

# Public Service Connection

A Newsletter of the Washington State Bar Association



The WSBA should use existing programs, and should implement new programs, to improve our members' level of satisfaction with their lives and with the practice of law. In order to implement this goal, the WSBA will work to enhance the culture of service within the WSBA membership.

## New Stuff

**The Legal Foundation of Washington will present the 2012 Charles A. Goldmark Distinguished Service Award to Justice Gerry L. Alexander at the 26th Annual Goldmark Award Luncheon.** The luncheon will be held February 24 at the Sheraton Seattle Hotel between noon and 1:30 p.m. To register and view the press release, visit <http://bit.ly/b0vunn>.

**"Questions for: Steve Crossland, President, Washington State Bar Association,"** by Bethany Overland. In his role as the 2011–2012 president of the Washington State Bar Association (WSBA), Cashmere-based real estate attorney Steve Crossland spoke with the *Puget Sound Business Journal* at the WSBA offices in Seattle about the issues facing the legal profession. <http://bit.ly/wG0gAl>.

### **WSBA referendum proposes big changes; calls on WSBA members to vote**

Recently, a member referendum was filed with WSBA's executive director calling for a vote of the WSBA membership. It requests that the Board of Governors' decision to keep 2013 license fees the same for the fourth consecutive year be repealed, and that 2013 license fees be dropped from \$450 to \$325. On March 7, electronic ballots will be sent to the Active membership, with paper copies sent to those without valid email addresses on file. Members will have until April 6 to vote. To pass or defeat this referendum requires a majority vote of those Active members voting. Below are some facts about WSBA's member referendum process, your WSBA license fee, and the potential impact of the proposed referendum.

- WSBA's member referendum process is the avenue by which any Active member of the Bar can affect policy set by the Board of Governors. A referendum can reverse or modify a final action taken by the Board of Governors, enact a resolution, or amend the WSBA Bylaws. Any Active member may file a petition for a referendum if it meets the criteria laid out in the WSBA Bylaws. To pass, a referendum requires a majority of those Active members voting.
- The WSBA license fee of \$450 has been set the same for four consecutive years (2010–2013). The Board voted unanimously in 2011 to keep the fee the same in 2013, despite continued growth of the membership and budget pressure.
- WSBA is both a regulatory agency and trade association. Washington is one of 32 states with a mandatory bar. The other 18 pay a license fee to the Supreme Court and additional fees for a bar membership. WSBA serves nearly 30,000 active members and is charged with regulating the profession as well as providing valuable services and programs to members and the public.
- Paying your annual license fee is the equivalent of obtaining a business license. Many other professions require an annual license fee to practice in our state. While a number of professions pay less, there are many that annually pay more. For instance, midwives pay \$525, chiropractors pay \$607, physicians and surgeons pay \$675. Dentists pay \$576 and auto dealers pay \$750.

- Washington's license fees are on par, when looking at other state bar associations that perform regulatory functions. Of the 32 mandatory state bars in the country, Washington's license fees rank near the middle among those states with comparable membership size (e.g., Michigan, Wisconsin, Georgia). By comparison here in our region, Oregon and Alaska, also mandatory bars, have annual license fees of \$492 (Oregon) and \$660 (Alaska).
- Reducing the license fee to \$325 is equivalent to what was collected a decade ago when WSBA membership was 28 percent smaller with fewer programs and services offered. A cut in license fees of this magnitude equates to a 26% budget cut, or \$3.6 million, putting numerous programs and services at risk for cuts or elimination.

Please look for your ballot to arrive electronically or in the mail. Every vote counts. For more information on the License Fee Referendum, go to [www.wsba.org/referendum](http://www.wsba.org/referendum).



## Home Foreclosure Legal Aid Project

*The Home Foreclosure Legal Aid Project is a partnership between WSBA and the Northwest Justice Project which provides pro bono legal assistance to Washington homeowners facing foreclosure. Interested in volunteering? Sign up at [www.mywsba.org](http://www.mywsba.org).*

**We are pleased to announce a new partnership between the Home Foreclosure Legal Aid Project and Seattle University School of Law's Access to Justice Institute and Mortgage Foreclosure Mediation Practicum.** Through this partnership, we will link pro bono attorneys with foreclosure mediation practicum law students who can assist in preparing and representing clients in pre-foreclosure mediation.

Foreclosure mediation clinic students will be trained and ready to perform net present value calculations, research obligations of the loan beneficiary, complete additional work that is necessary to prepare for mediation, attend and conduct the mediation session(s), and conclude the case with follow-up communication to the parties as needed.

We need participating attorneys who are eligible to serve as APR Rule 9\* supervisors, who will attend a free one-hour Rule 9 supervision training (MCLE-approved for 1 ethics credit), accept a Home Foreclosure Legal Aid Project case and schedule it for pre-foreclosure mediation between March and May 2012, and supervise and evaluate your law student partner as a Rule 9 intern.

\*To review Admission to Practice Rule 9, see <http://1.usa.gov/wUQxe3>.

**Would you like to get involved?** Contact Seattle University Law School Clinic Instructor Bryan Adamson to schedule a date for MCLE-approved ethics training about Rule 9 Intern Supervision, watch for emails for foreclosure mediation pro bono case referrals from the Northwest Justice Project, and accept a pro bono case and schedule it for pre-foreclosure mediation between March and May 2012.

**Have any questions?** Contact Seattle University Clinic Instructor Bryan Adamson, at [badamson@seattleu.edu](mailto:badamson@seattleu.edu) or 206-398-4130 or WSBA Public Service Manager Catherine Brown at [catherineb@wsba.org](mailto:catherineb@wsba.org) or 206-733-5905.

**Save the Date:** You are invited to the Home Foreclosure Legal Aid Project's foreclosure mediation advocacy training at the WSBA Conference Center on February 28, 2012, from 9:00 a.m. to 5:00 p.m. Information and registration details will follow.



## Moderate Means Program

Formed through a partnership between WSBA and the law schools of Gonzaga University, Seattle University, and the University of Washington, the Moderate Means Program (MMP) is a statewide reduced-fee lawyer referral service for moderate-income families and individuals in Washington state. Sign up at [www.mywsba.org](http://www.mywsba.org) today to get involved.

**Thank you to our law student volunteers from Gonzaga University, the University of Washington, and Seattle University Schools of Law for making the MMP's first six months a success!**

- Gonzaga University Law Student Volunteers: Todd Adolphson, Christopher Chrystal, Greg Colley, Douglas Dick, Molly Rose Fehringer, Shannon Fields, Caitlin Fuller, Daniel Heckman, Rachelle Lawson, Samantha Niesen, Nicole Ourada, Jeremy Page, Audrey Phillips, Matthew Rakes, Grigoriy Sarkisyan, Steve Sennett, Paul Stewart, Amanda O'Shea Tiernan, George Vrablik, and Paul Webber.
- Thanks also to our student and staff volunteer interpreters: Nicole Ourada, Alain Huynh, Barbie Chang, and Dana Mannino.
- The Moderate Means Program greatly appreciates the pro bono service of 2011 Gonzaga University School of Law alums Katie Manning and Bryan Johnson, who volunteered with MMP while our students were in finals and on winter break.
- Seattle University and University of Washington Law Student Volunteers: Lindsay Brandon, Sarah Brisbin, Derik Campos, Mikel Carlson, Ernie Collette, Eleanor Doermann, Kate Dannenbaum, Grace Dyer, Omar Nur, Erin O'Leary, Cameron Pardon, Adrienne Parks, Rachel Paxton-Gillilan, Michael Safron, Angeline Thomas, Megan Tousley, Mariah Weston, Melissa Cunningham (UW), and Anthony Marsh (UW).

**We would also like to recognize our 340 Moderate Means Program attorneys for their amazing work and commitment to public service.** Thanks to you, Washington residents have a valuable resource to assist them with their legal issues. Keep up the good work!

The Moderate Means Program would like to take a moment to note their caseload totals for August–December 2011. Student volunteers from Gonzaga University School of Law reported 217 requests for assistance, 137 intakes completed, and 110 cases referred. Student volunteers at Seattle University and University of Washington Schools of Law reported 221 requests for assistance, 159 intakes completed, and 93 cases referred. We look forward to watching these numbers grow in 2012!

We are looking for partners in public service training. WSBA will be developing and recording family law public service training modules during the first half of 2012. Are you an expert in your field? Do you want to share your knowledge with others? If so, please contact WSBA's Public Service Training Specialist Angie Maddox at [angiem@wsba.org](mailto:angiem@wsba.org).



## Pro Bono and Legal Aid Committee

*WSBA's Pro Bono and Legal Aid Committee (PBLAC) activities promote and encourage pro bono service and address the administration of justice as it affects indigent persons. Please visit the WSBA website for more information about PBLAC or to apply for service on a WSBA committee, board or panel.*

**Interested in serving on the Pro Bono and Legal Aid Committee?** WSBA is accepting applications now! Submit your Committee Application by March 12, 2012, for a two-year term beginning in October 2012. Want to learn more about PBLAC's current projects before applying? Contact WSBA staff liaison Catherine Brown at [catherineb@wsba.org](mailto:catherineb@wsba.org) or 206-733-5905, or one of PBLAC's two co-chairs, [Andrea Axel](#) and [Joanna Otero](#).

**Interested in serving on another WSBA committee board or panel?** Check out the [WSBA Volunteer Opportunities webpage](#).



Washington State Bar Association  
YOUNG LAWYERS DIVISION

## Washington Young Lawyers Division

[Read about the WYLD programs](#) and contact a chair to learn about current projects and opportunities to volunteer.

### **WYLD Public Service/Pro Bono Committee — a Call to Arms**

The WYLD Public Service/Pro Bono Committee needs you! The Committee's mission is to serve as an incubator for new pro bono service opportunities and to provide information and tools to help connect new lawyers with service opportunities. Committee meetings are held via conference call the second Tuesday of each month at 5:30 p.m. Get involved and help to shape WYLD's involvement in pro bono and public service initiatives. Contact Committee Chair [Ben Nivison](#) or Chair-elect [Alicia Levy](#) for additional details. We would appreciate your assistance in helping us develop and implement project ideas that support our mission!

Get involved with a WYLD service opportunity! The Washington First Responder Will Clinic, Mock Trial Program Partnership, and Yakima Pre-Law Student Leadership Conference all need volunteers. Most committees hold open monthly meetings and include a conference call option so new and young lawyers throughout the state can participate.

## News and Resources

*Note: The WSBA does not promote, sponsor, or otherwise endorse the trainings or programs listed herein. This list is intended for informational purposes only.*

**Trouble reporting pro bono hours?** Confused about how to earn CLE credit for pro bono service? Please see the links below for information, forms, and FAQs.

- **Reporting pro bono hours:** Each year, WSBA members voluntarily report the hours of pro bono publico service they rendered, as provided in Rule of Professional Conduct 6.1, Pro Bono Publico Service. WSBA reports on the total hours reported by members. Members who report performing 50 or more hours receive recognition from the WSBA Board of Governors. <http://bit.ly/zau3FW>.
- **CLE credit for pro bono service:** MCLE 103(f) allows WSBA members to earn up to six CLE credit hours for performing pro bono service, which includes two hours of pre-approved training and four hours of pro bono service. Please visit the WSBA's [MCLE webpage](#) to view MCLE Regulation 103(f) in its entirety.

**“B of A’s Countrywide to Pay \$335 Million, Settling Lending Discrimination Case,”** by Eyder Peralta. The Justice Department is calling it the “largest residential fair lending settlement in history.” Bank of America’s Countrywide Financial has agreed to pay \$335 million to settle a lawsuit that claimed it discriminated against black and Latino borrowers. <http://n.pr/wF2ucm>.

**The Washington State Attorney General’s Office** announced the following in September 2011: “Proving once again its commitment to helping Washington homeowners avoid foreclosure, the Attorney General’s Office today provided an additional \$550,000 to provide free housing counseling to distressed homeowners.” To view the entire news release, visit <http://bit.ly/qACwMn>.

The Washington State Office of the Attorney General has gathered resources to help Washington residents with foreclosure and mortgage assistance. For a complete list, please visit <http://bit.ly/wg6aXF>.

**The Northwest Immigrant Rights Project and the Alliance for Equal Justice achieved a notable victory!** A federal judge unsealed an order certifying as a class action a lawsuit challenging the lack of protections afforded to individuals with mental disabilities who are facing removal (deportation) proceedings while in detention and without the assistance of counsel. The plaintiff class is asking the court to require the government to create standards and procedures to identify individuals who are not competent to represent themselves in immigration court as a result of their disabilities and to provide government-funded counsel for those identified as not competent to represent themselves. For more information about the case, visit our website at <http://bit.ly/vUQ41b>.

**“JPM Chase Quietly Halts Suits Over Consumer Debts,”** American Banker. JPMorgan Chase & Co. has quietly ceased filing lawsuits to collect consumer debts around the nation, dismissing in-house attorneys and virtually shutting down a collections machine that as recently as nine months ago was racking up hundreds of millions of dollars in monthly judgments. <http://bit.ly/zBJ3uT>.

**“Appointment Clears the Way for Consumer Agency to Act,”** by Edward Wyatt. Payday lenders, money transfer agencies, credit bureaus, and debt collectors, take notice: the Consumer Financial Protection Bureau is coming after you, and quickly. <http://nyti.ms/xCrZln>.

**“Countrywide Will Settle a Bias Suit,”** by Charlie Savage. The Justice Department on Wednesday announced the largest residential fair-lending settlement in history, saying that Bank of America had agreed to pay \$335 million to settle allegations that its Countrywide Financial unit discriminated against black and Hispanic borrowers during the housing boom. <http://nyti.ms/ABlylb>.

**“Living by Default,”** by James Surowiecki. We normally say that a company “went bankrupt,” implying that it had no choice. But when, recently, American Airlines filed for bankruptcy, it did so deliberately. The airline had four billion dollars in the bank and could have kept paying its bills. But it has been losing money for a while, and its board decided that it was foolish to keep throwing good money after bad. Declaring bankruptcy will trim Americans’ debt load and allow it to break its union contracts, so that it can slim down and cut costs. <http://nyr.kr/v0Ayrv>.

## Contact Us

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**News, please!** Do you have success stories, newsworthy items, or additional information for the next Public Service Connection? Please send them to WSBA at [publicservice@wsba.org](mailto:publicservice@wsba.org).

For more information about WSBA's public service projects, please visit [www.wsba.org](http://www.wsba.org) or contact Public Service Program Manager Catherine Brown at 206-733-5905.

A special thanks to our volunteers! We appreciate your dedication to service, and we value your partnership as we expand the menu of public service opportunities throughout the Washington state legal community.