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Discipline Review Report

In 2006, the WSBA requested that the Supreme Court invite the American Bar Association (ABA) to review Washington's lawyer discipline system. The Board subsequently created five task forces to review the ABA recommendations. Discipline Review Committee Chair **Doug Lawrence** and Task Force 3 Chair **Charlie Wiggins** presented to the Board.

The Board approved the following recommendations, which will be forwarded to the ELC Task Force for further review and refinement before being sent to the Supreme Court: (1) that the appellate process before the Disciplinary Board be streamlined by implementing *sua sponte* review of suspension and disbarment recommendations in lieu of automatic review; (2) that the ELC titled "Grievant Duties" be amended; (3) that the ELC provisions regarding interim suspensions for commission of serious crime be amended; (4) that a rule authorizing use of disciplinary settlement conferences be adopted; (5) that a "manifest injustice" standard be adopted for review of stipulations to discipline; and (6) that the right of appeal and cross-appeal to the Supreme Court be available to both parties on any recommended sanction of suspension or disbarment.

Also on the agenda was the ABA recommendation that the Court institute client option (mandatory) fee arbitration. The Board voted to oppose this recommendation.

To view copies of the Task Force reports, please see www.wsba.org/info/operations/odc/aba+discipline+report+task+forces.htm.

ABA Update

James F. Williams, one of the WSBA's seven delegates to the ABA House of Delegates, updated the Board on the February midyear meeting held in Boston. Mr. Williams relayed that a report, co-sponsored by the WSBA, that amends ABA Model Rule of Professional Conduct 1.10 to permit screening of a lawyer who moves laterally from one private law firm to another, so that conflicts of interest that apply to the moving lawyer are not imputed to all the other lawyers in the new firm,

passed and was adopted. The Washington RPCs already conform to the newly amended rule. The Board also heard from ABA Governor **Kathleen Hopkins** and ABA Delegate-at-Large **Tom Fitzpatrick**.

WSBA Leadership Institute

Judge **Mary Yu** and **James Williams**, co-chairs of the WSBA Leadership Institute (WLI) Advisory Board, applauded the Board for its foresight and vision when launching the WLI five years ago, noting that it is a national leader. Judge Yu and Mr. Williams brought before the Board several operational requests for the continued smooth functioning of the WLI for the Board's consideration.

Court Rules Update

Roger Wynne, chair of the Court Rules and Procedures Committee, presented several recommended updates to the Rules of Appellate Procedure (RAP) that were submitted by the Court of Appeals and other entities. He was joined by Judge **Stephen Dwyer**, Court of Appeals liaison to the Rules Committee, and **Ken Masters**, chair of the RAP Subcommittee. Recommendations will be forwarded to the Court of Appeals Rules Committee for review and comment, and then ultimately to the Supreme Court.

Access to Justice Board (ATJ) Nominations

M. Wayne Blair and the Honorable **Elizabeth Fry** were nominated for second three-year terms on the ATJ Board. Representative **Patricia Lantz**, **Kirsten Barron**, and **Aiko Schaefer** were also nominated to serve on the ATJ Board. It was noted that a record number of applications were received for these positions. The Supreme Court makes the appointments.

Diversity Update

WSBA Diversity Program Manager **Chach Duarte White** presented information about the WSBA's racial and gender demographics, compared to those of the state. This information is voluntarily reported by WSBA members. The Board of Governors Diversity Committee

is currently meeting monthly and is drafting a mission statement. The Young Lawyers Division is also working on a diversity plan.

Resolution in Honor of Joseph H. Gordon Sr.

The Board adopted a resolution honoring Tacoma attorney **Joseph H. Gordon Sr.**, in honor of his 100th birthday. Mr. Gordon, who has been a member of the WSBA since 1935, received the WSBA Lifetime Service Award in 2001, and is known for having attended more than 100 consecutive meetings of the American Bar Association.

Council on Public Legal Education

The Honorable **Marlin Appelwick**, co-chair with **Judith Billings** of the Council on Public Legal Education (CPLE), reported on the work of the CPLE during the previous year. Highlights include advocating in the Legislature for increased funding for civics education, offering workshops for social studies teachers, maintaining the lawforwa.org website, creating a statewide youth court association and organizing Washington's first youth court conference, and participating in the Legislature's annual Civics Education Day. The mission of the CPLE is to promote public understanding of the law and civil rights and responsibilities.

Program Review

Program Review Committee Chair and Treasurer **Russ Aoki** presented the Committee's recommendations regarding *Bar News*, *Resources*, and Casemaker. The Program Review Committee had recommended no changes to these three programs, and the Board of Governors adopted the Committee's recommendations.

Executive Director's Report

Executive Director **Paula Littlewood** reported on the following: (1) a new, more user-friendly version of Casemaker has been launched and is available to all WSBA members at no charge from the WSBA website, www.wsba.org; (2) the WSBA is hoping to roll out a pro bono initiative in June to aid individuals in the mortgage foreclosure and eviction crisis; a committee has been formed with Judge **Steve Gonzáles** and Professor **John McKay** as honorary co-chairs, and a civil legal aid crisis summit is planned for April 17 at Seattle University School of Law; and (3) the WSBA has formed two support groups for unemployed members run by Lawyers Assistance Program therapists.

Upcoming Events

April

April 2: King County Bar Foundation Breakfast with Champions; Westin Hotel, Seattle

April 16: QLaw Annual Banquet; Hyatt at Olive 8, Seattle

April 24-25: WSBA Board of Governors meeting, Courtyard Marriott, Richland

April 30: WYLD Board of Trustees phone meeting

May

May 15: Loren Miller Bar Association Annual Banquet, Grand Hyatt, Seattle

May 29: WSBA Board of Governors meeting, Yakima Convention Center

May 29-31: Annual Access to Justice and Bar Leaders Conference, Yakima Convention Center

May 30: WYLD Board of Trustees meeting, Yakima Convention Center