



On June 26, 2020, the Washington State Bar Association adopted the following resolution:

WSBA RESPONSE TO THE NATIONAL DIALOGUE ON RACISM AND UNLAWFUL USE OF FORCE

The ongoing tragedy in our country concerning racism and the resultant unequal application of the laws to different members of our society is an issue that the WSBA is dedicated to confronting and engaging on. The Supreme Court has specifically charged the WSBA with: promoting an effective legal system, accessible to all;¹ and promoting diversity and equality in the courts and the legal profession.²

We have received the messages of many groups of our members that have been sent to us including statements by:

1. [WSBA Civil Rights Section](#)
2. [WSBA Council on Public Defense](#)
3. [The Access to Justice Board](#)
4. [Loren Miller Bar Association](#)
5. [Filipino Lawyers of Washington](#)
6. [Korean American Bar Association](#)
7. [Latina/o Bar Association of Washington](#)
8. [QLAW Association and QLAW Foundation](#)
9. [South Asian Bar Association of Washington](#)
10. [Vietnamese American Bar Association of Washington](#)
11. [Washington Women Lawyers](#)
12. [Association of Washington Assistant Attorneys General and the Solidarity Caucus of the Professional Staff Organizing Committee](#)
13. [Washington State Bar Foundation](#)

And, on June 4, 2020, Washington's Supreme Court called on us to recognize that *"the legal community must recognize that we all bear responsibility for this on-going injustice, and that we are capable of taking steps to address it, if only we have the courage and the will. The injustice still plaguing our country has its roots in the individual and collective actions of many, and it cannot be addressed without the individual and collective actions of us all."* The Washington State Bar Association deeply appreciates the leadership of our Supreme Court and their signaling of the priorities our profession should dedicate itself to tackling.

On June 3, 2020, our President sent a message to the membership regarding the challenges facing our nation and our profession. An excerpt from that reads:

The killing of George Floyd at the hands of Minneapolis police officers—who have now been charged with murder—has stirred all too familiar unresolved tensions and conflict in our society over racism

¹ GR 12.2(a)(2)

² GR 12.2(a)(6)

and the use of violence. Faced with weeks of isolation at home due to the coronavirus, a potential economic downturn, rapidly rising unemployment rates, and mistrust and misinformation about legal rights, many people in our country are left feeling hopeless, powerless, and fearful of speaking up. The result is a continued cycle of violence and defensiveness, ever more fraying the fabric of our society.

There is no equity without access to the justice our legal system can provide, and there is no access to justice without our profession doing its part to solve problems. It is up to each one of us to stand up and speak for others who cannot so that we may substitute true dialogue and good policy for violence in our society. That is the very point of an effective legal system, and as officers of that system we bear a large share of the burden in its failures if each of us do not work to ever reform it.

The Governing Body of the WSBA affirms and joins the President's message to the membership and dedicates that the organization will redouble its efforts to support our members in their practices and the judiciary's independence such that both members and judges can have the freedom to stand up and speak.³ The WSBA supports our members in striving to be paragons of ethics and professionalism in crafting lawful solutions to the problems our society is wrestling with.⁴ We as an organization will recommit our efforts to provide educational and wellness services to all of our members, including the judiciary, to support them through this time, recognizing that many of them are directly impacted by the injustice that persists in our nation.

Since 2004, WSBA has followed an interpretation of General Rule 12.2(c)(2) that was adopted by the Board of that time. Throughout the years, this rule has been a challenging part of the debate on the WSBA's ability to weigh-in broadly on significant issues that may in fact relate to the practice of law and administration of justice, such as institutional racism. Much has changed since 2004 and it seems appropriate in light of the Court's statement to ask whether WSBA's engagement on these issues is done in the best way to serve its members and the public. Therefore, we direct the Task Force charged with beginning a collaborative discussion with Court regarding delegated administrated entities to also discuss the interpretation of GR 12.2(c)(2) with the Court.

Further, the WSBA stands with its employees in these difficult times. As the people who support our members, and the work of our volunteer policy making bodies, we recognize that our employees are steadfastly doing their work in the face of the great strains of first the global pandemic, and now the international acknowledgment of the racial inequity and violence that persists in our society. We recognize that some of our employees have experienced racism and violence directly. In response to these extraordinary times we support and direct our interim Executive Director and President in providing support for our employees.⁵

On this day, the WSBA has also passed the following items as part of our agenda to confront the issues facing our members and society at large:

1. Approval of Public Statement by WSBA Council on Public Defense;
2. Proposed a new Mission Statement of the WSBA focused on fostering a legal system accessible to all people equally to send out for stakeholder feedback;
3. [Approval of WSBA Equity & Disparity Workgroup](#);
4. [Approval of Resolution Affirming the Rule 6's Program Value and Role in Providing an Additional Path to Justice for Underrepresented Communities](#);
5. Approval of Resolution of the WSBA in Response to National Dialogue.

³ GR 12.2(a)(1, 3)

⁴ GR 12.2 (a)(4, 9)

⁵ GR 12.2(a)(10)

We hope that our actions today are but the first wave of contributions to moving towards healing the fabric of our society, that the WSBA will engage in over the next several years.

Approved by the WSBA Board of Governors on June 26, 2020.



Rajeev D. Majumdar
WSBA President, 2019-2020