



## March Board Meeting Digest

A summary of the Board of Governors meeting March 8 in Olympia

### Top Takeaways

1. Governor election season is upon us!
  - At this meeting, governors changed the bylaw requiring this year's **president-elect** to have his or her primary place of business in eastern Washington, so any active member is now eligible to apply for the president-elect position, by April 10 (see below for more information on the bylaw amendment).
  - We currently have three open **district-elected positions** with a full slate of candidates in each; members in Districts 1, 5, and 7S will receive an email with voting instructions on March 15—please watch the [candidate forum](#) and read their statements to inform your decision and vote by April 2. Congratulations to Dan Clark: as the only candidate for the open District 4 seat, he has been declared the winner.
  - The **New and Young Lawyer at-Large position** is open with a filing deadline of April 20; any active member under the age of 36 or who has practiced law for fewer than 5 years is eligible.
  - The Washington Supreme Court in January passed an order to codify the board's decision to add **three new positions** to its ranks—two community at-large seats and one Limited License Legal Technician (LLLT)/Limited Practice Officer at-large seat. Governors will decide in May how to bring on these new positions (if applicable bylaws are not amended in a special meeting before then).
2. WSBA volunteers no longer need to spend three or more hours in a meeting or travel 50 or more miles one way to get **reimbursed for expenses**. (More information below.)
3. Look for more information soon about a **special board meeting** later in March in which governors will discuss proposed bylaw amendments to eliminate the three new board seats (two community at-large and one LLLT/LPO at-large) and change the President's authority in setting agendas, among other changes. They will also talk about the logistics for a new work group to study bylaws governing eligibility for the president-elect.
4. Per the recommendation circulated widely to members after the January board meeting, governors approved suggested amendments to the **lawyer advertising rules** to narrow the scope of restrictions on the ways lawyers may provide information to the public about legal services. (More information below.)

## Meeting Recap

### ACTION

- **Bylaw amendment regarding president-elect eastern-Washington rotation:** Following a robust discussion and considering many member comments, governors eliminated the current requirement that every fourth year the president-elect must be someone whose primary place of business is in eastern Washington. Instead, the amended bylaw requires a president-elect from eastern Washington anytime the three previous president-elects have been from western Washington. The majority of governors felt this compromise will ensure geographic balance while allowing flexibility when eastern Washington has been well represented in the Presidency. The 2018 president-elect position is now open to all active members, because the current president-elect hails from eastern Washington. Governors also approved a work group to more thoroughly study all the bylaws about president-elect eligibility.
- **WSBA Reimbursement Policy Amendment:** Governors eliminated the restriction that WSBA only reimburses travel costs for WSBA volunteers (other than chairs of boards or committees)—including those in sections—for meetings that last three hours or more or require travel of 50 miles or more one way. Governors enacted these time and geographic parameters following the 2012 member referendum to encourage virtual meetings and reduce costs; since that time, virtual meetings have, indeed, become a more common practice for WSBA. Easing the restrictions will help foster robust and engaged volunteerism among members, according to governors. The change is effective for expenses incurred on or after March 8, 2018.
- **Amendments to the lawyer advertising rules:** Governors approved suggested [amendments that simplify Title 7 of the Washington Rules of Professional Conduct](#) while maintaining the core concept that all communication regarding a lawyer's services must not be false or misleading. The amendments align with emerging national best practices and narrow restrictions on client solicitation and advertising, among other changes. The amendments will now go before the Washington Supreme Court for consideration under the GR 9 rulemaking process.
- **FY2018 budget amendment:** Governors approved a \$138,085 increase to the FY2018 budget to address market-compensation issues.
- **Bylaw changes to conform with coordinated systems Admission and Practice Rules:** On second reading, the board approved WSBA Bylaw amendments to align with recent amendments to the Washington Supreme Court Admission and Practice Rules (APR) to properly align terminology, procedures, fees, and requirements for all license types.
- **Support for the Race and Equity Justice Initiative:** WSBA joined the [Washington Race Equity and Justice Initiative](#) (REJI). REJI is a network of people, communities, and organizations working together for racial fairness and justice in the law, legal profession,

and justice systems. REJI partners commit to working towards a set of principles and values [outlined here](#).

## HONORS

- **Local Hero Awards:** WSBA President Brad Furlong presented Local Hero Awards to [Assistant Attorney General Phyllis Jean Barney](#) (nominated by the Thurston County Bar Association) in recognition of her career dedicated to public service and her extensive support of legal aid; and to [Public Defender Larry Jefferson](#) for his advocacy representing those most in need and addressing the root causes of incarceration and recidivism.

## DISCUSSION

*Please note: these items were on the agenda for first readings and will return for action or more discussion at the May board meeting.*

- **Referendum Process Review Work Group's initial recommendations:** To align with revisions to [GR 12](#) and to better utilize current communication technology, the Referendum Process Review Work Group in January recommended several amendments to the [WSBA Bylaws](#) (Articles III and VIII) such as removing license fees from referendum authority and shortening the filing timeframe. The initial recommendations, including minority and majority reports, are available [here](#). Members are encouraged to provide feedback to [sherryl@wsba.org](mailto:sherryl@wsba.org). Governors will continue to discuss the recommendations at upcoming meetings (no timeline for action is set).
- **APEX (Acknowledging Professional Excellence) awards event:** Governors discussed the goals and logistics for the 2018 APEX dinner on Sept. 28, 2018. This is the WSBA's annual event to recognize luminaries of the Washington legal profession and to inspire members to proudly uphold the rule of law and the integrity of the profession. [Nominations are currently open in 12 categories](#), including the newly renamed Justice Charles Z. Smith Excellence in Diversity Award. Please help us recognize an outstanding colleague!
- **Member insurance pool:** Governors discussed some members' request to research the possibility of reinstating a WSBA medical insurance pool, given the current volatility and prices increases in the insurance market. Governors indicated they will look for ways to tackle this work—perhaps in a member-engagement work group—during an upcoming meeting. In the meantime, an [FAQ about WSBA's previous medical-insurance pool and current resources is online](#).
- **Supreme Court:** As is the annual tradition in Olympia, the Board of Governors met with Washington Supreme Court Justices following its business meeting. Justices heard from governors about the national climate for bar associations as well as current goals, topics, and concerns for WSBA leaders.

The agenda and materials from this Board of Governors meeting, as well as past meetings, [are online](#). The next regular meeting is May 17-18 in Seattle.

The Board of Governors is WSBA's governing body charged with determining general policies of the Bar and approving its annual budget. The board comprises the president, president-elect, immediate past president, eleven members elected from Congressional Districts, and three at-large positions.