



**MEETING NOTES**

**Approved by Chair on May 21, 2019.**

**Work Group Attendees**

Andrea Jarmon; Dan Clark; Eileen Farley; Esperanza Borboa; Frederick Corbit; Hunter Abell; Jane Smith (phone); Kyle Sciuchetti; Mark Johnson; Mary Fairhurst, Chair; Paul Swegle

**Work Group Staff Attendees**

Dory Nicpon; Margaret Shane

**Presenters**

**Carole McMahon-Boies**, Nebraska Supreme Court Attorney Services; **Paula Littlewood**, Former Executive Director, Washington State Bar Association

**Welcome**

Dory Nicpon called the Work Group meeting to order at 9:00 am and reviewed the agenda.

**Nebraska Model and Lessons Learned**

Carole McMahon-Boies reviewed the process, timeline, and problems encountered as a result of the Nebraska Supreme Court's decision to alter the Nebraska State Bar structure in 2013. Discussion ensued regarding fee structure, governance, structure of the Bar and the Association, responsibilities of the Nebraska Supreme Court, and access to justice commitment.

**Trends Among Integrated Bars**

Paula Littlewood indicated that she does not foresee that integrated bars will cease to exist. She explained that some integrated bars may be awaiting a definitive ruling from the US Supreme Court.

She suggested that whether to do anything in the meantime may depend on tolerance for lawsuits. Discussion ensued regarding types of Bars, programming, governance, the State Bar Act, and Washington Supreme Court oversight of the WSBA.

### **Public Comments**

Comments from the public included: the first duty of the Bar is to the public; amend the Work Group's charter to include more public voices on the Work Group; continue to honor the law as a self-regulating profession; and get ahead of what changes to suggest to the Legislature in order to put the Bar in the best position to implement those changes if necessary.

### **Work Group Discussion**

Dory reviewed the efforts made to date to reach out to people asking them to provide input. Discussion included: status of *Janus* and *Keller*; voluntary bars; access to justice, pro bono, and diversity and inclusion programs; representation of the public; role of legislative participation; importance of legal constitutional structure, public protection first, then the membership; clarity needed from the US Supreme Court; decide what the WSBA wants to do and be, then look at the structure to figure out how to do it and how to support it if challenged; focus on functions rather than labels; more information on the anti-trust issue; and consider how any changes will impact the disciplinary function of the Bar.

### **Future Agenda Items**

Dory announced that Geoffrey Green from the Federal Trade Commission will speak to the Work Group at its next meeting regarding antitrust issues. Mary requested that the Work Group members bring a list of what they would recommend doing and a master list will be made and worked through.

### **Adjournment**

Mary announced that this meeting was adjourned at 12:00 pm, and the next meeting would be on May 29, 2:00 pm – 5:00 pm.