



Elder Law Section: Engagement in the Legislative Process

By Karen Treiger, Elder Law Section Legislative Committee Co-Chair

The WSBA Elder Law Section has approximately 600 members. Elder law encompasses many areas, including estate and disability planning, trusts, guardianships, probate, healthcare, long-term care planning, Medicare/Medicaid, Social Security, and retirement issues. The Section has an elected Executive Committee that is active in legislation, education (CLEs), and communicating with our members.

Legislation is one of the most time-consuming and significant aspects of our work. The Executive Committee believes it is important to review and, where appropriate, comment on legislation that may impact our areas of law. However, it can be challenging to keep up with the fast pace of the Legislature. To meet this challenge, the Section has two co-chairs of its Legislative Committee who are responsible for overseeing the process the Executive Committee has implemented to review and respond to proposed legislation. When the Bar refers a bill to the Section, the co-chairs briefly review it and then send it out to a pre-arranged list of attorneys (both on our Executive Committee and off) who have agreed to quickly vet and comment on whether the bill is one that pertains to the practice of law or the administration of justice (that is, it meets the requirements of GR 12.1) and whether we should respond in some way. These "vetters" are organized by area of law. If a vetter feels a response is necessary, he or she either writes a note to the co-chairs or drafts a letter that can be sent to the Legislature. (Truthfully, usually one of the co-chairs writes the letter.) The note or letter is circulated to the Executive Committee and an e-mail vote is taken. At least 75 percent of the members of the Executive Committee must agree that the issue relates to or affects the practice of elder law and at least 75 percent of the Executive Committee must agree on any position taken on the bill. If a position is taken, unless it is "neutral," we send key legislators a letter either in support of or in opposition to the bill. Often, one of the co-chairs go to Olympia to testify at the hearing.

The same two individuals have been going down to Olympia for the past few years in order to create continuity with legislators and partisan and nonpartisan staff. The Section's goal is to be an honest broker by educating and informing legislators and staff about the effects proposed legislation may have in real life. We often work with legislators and staff to make changes to legislation that will make it more effective.

The Section has also worked with the Bar in recent years to have "bar-sponsored" legislation introduced and passed. For example, the Elder Law Section was heavily involved in the passage of legislation and establishment of the Office of Public Guardianship. Also, in 2011, based on recommendations of the Elder Law Guardianship Task Force, the Section obtained Bar-sponsored legislation to amend the guardianship statutes (SHB 1053).

Working on legislation can be exhausting, but very rewarding.

WSBA Program Profile: Public Serve Programs

By Ana Selvidge, Public Service Programs Manager

1. Currently, what are the largest needs for public service in our community?

Since the [2003 Civil Legal Needs Study](#) the largest need for public service in our community remains in areas of family, housing, and consumer law issues. There are many ways in which attorneys can get involved and provide much needed services to Washington residents. The quickest and easiest way is to search for a volunteer opportunity through www.probonowa.org. This site provides clear and easy access to volunteer opportunities throughout the state with a listing of organizations in need of volunteers and details about their service opportunities.

2. Can you describe WSBA's focus for public service programs?

WSBA Public Service Programs' goal is to help more, new, and different members find the public service opportunity that is right for them. We look to our programs to provide training, support, and community in public service efforts. If we are able to develop initiatives in a way that fosters a rewarding and positive experience for our members, we are then enhancing a culture of service in which our members will continue to engage in public service throughout their professional careers. Currently our main goal is to grow the WSBA Moderate Means Program. The [WSBA Moderate Means Program](#) is a free referral panel designed to connect clients whose income is within 200 to 400 percent of the Federal Poverty Level with lawyers who offer legal assistance at a reduced fee in family, housing, and consumer-related cases. We are also very excited about a Veterans Focus Initiative. This is in the development stages but scheduled to launch in the fall of this year.

3. What is your vision for collaboration between Public Service and Sections?

The vision for collaboration between Public Service and Sections is one that heavily emphasizes insight and guidance. As the Bar examines how to grow and what to add next in Public Service Programs, we will look to Sections to provide valuable insight in the development of these initiatives. Sections are on the ground, connected to our members and to a wealth of knowledge – which we hope to engage in Public Service programming. The WSBA's ability to build strong and successful programs depends on building strong and successful relationships with our Sections. As stated earlier we look to our programs to develop training, mentorship, and hands-on experience. The knowledge and energy Section members have will help us learn how best to develop lawyers' professional skills and competence in new areas of law. I look forward to this collaboration!

4. Can you tell us a little about yourself, and your background?

I began working at the WSBA last December as the Public Service Programs Manager. Prior to joining WSBA, I worked at the King County Bar Association in the Pro Bono Services Department. I started as the Program Manager for Legal Services for the Homeless Program in 2007 and then later took on the role of Volunteer Manager. Prior to that, I was an Admissions Advisor for Western Washington University, where I also received my Bachelor of Arts in American Cultural Studies. This fall I will complete my Master of Public Administration from Seattle University. Outside of work, I love gardening, traveling, and spending time with my three cats: The Widow Maker, Baby Princess Leia, and Sasquatchula.

Important Dates in the FY14 Budget Planning Process!

July 12: FY 2014 Section Budget and Narratives Due!

August 1-12: WSBA Sections Team will reach out to sections to discuss budgets if applicable.

August 13: Last day to make changes FY 2014 budget.

August 22: Section budgets to be reviewed by Budget and Audit Committee for recommendation to the BOG.

September 26-27: BOG reviews Section budgets for approval for FY 2014.

Educational Programming for New Lawyers: How Can Sections Support the Newest Members Entering the Profession

By Mikaron Fortier, WSBA New Lawyer Education Specialist, Noah Williams, and Stacy Marchesano

Over the last few months, 40 lawyers from across the state have participated in lunch-hour discussions to help the WSBA pinpoint the practical needs of Washington's newest members. During these lunch hours a group of 8 to 12 young attorneys are invited to identify what they learned in law school, where challenges have arisen in certain substantive areas of practice, and what other kinds of questions a new lawyer runs into about proceeding competently to represent their clients' matters.

The data from these focus groups becomes a valuable tool and the groups themselves become an educational experience for those who attend. A number of recent New Lawyer Education (NLE) seminars have evolved from the focus group efforts and have informed seminar design, faculty, and focus.

The Way Focus Groups Work

Eight to nine months prior to a live seminar, the NLE team calls for volunteers within the WSBA's new and young lawyer population. After holding the focus group the NLE Development Specialist compiles and reviews the notes for topics and themes. NLE partners with a Section's leaders to review focus group data and identify a set of goals for a seminar. When NLE is ready to begin development of a seminar, the focus group attendees and the Section leaders are invited to participate as members of the Program Development Team.

The Program Development Team plays a key role in recruiting faculty, identifying channels for reaching new lawyers with marketing, and participating on the day of the seminar in roles that support interactivity and the learning goals.

Some Recent Successes

Sections are playing a key role in the sponsorship of NLE seminars through the commitment of time, expertise, and some funding. Sections are experimenting with playing new roles, trying out different ways of involving their section members, and seeking different returns for new members over the advantages of increased revenue.

For example, last December the Creditor Debtor Rights Section helped to develop a full-day seminar focused on "Your First Chapter 7 Case." This May, the Business Law Section refocused its annual new lawyer summit on "Advising the New Tech Startup," and the Labor & Employment Law Section has contributed time and resources to the delivery of an NLE seminar on "Handling Your First Employment Discrimination Case."

The Year Ahead

In 2014, the WSBA will consider development of NLE seminars using focus group data on topics such as family law, criminal law, personal injury practice, and landlord-tenant law.

For the next round of discussions that will prepare the WSBA for 2015 programming for new lawyers, the Washington Young Lawyer Committee (WYLC) and other new lawyers will consider revisiting prior NLE programs and topics such as: bankruptcy law, litigation, advising the small businesses, employment law issues, client development, law firm management. Potential focus group topics requested by the WYLC are: corporate counsel, ethics, immigration law, administrative law for government practice, Indian law, tax, and motion practice in family law.

If you have ideas for focus groups or would like to participate in some of the upcoming groups, contact NLE Development Specialist, Mikaron Fortier at mikaronf@wsba.org or the WYLC-NLE Subcommittee Chair, Stacy Marchesano at SMarchesano@hwb-law.com.

Thanks to the time and energy of these new lawyers and the leadership of the WYLC-NLE (con't)

Subcommittee, Noah Williams (past Chair), and Stacy Marchesano (current Chair), a few themes have emerged in the recent sessions that are influencing the direction of programming for the WSBA's new lawyers and even those seeking a transition into a new area of practice.

[More information on upcoming events for New Lawyer Education.](#)

WSBA Department Changes

By Stacy Holmes, Interim Associate Director for Sections & Seminars, and Paris Eriksen, Section Leaders Liaison

Last fall, the WSBA Executive Management Team began a process of building stronger alignment between WSBA's Education & Professional Development Department (EPD) and WSBA's mission focus of) ensuring competent and qualified legal professionals and promoting the role of lawyers in society. The purpose of this realignment is to infuse the skills and expertise of the EPD staff into the rest of the organization in order to achieve the mission focus goals more effectively and efficiently.

Section leaders were asked to participate in this process by attending a special meeting on March 27th. At this meeting, section leaders discussed areas of success and struggle they have encountered when working with WSBA-CLE to produce seminars. Additionally, section leaders brainstormed ideas for improvement of processes and practices. Following the meeting, a WSBA-CLE electronic survey was sent to all section members as well as promoted via the WSBA blog, [NWSidebar](#). We received nearly 900 survey responses and a summary of results was presented at the section leaders spring meeting on May 1st. This spring meeting was designed to continue the dialogue around improving relations between WSBA-CLE and sections, as well as to share important information relevant to section leaders such as enhancing diversity of section membership and planning for the 2014 budget.

With feedback from these meetings, coupled with Executive Management and organizational discussions, the EPD department has been integrated into WSBA in the following manner:

Joining the **Communications Department** under Director Debra Carnes:

- Webcasting, Publications & Online Store
- Conference Center event coordination
- Production (in-house printing)
- Enhanced focus on legal community outreach and bar leaders support

Forming the **Advancement Department** under Director Megan McNally:

- Seminars, Sections, and New Lawyers Services (think NLE plus!) will join Justice and Diversity Initiatives (formerly JDI) to focus more broadly on advancing WSBA's mission with its members and the public.

Joining the Office of General Counsel under Director Jean McElroy

- Law Office Management Assistance Program (LOMAP) will work with the **Professional Responsibility Counsel**. Jeanne Marie Clavere.

These internal changes will strengthen the WSBA's support of sections, and our partnership remains a key priority during this transition. Please feel free to share any questions, thoughts or concerns with the Sections Team at setions@wsba.org at any point.

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Upcoming BOG Meetings

**July 26-27:
Suncadia, Cle Elum**

**September 26-27:
WSBA Offices**

Come join the Lawyer Assistance Program for their Solo & Small Practice Support Group!

This is a **free**, drop-in group.

Bring your lunch!

Thursdays 12-1:00 p.m.

Please note: There will be no meeting on July 25th.