## **Statement against the Referendum**

The Washington State Bar Association works very hard to support and assist its 30,000 members. The proposed license fee rollback would effectively dismantle our self-government, hurting lawyers and the profession. It would weaken the functions that the Bar is mandated to perform – like discipline, licensing and regulation of the practice.

Now, more than ever, we need a strong Bar. We get great value for our license fees. By slashing 26% of WSBA's budget, we would gut the very programs and services that help lawyers across the State.

WSBA Has Been A Responsible Steward Of License Fee Revenues. Nearly 3/4ths of the license fee revenues go directly to accomplishing the responsibilities imposed on WSBA under state law, RCW 2.48. Our license fees have been frozen for four years. Expenses have been held to a growth rate of less than 1%. WSBA has gradually built reserve funds to avoid the situation where expensive special assessments might need to be levied against members.

Our license fees are not excessive. They are comparable to other unified bars of similar size.

<u>The Lawyer Disciplinary Process Is At Risk – And With It The Privilege Of Self-Regulation.</u> 71% of the current license fee is used to pay for mandatory functions, with the most prominent being lawyer discipline. If the discipline process falters, it would result in failures to timely and effectively deal with those lawyers whose conduct and ethical lapses threaten the public's perception of all lawyers.

Our profession enjoys the privilege of self-regulation. The Office of Disciplinary Counsel annually processes approximately 2,000 written grievances. It does so fairly and efficiently. The vast number of written grievances are dismissed on the basis of the intake evaluation, the attorney's written response or following an investigation. If a lack of adequate funding results in a compromised disciplinary process, the Legislature or courts would be prepared to take this responsibility away from us.

<u>WSBA Provides Valuable Services to Members At No Cost.</u> WSBA is acutely aware that many practitioners have been affected by the economic downturn. It has responded with services and programs that bolster our practices and our bottom lines.

WSBA provides a critical helping hand to new attorneys and to solo and small firm practitioners with services like Law Office Management Assistance Program (LOMAP), Case Maker legal research, mentoring, practice development and low cost CLE programs for new attorneys.

The Sections and Committees, together with the mentoring and practice development programs at WSBA, help attorneys across the spectrum: whether we practice alone, in small firms, in mid to large sized firms, in private practice, the public sector, or with non-profits or for-profit corporations.

WSBA Helps Lawyers Meet Their Ethical Obligations. WSBA helps us understand and meet our obligations through ethics education and prevention programs. The Ethics Line is a prompt, effective and no-cost resource for all lawyers to obtain guidance when confronting ethical issues in their practice. The Lawyers Assistance Program helps attorneys whose health problems pose a threat to their wellbeing and the wellbeing of their clients. It enables attorneys to preserve their practice.

WSBA Is Committed to Inclusion and Diversity. WSBA has been a leader in promoting gender equity and diversity in our profession. This critical work has strengthened individual minority bar associations, enhanced employment and advancement opportunities for minority lawyers and is helping to eliminate bias in the profession. WSBA's commitment is reflected in the increased diversity in law schools, law firms and the judiciary.

WSBA Enables Attorneys to Work for Justice. The Preamble to the Rules of Professional Conduct reminds us that we are Officers of the Court and public citizens with a special responsibility for the quality of justice. WSBA helps us meet those obligations by training and organizing attorneys across the state to provide *pro bono* and low cost civil legal services to individuals and families who are in need.

Through its Council on Public Defense, WSBA helps to ensure that the constitutional right to counsel is effectively implemented in our state. WSBA has actively supported the Task Force on Race in the Criminal Justice System and a range of other initiatives designed to identify and eliminate bias and other institutional barriers based on identity characteristics.

Opposition to the Resolution. Concern about the consequences of the rollback is widespread. The Access to Justice Board, the King County Bar Association, the Spokane County Bar Association, the Tacoma-Pierce County Bar Association, the Washington State Association for Justice, and many other lawyer groups have adopted resolutions opposing the referendum.

PLEASE VOTE "NO" ON THE REFERENDUM