Significant medical hardship of self or immediate family member for whom licensed legal professional is primary support, or Death of immediate family member which caused lawyer hardship (e.g., emotional, physical, financial, scheduling)	Y/N	Y*	Y/N		X	Reduce or waive [depending on the circumstance] if certification submitted or once it is submitted.
A3	Significant medical hardship of self or immediate family member for whom licensed legal professional is primary support, or Death of immediate family member which caused lawyer hardship (e.g., emotional, physical, financial, scheduling)	N	N	Y/N	X	X	<15 credits remaining = Reduce or waive [depending on the circumstance] if Certification submitted by the deadline (with all credits needed for compliance completed). >15 credit remaining = Refer to the Board

No.	SITUATION	CREDITS BY 12/31?	CREDITS DONE After 12/31?	CERTIFIED?	1st Non-Comp RP	>1 Consecutive Non-Comp RP	DECISION
	FINANCIAL HARDSHIP as defined by 200% of Federal Poverty Guidelines based on <u>gross household</u> annual income due to (1) being unemployed or employed with poverty-level wages; (2) major medical expense for self or family member; or (3) bankruptcy. The guidelines are the same ones approved by the BOG in 2010 for determining a one-time waiver of the annual license fee based on financial hardship. (See attached "WSBA License Fee Exemption Request Form".) Offer a payment extension if necessary, taking the following guidelines into consideration: <ul style="list-style-type: none"> • Petition received for financial hardship waiver of late fee; • Waiver was denied or late fee was reduced; • Gross household income between 200-400% of the Federal Poverty Guidelines; • Credit requirements have been met and certified; • The late fee amount owed is equal to or more than \$450; • The fee is paid in full within 3-5 months depending on the amount. 						
B1	FINANCIAL HARDSHIP	Y		Y	X		Waive
B2	FINANCIAL HARDSHIP		Y*	Y*	X		Reduce to \$50 [<i>waive</i> \$100] if paid by the deadline.
B3	FINANCIAL HARDSHIP	Y		N	X		Reduce to \$50 [<i>waive</i> \$100] if paid and certified by the deadline.
B4	FINANCIAL HARDSHIP		Y*/N	Y/N	X		Reduce to \$75 [<i>waive</i> \$75] if paid and certified by the deadline.
B5	FINANCIAL HARDSHIP	Y		Y*		X	Waive \$300 if paid by the deadline.
B6	FINANCIAL HARDSHIP		Y*	Y*		X	Waive \$200 if paid by the deadline.
B7	FINANCIAL HARDSHIP	Y		N		X	Waive \$250 if paid and certified by the deadline.
B8	FINANCIAL HARDSHIP		Y*/N	Y/N		X	Waive \$150 if paid and certified by the deadline.
B9	FINANCIAL HARDSHIP qualifying criteria not met		Y*/N	Y/N	X	X	Deny - Include payment extension language in denial letter.
	MILITARY -- On active military assignment in remote non-U.S. location where mail is slow and unreliable and/or in active combat area. No deadline for payment due to mail unreliability (but will not be compliant until it is paid).						
D1	MILITARY -- See header criteria	Y/N	Y*/N	Y*/N	X		Waive late fee.
D6	MILITARY -- See header criteria	Y/N	Y*/N	Y/N		X	Refer to the Board
	MAIL DELIVERY PROBLEM						

No.	SITUATION	CREDITS BY 12/31?	CREDITS DONE After 12/31?	CERTIFIED?	1st Non-Comp RP	>1 Consecutive Non-Comp RP	DECISION
E1	Claims certified by 2/1.	Y	Y*	Y*	X	X	Grant if licensed legal professional establishes timely certification or if administrative error; otherwise deny.
MIS-INFORMATION FROM WSBA / LICENSED LEGAL PROFESSIONAL'S FAILURE TO LEARN MCLE REQUIREMENTS							
F1	Reports that certification completed online by 2/1 and it was the <u>first time</u> licensed legal professional certified online. Certification was not submitted correctly, therefore 2/1 deadline not met.	Y		Y*	X	X	Waive the late fee once certification has been completed successfully. (This policy was passed by the Board on 3/19/10.)
F2	Reports being told by WSBA staff certification not needed	Y/N	Y*	Y*/N	X	X	Deny
F3	Licensed legal professional reports receiving other errant information from the WSBA [and it was reasonable for the licensed legal professional to be dependent on the information] or other WSBA administrative error occurred causing the late fee.	Y	Y*	Y*	X	X	Reduce or waive the late fee depending on the circumstances.
F4	Licensed legal professional reports receiving the previous petition decision letter after the deadline that had to be met for a fee reduction.	Y	Y*	Y*	X	X	Reduce or waive the late fee depending on the circumstances.
	SPONSOR MIS-ADVERTISEMENT						
G1	Short credits due to sponsor error or mis-advertisement of CLE credits (if < or = 2 credits)	See note	See note	Y	X	X	Grant if * At least 43 credits are in reporting period * Shortfall made up in timely manner after notification of misaccreditation * All credits needed for compliance are complete * Certification is complete

No.	SITUATION	CREDITS BY 12/31?	CREDITS DONE After 12/31?	CERTIFIED?	1st Non-Comp RP	>1 Con-secutive Non-Comp RP	DECISION
	MISC. REASONS FOR NON-COMPLIANCE						
K1	<p>Certified reporting period roster with a duplicate course; deletion of the course causes credit non-compliance after 12/31.</p> <p>* All other credits were taken within the RP</p> <p>* < or = 4 credits need to be taken to make up credit deficiency.</p> <p>* Credits made up and certified in a timely manner.</p> <p>* Never late before.</p>	Y		Y	X		Reduce late fee to \$75 <u>[waive \$75]</u> . if payment postmarked/delivered to the WSBA by the deadline.
K2	<p>Busy practice / Oversight / Other non-medical or non-financial hardship reason [See "Misc." list below]</p>						Deny
MISC. REASONS FOR NON-COMPLIANCE							
Claims mailed certification to WSBA but not received by WSBA.							
Class that licensed legal professional planning to take cancelled at last minute and licensed legal professional still has time in reporting period to take needed credits.							
Did not know certification had to be submitted since all credits are on the MCLE web site (even though instructions about requirement for certification is in APR 11, and in the July 1st letter, in the NW Lawyer FYI column Sept.-April each year, on the certification forms in the annual license packet and in all email reminders about license renewal).							

MCLE Board Direction on Petitions

04/03/2020 Meeting:

- **Regarding Military Spouses Submitting Petitions:** The MCLE Board approved by motion to direct the WSBA Staff Liaison to bring any military spouse petitions to the Board for review.

MCLE Fee Structure
&
June 2022 Budget Summary

MCLE Fee Structure

Fee For CLE Sponsors	
Course Application and Late Fees for CLE Sponsors	Fees
Course Application <i>Note: Government agencies and Nonprofit organizations are not required to pay the application fee when a course is offered for free.</i>	\$ 100 / course
Course Application Late Fee	\$50 / course
Attendance Late Fee	\$50 / submission

Fees For Accredited Sponsor Annual Fees	
<i>Accredited sponsors have the same duties as sponsors but have the additional responsibility of approving their own courses and determining appropriate MCLE credit in accordance with Washington Supreme Court Admission and Practice Rule 11. Accredited sponsors pay an annual flat fee for all course applications submitted in lieu of an application fee for each individual course.</i>	
Number of annual courses	Fees
0-50 courses	\$ 500
51-100 courses	\$ 1,500
101-250 courses	\$ 2,250
251-500 courses	\$ 3,000
501-1000 courses	\$ 4,500
1001 + courses	\$ 6,000

Late Certification By Licensed Legal Professionals	
Certification Late Fees	Fees
Lawyer, LLLT, and LPO Certification Late Fee	Start at \$ 150 and increase by \$ 300 for every consecutive (three-year) period of late compliance.

Washington State Bar Association

Statement of Activities

For the Period from June 1, 2022 to June 30, 2022

75% OF YEAR COMPLETE

	FISCAL 2022 REFORECAST	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF REFORECAST	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
MANDATORY CONTINUING LEGAL EDUCATION						
REVENUE:						
ACCREDITED PROGRAM FEES	566,556	45,700	467,700	98,856	83%	42,783
FORM 1 LATE FEES	220,000	17,800	179,450	40,550	82%	14,450
MEMBER LATE FEES	400,000	900	421,600	(21,600)	105%	121,600
ANNUAL ACCREDITED SPONSOR FEES	39,250	-	34,500	4,750	88%	5,063
ATTENDANCE LATE FEES	115,000	7,750	93,750	21,250	82%	7,500
COMITY CERTIFICATES	42,000	675	45,325	(3,325)	108%	13,825
TOTAL REVENUE:	1,382,807	72,825	1,242,325	140,481	90%	205,220
DIRECT EXPENSES:						
DEPRECIATION	22,747	1,679	19,414	3,332	85%	(2,354)
STAFF MEMBERSHIP DUES	500	-	500	-	100%	(125)
ONLINE LEGAL RESEARCH	2,114	317	1,261	852	60%	324
LAW LIBRARY	182	23	104	78	57%	33
MCLE BOARD	1,300	-	-	1,300	0%	975
STAFF TRAVEL/PARKING	50	-	-	50	0%	38
STAFF CONFERENCE & TRAINING	6,550	-	-	6,550	0%	4,913
TOTAL DIRECT EXPENSES:	33,442	2,019	21,279	12,163	64%	3,802
INDIRECT EXPENSES:						
SALARY EXPENSE (4 88 FTE)	391,608	23,927	330,826	60,783	84%	(37,119)
BENEFITS EXPENSE	118,897	9,925	85,241	33,655	72%	3,931
OTHER INDIRECT EXPENSE	144,282	9,757	101,836	42,446	71%	6,376
TOTAL INDIRECT EXPENSES:	654,787	43,609	517,903	136,884	79%	(26,813)
TOTAL ALL EXPENSES:	688,230	45,628	539,182	149,047	78%	(23,010)
NET INCOME (LOSS):	694,577	27,197	703,143	(8,566)	101%	182,210

Admission and Practice Rule (APR) 11

APR 11
MANDATORY CONTINUING LEGAL EDUCATION (MCLE)

(a) Purpose. Mandatory continuing legal education (MCLE) is intended to enhance lawyers', LLLTs', and LPOs' legal services to their clients and protect the public by assisting lawyers, LLLTs, and LPOs in maintaining and developing their competence as defined in RPC 1.1 or equivalent rule for LLLTs and LPOs, fitness to practice as defined in APR 20, and character as defined in APR 20. These rules set forth the minimum continuing legal education requirements for lawyers, LLLTs, and LPOs to accomplish this purpose.

(b) Definitions. For the purposes of this rule, the following definitions shall apply:

- (1) "Activity" means any method by which a lawyer, LLLT, or LPO may earn MCLE credits.
- (2) "Attending" means participating in an approved activity or course.
- (3) "Calendar year" means a time period beginning January 1 and ending December 31.
- (4) "Identical activity" means any prior course or other activity that has not undergone any substantial or substantive changes since last offered, provided, or undertaken.
- (5) "Lawyer, LLLT, or LPO" means an active lawyer, LLLT, or LPO of the Bar, a judicial member of the Bar classified as an administrative law judge, and any other lawyer licensed or authorized to practice law in Washington who is required by the Admission and Practice Rules (APR) to comply with this rule.
- (6) "Reporting period" means a three-year time period as assigned by the Bar in which a lawyer, LLLT, or LPO must meet the education requirements of this rule.
- (7) "Sponsor" means a provider of continuing legal education activities.

(c) Education Requirements.

- (1) *Minimum Requirement.* Each lawyer must complete 45 credits and each LLLT and LPO must complete 30 credits of approved continuing legal education by December 31 of the last year of the reporting period with the following requirements:
 - (i) at least 15 credits must be from attending approved courses in the subject of law and legal procedure, as defined in subsection (f)(1); and
 - (ii) at least six credits must be in ethics and professional responsibility, as defined in subsection (f)(2).

- (2) *Earning Credits.* A lawyer, LLLT, or LPO earns one credit for each 60 minutes of attending an approved activity. Credits are rounded to the nearest quarter hour. A lawyer, LLLT, or LPO may earn no more than eight credits per calendar day. A lawyer, LLLT, or LPO cannot receive credit more than once for an identical activity within the same reporting period.
- (3) *New Lawyers, LLLTs, and LPOs.* Newly admitted lawyers, LLLTs, and LPOs are exempt for the calendar year of admission.
- (4) *Military Personnel.* Military personnel in the United States Armed Forces may be granted an exemption, waiver, or modification upon proof of undue hardship, which includes deployment outside the United States. A petition shall be filed in accordance with subsection (i)(5) of these rules.
- (5) *Exemptions.* The following are exempt from the requirements of this rule for the reporting period(s) during which the exemption applies:
 - (i) *Judicial Exemption.* Judicial members of the Bar, except for administrative law judges;
 - (ii) *Supreme Court Clerks.* The Supreme Court clerk and assistant clerk(s) who are prohibited by court rule from practicing law;
 - (iii) *Legislative Exemption.* Members of the Washington State Congressional Delegation or the Washington State Legislature; and
 - (iv) *Gubernatorial Exemption.* The Governor of Washington State.
- (6) *Comity.* The education requirements in Oregon, Idaho, and Utah substantially meet Washington's education requirements for lawyers. These states are designated as comity states. A lawyer may certify compliance with these rules in lieu of meeting the education requirement by paying a comity fee and filing a Comity Certificate of MCLE Compliance from a comity state certifying to the lawyer's subjection to and compliance with that state's MCLE requirements during the lawyer's most recent reporting period.
- (7) *Carryover Credits.* If a lawyer, LLLT, or LPO completes more than the required number of credits for any one reporting period, up to 15 of the excess credits, 2 of which may be ethics and professional responsibility credits, may be carried forward to the next reporting period.

(d) MCLE Board.

- (1) *Establishment.* There is hereby established an MCLE Board consisting of seven members, six of whom must be active lawyers, LLLTs, or LPOs of the Bar and

one who is not licensed to practice law. The Supreme Court shall designate one board member to serve as chair of the MCLE Board. The members of the MCLE Board shall be appointed by the Supreme Court. Appointments shall be staggered for a three-year term. No member may serve more than two consecutive terms. Terms shall end on September 30 of the applicable year.

(2) *Powers and Duties.*

- (i) **Rules and Regulations.** The MCLE Board shall review and suggest amendments or make regulations to APR 11 as necessary to fulfill the purpose of MCLE and for the timely and efficient administration of these rules and for clarification of education requirements, approved activities, and approved course subjects. Suggested amendments are subject to review by the Board of Governors and approval by the Supreme Court.
- (ii) **Policies.** The MCLE Board may adopt policies to provide guidance in the administration of APR 11 and the associated regulations. The MCLE Board will notify the Board of Governors and the Supreme Court of any policies that it adopts. Such policies will become effective 60 days after promulgation by the MCLE Board.
- (iii) **Approve Activities.** The MCLE Board shall approve and determine the number of credits earned for all courses and activities satisfying the requirements of these rules. The MCLE Board shall delegate this power to the Bar subject to MCLE Board review and approval.
- (iv) **Review.** The MCLE Board shall review any determinations or decisions regarding approval of activities made by the Bar under these rules that adversely affect any lawyer, LLLT, or LPO or sponsor upon request of the lawyer, LLLT, or LPO, sponsor, or Bar. The MCLE Board may take appropriate action consistent with these rules after any such review and shall notify the lawyer, LLLT, or LPO or sponsor in writing of the action taken. The MCLE Board's decision shall be final.
- (v) **Fees.** The MCLE Board shall determine and adjust fees for the failure to comply with these rules and to defray the reasonably necessary costs of administering these rules. Fees shall be approved by the Board of Governors.
- (vi) **Waive and Modify Compliance.** The MCLE Board shall waive or modify a lawyer's, LLLT's, or LPO's compliance with the education or reporting requirements of these rules upon a showing of undue hardship filed in accordance with these rules. The MCLE Board may delegate this power to the Bar subject to (1) parameters and standards established by the MCLE Board and (2) review by the MCLE Board.

(vii) Approve Mentoring Programs. The MCLE Board shall approve mentoring programs that meet requirements and standards established by the MCLE Board for the purposes of awarding MCLE credit under these rules.

(viii) Audits for Standards Verification. The MCLE Board may audit approved courses to ensure compliance with the standards set forth in these rules.

(3) *Expenses and Administration.* Members of the MCLE Board shall not be compensated for their services but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties according to the Bar's expense policies. The Bar shall provide administrative support to the MCLE Board.

(e) **Approved Activities.** A lawyer, LLLT, or LPO may earn MCLE credit by attending, teaching, presenting, or participating in activities approved by the Bar. Only the following types of activities may be approved:

- (1) Attending, teaching, presenting, or participating in or at a course, provided that any pre-recorded audio/visual course is less than five years old;
- (2) Preparation time for a teacher, presenter, or panelist of an approved activity at the rate of up to five credits per hour of presentation time, provided that the presentation time is at least 30 minutes in duration;
- (3) Attending law school courses with proof of registration or attendance;
- (4) Attending bar review courses for jurisdictions other than Washington with proof of registration or attendance;
- (5) Writing for the purpose of lawyer, LLLT, or LPO education, when the writing has been published by a recognized publisher of legal works as a book, law review, or scholarly journal article of at least 10 pages, will earn one credit for every 60 minutes devoted to legal research and writing;
- (6) Teaching law school courses, when the instructor is not a full-time law school professor;
- (7) Providing pro bono legal services provided the legal services are rendered through a qualified legal services provider as defined in APR 1;
- (8) Participating in a structured mentoring program approved by the MCLE Board, provided the mentoring is free to the mentee and the mentor is an active member of the Bar in good standing and has been admitted to the practice of law in Washington for at least five years. The MCLE Board shall develop standards for approving mentoring programs; and

- (9) Judging or preparing law school students for law school recognized competitions, mock trials, or moot court. The sponsoring law school must comply with all sponsor requirements under this rule.

(f) Approved Course Subjects. Only the following subjects for courses will be approved:

- (1) *Law and legal procedure*, defined as legal education relating to substantive law, legal procedure, process, research, writing, analysis, or related skills and technology;
- (2) *Ethics and professional responsibility*, defined as topics relating to the general subject of professional responsibility and conduct standards for lawyers, LLLTs, LPOs, and judges, including diversity and antibias with respect to the practice of law or the legal system, and the risks to ethical practice associated with diagnosable mental health conditions, addictive behavior, and stress;
- (3) *Professional development*, defined as subjects that enhance or develop a lawyer's, LLLT's, or LPO's professional skills including effective lawyering, leadership, career development, communication, and presentation skills;
- (4) *Personal development and mental health*, defined as subjects that enhance a lawyer's, LLLT's, or LPO's personal skills, well-being, and awareness of mental health issues. This includes, stress management, and courses about, but not treatment for, anxiety, depression, substance abuse, suicide, and addictive behaviors;
- (5) *Office management*, defined as subjects that enhance the quality of service to clients and efficiency of operating an office, including case management, time management, business planning, financial management, office technology, practice development and marketing, client relations, employee relations, and responsibilities when opening or closing an office;
- (6) *Improving the legal system*, defined as subjects that educate and inform lawyers, LLLTs, or LPOs about current developments and changes in the practice of law and legal profession in general, including legal education, global perspectives of the law, courts and other dispute resolution systems, regulation of the practice of law, access to justice, and pro bono and low cost service planning; and
- (7) *Nexus subject*, defined as a subject matter that does not deal directly with the practice of law but that is demonstrated by the lawyer, LLLT, or LPO, or sponsor to be related to a lawyer's, LLLT's, or LPO's professional role as a lawyer, LLLT, or LPO.

(g) Applying for Approval of an Activity. In order for an activity to be approved for MCLE credit, the sponsor or lawyer, LLLT, or LPO must apply for approval as follows.

- (1) *Sponsor.* A sponsor must apply for approval of an activity by submitting to the Bar an application fee and an application in a form and manner as prescribed by the Bar by no later than 15 days prior to the start or availability of the activity.
 - (i) *Late fee.* A late fee will be assessed for failure to apply by the deadline. The Bar may waive the late fee for good cause shown.
 - (ii) *Repeating Identical Course.* A sponsor is not required to pay an application fee for offering an identical course if the original course was approved and the identical course is offered less than 12 months after the original course.
 - (iii) *Waiver of Application Fee.* The Bar shall waive the application fee for a course if the course is offered for free by a government agency or nonprofit organization. This provision does not waive any late fee.
- (2) *Lawyer, LLLT, or LPO.* A lawyer, LLLT, or LPO may apply for approval of an activity not already approved or submitted for approval by a sponsor by submitting to the Bar an application in a form and manner as prescribed by the Bar. No application fee is required.

(h) Standards for Approval. Application of the standards for approval, including determination of approved subject areas and approved activities in subsections (e) and (f) of this rule, shall be liberally construed to serve the purpose of these rules. To be approved for MCLE credit, all courses, and other activities to the extent the criteria apply, must meet all of the following criteria unless waived by the Bar for good cause shown:

- (1) A course must have significant intellectual or practical content designed to maintain or improve a lawyer's, LLLT's, or LPO's professional knowledge or skills, competence, character, or fitness;
- (2) Presenters must be qualified by practical or academic experience or expertise in the subjects presented and not disbarred from the practice of law in any jurisdiction;
- (3) Written materials in either electronic or hardcopy format must be distributed to all lawyers, LLLTs, and LPOs before or at the time the course is presented. Written materials must be timely and must cover those matters that one would expect for a professional treatment of the subject. Any marketing materials must be separate from the written subject matter materials;
- (4) The physical setting must be suitable to the course and free from unscheduled interruption;
- (5) A course must be at least 30 minutes in duration;

- (6) A course must be open to audit by the Bar or the MCLE Board at no charge except in cases of government-sponsored closed seminars where the reason is approved by the Bar;
- (7) Presenters, teachers, panelists, etc. are prohibited from engaging in marketing during the presentation of the course;
- (8) A course must not focus directly on a pending legal case, action, or matter currently being handled by the sponsor if the sponsor is a lawyer, LLLT, or LPO, private law firm, corporate legal department, legal services provider, or government agency; and
- (9) A course cannot have attendance restrictions based on race, color, national origin, marital status, religion, creed, gender, age, disability, or sexual orientation.

(i) Lawyer, LLLT, or LPO Reporting Requirements.

- (1) *Certify Compliance.* By February 1 of the year following the end of a lawyer's, LLLT's, or LPO's reporting period, a lawyer, LLLT, or LPO must certify compliance, including compliance by comity certification, with the education requirements for that reporting period in a manner prescribed by the Bar.
- (2) *Notice.* Not later than July 1 every year, the Bar shall notify all lawyers, LLLTs, and LPOs who are in the reporting period ending December 31 of that year that they are due to certify compliance.
- (3) *Delinquency.* A lawyer, LLLT, or LPO who does not certify compliance by the certification deadline or by the deadline set forth in any petition decision granting an extension may be ordered suspended from the practice of law as set forth in APR 17.
- (4) *Lawyer, LLLT, or LPO Late Fee.* A lawyer, LLLT, or LPO will be assessed a late fee for either (i) or (ii) below but not both.
 - (i) *Education Requirements Late Fee.* A lawyer, LLLT, or LPO will be assessed a late fee for failure to meet the minimum education requirements of this rule by December 31. Payment of the late fee is due by February 1, or by the date set forth in any decision or order extending time for compliance, or by the deadline for compliance set forth in an APR 17 presuspension notice.
 - (ii) *Certification and Comity Late Fee.* A lawyer, LLLT, or LPO will be assessed a late fee for failure to meet the certification requirements or comity requirements by February 1. Payment of the late fee is due by the

date set forth in any decision or order extending time for compliance or by the deadline for compliance set forth in an APR 17 presuspension notice.

- (iii) *Failure to Pay Late Fee.* A lawyer, LLLT, or LPO who fails to pay the MCLE late fee by the deadline for compliance set forth in an APR 17 presuspension notice may be ordered suspended from the practice of law as set forth in APR 17.
- (5) *Petition for Extension, Modification, or Waiver.* A lawyer, LLLT, or LPO may file with the MCLE Board an undue hardship petition for an extension, waiver, and/or modification of the MCLE requirements for that reporting period. In consideration of the petition, the MCLE Board shall consider factors of undue hardship, such as serious illness, extreme financial hardship, disability, or military service, that affect the lawyer's, LLLT's, or LPO's ability to meet the education or reporting requirements. The petition shall be filed at any time in a form and manner as prescribed by the Bar, but a petition filed later than 30 days after the date of the APR 17 presuspension notice will not stay suspension for the reasons in the APR 17 presuspension notice.
- (6) *Decision on Petition.* The MCLE Board shall as soon as reasonably practical notify the lawyer, LLLT, or LPO of the decision on a petition. A lawyer, LLLT, or LPO may request review of the decision by filing, within 10 days of notice of the decision, a request for a hearing before the MCLE Board.
- (7) *Hearing on Petition.* Upon the timely filing of a request for hearing, the MCLE Board shall hold a hearing on the petition.
 - (i) The MCLE Board shall give the lawyer, LLLT, or LPO at least 10 days', written notice of the time and place of the hearing.
 - (ii) Testimony taken at the hearing shall be under oath and recorded.
 - (iii) The MCLE Board shall issue written findings of fact and an order consistent with these rules as it deems appropriate. The MCLE Board shall provide the lawyer, LLLT, or LPO with a copy of the findings and order.
 - (iv) The MCLE Board's order is final unless within 10 days from the date thereof the lawyer, LLLT, or LPO files a written notice of appeal with the Supreme Court and serves a copy on the Bar. The lawyer, LLLT, or LPO shall pay to the Clerk of the Supreme Court any required filing fees.
- (8) *Review by the Supreme Court.* Within 15 days of filing a notice with the Supreme Court for review of the MCLE Board's findings and order, after such a noncompliance petition hearing, the lawyer, LLLT, or LPO shall cause the record

or a narrative report in compliance with RAP 9.3 to be transcribed and filed with the Bar.

- (i) The MCLE Board chairperson shall certify that any such record or narrative report of proceedings contains a fair and accurate report of the occurrences in and evidence introduced in the cause.
 - (ii) The MCLE Board shall prepare a transcript of all orders, findings, and other documents pertinent to the proceeding before the MCLE Board, which must be certified by the MCLE Board chairperson.
 - (iii) The MCLE Board shall then file promptly with the Clerk of the Supreme Court the record or narrative report of proceedings and the transcripts pertinent to the proceedings before the MCLE Board.
 - (iv) The matter shall be considered by the Supreme Court pursuant to procedures established by order of the Court, which may in the Court's discretion consist of consideration solely on the basis of the record presented to the MCLE Board.
 - (v) The times set forth in this rule for filing notices of appeal are jurisdictional. The Supreme Court, as to appeals pending before it, may, for good cause shown, (1) extend the time for the filing or certification of said record or narrative report of proceedings and transcripts or, (2) dismiss the appeal for failure to prosecute the same diligently.
- (9) *Compliance Audits.* The Bar may audit an individual lawyer's, LLLT's, or LPO's compliance certification to substantiate participation in the activities listed in the certification. The Bar may request records from a lawyer, LLLT, or LPO, or sponsor for the purpose of conducting the audit and the lawyer, LLLT, or LPO must comply with all such requests. Where facts exist that indicate a lawyer, LLLT, or LPO may not have participated in the activities certified to, the lawyer, LLLT, or LPO may be referred to the Bar's Office of Disciplinary Counsel and/or credit for the activities may be rescinded.
- (j) **Sponsor Duties.** All sponsors must comply with the following duties unless waived by the Bar for good cause shown:
- (1) The sponsor must not advertise course credit until the course is approved by the Bar but may advertise that the course credits are pending approval by the Bar after an application has been submitted. The sponsor shall communicate to the lawyer the number of credits and denominate whether the credits are "law and legal procedure" as defined under subsection (f)(1), "ethics and professional responsibility" as defined under subsection (f)(2), or "other," meaning any of the other subjects identified in subsections (f)(3)-(7).

- (2) The sponsor must provide each participant with an evaluation form to complete. The forms or the information from the forms must be retained for two years and provided to the Bar upon request.
- (3) The sponsor must submit an attendance report in a form and manner as prescribed by the Bar and pay the required reporting fee no later than 30 days after the conclusion of the course. A late fee will be assessed for failure to report attendance by the deadline.
 - (i) *Waiver of Reporting Fee.* The Bar shall waive the reporting fee for a course if the course is offered for free by a government agency or nonprofit organization. This provision does not waive any late fee.
- (4) The sponsor must retain course materials for four years from the date of the course. Upon request of the Bar, a sponsor must submit for review any written, electronic, or presentation materials, including copies of audio/visual courses.
- (5) The sponsor must keep accurate attendance records and retain them for six years. The sponsor must provide copies to the Bar upon request.
- (6) The sponsor shall not state or imply that the Bar or the MCLE Board approves or endorses any person, law firm, or company providing goods or services to lawyers, LLLTs, or LPOs, or law firms.
- (7) *Accredited Sponsors.* The Bar may approve and accredit sponsoring organizations as “accredited sponsors” subject to procedures and fees established by the Bar. Accredited sponsors have the same duties as sponsors but have the additional responsibility of approving their own courses and determining appropriate MCLE credit in accordance with this rule. Accredited sponsors pay an annual flat fee for all course applications submitted in lieu of an application fee for each individual course.

(k) Confidentiality. Unless expressly authorized by the Supreme Court or by the lawyer, LLLT, or LPO, all files and records relating to a lawyer’s, LLLT’s, or LPO’s individual MCLE requirements are confidential and shall be privileged against disclosure except as necessary to conduct an investigation, hearing, and appeal or review pursuant to these rules. This provision does not apply to the Bar except that such records shall not be disclosed to Bar staff responsible for creating or marketing CLE products.

[Adopted effective January 1, 2016; amended effective September 1, 2017.]

WASHINGTON STATE BAR ASSOCIATION

WSBA ENTITY ANNUAL REPORT

FY 2022: October 1, 2021 – September 30, 2022

The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.

Instructions: In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boardsⁱ), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2021 – September 30, 2022. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

Name of Entity:	Member Engagement Council
Chair or Co-Chairs:	Francis Adewale and Bryn Peterson (Co-Chairs)
Staff Liaison: <i>(include name, job title, and department if known)</i>	Kevin Plachy and Michael Kroner
Board of Governors Liaison:	N/A
Purpose of Entity: <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Council shall seek to educate members in a proactive manner about WSBA's and Board of Governor's actions and work, seek input and involve members in decision-making process, build relationship between members and WSBA governance and ensure ongoing updates of members on WSBA processes and measurement. In carrying out these lofty goals, the council shall seek to create mutual understanding between the board and members, drive board priorities, form relationships with WSBA sections, specialty, minority and regional bars and share opportunities across regions of the state and members resident outside the geographical area of the state. The Council will serve as an advisory body to the Board of Governors as set forth in the WSBA Bylaws.	
Strategy to Fulfill Purpose:	
Seek active engagement with members through voluntary bars, WSBA sections, minority bar associations, and through a quarterly survey administered by the Member Engagement Council.	
How does the entity's purpose help further the mission of the WSBA "to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice"?	

By identifying ways to enhance member engagement with the Board and the organization, WSBA will be able to better fulfill its mission by (1) attracting a larger and more diverse pool of volunteers to serve on committees, boards, and sections; (2) more effectively provide member benefits and services of value to members that will advance their ability to serve their clients and the public with the highest degree of professionalism and competence; and (3) by staying connected to the membership through regular feedback mechanisms the organization can adapt to the changing needs in the profession and ensure the services and benefits provided to members are relevant to the needs of the profession and the public we serve.

2021 -2022 Entity Accomplishments:

1. Reorganized the entity from the Member Engagement Workgroup to the Member Engagement Council. This reorganization reconstituted the entity from a short-term workgroup to an ongoing Council composed of WSBA members and BOG members.
2. Developed and deployed the quarterly member survey. Reviewed results and continue to monitor them. We have partnered with NBRI, professional survey company, which will provide annual, expert feedback to the MEC.
3. Worked with NBRI to develop and administer an ETHOS member survey at the request of the Board. The survey assisted in the Board’s recommendation with regards to the WSBA structure.

Looking Ahead: 2022-2023 Top Goals & Priorities:

1	Intentional and ongoing engagement with the Voluntary Bars across Washington.
2	Continued engagement with members through the NBRI Quarterly Member Survey. Ongoing review of survey results along with a plan to make recommendations for improvement based on survey results.
3	Work with WSBA staff and the BOG in assessing volunteer engagement with the organization through the use of our ongoing survey to members.
4	Click or tap here to enter text.
5	Click or tap here to enter text.

Please describe how this entity is addressing diversity, equity, and inclusion:

How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?

The MEC is seeking input (specifically in the NBRI survey) from the members on their perceptions of whether WSBA is effectively addressing diversity, equity and inclusion issues and whether WSBA upholds the values of diversity, equity and inclusion. The Council will incorporate a plan to address the responses to these questions into our FY23 goals and priorities.

Please share feedback regarding the support and engagement provided by WSBA.

For example:

- *Quality of WSBA staff support/services, including technology solutions*
- *Involvement with Board of Governors, including assigned BOG liaison*

- Ideas you have on ways WSBA can continue to strengthen/support your entity.

This has been a monumental year for MEC, we proposed and successfully passed a charter to designate the group as WSBA Council, conducted member survey that assisted the board in making its final decision on the Structure of the Bar. All of these and many more could not have been possible but for the dedication of WSBA staff and commitment of MEC volunteer and WSBA members.

**Entity Detail & Demographics Report:
To Be Completed by WSBA Staff**

Size of Entity:	12
Number of Applicants for FY23: <i>(October 1, 2022 – September 30, 2023)</i>	4
Number of current volunteer vacancies for this entity:	0
Direct Expenses:	Click or tap here to enter text.
Indirect Expenses:	Click or tap here to enter text.

FY22 Demographics:

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

Note: The Member Engagement Council is largely comprised of members of the Board of Governors. Applicants for the Board of Governors do not complete the WSBA Volunteer Application process and therefore are not asked to provide demographic information.

Disability	No	33%
	Unknown	67%
District*	1	8%
	3	17%
	5	8%
	6	8%
	7N	8%
	8	25%
	9	25%
Ethnicity	Asian – Southeast Asian	8%
	Asian – South Asian	8%
	White or European Descent	17%
	Unknown	67%
Gender	Female	25%
	Male	8%
	Unknown	67%

Sexual Orientation	Heterosexual	25%
	No	8%
	Unknown	67%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

ⁱ Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.



PRACTICE *of* LAW BOARD

Annual Report for the Supreme Court Fiscal Year 2022

Oct. 1, 2021, to Sept. 30, 2022

Michael Cherry
Chair, Washington Supreme Court Practice of Law Board

1.0 Executive Summary

Fiscal Year 2022, which ran from Oct. 1, 2021, to Sept. 30, 2022, was a year of action for the Practice of Law Board (Board). The Board delivered on each of the Board's areas of responsibility under General Rule 25: Practice of Law Board (GR 25).

Accomplishments include:

Education: The Board co-published with the Washington State Bar Association (WSBA) a first edition of a Legal Checkup. This first edition focuses on helping a person find competent legal assistance from an authorized legal services provider and guidance on preparing for a first meeting. This will help people both find competent legal assistance and reduce incidents of unlawful practice of law. The board also worked towards getting an online version of this edition available as a chatbot.

Innovation: The Board worked to refine its blueprint for the Court on data-driven legal regulatory reform, which would be implemented via legal regulatory lab processes. Significant work was done on researching the Court's authority to create and operate such legal regulatory lab processes and building financial models to determine costs and revenues. If approved by the Court, data driven legal regulatory reform will expand the availability of competent legal services in Washington.

Coordination: The Board met with prosecutors from a variety of Washington State counties, as well as representatives of the Attorney General's Office, to better understand the threshold for prosecuting unauthorized practice of law (UPL) complaints. With a better understanding of how UPL complaints should move through the process, the Board can work to ensure more complaints are actionable.

The Board continues to work toward being a diverse and inclusive Board that represents the people of Washington state.

Respectfully submitted,

/s/Michael Cherry

Michael Cherry (WSBA # 48132)

Chair, Practice of Law Board

November 11, 2022

2.0 Introduction

The Washington Supreme Court's Practice of Law Board (Board), with the administrative assistance of the Washington State Bar Association (WSBA), is submitting this report to the Washington Supreme Court, WSBA President Dan Clark, the WSBA Board of Governors, and Executive Director Terra Nevitt, as the Board's fiscal year 2022 report. Under General Rule 25: Practice of Law Board (GR 25),¹ the Board is responsible for: educating the public about how to receive competent legal assistance (educate); considering and recommending to the Supreme Court new avenues for persons not currently authorized to practice law to provide legal- and law-related services (innovate); and receiving complaints alleging the unauthorized practice of law (UPL) in Washington by any person or entity and referring such complaints to the appropriate agency for subsequent action (coordinate).

This report follows the WSBA fiscal year,² as that aligns with the WSBA budget and recruitment process as part of WSBA's administration of the Board.

In fiscal year 2022, the Board focused on putting the plans developed in fiscal year 2021 to work, and it began to measure the work of the Board toward such goals. These plans will be revised as the Board moves forward, as they provide continuity which the Board has sometimes lacked as it is staffed primarily by volunteers.

2.1 GR 25 Annual Report Requirements

Per GR 25(f) the Board is to file a written report and meet with the Court each year. The report must contain the following information:

- 1) Board roster, including any committees formed;
- 2) Board meeting agendas;
- 3) Short description of all UPL complaints received, the disposition of the complaint, and if applicable, the name of the agencies receiving the referral;
- 4) Progress report or copies of educational materials provided to the public;
- 5) Progress report on recommended new legal service providers or legal service delivery mechanisms;
- 6) Work plan for the fiscal year; and
- 7) Long-range work plan.

3.0 Board Roster

3.1 Overall Board (Fiscal Year 2022)

Per GR 25, the Board has 13 members. At least five Board members must be persons not currently authorized to practice law (public members).

¹ See Washington Courts, General Rule 25, available at https://www.courts.wa.gov/court_rules/?fa=court_rules.display&group=ga&set=GR&ruleid=gagr25.

² WSBA's fiscal year begins October 1 and ends September 30.

3.1.1 Chair

During fiscal year 2022 the Chair of the Board was Michael Cherry. He is an active legal professional.

3.1.2 Members Not Currently Authorized to Practice Law (Public Members)

These members of the Board in fiscal year 2022 were not authorized to practice law.

Name	Term	County
Dr. June Darling	10/1/21 – 9/30/24	Chelan
Pearl Gipson-Collier	10/1/20 – 9/30/23	Thurston
Brooks Goode	10/1/19 – 9/30/22	Spokane
Dr. David Sattler	3/12/21 – 9/30/23	Whatcom
Mir Tariq	1/1/20 – 9/30/22	King

3.1.3 Members Authorized to Practice Law

These members of the Board in fiscal year 2022 were authorized to practice law.

Name	Term	County
Lesli Ashley (LLLT)	10/1/21 – 9/30/24	Spokane
Sarah Bove (LLLT)	10/1/21 – 9/30/24	King
Jeremy Burke (Attorney)	4/16/21 – 9/30/23	Douglas
Michael Cherry (Attorney)	1/1/20 – 9/30/22	King
Kristina Larry (Attorney)	3/7/22 – 9/30/24	King
Drew Simshaw (Attorney)	10/1/21 – 9/30/24	Spokane
Michael Terasaki (Attorney)	4/16/21 – 9/30/23	King

3.1.4 Liaisons with Other Boards

During fiscal year 2022, the honorable Judge Fred Corbitt was the liaison with the Access to Justice Board. Jordan Couch was the liaison with the WSBA Board of Governors. Thea Jennings was the liaison with WSBA.

3.2 New Board (Fiscal Year 2023)

3.2.1 Chair

Michael Cherry was reappointed by the Supreme Court as Chair of the Board for fiscal year 2023. He is an active legal professional. This will be Mr. Cherry’s last year as chair.

3.2.2 Members Not Currently Authorized to Practice Law

These members of the Board for fiscal year 2023 are not currently authorized to practice law. There is one vacant position, which the Board is actively working to fill.

Name	Term	County
Dr. June Darling	10/1/21 – 9/30/24	Chelan
Pearl Gipson-Collier	10/1/20 – 9/30/23	Thurston
Ellen Reed	10/1/22 – 9/30/25	King
Dr. David Sattler	3/12/21 – 9/30/23	Whatcom
Vacant		

3.2.3 Members Authorized to Practice Law

These members of the Board for fiscal year 2023 are authorized to practice law.

Name	Term	County
Lesli Ashley (LLLT)	10/1/21 – 9/30/24	Spokane
Sarah Bove (LLLT)	10/1/21 – 9/30/24	King
Jeremy Burke (Attorney)	4/16/21 – 9/30/23	Douglas
Michael Cherry (Attorney)	10/1/22 – 9/30/25	King
Kristina Larry (Attorney)	3/7/22 – 9/30/24	King
Craig Shank (Attorney)	10/1/22 – 9/30/25	King
Drew Simshaw (Attorney)	10/1/21 – 9/30/24	Spokane
Michael Terasaki (Attorney)	4/16/21 - 9/30/23	King

3.2.1 Candidates Submitted to the Court for Approval

There are no pending candidates before the Court for approval. The Board hopes to submit a public candidate as soon as possible in fiscal year 2023.

3.2.2 Liaisons with Other Boards and WSBA

Judge Fred Corbit is the liaison with the Access to Justice Board; Governor Jordan Couch and Governor Erik Kaeding are the liaisons with the WSBA Board of Governors; and Thea Jennings is the liaison with WSBA.

4.0 Board Agendas

The Board holds monthly meetings. An agenda is circulated before each meeting and is published to the public, with the meeting dates on the Board page of the WSBA website.

4.1 Generic Agenda

The basic agenda for Board meetings is:

4.1.1 Minutes

Approval of the minutes of the previous meeting.

4.1.2 Operations

Recruitment and Onboarding—information related to recruitment and diversity, ensuring new members are included.

Equity and Disparity Workgroup—report on WSBA Equity and Disparity Workgroup from our liaison to the group (Mir Tariq).

4.1.3 Education

Legal Checkup—update on work on the Legal Checkup.

4.1.4 Innovation

Legal Regulatory Laboratory—update on the work on the lab.

4.1.5 Executive Session (Coordination)

If there is a UPL complaint to review, the Board meeting goes into executive session (Board members only) to determine the disposition of the complaint.

4.2 Monthly Agendas

Monthly agendas are posted on the WSBA website before each monthly meeting, and then replaced by the next monthly agenda. The Board minutes are available from the Board page of the WSBA website.

5.0 UPL Complaints

5.1 Meeting with County Prosecutors and Attorney General's Office

On June 3, 2021, the Practice of Law Board met with 16 county prosecutors from across the state, and two representatives of the Attorney General's Office (AGO) to whom the Board refers UPL complaints.

The primary objective of the meeting was to discuss the Washington State Bar Act's unlawful practice statute (RCW 2.48.180), GR 24 Definition of the Practice of Law, and the elements of UPL.

All prosecutors and representatives of the AGO voiced the opinion that unless there is concrete harm, they are generally unwilling to proceed with a misdemeanor UPL charge. All parties acknowledge that harm is not an element of the statute or the court rule; however, realities of the AGO and the court resources come into play in making decisions to prosecute UPL.

For example, a county prosecutor, in notifying the Board as to why their office was declining to prosecute a forwarded complaint, commented:

[Our county] is currently working through a massive backlog of felony cases brought on by the pandemic and facing a historic shortage of criminal attorneys. Opening a complex multistate investigation into a group of non-attorneys...would be an inefficient use of our already limited resources.

However, participants discussed a willingness to send a “cease and desist” letter to people referred to their offices to see if that is sufficient to motivate most people to stop any unintended or uninformed UPL scenarios.

To facilitate and streamline the coordination of complaints, the prosecutors asked the Board to refer complaints to county sheriffs (who have the authority and resources to investigate) and copy the prosecutors.

The AGO requested that the Board forward all complaints to the AGO for review. The Board will implement this change in Fiscal Year 2023.

The Board hopes to conduct another meeting in June 2023, inviting representatives from both prosecutors’ and sheriffs’ offices throughout the state to continue to build relationships with the agencies who can act on UPL complaints.

5.2 Overall Complaints

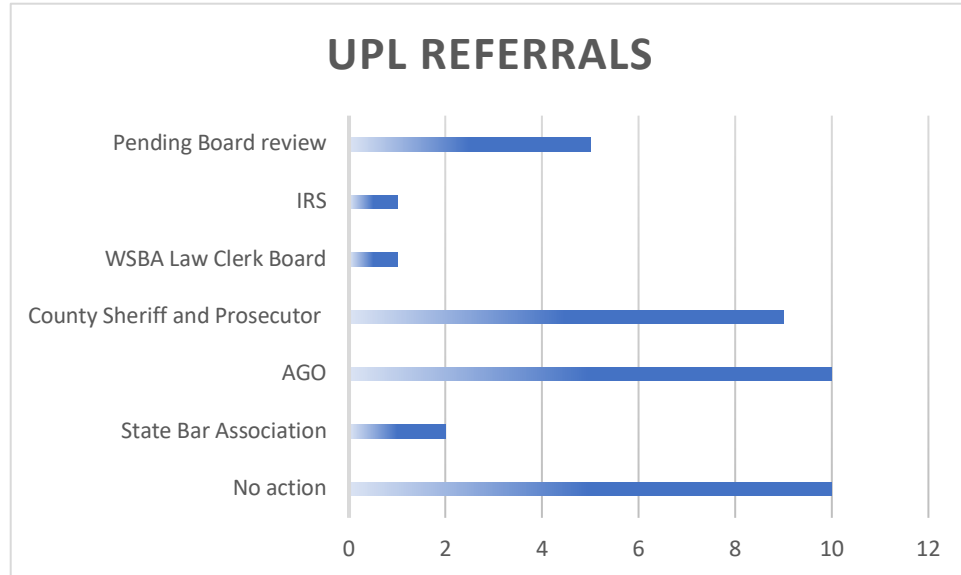
During fiscal year 2022, the Board received 31 complaints alleging UPL. This is an increase of 12 complaints from the previous fiscal year and may reflect that we are seeing more complaints about individuals for which there has already been a complaint, but against whom no agency chooses to take any action.

Five complaints were pending Board review at the end of the fiscal year.

Ten complaints were closed without a referral to any agency.

Sixteen complaints were referred to the appropriate enforcement agencies as follows:

- Four complaints were referred to the Attorney General’s Office.
- Three complaints were referred to county prosecutor and the sheriff’s offices.
- Six complaints were referred to the Attorney General’s Office, county prosecutor, and county sheriff’s offices (note one complaint also included a referral to the IRS).
- One complaint was referred to the WSBA Law Clerk Board.
- Two complaints were referred to other state bar associations (Utah and Massachusetts).

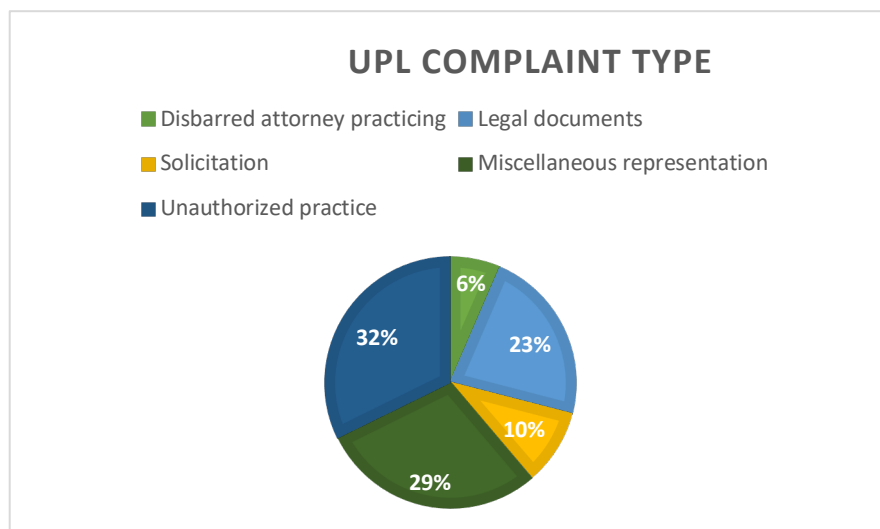


5.3 UPL Trends

Again, this year, UPL complaints spanned several categories.

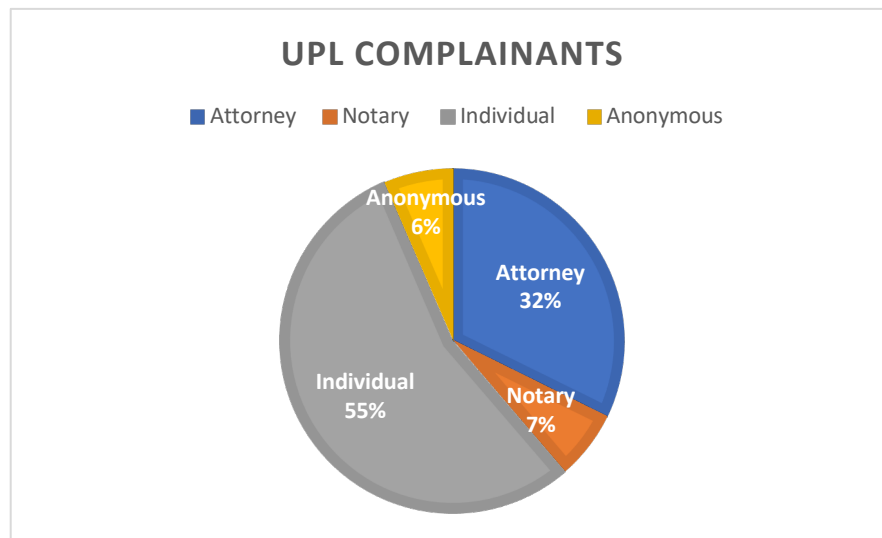
Most often, the Board receives complaints that allege legal document preparation, unauthorized legal advice, and unauthorized practice in Washington courts. Although the Board does not know whether the AGO received complaints from other sources, the AGO filed suit against the subject of a complaint the Board referred to the AGO in June 2022 that alleged unauthorized practice in Immigration Court. The matter is described in the AGO’s [press release](#).

Other complaints involved disbarred attorneys continuing to provide legal services, theft and misuse of an active Washington attorney’s identity, and a “constitutional” lawyer.



5.4 UPL Process Improvements (Coordination)

The Board continued to see more public (non-legal professional) complainants versus legal professional complainants. This is good because it is the public whom the Board is trying to protect by referring complaints for action. This year, the Board also received two complaints from notaries about other notaries and two anonymous complaints.



6.0 Education

To address the responsibility to educate, the Board has co-published with WSBA the first edition of a Legal Checkup. The first edition focuses on helping people find competent legal assistance from an authorized legal services provider and provides guidance on preparing for a first meeting with a legal service provider. These materials were branded with the Board’s logo and marks to help people identify the source and authority of the materials.

The first version of the [Legal Checkup is available at the WSBA website](#).

The Board, in close coordination with WSBA staff, spent considerable time reworking a contract and specification for an online version or chatbot of the Legal Checkup to better reflect a set of deliverables and schedules. The Board anticipates having a prototype early in the next fiscal year.

7.0 Innovation

The Board continued to work on its blueprint for data-driven legal regulatory reform, enabled through a set of processes referred to as a Legal Regulatory Laboratory. The data-driven legal regulatory reform processes would permit the testing and potential authorization of entities to provide innovative legal services or for authorized legal service practitioners (LPOs, LLLTs, and Lawyers) to use alternative business structures.

This data-driven legal regulatory reform is modeled on the Legal Regulatory Sandbox operating under the supervision of the Utah Supreme Court's Office of Innovation.

The Board worked with Kevin Plachy, Director of Advancement, and Renata de Carvalho Garcia, Chief Regulatory Counsel & Director of Regulatory Services, to create financial models for the data-driven legal regulatory reform.

Based on the costs derived from these models, the Board will be looking for methods to bootstrap the costs of data-driven legal regulatory reform from participant funds and a totally volunteer workforce, rather than following a model of lab management supplied by WSBA.

Note that this does not mean that data-driven legal regulatory reform would not use any WSBA funding. As a Supreme Court board charged with the responsibility to manage the data-driven legal regulatory reform processes, such a board would still be administered by WSBA per the Task Force Administering Xenial Involvement with Court Appointed Board's (TAXICAB) recommendations to WSBA Board of Governors. As such, a similar amount of funding to that provided the Practice of Law Board is still anticipated to provide the new board with TAXICAB-based WSBA staffing and administrative support.

For the last year, the Board has also met with stakeholders to present information and gather feedback and input about the data-driven legal regulatory reform, including the WSBA Family Law Section Executive Committee (FLEC), the WSBA Solo & Small Practice Section, and the Domestic Relations Attorneys of Washington (DRAW)³. The Board also spoke at various conferences and CLEs, at Washington State law schools, with Lucy Ricca, Stanford Law's Director of Policy and Programs for the Deborah L. Rhode Center on the Legal Profession and advisor the Utah Office of Legal Services, with former Chief Justice Himonas of Utah, as well as with many online legal service providers.

The Board has also strived to keep its peer Access to Justice and LLLT Boards, and the Board of Governors and members of WSBA apprised of the Board's plans.

8.0 Other Matters

8.1 ETHOS

The Board was an active participant in the WSBA meetings and hearings related to Examining the Historical Organization and Structure of the Bar (ETHOS). A representative of the Board was present for at least part of all the meetings.

The Board takes a strong interest in this work and is supportive of the majority opinion that an integrated bar is best for the people, and the legal professionals in Washington State.

³ DRAW broke away from WSBA Family Law sections after the Limited License Legal Technician [LLLT] program was authorized by the Court.

8.2 TAXICAB

The Board was an active participant in the meetings of the WSBA Task Force Administering Xenial Involvement with Court Appointed Boards (TAXICAB) meetings. A representative of the Board was present for at least part of all the meetings, and the Board took a leadership role in producing a draft document to drive the discussions.

The Board takes a strong interest in this work and is supportive of documents created to define what it means to be administered by WSBA.

9.0 Workplans

9.1 Educate

The current plan for the [Legal Checkup is available at the WSBA website](#).

In fiscal year 2023, the Board hopes to:

1. Look into translating the first version of the Legal Checkup to other languages.
2. Approach law and public libraries throughout the state to make the Legal Checkup available in their branches.
3. Work on the online version of the Legal Checkup (the Legal Checkup BOT).

9.2 Innovate

The current plan for [data-driven legal regulatory reform is available at the WSBA website](#).

In fiscal year 2023, the Board hopes to:

1. Finalize a data-driven legal regulatory reform blueprint and recommendation for the Court.
2. Prepare draft court orders to accompany and enact data-driven legal regulatory reform per the blueprint.
3. Propose change to GR 25 to require involvement of the Practice of Law Board with any other board or agency enacting innovation for the first year.

9.3 Coordinate

Although there is no formal plan for coordination with the appropriate authorities for UPL complaints, the Board plans to continue to work with the AGO and county prosecutors to improve the process and to educate the public so they understand when and how to report UPL matters.

In fiscal year 2023, the Board hopes to:

1. Hold another meeting with interested agencies (Attorney General's Office, county sheriffs, and county prosecutors on UPL in Washington).
2. Draft a survey on UPL in Washington State, including a review of statutes, court rules and orders, jury instructions, and common law.

3. Revise UPL reporting process to including sheriffs and collect better documentation of the alleged complaint.
4. Update GR 24 to align with changes to the RCW regarding who can assist with representation at a domestic violence order hearing.

9.4 Diversity and Inclusion

The following diversity and inclusion information was supplied by WSBA.

Practice of Law Board		
<i>Provided by WSBA Staff</i>		
<i>Dated October 25, 2022</i>		
FY22 Demographics:		
The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.		
Aside from the factors marked (*), demographic information was provided voluntarily, and individuals had the option to not respond to any or all of the factors below.		
Disability	No	71%
	Yes	21%
	Chose Not to Respond	8%
District*	1	43%
	5	7%
	8	7%
	9	7%
	Unknown	36%
Ethnicity	Asian – East Asian	7%
	Black, African American, or African Descent	14%
	White or European Descent	79%
	Multi Racial or Biracial	7%
	Chose Not to Respond	0%
Gender	Female	43%
	Male	50%
	Chose Not to Respond	7%
Sexual Orientation	Heterosexual	86%
	Chose Not to Respond	14%
<i>The Yes/No response for the Sexual Orientation category is data from a previous demographic question ‘Do you open identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?’ This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.</i>		

10.0 Long-range Workplans

10.1 Educate

1. Post first version of the Legal Checkup to other channels (social media).
2. Work on second edition of the Legal Checkup.

10.2 Innovate

1. Begin work on another area of innovation.

10.3 Coordinate

1. Continue to evaluate and refer complaints of UPL and educate the public on this issue.
2. Work to ensure people know how to complain and that complaints are timely referred to the appropriate authority.

10.4 Diversity and Inclusion

1. Continue to work with WSBA staff to diversify the Board per the letter to the Supreme Court.

11.0 Budget

For fiscal year 2022, the budget for the Board was \$12,000 in direct expenses and \$72,486 in indirect expenses. After the budget reforecast in the Spring of 2022, the budget was revised as follows: direct expenses were budgeted at \$12,000 and indirect expenses at \$67,261.

The Board did not use any of its budgeted direct expenses as all its meetings were held virtually, and the Board works hard to ensure it is not wasting resources. However, the Board likely overused indirect expenses. The Board has asked a lot of WSBA staff, and often the Board needs legal advice and research from our legal counsel and paralegal resources.

12.0 Acknowledgments

It must be acknowledged that the Board's public (non-legal professional) and legal professional members volunteer significant amounts of their time to performing the duties and responsibilities of the Board.

The Board especially wants to acknowledge and thank the Board's former public members Brooks Goode and Mir Tariq for their service to the Board and the community. The Board benefited greatly from their insights and contributions.

The Board appreciates the time and guidance that the Justices of the Supreme Court have given the Board so that the Board can do the work of the Board and represent the Court and the judiciary positively in the view of the public.

The Board wants to acknowledge the hard work of Paralegal Kyla Reynolds, Assistant General Counsel Thea Jennings, General Counsel Julie Shankland, Chief Equity and Justice Officer Diana Singleton, Director of Advancement Kevin Plachy, Chief Regulatory Counsel Renata de Carvalho Garcia, Chief Disciplinary Counsel Douglas Ende, Chief Communications and Outreach Officer Sara Niegowski, Graphic Designer Jim Hanneman (for his work creating the Board's Logo), and Executive Director Terra Nevitt for their support of the Board, and their day-to-day contributions to the Board's work. Without their assistance and guidance, the Board could not have accomplished its goals.

Governor Sunitha Anjilvel and Governor Jordan Couch have also helped support the Board, especially in keeping the Board of Governors up to date on the Board's work and helping the Board understand diversity and inclusion.

The Board also wishes to acknowledge the work of WSBA's Former Past-President and Governor Kyle Sciuchetti and Immediate Past-President Brian Tollefson for their work on the TAXICAB and ETHOS, both of which are important to the Board.

Finally, the Board wants to thank the Court staff, particularly Ms. Lipford for helping us communicate with the Court, schedule meetings, and distribute the Board's work product to the Justices of the Supreme Court, and to the Justices for being gracious and in offering their feedback, guidance, and direction to the Board.

Practice of Law Board*Provided by WSBA Staff**Dated October 25, 2022***FY22 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (*), demographic information was provided voluntarily, and individuals had the option to not respond to any or all of the factors below.

Disability	No	71%
	Yes	21%
	Chose Not to Respond	8%
District*	1	43%
	5	7%
	8	7%
	9	7%
	Unknown	36%
Ethnicity	Asian – East Asian	7%
	Black, African American, or African Descent	14%
	White or European Descent	79%
	Multi Racial or Biracial	7%
	Chose Not to Respond	0%
Gender	Female	43%
	Male	50%
	Chose Not to Respond	7%
Sexual Orientation	Heterosexual	86%
	Chose Not to Respond	14%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you open identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

WASHINGTON STATE BAR ASSOCIATION

WSBA ENTITY ANNUAL REPORT

FY 2022: October 1, 2021 – September 30, 2022

The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.

Instructions: In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boardsⁱ), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2021 – September 30, 2022. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

Name of Entity:	Pro Bono and Public Service Committee
Chair or Co-Chairs:	Bonnie Rosinbum and Michael Addams
Staff Liaison: <i>(include name, job title, and department if known)</i>	Saleena Salango
Board of Governors Liaison:	Matthew Dresden
Purpose of Entity: <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The purpose of the Pro Bono and Public Service Committee (PBPSC) is to serve WSBA members by communicating opportunities and eliminating barriers to providing pro bono services to communities that experience poverty and injustice.	
Strategy to Fulfill Purpose:	
The PBPSC fulfills its purpose by promoting opportunities and best practices that encourage WSBA members to engage in pro bono and public service.	
How does the entity's purpose help further the mission of the WSBA "to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice"?	
The PBPSC serves the public and members of the Bar by supporting and promoting pro bono and public service work. The PBPSC ensures integrity of the legal profession by promoting a culture of public service and pro bono among WSBA members. PBPSC champions justice by promoting pro bono and public service to help close the access to justice gap and serve communities that experience poverty and injustice.	

October 1, 2021 – September 30, 2022 (FY22)

2021 -2022 Entity Accomplishments:

The PBPSC accomplishments were performed by the committee’s subcommittees and workgroups:

- The Strategic Planning subcommittee developed a multi-year plan to stay community-informed and merged the existing Communications Subcommittee with the Technology Workgroup to incorporate the use of ProBonoWA.org into the Committee’s overall communication plan.
- The CLE subcommittee collaborated with the WSBA CLE team to host a free Legal Lunchbox in October 2021 entitled “How Minor Guardianship Has Changed and Adult Guardianship Will Change Under the New UGA”. The subcommittee also collaborated with the Diversity Committee on the February Legal Lunchbox centered on voter suppression. This subcommittee recruited volunteer speakers for the October 2022 Legal Lunchbox that centers on domestic violence protection orders.
- The Communications Subcommittee wrote and published articles in the Washington State Bar News Magazine and NW Sidebar to promote the WSBA Moderate Means Program and use of the new ProBonoWA.org website, as well as an article regarding the need for legal assistance to youth aging out of the foster care system. The Communications Subcommittee will continue the work in building and maintaining ProBonoWA.org, including enabling and managing features that allow organizations to post pro bono cases and volunteer opportunities.
- The Rules & Policy Subcommittee conducted outreach to QLSPs, government pro bono programs, and other stakeholders to draft a proposed rule change to [APR 1\(e\)\(8\)](#). This proposed change would have expanded the definition of QLSP to include pro bono programs sponsored by a government entity that would otherwise not currently qualify for QLSP status. While the PBPSC declined to move forward with the original proposal, the committee is now collaborating and researching other methods to support these government sponsored pro bono programs without the need for a change to the definition of QLSP.

Looking Ahead: 2022-2023 Top Goals & Priorities:

1	Dedicate committee time to brainstorming and implementing creative ways to proactively assist stakeholders and better understand areas of need.
2	Improve and diversify methods of external communication between the committee and justice-partner organizations, WSBA membership, and other interested stakeholders.
3	Increase use of probonowa.org by both WSBA members looking for pro bono opportunities and the organizations that provide them.
4	Internally, determine the committee's role in supporting "public service" organizations, in contrast to the clear role of the committee in supporting "pro bono" service.
5	As we continue to acclimate to a mostly remote environment, improve communications and connections within the committee, including devoting time to planning at least one in-person meeting.

Please describe how this entity is addressing diversity, equity, and inclusion:

How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to

promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?

The Committee co-chairs frequently solicit input from every Committee member. The Committee’s work is structured into separate subcommittees that allow for any member to take a leadership role and/or advance the work of the Committee. The Committee frequently seeks input and opportunities for collaboration with QLSPs, VLPs, Minority Bar Associations, and other groups to stay informed by organizations serving legal professionals and client communities that experience poverty and injustice. The Committee has included Diversity, Equity, and Inclusion in the organizational values and regularly review decisions being made to be sure they are in line with these values, including when adding new members to the Committee.

Please share feedback regarding the support and engagement provided by WSBA.

For example:

- *Quality of WSBA staff support/services, including technology solutions*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

The PBPSC has greatly enjoyed and appreciated the support of the assigned BOG liaison. Through his support and the support of our assigned staff liaison, the Committee has felt well informed and connected to the overall mission of the WSBA. The staff support has been key to keeping the work of the Committee moving forward and has been vital to internal and external communication. Increased use and access to collaborative tools such as Microsoft Teams and OneDrive/SharePoint would further improve the ability of the Committee to collaborate on projects.

**Entity Detail & Demographics Report:
To Be Completed by WSBA Staff**

Size of Entity:	18
Number of Applicants for FY23: <i>(October 1, 2021 – September 30, 2022)</i>	14
Number of current volunteer vacancies for this entity:	1
Direct Expenses:	\$2,000
Indirect Expenses:	\$47,998

FY22 Demographics:

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

Disability	No	100%
District*	1	14%
	5	14%
	6	7%

	7N	7%
	7S	21%
	7X	7%
	9	14%
	10	14%
Ethnicity	Asian – East Asian	7%
	Asian – South Asian	7%
	Asian – Southeast Asian	7%
	White or European Descent	71
	Chose Not to Respond	8%
Gender	Female	71%
	Male	29%
Sexual Orientation	Gay, Lesbian, Bisexual, Pansexual, or Queer	7%
	Heterosexual	93%

¹ Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

WASHINGTON STATE BAR ASSOCIATION

WSBA ENTITY ANNUAL REPORT FY 2022: October 1, 2021 – September 30, 2022

The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.

Instructions: In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boardsⁱ), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2021 – September 30, 2022. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

Name of Entity:	WSBA Small Town and Rural (“STAR”) Committee
Chair or Co-Chairs:	Hunter M. Abell
Staff Liaison: <i>(include name, job title, and department if known)</i>	Julianne Unite – WSBA Member Services and Engagement Manager
Board of Governors Liaison:	N/A
Purpose of Entity: <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
“...to strengthen and support the practice of law in the rural communities throughout Washington state.” – STAR Committee Charter.	
Strategy to Fulfill Purpose:	
The STAR Committee’s strategy to fulfill its purpose is encapsulated in a three-phase strategic plan adopted in May 2022 by the full STAR Committee. The three phases are summarized as follows: Phase One – Host a rural career fair; Phase Two – Establish a rural practice section and secure funding for a .5 WSBA FTE to address rural practice issues; and Phase Three – Develop a post-graduate rural practice fellowship and explore loan forgiveness for practitioners in rural areas.	
How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?	
The STAR Committee directly supports the WSBA’s mission by helping address the issue of “legal deserts” in Washington, strengthens the quality of legal practice in underserved areas, and serves as a critical “force multiplier” for rural practitioners throughout Washington.	

2021 -2022 Entity Accomplishments:	
This was the STAR Committee’s first full year of operation. Consequently, the top priorities were getting established, organizing into sub-committees, and outlining the Committee’s goals and plans for the coming year(s). This culminated in the May 2022 adoption of the STAR Committee’s three-phase strategic plan.	
Looking Ahead: 2022-2023 Top Goals & Priorities:	
1	Carry out the STAR Committee’s three-phase strategic plan (see above).
2	Inform and help execute a Bar News issue devoted to rural practice issues.
3	Ensure greater visibility for the STAR Committee in the statewide legal practice.
4	Click or tap here to enter text.
5	Click or tap here to enter text.
<p>Please describe how this entity is addressing diversity, equity, and inclusion: <i>How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?</i></p>	
<p>The STAR Committee actively seeks participation, input, and feedback from attorneys in traditionally under-represented areas of the state, including rural counties, Native American reservations, and areas outside the I-5 corridor. The STAR Committee comprises a mix of private and public attorneys and comprises predominately attorneys outside the greater Seattle area. The Chair has invited interested parties from all over the state to participate in the meetings and several are attending regularly (ATJ, Public Defense and others). These parties also participate routinely in the meetings.</p>	
<p>Please share feedback regarding the support and engagement provided by WSBA. <i>For example:</i></p> <ul style="list-style-type: none"> • <i>Quality of WSBA staff support/services, including technology solutions</i> • <i>Involvement with Board of Governors, including assigned BOG liaison</i> • <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i> 	
<p>WSBA staff provide exemplary support for the WSBA STAR Committee. Julianne Unite, Kevin Plachy, and Chelle Gegax are all essential to the Committee’s success to date.</p>	
<p>Entity Detail & Demographics Report: <i>To Be Completed by WSBA Staff</i></p>	
Size of Entity:	13
Number of Applicants for FY23 <i>(October 1, 2022 – September 30, 2023)</i>	10
Number of current volunteer vacancies for this entity:	0

Direct Expenses:	\$2,000	
Indirect Expenses:	\$34,641	
FY22 Demographics:		
The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.		
Aside from the factors marked (*), demographic information was provided voluntarily, and individuals had the option to not respond to any or all of the factors below.		
Disability	No	54%
	Yes	15%
	Chose Not to Respond	31%
District*	1	15%
	2	8%
	3	8%
	5	38%
	7S	8%
	8	8%
	9	15%
Ethnicity	Asian – South Asian	8%
	Latino/a or Latinx	8%
	White or European Descent	54%
Gender	Female	46%
	Male	15%
	Non-Binary	8%
	Chose Not to Respond	31%
Sexual Orientation	Gay, Lesbian, Bisexual, Pansexual, or Queer	8%
	Heterosexual	38%
	No	8%
	Chose Not to Respond	46%
The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.		

ⁱ Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

WASHINGTON STATE BAR ASSOCIATION

WSBA ENTITY ANNUAL REPORT

FY 2022: October 1, 2021 – September 30, 2022

The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.

Instructions: In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boardsⁱ), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2021 – September 30, 2022. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

Name of Entity:	Washington Young Lawyers Committee
Chair or Co-Chairs:	Emily Ann Albrecht
Staff Liaison: <i>(include name, job title, and department if known)</i>	Curtiss Melvin
Board of Governors Liaison:	Jordan Couch
Purpose of Entity:	
<p>The Washington Young Lawyers Committee (WYLC) derives its authority from the WSBA Bylaws, WSBA Board of Governors (BOG) Committees and Boards Policy, and WYLC Appointment Policy. Per Section XII.A of the WSBA Bylaws, the WYLC’s purpose is to:</p> <p>1) encourage the interest and participation of new and young lawyers and law students in the activities of the WSBA; 2) developing and conducting programs of interest and value to new and young lawyers consistent with the focus areas of public service and pro bono programs, transition to practice, and member outreach and leadership; and 3) upholding and supporting the Guiding Principles of the WSBA. the interest and participation of new and young lawyers and law students in the activities of the WSBA;</p> <p>2) developing and conducting programs of interest and value to new and young lawyers consistent with the focus areas of public service and pro bono programs, transition to practice, and member outreach and leadership; and</p> <p>3) upholding and supporting the Guiding Principles of the WSBA.</p>	

Strategy to Fulfill Purpose:

This year's focus on fulfilling the WYLC's purpose continued to involve five key areas:

1. Outreach and communication;
2. Debt;
3. Public Service and Leadership;
4. Access to justice and Rural Recruitment and Retention; and
5. ABA YLD Representation.

The accomplishments and FY22 goals outlined in this document reflect how the work of the WYLC addresses these priorities and fulfills the purpose of the WYLC. These priorities are focused on the key areas identified in the November 2014 and June 2020 new lawyer surveys, July 25, 2015 Generative Discussion of the BOG with the WYLC for key issues facing new and young lawyers: Employment, Debt, Community, and Leadership. Project team members may involve constituents who are not members of the WYLC to help accomplish the project team goals.

How does the entity's purpose help further the mission of the WSBA "to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice"?

- 1) As new and young lawyers come in, the WYLC helps those lawyers navigate through difficult issues and connect with the WSBA and its member services.
- 2) The WYLC successfully held its first in-person social events this year at The Almo in Tacoma, WA after their WYLC meeting in July.
- 3) The WYLC continues to encourage all new and young lawyers to participate in public service.

2021-2022 Entity Accomplishments:

- 1) The WYLC continued efforts to help new and young lawyers navigate through difficult issues and connect with the WSBA and its member services to the extent possible given the restrictions resulting from the ongoing COVID-19 pandemic and variants.
- 2) The WYLC continued to be engaged with American Bar Association's Young Lawyers Division and appointed the new ABA YLD District Representative for Washington and Oregon.
- 3) The WYLC has been working on ways to encourage new and young lawyer engagement, as well as WYLC members' recruitment and retention in light of the COVID-19 pandemic, including the impact of having virtual only and/or hybrid meetings.
- 4) The WYLC successfully held an in-person social events when possible given the ongoing COVID-19 pandemic and fluctuating restrictions in light of the variants.
- 5) The WYLC partnered with The Iowa Young Lawyers Division (IYLD) by drafting a MOU and got it approved by leadership. The partnership mutual interest is to promote entry into the legal profession in a transparent, affordable, and fair manner.

Looking Ahead: 2022-2023 Top Goals & Priorities:	
1	Increase WYLC member engagement and participation.
2	Identify and prioritize WYLC member needs (and whether those needs have changed).
3	Develop action items and programming designed to meet the WYLC needs.
4	Click or tap here to enter text.
5	Click or tap here to enter text.
<p>Please report how this entity is addressing diversity, equity, and inclusion: <i>How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?</i></p>	
<p>The WYLC created the Public Service and Leadership Award (PSLA) to highlight the work of new and young community leaders who also make a difference through public service. This year WYLC honored four new young lawyers with the PSLA. Each recipient will be eligible to attend one WSBA-CLE program of up to six credits total to be used within one year of receiving the award. Congratulations to Cameron Sheldon, Jessica Roberts, Sarah Jahns, and Rose McCarty. The WYLC also partnered with ABA GP Solo and provided \$500 for their social event.</p>	
<p>Please describe the relationship with WSBA staff and the Board of Governors. <i>For example:</i></p> <ul style="list-style-type: none"> • <i>Quality of WSBA staff support/services</i> • <i>Involvement with Board of Governors, including assigned BOG liaison</i> • <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i> 	
<p>Curtiss Melvin has worked diligently in his role as WSBA Staff Liaison. Member Services and Engagement Administrative Assistant Chelle Gegax also regularly attends meetings to support the WYLC members.</p> <p>Russell Knight completed his term as the BOG’s Young Lawyer Liaison. Russell attended all or nearly all meetings this year, briefing the WYLC members on BOG activities, fielding members questions, and providing insights. He made himself available for conversation on request.</p> <p>Former WYLC Chair Jordan Couch will serve the new BOG Young Lawyer Liaison and the WYLC is excited to continue working with him.</p> <p>In FY20, individual members of the BOG have made themselves available for private discussions and advice regarding WYLC activities with past-chair Brian Neuharth.</p> <p>The WYLC needs direction on how to create a larger debt taskforce that exists within the WSBA, but outside of the WYLC.</p>	
Entity Detail & Demographics Report: To Be Completed by WSBA Staff	
Size of Entity:	18
Number of Applicants for FY22 <i>(October 1, 2022 – September 30, 2023)</i>	7

October 1, 2021 – September 30, 2022 (FY22)

How many current volunteer position vacancies for this entity?	4	
Direct Expenses:	\$7,500	
Indirect Expenses:	\$34,641	
FY22 Demographics:		
The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.		
Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.		
Disability	No	79%
	Yes	7%
	Chose Not to Respond	17%
District*	0	7%
	2	21%
	4	7%
	5	7%
	6	14%
	7N	7%
	7S	14%
	9	14%
	10	7%
Ethnicity	Asian – Southeast Asian	7%
	Black, African American, or African Descent	14%
	Latino/a or Latinx	14%
	White or European Descent	64%
	Multi Racial	21%
Gender	Female	50%
	Male	43%
	Chose Not to Respond	7%
Sexual Orientation	Gay, Lesbian, Bisexual, Pansexual or Queer	21%
	Heterosexual	64%
	Chose Not to Respond	15%

ⁱⁱ Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#) to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.