



Diversity Committee Minutes Final

June 8, 2019
10 - 3 pm
WSBA Office

The Washington State Bar Association's Diversity Committee is dedicated to implementing WSBA's Diversity and Inclusion Plan. The work of the committee promotes historically underrepresented groups to enter and stay in the profession of law. The Diversity Committee does this through collaborative relationships and community building activities which highlight the numerous societal benefits of a diverse law profession.

In Attendance: Roger Hillman, Nam Nyguen, Lisa Mansfield, (Gov.) Sunitha Anjilvel, Ailene Limric, Gov. Alec Stephens, Andrea Jarmon, Allison Ross, William Locke

Absent: Jennifer Cruz, Gov. Dan Clark, Gov. Athan Papailiou, Gov. Jean Kang, Laura Wulf, Chelsea Brisbois

Staff: Dana Barnett, Sierra Suafoa-McClain

Call to Order, Welcome and Approval of Minutes-

Ailene Limric called the meeting to order at 10:08am. On motion by Roger Hillman and seconded by Allison Ross, the Diversity Committee moved to unanimously approve the May meeting minutes.

BOG Report –

Gov. Alec Stephens reported on the BOG the new governors appointed by the BOG. The committee discussed the need for the At-Large BOG member to be held accountable to the principles and practices of equity and inclusion, regardless of who is in the position, and the committee's role in assisting with that. Andrea Jarmon shared a Facebook post¹ she wrote about the President Elect decision, to elect another white cisgender man, rather than a person of color. Alec encouraged members to call into the next meeting in Yakima on July 23rd. The BOG would like to host another evening with MBA's, and this time would like Dana and the Diversity staff to assist. Dana suggested that the event be co-hosted by the BOG and the Diversity Committee to give the committee members a more active role.

Structures Workgroup Report – Andrea Jarmon

Andrea Jarmon reported that at the last meeting the workgroup discussed previous cases, historical context, general background information that pertained to the restricting of Bars. There was much discussion about the role of diversity and inclusion and access to justice in whatever form the bar takes. The next meetings are anticipated to be more focused on the discussing various options. The next meeting is Monday June 10th.

Diversity Training Activity – Dana Barnett

Dana Barnett conducted an activity for the Diversity Committee where the group strategized how to respond to members of the public or legal field when questioned how diversity, equity and inclusion (DEI), and access to justice (ATJ) are important to a regulatory bar. Together the group came up with seven bullet pointed

statements about the importance of DEI & ATJ. In addition to the statements, several documents with facts that can possibly be used were listed. They are: Sections 7 & 8 of the Attorney's Oath, the 2014 Intersectionality Report, the 2015 Civil Legal Needs Study, GRE 37, and ABA Model Rule 8.4. The committee discussed using these bullet points to craft a statement to submit to the structures workgroup.

Bullet Points:

- DEI & ATJ are core functions of regulating the profession of law.
- DEI & ATJ are ethical imperatives that are embedded in our Oath which we took as officers of the court.
- A bar representative of the Public is essential for the public trust in the legal system.
- The WDC and Diversity programs promote underrepresented groups to enter, remain, thrive, and lead in the profession of law.
- Both the DEI and ATJ programs are at risk in the process of restructuring the bar. The DC is committed to preserving and promoting this programming in any future structure.
- In order to be credible in representing the public the public must be represented.
- The Washington Bar has been and should continue to be a leader in innovative DEI & ATJ programming.

WDC Chair Position –

Ailene Limric began the discussion of who is rolling off and who is staying on. If committee members have questions about where they are in their term they should contact Dana. Ailene went over some of the responsibilities of the co-chair. She spoke of the value to having been an active member of the committee first so that you have some sense of the historical work of the committee.

Annual Report and Goal Setting–

Members reviewed and suggested edits to the FY 18 and FY 19 Annual Reports. See attached for the draft FY19 report.

Program Updates and Reports–

- A. Personnel Policy Review – Alec
 - a. Copies of the WSBA BOG Sexual and Other Harassment and No Retaliation Policy were given to the Diversity Committee members. They gave input on the policy and necessary revisions. The main feedback was the need for an explicit procedure for situations when a claim is made against a BOG member, involving an outside arbiter and decision maker. Alec mentioned that the BOG has also discussed the need to formulate and make a public statement that BOG meetings are safe spaces where all, including staff, are welcome.
- B. Pipeline Workgroup Report – Will and Dana
 - a. Recently met with interim directors of Tacoma's UW Legal Pathways to talk about partnering on working towards the overall goals of both groups. First ask was to do a panel of 3-4 attorneys and legal professionals to speak to the Legal Pathways program. Andrea, Lisa and Will are interested. The new director has asked for a meeting with the WDC to help organize what they would like to do in the future.
- C. Oregon Specialty Bar Letter – Alec
 - a. Materials were shared of what various platforms the letter appeared on since its publication. Ailene raised the idea of sharing the letter with the Oregon bar and/or the MBA's that were the targets of bad responses originally.
- D. Bellingham Networking Event - Dana
 - a. The event was a success with local attorneys, students from UW and the community college paralegal programs. Sunitha mentioned that the event had a lot of students from Whatcom College and Western, who were excited.

- E. Legal Lunchboxes – Dana
 - a. The next Legal Lunchbox is July 30th and the topic is White Supremacist movements in the PNW. Alec will be one of the speakers.
- F. ARC Reception – Dana
 - a. This year the program will extend to all students of color, this is different because in previous years the program has not been open to 1L students who are not part of the ARC program. The program is July 10th and need volunteer attorneys to attend as table coaches. Committee members should have all received the registration form. If members want to attend they must fill out that form.

MBA Updates and Reports –

- Loren Miller Event: Nam, Lisa, and Andrea attended the event. Judge Richard Jones and Hill Harper spoke.
- FLOW: will be participating in the Walk for Rice, July 10th ARC Reception at WSBA. Hosting the 4th annual Pinay Powerhouse Conference. Has begun planning their annual Barrio Fiesta at the Northwest African American Place.

Roger moved to adjourn at 2:50pm, Will seconded. The meeting was unanimously closed.

Next Meeting: Conference Call July 17th, 12-1:30 PM
If you need special accommodations contact diversity@wsba.org

ⁱ Andrea Jarmon (2019) [Facebook post]

WSBA President Elect...No New History Made Today..

Today, the WSBA's Board of Governors had a tremendous opportunity to recognize the leadership and skill of Alec Stephens and to promote its purported investment in diversity and inclusion. Instead, the Board, in a continuing fidelity to the dominant power paradigms elected yet another white male.

Diversity must be deliberate and commitment to diversity must be intentional. If you attended or have had the opportunity to view the last meeting held by the Supreme Court's WSBA Structure Workgroup, you may have seen the discussion about whether and how we can maintain a bar association that believes in issues of equity and diversity and inclusion. There were several members who seemed to be already resolved to the conclusion that such could not be maintained. It was baffling to me that we are, in 2019, still being presented with and challenged by the question of the relevancy of those who move in bodies that are not white or male or heterosexual.

It is not a paradox, but an irreconcilable contradiction to purport to embrace a philosophy of justice and service to our communities and at the same time, fail to recognize that our communities are diverse and should be reflected in our profession, in our leadership of our profession, and in judicial bodies situated in our communities....

When we have the opportunity to challenge our legacy of institutionalized marginalization and defy and deny the presumption of white privilege, and we fail to do so, it only serves to underscore the very reason why we have to be bold and defiant in advocating that beyond a policy or philosophy of diversity, we must have deliberate intentional actions that strategically push for a continuing presence, an un-apologetic space, and a recognized voice for underrepresented groups.

I voice no opinion about the leadership that the selected President Elect will exercise. I am however strongly voicing my belief that in yet another context wherein this Board of Governors had the opportunity to demonstrate leadership and competency on the issue of meaningful diversity and inclusion and practice the mantra of "from the inside...out," it failed.

And once again we have, with all due respect, the leadership of another white male. There is nothing new, profound about that. What could have been a remarkable day in the history of the WSBA and its presidential leaders is another pedestrian reflection of the status quo.

It is a sad missed opportunity.