

**WASHINGTON STATE**  
**B A R A S S O C I A T I O N**

**Board of Governors Meeting**  
**Late Late Meeting Materials**

**January 13-14, 2022**  
**Virtual Meeting**  
**Zoom and Teleconference**

<b>BOARD OF GOVERNORS MEETING</b> <b>Late Late Materials</b> <b>January 13-14, 2022</b> <b>Virtual Meeting</b> <b>Zoom and Teleconference</b>	
<b>Description</b>	<b>Page Number</b>
Process for Analyzing and Recommending to the Supreme Court of Washington RE: the Future of WSBA	LLM-3
Volunteer Engagement Report	LLM-24

**TO:** WSBA Board of Governors  
**FROM:** Terra Nevitt, Executive Director  
**DATE:** January 10, 2022  
**RE:** Process for developing recommendations to the Washington Supreme Court regarding the structure and operations of WSBA in light of recent litigation impacting integrated bar associations

**ACTION/DISCUSSION:** Clarify details for carrying out the process approved at the December 14 Board meeting in the above-described matter.

On December 14, 2021 the Board of Governors held a special meeting to discuss and adopt a process for determining WSBA's position regarding the future structure of the bar. At that meeting, the Chief Justice of the Washington Supreme Court set forth three questions for WSBA to answer:

- (1) Are there changes in the law that require changes to WSBA?
- (2) Even if changes aren't required, if there was a change, what would the new structure look like?
- (3) Regardless of any of the answers to those two questions, are there suggested changes as improvements?

Following public comment and discussion, the Board adopted the process suggested by Past President Sciuchetti with the following changes:

- (1) include that WSBA will continue to act as it has in the meantime;
- (2) that the work be completed by August 30, 2022; and
- (3) that the Board have no less than two hybrid meetings specifically set for the Board to interact with the public, with the members and with various entities, including but not limited to, sections and minority bar associations.

A copy of the adopted process, including the changes made at the meeting is attached. Note that a recording of this meeting is available at: [https://www.youtube.com/watch?v=Arb34v8\\_khA&list=PLh11oFW23b5hQfFQ-99jU1kEZfH8Kq-34&index=1](https://www.youtube.com/watch?v=Arb34v8_khA&list=PLh11oFW23b5hQfFQ-99jU1kEZfH8Kq-34&index=1).

The BOG Executive Committee held a special meeting on January 6, 2022 to discuss next steps with regard to the Board's December 14 action. As a result of that discussion, below are three potential scenarios and their fiscal impact for the Board to take into consideration in terms of executing on the process adopted on December 14.

#### Fiscal Impact

Note that regardless of the specific process the Board adopts, this project will require a substantial investment of staff time. These indirect expenses are not detailed in the fiscal impact below, as they are already budgeted for. Additionally, the WSBA webcast team may have scheduling conflicts with Section Mid-Years and other CLEs. In the event that the team is not available, we may have to contract with a vendor to provide those services. A rough estimate of those costs would be \$3,000/day.

<b>Scenario A</b>	8, all-day meetings.  All to be held as hybrid at the WSBA office.	<b>Estimated Fiscal Impact</b>	
		Travel Costs Per Meeting <i>Assumes 100% in-person participation with no reimbursement for hotels</i>	\$1,347
		Per Diem <i>Assumes 100% in-person participation with reimbursement for breakfast and dinner.</i>	\$864
		Catering <i>Assumes catered lunch at the WSBA office.</i>	\$600
		<b>Total Per Meeting</b>	<b>\$2,811</b>
		<b>Scenario A Total</b> <i>Note that if the meetings are held on a Saturday there are anticipated to be additional costs for staff overtime and HVAC</i>	<b>\$22,487</b>
<b>Scenario B</b>	8, all-day meetings.  2 to be held as hybrid at the WSBA office.  6 to be held virtually with no-in person component.	<b>Estimated Fiscal Impact</b>	
		<b>Total Per Hybrid Meeting</b> <i>As described above.</i>	<b>\$2,811</b>
		<b>Cost Per Remote Meeting</b> <i>Assumes no reimbursement for meals for remote attendees.</i>	<b>\$0</b>
		<b>Scenario B Total</b> <i>Note that if the meetings are held on a Saturday there are anticipated to be additional costs for staff overtime and HVAC</i>	<b>\$5,622</b>
<b>Scenario C</b>	Add a half-day to March, May, and July BOG meetings.  2 additional meetings to be held as hybrid at the WSBA office.	<b>Estimated Fiscal Impact</b>	
		<b>Total Per Hybrid Meeting</b> <i>As described above.</i>	<b>\$2,811</b>
		<b>Additional Cost for Half Day Meetings</b> <i>Assumes no reimbursement for hotels. Includes reimbursement for dinner with 100% participation assumed. Note that the cost of a catered lunch is already included in the budget.</i>	<b>\$576</b>
		<b>Scenario C Total</b> <i>Note that if the meetings are held on a Saturday there are anticipated to be additional costs for staff overtime and HVAC</i>	<b>\$7,350</b>

In the event that the Board chooses some variation on one of these scenarios, below is the estimated cost of each type of meeting:

- Estimated cost for each hybrid meeting = \$2,811
- Estimated cost for each virtual meeting = \$0
- Estimated cost for each half-day addition to an existing BOG meeting = \$576

Attachments:

- Board's Approved Process, December 14, 2021
- Proposal for Scenario A

**Board of Governors' Process for Analyzing and Recommending to the Supreme Court of Washington whether the Bar Association Should Continue in its Current Structure or Change its Operations Given Experiences of Other Bar Associations and Recent Litigation**

Adopted by the Board of Governors on December 14, 2021

*Background*

In 2018, the U.S. Supreme Court ruled in *Janus v. AFSCME*<sup>1</sup> that the First Amendment forbids government from requiring their employees to pay union fees. While the decision did not directly address integrated bar associations, it overturned the 1977 decision of *Abood v. Detroit Board of Education*,<sup>2</sup> which had formed the basis for the US Supreme Court's 1990 decision in *Keller v. State Bar of California*.<sup>3</sup> Keller held that attorneys could be compelled to belong to a state bar so long as the mandatory fees were only used for regulation of the profession and serving the legal needs of the state. Without *Abood* as a foundation, there was concern about the continued viability of Keller. In light of these questions, in March 2019, the Supreme Court convened a workgroup to examine the WSBA structure. The workgroup constituted ten members, chaired by the Chief Justice, who met over the course of 8 months. The workgroup was charged to review and assess the WSBA structure considering (1) recent case law with First Amendment<sup>4</sup> and antitrust implications<sup>5</sup>; (2) recent reorganizations by other state bar associations and/or groups and their reasoning; and (3) the additional responsibilities of the WSBA due to its administration of Supreme Court appointed boards. The group produced a [Report and Recommendation](#) and a minority report. The report concluded to retain an integrated bar structure and the Court accepted that recommendation.

*Current Problem*

In the years since the structure workgroup concluded its work, lawsuits have been filed in several other states arguing that compelled membership in a bar association violates a bar member's first amendment rights, when an integrated bar association engages in non-germane activities. In 2021, three circuits acknowledged that the U.S. Supreme Court has not decided this issue and the 5<sup>th</sup> Circuit found that the Texas Bar Association could not compel membership if engaged in any non-germane activities. Accordingly, it is appropriate to reexamine the integrated bar structure.

*Objective*

Develop a process to analyze and recommend to the Washington State Supreme Court whether the bar association should continue in its current structure or change its operations given experiences of other bar associations, updated analysis and recent litigation.

*Proposed Process Roadmap*

Over the course of the next few months, the Board of Governors will meet to listen to witnesses, hear public testimony, and learn about the history of *Janus*, *Keller*, and other court decisions regarding integrated bars. One approach could be to use a project management framework to guide the discussion through the following three phases:

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<sup>1</sup> 138 S.Ct. 2448 (2018)

<sup>2</sup> 431 S.S. 209 (1977)

<sup>3</sup> 496 U.S. 1 (1990)

<sup>4</sup> This referred to the *Janus* decision.

<sup>5</sup> *North Carolina State Bd. of Dental Examiners v. F.T.C.*, 574 U.S. 494 (2015)

<b>Phase</b>	<b>Goal</b>	<b>Objective</b>
<i>Phase 1: Information Gathering</i>	The goal of this phase is to build a common understanding of the current state and the related challenges.	<ol style="list-style-type: none"> <li>1. Receive updated presentations and information on issues the 2019 Structures Workgroup explored, considering recent case law.</li> <li>2. Review legal cases/arguments that are currently being litigated across the country.</li> </ol>
<i>Phase 2: Ideation</i>	The goal of this phase is to learn from existing bar structures and begin ideation of the potential future state.	<ol style="list-style-type: none"> <li>1. Examine other state bar structures (panel discussion with e.g., Virginia, California, and Texas).</li> <li>2. Explore pros and con of each structure and how to mitigate risk.</li> </ol>
<i>Phase 3: Decision Making Phase</i>	The goal of this phase is to determine what the future looks like and make a recommendation.	<ol style="list-style-type: none"> <li>1. Gather and confirm leadership decision criteria.</li> <li>2. Hold leadership decision workshop capturing issues, follow-up items, and documenting decisions made.</li> </ol>

#### *Additional Factors*

- Early in the process, key stakeholders will be identified and invited to engage throughout the process.
- The Board will have no less than two hybrid meetings specifically set for the Board to interact with the public, with the members, and with various entities, including but not limited to, sections and minority bar associations.
- An opportunity to collaborate with the Court, yet to be determined.
- Collaborate with similar bar associations (Oregon State Bar and Idaho State Bar).

This work will be completed by August 30, 2022. WSBA will continue to act as it has while this process is underway.

#### *Next Steps*

Prepare a list of meeting topics, presenters, presentations and issues for the Board of Governors to consider in deciding the desirable structure of the WSBA. The Board of Governors will do this by giving opportunity for public comment, taking into consideration the regulatory role of the bar association, the desirability of an integrated structure and issues affecting access to justice.

A project management framework will form the structure of the meeting and guide the Board of Governors toward a path to make recommendations to the Washington Supreme Court.

## **Examining the Historical Organization and Structure of the WSBA (ETHOS of the WSBA)**

The Washington State Supreme Court has requested that the Washington State Bar Association convene a process to examine the structure of the WSBA. By motion, the Board of Governors has agreed to that request and will schedule eight meetings between January 2022 and August 2022, in which to educate itself on important issues impacting integrated and voluntary bar associations, collect public comment and provide an appropriate recommendation or recommendations to the high court.

### **CHARTER**

The Board of Governors will review and assess the current structure of the WSBA in light of recent case law implicating rights under the First Amendment (Freedom of Speech and Freedom of Association). The process will collect information regarding the experiences of other states that have either recently changed their organizational structure, or are considering whether to do so. The process will also consider the cost of any structural change to its membership and what effect structural change, if any, will have on 1) diversity, equity and inclusion and any impact on marginalized communities, 2) the regulatory division of the bar; 2) WSBA Sections and 3) Washington State Supreme Court Boards, 4) the Access to Justice community, 5) the public, and 6) the membership of the WSBA.

The Board of Governors will invite presentations from those with subject matter expertise or have relevant experience with mandatory or voluntary bar associations in other parts of the country.

The Board of Governors will solicit input and active participation from stakeholders including but not limited to WSBA leadership and staff, WSBA sections, committees, councils, the Access to Justice Community, Supreme Court Boards, minority bar associations and interested members of the public.

The Board of Governors will receive and share knowledge and have open, collaborative, and respectful conversations. The eight meetings will generally be open to the public, except in the rare circumstance in which the Board of Governors must meet in executive session in order to consider legal advice from its attorney.

The Board Governors will make a recommendation or recommendations to the Washington State Supreme Court as to the current or future structure of the Washington State Bar Association.

**WASHINGTON STATE  
BAR ASSOCIATION**



**Examining the Historical Organization  
and Structure of the WSBA  
(ETHOS of the WSBA)**

**Saturday, January 22, 2022, 9:00 a.m. – 4:00 p.m.**

**1325 Fourth Avenue, Suite 600**

**Seattle, Washington 98101-2539**

**Zoom Option:**

**Webcast: [click here](#)**

**Reading Materials:**

Proposed Charter

Proposed Washington State Bar Act – January, 1933

**AGENDA**

9:00 a.m. – 10:00 a.m.	1. Welcome <ul style="list-style-type: none"><li>a. Opening Remarks</li><li>b. Meeting Decorum and Format</li><li>c. Charter Review and Objective<ul style="list-style-type: none"><li>i. Information Gathering</li><li>ii. Exploring Options</li><li>iii. Recommendation(s) to the Supreme Court</li></ul></li><li>d. Call for comments</li></ul>	ETHOS Chair
10:00 a.m. – 11:00 a.m.	2. Brief History of the WSBA <ul style="list-style-type: none"><li>a. Voluntary Bar Until 1933</li><li>b. Constitutional Limitations</li><li>c. Proposed Washington State Bar Act, 1933 to 2022</li><li>d. Rules Governing WSBA</li><li>e. Current Structure of the Bar</li></ul>	WSBA Executive Team
11:00 a.m. – 11:15 a.m.	BREAK	



**Examining the Historical Organization and Structure of the WSBA  
(ETHOS of the WSBA) – Agenda for January 22, 2022**

**Page 2.**

11:15 a.m. – 12:00 a.m.	3. Case Law Concerning Mandatory Bar Associations - 1961 to 1990 <i>a. Lathrup v. Donahue</i> <i>b. Abood v. Detroit Board of Edu.</i> <i>c. Keller v. State Bar of Calif.</i>	Julie Shankland
12:00 p.m. – 1:00 p.m.	4. LUNCH	
1:00 p.m. – 2:00 p.m.	5. Case Law Post 1990 <i>a. Janus v. AFSCME</i> <i>b. Fleck v. Wetch</i> <i>c. Schell v. Williams</i> <i>d. Crowe/Gruber v. Oregon State Bar</i> <i>e. McDonald v. Longley</i>	Julie Shankland
2:00 p.m. – 2:30 p.m.	7. Supreme Court Workgroup on WSBA Structure/House Bill 1788	Gov. Abell Gov./Pres. Elect Clark Past Pres. Sciuchetti
2:30 p.m. – 3:30 p.m.	8. Comments from the Membership and Public	
3:30 p.m. – 3:50 p.m.	9. Board of Governors Questions, Comments and Discussion	ALL
3:50 p.m. – 4:00 p.m.	10. Future Agenda Items and Action Item Review	ETHOS Chair
4:00 p.m.	Adjourn	ETHOS Chair

*Next scheduled meeting: February 19, 2022, 9:00 a.m. – 4:00 p.m.*

**WASHINGTON STATE  
BAR ASSOCIATION**



**Examining the Historical Organization  
and Structure of the WSBA  
(ETHOS of the WSBA)**

**Saturday, February 19, 2022, 9:00 a.m. – 4:00  
p.m.**

**1325 Fourth Avenue, Suite 600  
Seattle, Washington 98101-2539**

**Zoom Option:**

**Webcast: [click here](#)**

**Reading Materials:**

*Lathrup v. Donahue*

*Aboud v. Detroit Board of Edu.*

*Keller v. State Bar of Calif.*

*Janus v. AFSCME*

*Fleck v. Wetch*

*Schell v. Williams*

*Crowe/Gruber v. Oregon State Bar*

*McDonald v. Longley*

Excerpt from January 2017 En Banc Report – FY17 Mandatory Compared to Non-Mandatory Programs

**AGENDA**

9:00 a.m. – 9:10 a.m.	1. Welcome	ETHOS Chair
9:10 a.m. – 9:30 a.m.	2. How is the WSBA Funded?	Jorge Perez
9:30 a.m. – 10:00 a.m.	3. Keller Deduction/What is Germane?	Julie Shankland
10:00 a.m. – 10:30 a.m.	4. Regulatory Function of the WSBA	Doug Ende
10:30 a.m. – 10:45 a.m.	4. BREAK	

**Examining the Historical Organization and Structure of the WSBA  
(ETHOS of the WSBA) – Agenda for February 19, 2022  
Page 2.**

10:45 a.m. – 12:00 p.m.	5. History and Composition of WSBA’s Sections a. Who are the Sections? b. Funding of the Sections c. Historical Tensions between Sections and WSBA d. Staffing/Administration	Kevin Plachy Leaders from Sections
12:00 p.m. – 1:00 p.m.	6. LUNCH	
1:00 p.m. – 2:00 p.m.	7. Supreme Court Boards a. Who are the Supreme Court Boards? b. Funding of the Boards c. Historical Tensions between Boards and WSBA d. Staffing/Administration	Terra Nevitt Leaders from Boards
2:00 p.m. – 3:00 p.m.	8. Comments from the Membership and Public	
3:00 p.m. – 3:15 p.m.	9. BREAK	
3:15 p.m. – 3:40 p.m.	10. Board of Governors Questions, Comments and Discussion	ALL
3:40 p.m. – 4:00 p.m.	11. Future Agenda Items and Action Item Review	ETHOS Chair
4:00 p.m.	12. Adjourn	ETHOS Chair

*Next scheduled meeting: March 16, 2022, 9:00 a.m. – 4:00 p.m.*

**WASHINGTON STATE  
BAR ASSOCIATION**



**Examining the Historical Organization  
and Structure of the WSBA  
(ETHOS of the WSBA)**

**Saturday, March 19, 2022, 9:00 a.m. – 4:00 p.m.**  
**1325 Fourth Avenue, Suite 600**  
**Seattle, Washington 98101-2539**  
**Zoom Option:**  
**Webcast: [click here](#)**

**Reading Materials:**

Bar Association Research

The End of Mandatory State Bars? Leslie C. Levin, The Georgetown Law Journal Online

**AGENDA**

9:00 a.m. – 9:05 a.m.	1. Welcome	ETHOS Chair
9:05 a.m. – 10:00 a.m.	2. Pacific Northwest Summit <ol style="list-style-type: none"><li>Oregon</li><li>Idaho</li><li>Alaska</li></ol>	Presidents and Executive Directors from Oregon, Idaho and Alaska
10:00 a.m. – 11:00 a.m.	3. Nebraska State Bar	Carole McMahon-Boies
11:00 a.m. – 11:15 a.m.	4. BREAK	
11:15 a.m. – 12:00 a.m.	5. The State Bar of California	President and Executive Director of State Bar of California

**Examining the Historical Organization and Structure of the  
WSBA (ETHOS of the WSBA) – Agenda for March 19, 2022  
Page 2.**

12:00 p.m. – 1:00 p.m.	6. LUNCH	
1:00 p.m. – 2:00 p.m.	7. Louisiana State Bar Association	President and Executive Director of Louisiana State Bar Association
2:00 p.m. – 3:00 p.m.	8. The State Bar of Texas	President and Executive Director of State Bar of Texas
3:00 p.m. – 3:15 p.m.	9. BREAK	
	Possible Comments from the Membership and Public – Depending upon time constraints	
3:15 p.m. – 3:40 p.m.	10. Board of Governors Questions, Comments and Discussion	ALL
3:40 p.m. – 4:00 p.m.	11. Future Agenda Items and Action Item Review	ETHOS Chair
4:00 p.m.	12. Adjourn	ETHOS Chair

*Next scheduled meeting: April 23, 2022, 9:00 a.m. – 4:00 p.m.*

**WASHINGTON STATE  
BAR ASSOCIATION**



**Examining the Historical Organization  
and Structure of the WSBA  
(ETHOS of the WSBA)**

**Saturday, April 23, 2022, 9:00 a.m. – 4:00 p.m.**

**1325 Fourth Avenue, Suite 600**

**Seattle, Washington 98101-2539**

**Zoom Option:**

**Webcast: [click here](#)**

**Reading Materials:**

Public comments previously submitted to Structures Workgroup

**AGENDA**

9:00 a.m. – 9:05 a.m.	1. Welcome	ETHOS Chair
9:05 a.m. – 10:00 a.m.	2. Member/Public Input	Leaders from Minority Bar Associations
10:00 a.m. – 11:00 a.m.	3. Member/Public Input	WSBA Sections
11:00 a.m. – 11:15 a.m.	4. BREAK	
11:15 a.m. – 12:15 p.m.	5. Member/Public Input	Supreme Court Boards
12:15 p.m. – 1:00 p.m.	6. LUNCH	

**Examining the Historical Organization and Structure of the WSBA  
(ETHOS of the WSBA) – Agenda for April 23, 2022**

**Page 2.**

1:00 p.m. – 2:00 p.m.	7. Member/Public Input	Legal Aid/Access to Justice Community/STAR Committee
2:00 p.m. – 3:00 p.m.	8. Member/Public Input	Members/Public
3:00 p.m. – 3:15 a.m.	9. BREAK	
3:15 p.m. – 3:40 p.m.	10. Board of Governors Questions, Comments and Discussions	ALL
3:40 p.m. – 4:00 p.m.	11. Future Agenda Items and Action Item Review	ETHOS Chair
4:00 p.m.	12. Adjourn	ETHOS Chair

*Next scheduled meeting: May 28, 2022, 9:00 a.m. – 4:00 p.m.*

**WASHINGTON STATE  
BAR ASSOCIATION**



**Examining the Historical Organization  
and Structure of the WSBA  
(ETHOS of the WSBA)**

Saturday, May 28, 2022, 9:00 a.m. – 4:00 p.m.  
1325 Fourth Avenue, Suite 600  
Seattle, Washington 98101-2539  
Zoom Option:  
Webcast: [click here](#)

**Reading Materials:**

**AGENDA**

9:00 a.m. – 9:05 a.m.	1. Welcome	ETHOS Chair
9:05 a.m. – 11:00 a.m.	2. Diversity, Equity & Inclusion Access to Justice	WSBA Staff MBAs
11:00 a.m. – 11:15 a.m.	3. BREAK	
11:15 a.m. – 12:00 p.m.	4. ACLU Presentation	Emily Chiang
12:00 p.m. – 1:00 p.m.	5. LUNCH	



**Examining the Historical Organization and Structure of the WSBA  
(ETHOS of the WSBA) – Agenda for May 28, 2022**

**Page 2.**

1:00 p.m. – 2:00 p.m.	6. A Bifurcated Bar a. Cost to Membership Analysis and Survey of Bifurcated Bar Associations b. Overlap of Services between a mandatory and voluntary bar	WSBA Staff
2:00 p.m. – 3:00 p.m.	7. Alternatives to Bifurcation/Plan in event of decision by United States Supreme Court	WSBA Staff
3:00 p.m. – 3:15 p.m.	8. BREAK	
	Possible Comments from the Membership and Public – Depending upon time constraints	
3:15 p.m. – 3:40 p.m.	9. Board of Governors Questions, Comments and Discussions	ALL
3:40 p.m. – 4:00 p.m.	10. Future Agenda Items and Action Item Review	ETHOS Chair
4:00 p.m.	11. Adjourn	ETHOS Chair

*Next scheduled meeting: June 18, 2022, 9:00 a.m. – 4:00 p.m.*

**WASHINGTON STATE  
BAR ASSOCIATION**



**Examining the Historical Organization  
and Structure of the WSBA  
(ETHOS of the WSBA)**

Saturday, June 18, 2022, 9:00 a.m. – 4:00 p.m.  
1325 Fourth Avenue, Suite 600  
Seattle, Washington 98101-2539  
Zoom Option:  
Webcast: [click here](#)

**Reading Materials:**  
WSBA Bylaws VIII.B

**AGENDA**

9:00 a.m. – 9:05 a.m.	1. Welcome	ETHOS Chair
9:05 a.m. – 9:45 a.m.	2. Member Engagement Survey	Kevin Plachy
9:45 a.m. – 10:45 a.m.	3. The Referendum Process – WSBA Bylaws VIII.B. a. Historical use of the referendum b. Is it right for this recommendation to the Supreme Court	Julie Shankland
10:45 a.m. – 11:00 a.m.	4. BREAK	

**Examining the Historical Organization and Structure of the WSBA  
(ETHOS of the WSBA) – Agenda for June 18, 2022**

**Page 2.**

11:00 a.m. – 12:00 p.m.	5. Consider larger focus on what is constitutionally permissible AND what would be an ideal bar association.	ALL
12:00 p.m. – 1:00 p.m.	6. LUNCH	
1:00 p.m. – 2:00 p.m.	7. The role/authority of the Washington State Supreme Court and its relationship to the WSBA.	WSBA Staff
2:00 p.m. – 3:00 p.m.	8. Comments from the Membership and Public	
3:00 p.m. – 3:15 p.m.	9. BREAK	
3:15 p.m. – 3:40 p.m.	10. Board of Governors Questions, Comments and Discussions	ALL
3:40 p.m. – 4:00 p.m.	11. Future Agenda Items and Action Item Review	ETHOS Chair
4:00 p.m.	12. Adjourn	ETHOS Chair

*Next scheduled meeting: July 23, 2022, 9:00 a.m. – 4:00 p.m.*

**WASHINGTON STATE  
BAR ASSOCIATION**



**Examining the Historical Organization  
and Structure of the WSBA  
(ETHOS of the WSBA)**

Saturday, July 23, 2022, 9:00 a.m. – 4:00 p.m.  
1325 Fourth Avenue, Suite 600  
Seattle, Washington 98101-2539  
Zoom Option:  
Webcast: [click here](#)

**Reading Materials:**

Public Comments

**AGENDA**

9:00 a.m. – 9:05 a.m.	1. Welcome	ETHOS Chair
9:00 a.m. – 10:00 a.m.	2. Member/Public Input	Leaders from Minority Bar Associations
10:00 a.m. – 11:00 a.m.	3. Member/Public Input	WSBA Sections
11:00 a.m. – 11:15 a.m.	4. BREAK	
11:15 a.m. – 12:15 p.m.	5. Member/Public Input	Supreme Court Boards
12:15 p.m. – 1:00 p.m.	6. LUNCH	

**Examining the Historical Organization and Structure of the WSBA  
(ETHOS of the WSBA) – Agenda for July 23, 2022**

**Page 2.**

1:00 p.m. – 2:00 p.m.	7. Member/Public Input	Legal Aid/Access to Justice Community/STAR Committee
2:00 p.m. – 3:00 p.m.	8. Member/Public Input	Members/Public
3:00 p.m. – 3:15 a.m.	9. BREAK	
3:15 p.m. – 3:40 p.m.	10. Board of Governors Questions, Comments and Discussions	ALL
3:40 p.m. – 4:00 p.m.	11. Future Agenda Items and Action Item Review	ETHOS Chair
4:00 p.m.	12. Adjourn	ETHOS Chair

*Next scheduled meeting: August 13, 2022, 9:00 a.m. – 4:00 p.m.*

**WASHINGTON STATE  
BAR ASSOCIATION**



**Examining the Historical Organization  
and Structure of the WSBA  
(ETHOS of the WSBA)**

**Saturday, August 13, 2022, 9:00 a.m. – 4:00 p.m.**

**1325 Fourth Avenue, Suite 600**

**Seattle, Washington 98101-2539**

**Zoom Option:**

**Webcast: [click here](#)**

**Reading Materials:**

Public Comments

**AGENDA**

9:00 a.m. – 9:05 a.m.	1. Welcome	ETHOS Chair
9:05 a.m. – 11:00 a.m.	2. Board of Governors Recap and Exchange of Ideas. Consider presentations and input from sections, boards, committees, bar associations and all other stakeholders.	ALL
11:00 a.m. – 11:15 a.m.	3. BREAK	
11:15 a.m. – 12:00 p.m.	4. Board of Governors Discussion – Finalize report/recommendation(s) to Supreme Court.	ALL
12:00 p.m. – 1:00 p.m.	5. LUNCH	
1:00 p.m. – 3:00 p.m.	6. Board of Governors Discussion – Finalize report/recommendation(s) to Supreme Court.	All

**Examining the Historical Organization and Structure of the WSBA  
(ETHOS of the WSBA) – Agenda for August 13, 2022**

**Page 2.**

3:00 p.m. – 3:15 p.m.	BREAK	
	Possible Comments from the Membership and Public – Depending upon time constraints	
3:15 p.m. – 3:40 p.m.	7. Board of Governors Questions, Comments and Discussions	ALL
3:40 p.m. – 4:00 p.m.	8. Discuss need for additional meeting to finalize and vote on final report(s)/recommendation(s)	ALL
4:00 p.m.	9. Adjourn	ETHOS Chair

*Next scheduled meeting: TBD*



# **VOLUNTEER ENGAGEMENT REPORT**

January 13, 2022

Paris A. Eriksen, CVA

Volunteer Engagement Advisor



## OUTCOMES

- ✓ Introduction & Core Elements of Volunteer Engagement
- ✓ FY21 Volunteer Community Snapshot
- ✓ Volunteer Community Trends
- ✓ FY21 Highlights
- ✓ Upcoming Projects

## INTRODUCTION

### **Paris A. Eriksen, CVA**

Volunteer Engagement Advisor

Office of the Executive Director

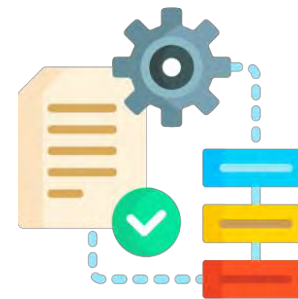
[parise@wsba.org](mailto:parise@wsba.org)

CVA: Certified Volunteer Administrator

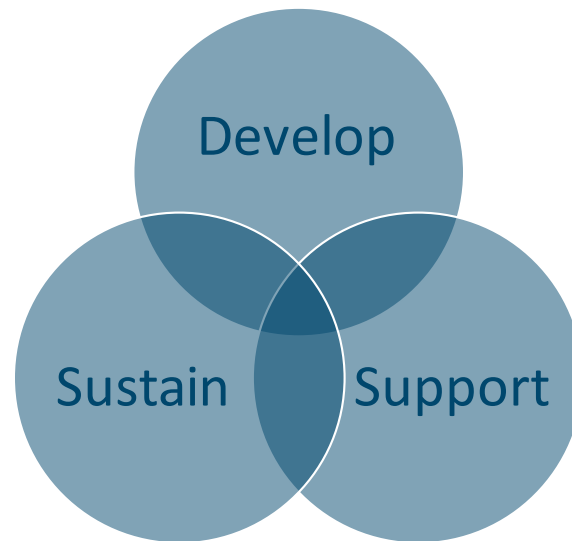


## CORE COMPETENCIES

- **Plan** for Strategic Volunteer Engagement  
*goals, objectives, policies, procedures*
- **Advocate** for Volunteer Involvement  
*communicate, cultivate, collaborate*
- **Attract and Onboard** a Volunteer Workforce  
*targeted recruitment, clear roles & expectations, matching*
- **Prepare** Volunteers for their Roles  
*orientation, training, on-going development of skills*
- **Document** Volunteer Involvement  
*manage data, record keeping*
- **Manage** Volunteer Performance and Impact  
*train staff, feedback, exit interviews*
- **Acknowledge, Celebrate and Sustain** Volunteer Involvement  
*invest, recognition, volunteer satisfaction, ongoing evaluation, monitor retention*



Source: Seven Competencies of Volunteer Administration

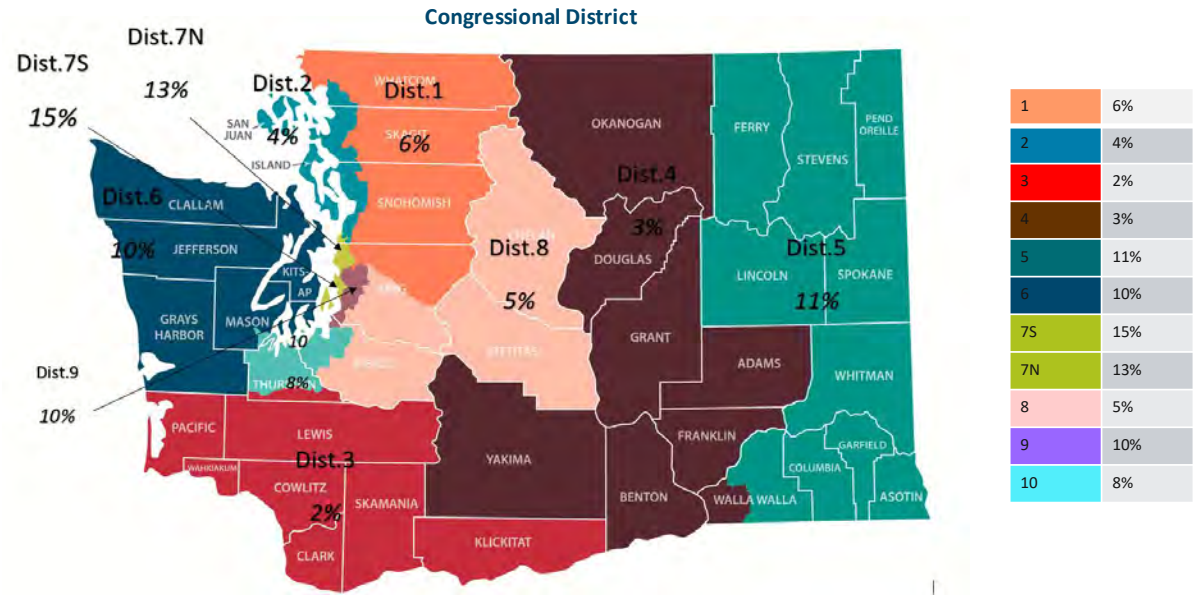


## OUR CURRENT VOLUNTEER COMMUNITY

<b>Boards Committees, Councils, Panels,</b>	Usually created by court rule or court order. Appointed by the Court. (10)	<b>Board of Governors</b>	Elected by members.
<b>Faculty Ad Hoc Projects, Task Forces, Work Section Executive Committee</b>	Usually created by BOG Action. Appointed by BOG. (17)	<b>WSBA Reps</b>	Appointed or nominated by the BOG to serve on an external entity. (28 groups)
	Identified and selected by staff and volunteers.	<b>Authors</b>	Identified and selected by staff and volunteers.
	Appointed by President or BOG for time-limited and narrowly focused topics/charters. (2)	<b>Mentors</b>	Identified and selected by staff and volunteers for MentorLink Mixers.
	Elected by section members. Many section executive committees also engage a volunteer Young Lawyer Liaison (29)	<b>Pro Bono</b>	Not a WSBA volunteer but WSBA supports, encourages and recognizes pro bono work.

# FY21 VOLUNTEER COMMUNITY SNAPSHOT





**40.3%**  
Female

**17.4%**  
People of  
Color

**8%**  
LGBTQ

**5%**  
with  
Disabilities

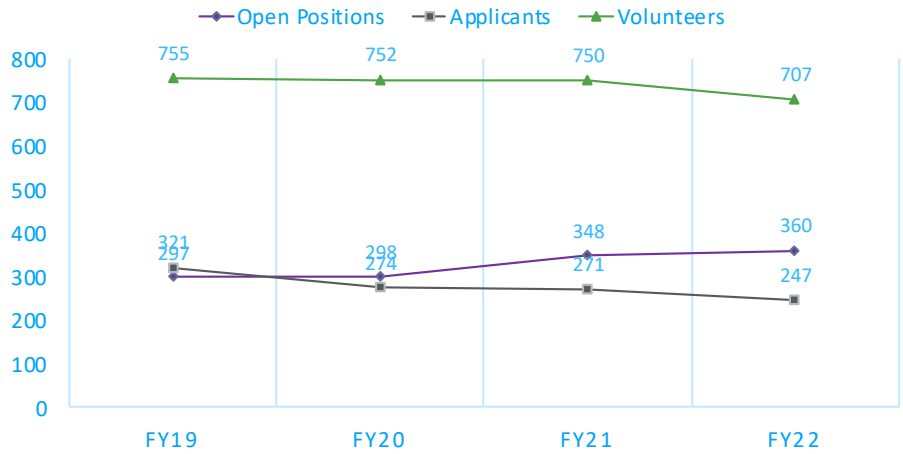
## Underrepresented Groups



The background of the slide is a solid dark blue color. In the lower right quadrant, there is a faint, circular watermark of the Washington State Seal. The seal features a profile of a Native American man with a feathered headdress, surrounded by the text "WASHINGTON STATE" and "1889".

# VOLUNTEER COMMUNITY TRENDS

### OPEN POSITIONS, APPLICANTS, VOLUNTEERS



### NATIONAL TRENDS



According to the **2021 Volunteer Management Progress Report** published by *Tobi Johnson & Associates* and *VolunteerPro*, volunteer participation has declined across organizations of varying volunteer community sizes.



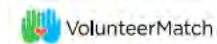
## NATIONAL TRENDS

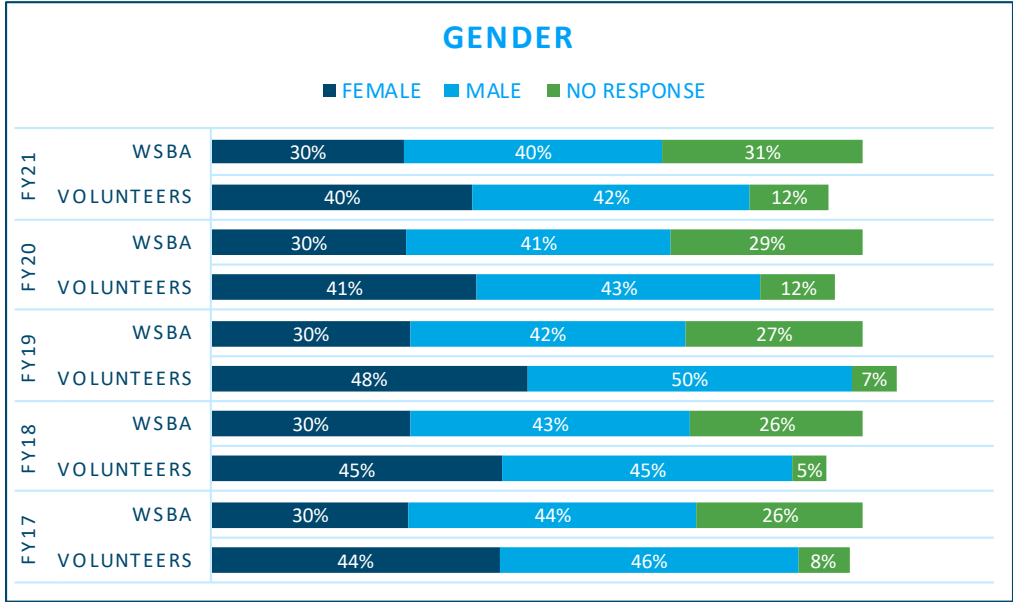
Conversely, *Sterling Volunteers 2021 Industry Insights Nonprofit and Volunteer Perspectives Report* in collaboration with *VolunteerMatch* indicates that ‘volunteerism persevered during the pandemic.’

- 76% of volunteers expect to volunteer the same amount or more in the coming year.
- A quarter of volunteers said ‘responding to urgent needs related to the pandemic or disaster relief’ motivated them to volunteer and many continued their previous volunteering efforts.’

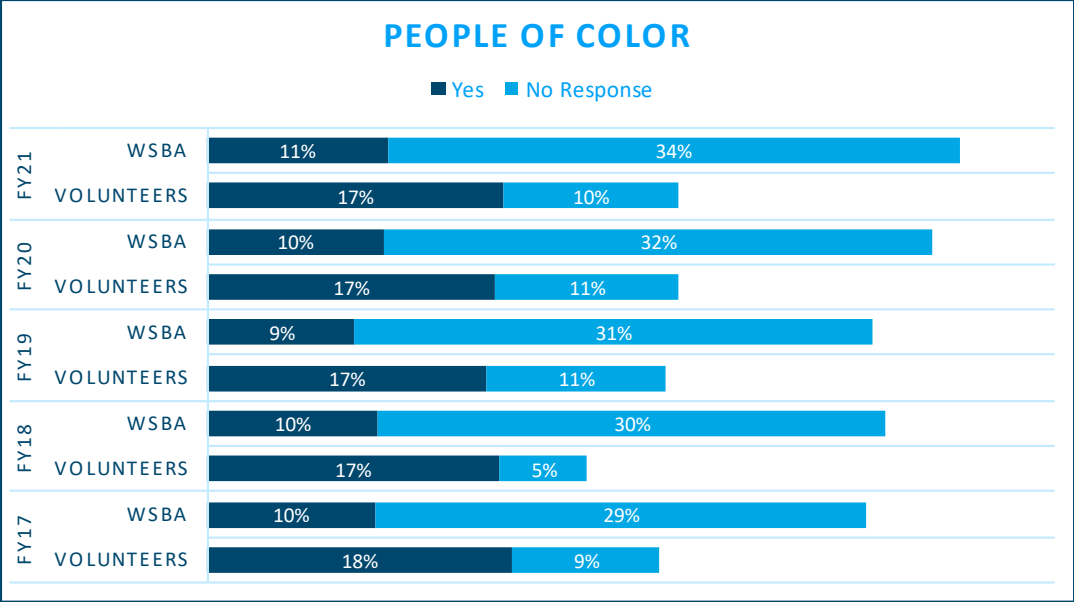


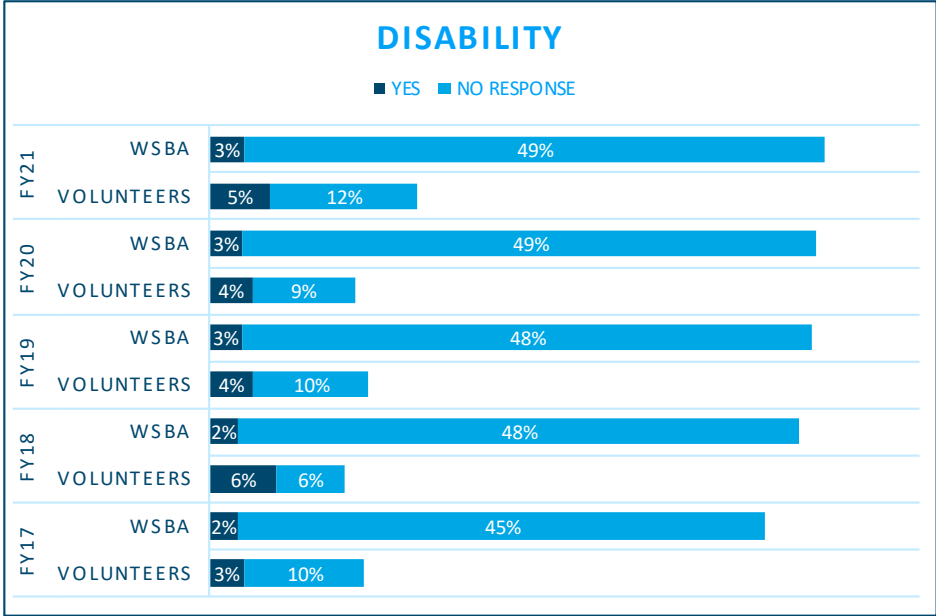
**Sterling**  
Volunteers

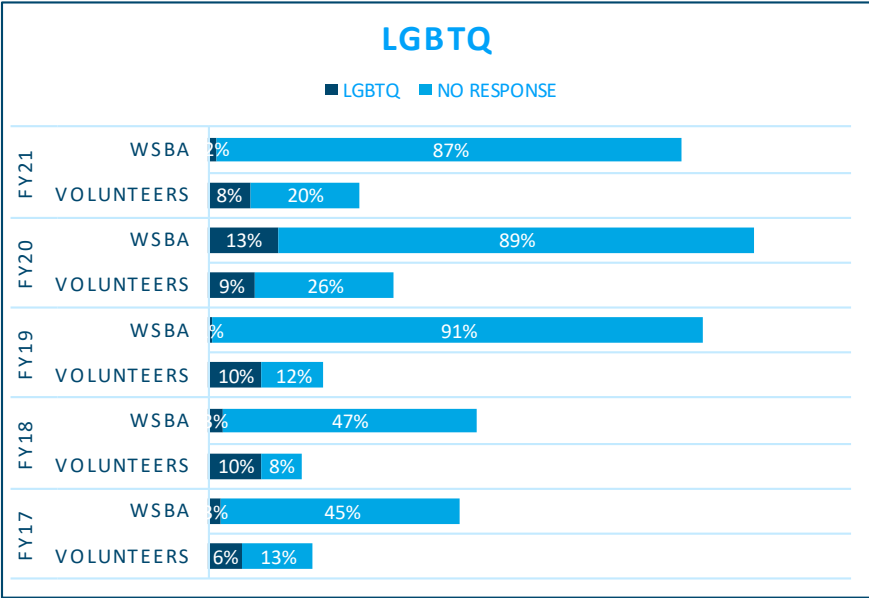




*Note: Less than 1% of volunteers and members identified as non-binary, multi-gender, transgender, two-spirit or not listed. Therefore, this group is not included in the chart.*









## VOLUNTEER SATISFACTION SURVEY TRENDS

WSBA conducts a volunteer satisfaction survey every other year. The goal of the survey is to track the effectiveness and impact of the relationship between WSBA and its volunteer community. The survey focuses on the core areas of volunteer engagement including recruitment, onboarding, support, recognition and retention.

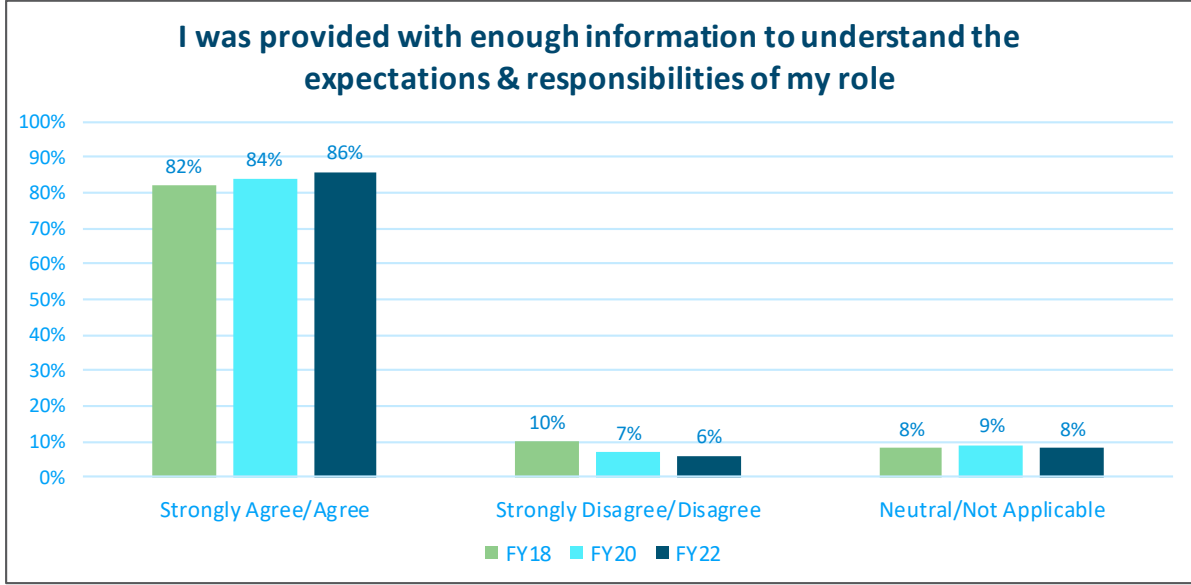
### Response

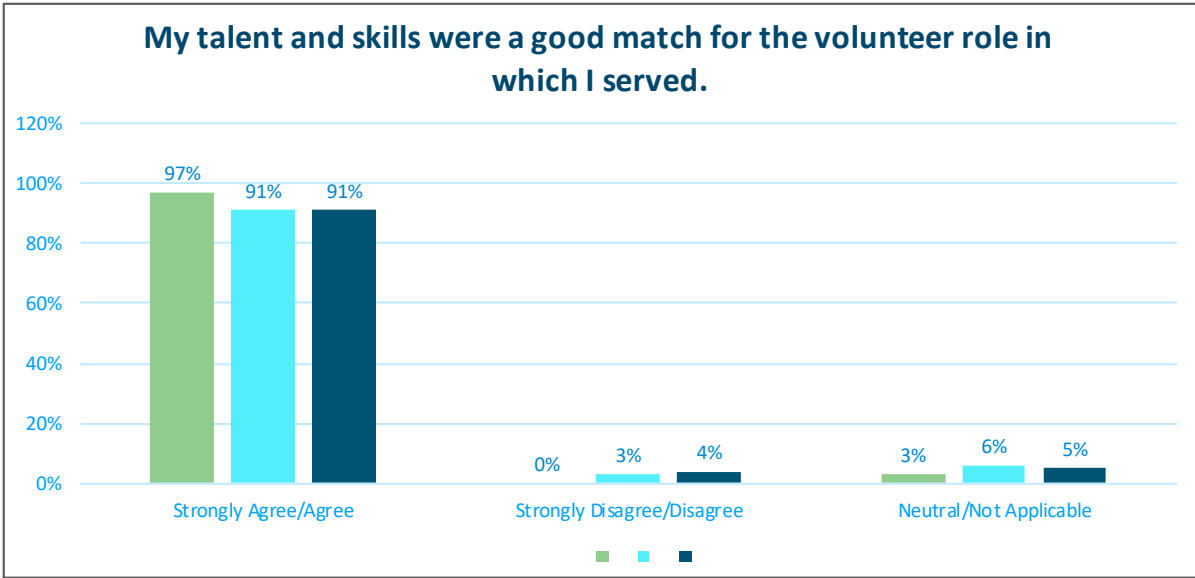
#### Rates:

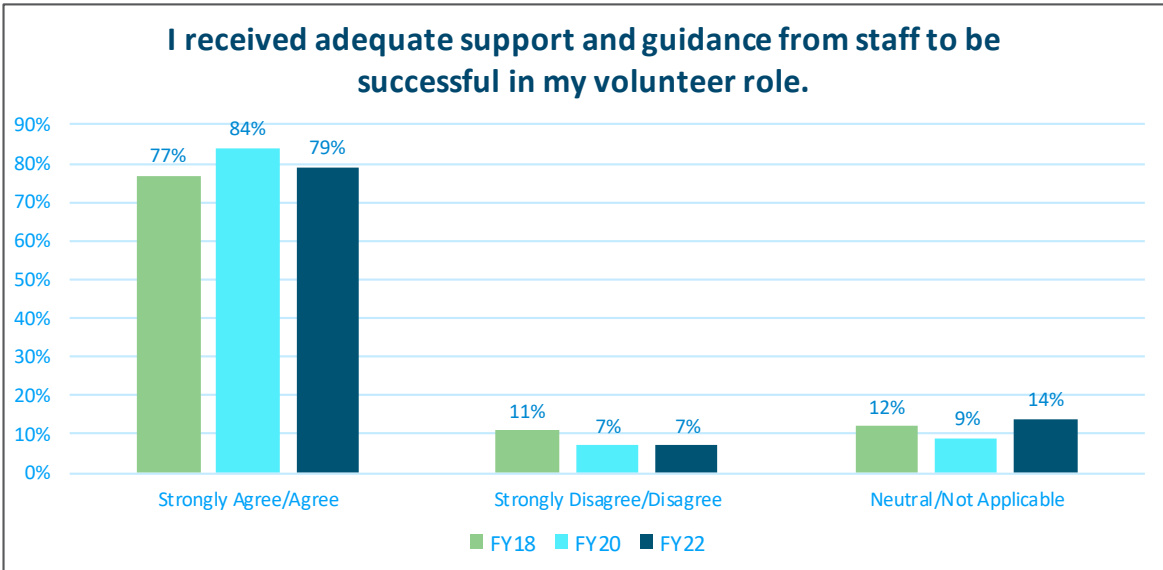
**FY2018: 16%**

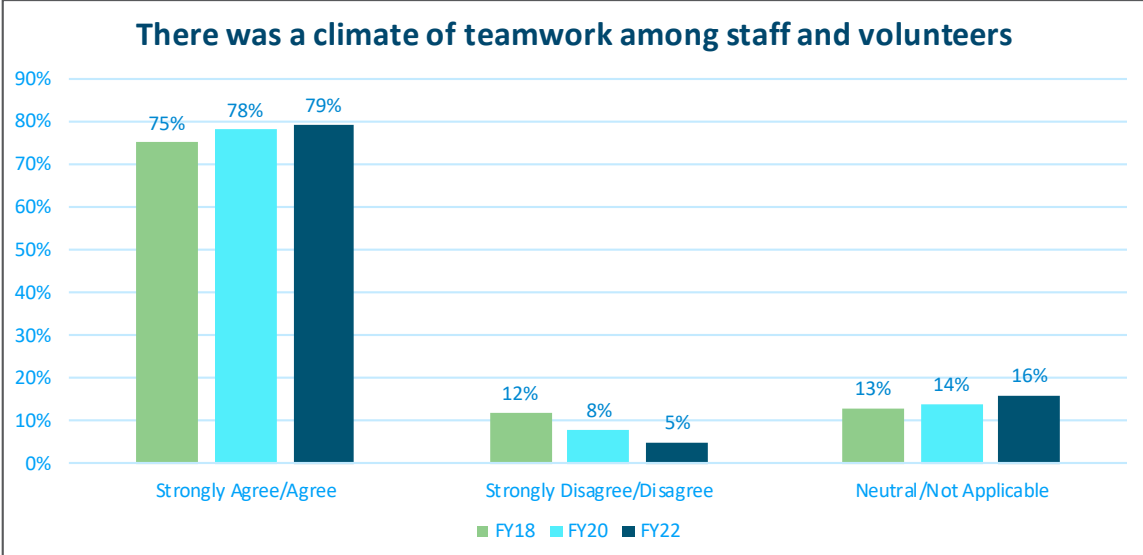
**FY2020: 12%**

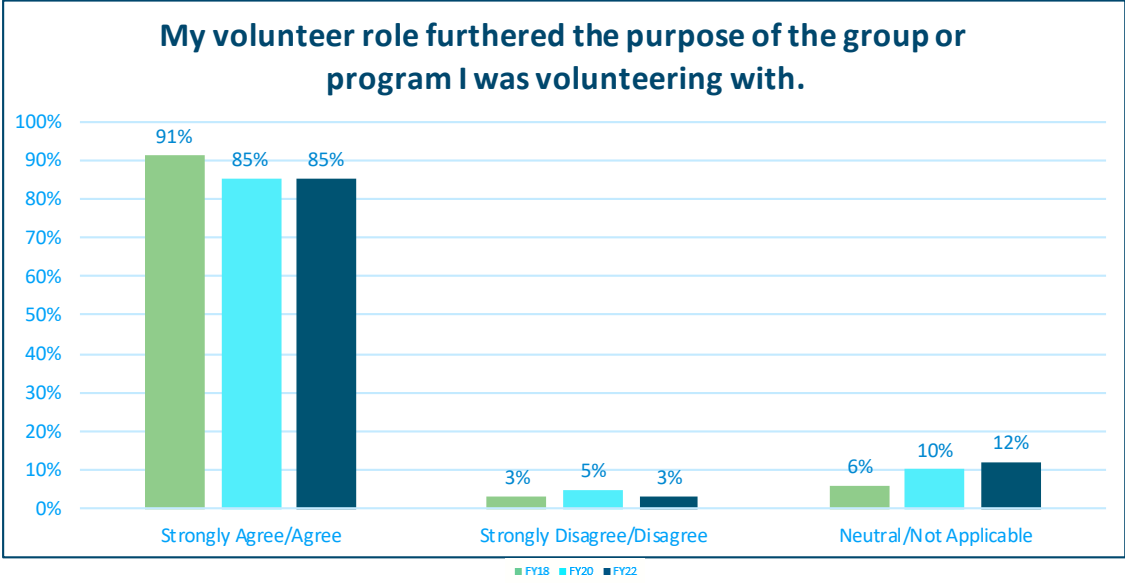


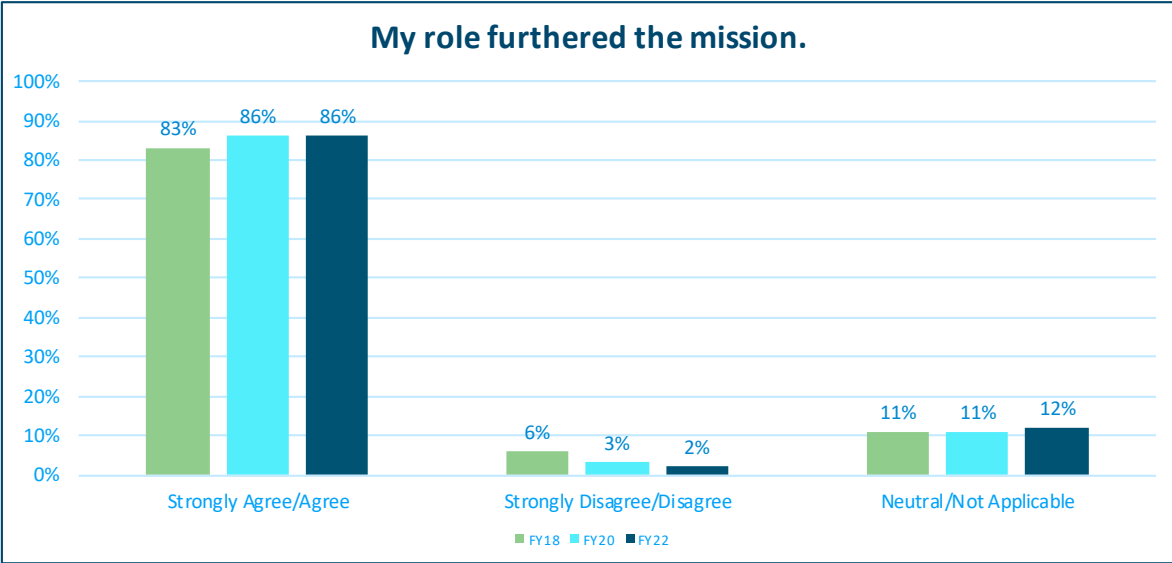


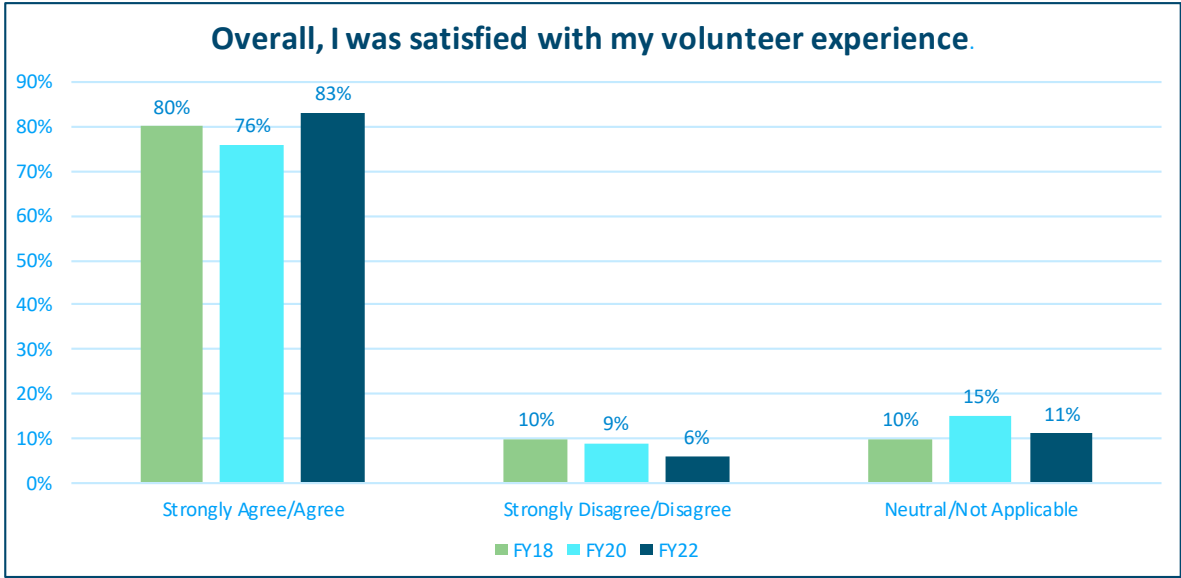




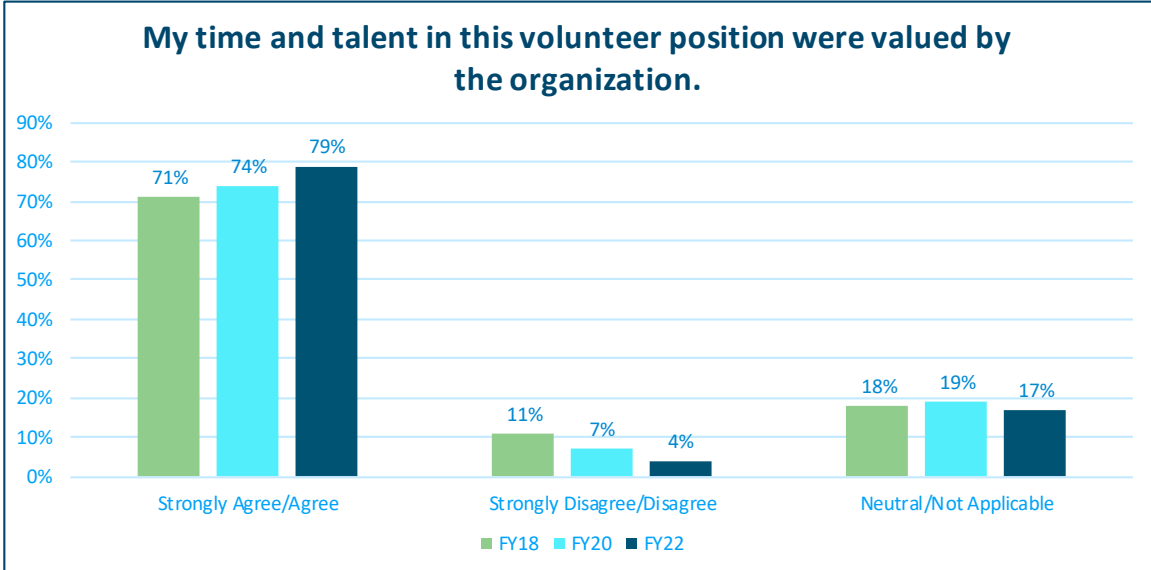


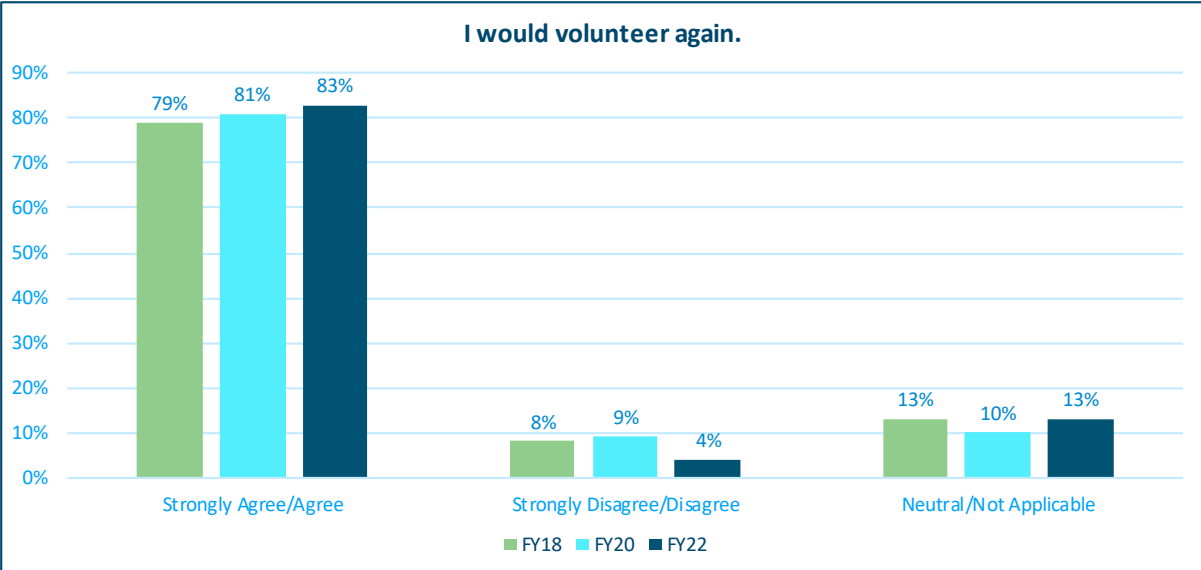












**Do you have any additional feedback for how the WSBA could improve onboarding, better support you in your volunteer role, or show appreciation for your contribution? Or do you have any other comments you would like to share with us?**

- ‘It seemed to me the colleagues I was volunteering with were less engaged than in years past. Perhaps that was due to outside (pandemic related) forces. Not sure what that could be attributed to really but I had enough experience with volunteering on the committee before to recognize that as an outlier this year as compared to past years.’
- ‘I like that we are continuing to work on more effectively recruiting, welcoming and supporting volunteers who hold Bipoc or non-conforming gender identities.’
- ‘I wish there were an easier way for us all to talk among ourselves– email is not great but I don’t know what it would be. Forming a community of volunteers seems challenging.’

## FY21 HIGHLIGHTS



## Take Our Quiz: Which Type of Legal Volunteer Are You?

April 12,  
2021



No. 1  
Most-Read  
Blog Post in  
2021!



# Take It from a WSBA Volunteer: A Q&A With Francis Adewale

Meet Francis Adewale. All this week, the WSBA is joining others around the country during National Volunteer Week to recognize and celebrate the many invaluable volunteers who devote their time and expertise to carry out the WSBA mission of serving the public, ensuring the integrity of the legal profession, and championing justice.



*When each of us, in our own way,  
answers the call to make a difference,  
we make progress in solving our most persistent problems,  
and create stronger communities  
and a more just society.*

- POINTS OF LIGHT

# VOLUNTEER WITH WSBA

Find the volunteer opportunity that best aligns with your interests, skills, experiences, and professional goals.

### WSBA COMMITTEES

A rewarding opportunity to refine a skill, explore an interest, join a professional community, and advance your own professional development while strengthening the legal profession.

- ▶ Apply online at [myWSBA.org](https://mywsba.org) beginning March 15, 2021. The deadline for applications is April 16, 2021.
- ▶ Not sure where you'd like to volunteer? Complete the [Volunteer Interest Form](#).
- ▶ For questions, email [barleaders@wsba.org](mailto:barleaders@wsba.org).

### BOARDS AND PANELS

A unique opportunity to work with the Supreme Court and the WSBA on the regulation and discipline of Bar members, while providing insight into the dynamics of a self-regulated profession.

*Click on one of the entities listed below to learn more. Those marked with an asterisk (\*) welcome public members, some eligibility requirements may apply.*

### YOUR INTERESTS, SKILLS, EXPERIENCES, AND GOALS

WSBA COMMITTEES		Administrative Processes	Civil Legal Aid, Pro Bono, and Public Service	Critical Thinking and Analysis	Discipline System	Delivery of WSBA Events and Programs	Diversity, Equity and Inclusion	Education and Ethics	Effectuate Systemic Change	Event Planning	Group Collaboration and Mentorship	Leadership Development and Mentorship	Centers/Voice of Oppressed Communities	Policy/Rules/Legislation	Public Protection	Recruitment and Peer Recognition	Regulatory Oversight	Research, Writing and Communications	Technology
WSBA Committees <i>(created and authorized by the Board of Governors)</i>	• Continuing Legal Education Committee																		
	• Court Rules & Procedures Committee																		
	• Diversity Committee																		
	• Editorial Advisory Committee																		
	• Judicial Recommendation Committee																		
	• Legislative Review Committee																		
	• Pro Bono and Public Service Committee																		
	• Committee on Professional Ethics*																		
• Washington Young Lawyers Committee																			

## UPCOMING PROJECTS







**DEVELOP**

Improve/Update **Committees and Boards Policy** (last updated in Sept. 2020).

**SUPPORT**

Explore implementation of a **volunteer engagement tool** such as *HigherLogic* or *Personify CommUnity*.

- Allows volunteers to work more effectively with each other online. Communicate, share information, answer surveys, see upcoming meetings and events, RSVP, and access documents.



**SUSTAIN**

Create a **Volunteer Philosophy Statement**

- A clear, positive and consistent statement which articulates why are how volunteers are valuable to the organization. The statement should chart the engagement of volunteer’s and the organization’s accountability to the volunteer community.



**THANK YOU!**

**Paris Eriksen**  
Volunteer Engagement Advisor  
[parise@wsba.org](mailto:parise@wsba.org)

