WASHINGTON STATE
BAR ASSOCIATION

BOARD OF GOVERNORS MEETING

November 6, 2026

Meeting Materials

Richland,WA
Zoom and Teleconference

Board of Governors Meeting
Richland, WA
November 6, 2026

WSBA Mission: To serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice.

ALL ITEMS ON THIS AGENDA ARE POTENTIAL ACTION ITEMS

Meeting ID: 819 5175 0468 Passcode: 796226

https://wsba.zoom.us/j/81951750468?pwd=6PqDdU0xLlAJYa6bsA6AUQxEv8llAD.1

To participate by phone, call +1 253-205-0468

FRIDAY, NOVEMBER 6, 2026

9:00 AM – CALL TO ORDER & WELCOME

MEMBER & PUBLIC COMMENT

☐ **MEMBER AND PUBLIC COMMENTS**

CONSENT CALENDAR

☐ **CONSENT CALENDAR**

The purpose of the consent calendar is to efficiently act on items that appear to be non-controversial and will not require discussion. Input on these topics is welcome and can accomplished by (1) sending an email to boardfeedback@wsba.org, (2) contacting a member of the Board, or (3) contacting the Executive Director. Any governor may request that any item be removed from the consent calendar without providing a reason and it will be discussed immediately after the consent calendar. The remaining items will be voted on *en bloc*.

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The WSBA is committed to full access and participation by persons with disabilities to Board of Governors meetings. If you require accommodation for these meetings, please contact accommodations@wsba.org.

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DISTRICT 10 GOVERNOR ELECTION

☐**MEET GOVERNOR DARRYL COLMAN** 40

☐ **SWEARING IN OF DISTRICT 10 GOVERNOR**

AGENDA ITEMS & UNFINISHED BUSINESS CONTINUED

☐ **GOVERNANCE COMMITTEE ITEMS**

- **Proposed Bylaw Amendments Re Section Email Voting and Viability Review (Second Read)** Kevin Fay, Governance Committee Chair 211
- **Proposed Bylaw Amendments Re Board of Governors Election Timeline & Procedures (First Read)** Paris Eriksen, Manager of Volunteer Engagement and Catherine Schur, Assistant to General Counsel 197

12:00 TO 1:00 PM – RECESS FOR LUNCH

EXECUTIVE SESSION

☐ **ANNUAL ANTI-HARASSMENT LEGAL ADVICE & TRAINING**, Meghan A. McNabb, Associate at Fisher Phillips

☐ **PUBLIC RECORDS LEGAL ADVICE & TRAINING**, Nicole Gustine, Associate General Counsel

☐ **CONFIDENTIAL DISCUSSION OF UPCOMING CLIENT PROTECTION FUND CLAIMS**, Nicole Gustine, Associate General Counsel & Carrie Umland, CPF Board Chair

AGENDA ITEMS & UNFINISHED BUSINESS CONTINUED

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GOVERNOR ROUNDTABLE

☐ **GOVERNOR ROUNDTABLE**

MEETING FEEDBACK

☐ **MEETING FEEDBACK**

5:00 PM – ADJOURN

The WSBA is committed to full access and participation by persons with disabilities to Board of Governors meetings. If you require accommodation for these meetings, please contact accommodations@wsba.org.

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WASHINGTON STATE
BAR ASSOCIATION

BOARD OF GOVERNORS MEETING MINUTES

Spokane, WA
September 24-25, 2026

Call to Order and Welcome

The meeting of the Board of Governors of the Washington State Bar Association (WSBA) was called to order by President Francis Adewale on Thursday, September 24, 2026, at 9:03 a.m. at the Davenport Grand Hotel in Spokane, WA. Governors in attendance were:

Matthew Dresden
Tom Ahearne
Kevin Fay
Kristina Larry
Todd Bloom
Nam Nguyen
Allison Widney
Jordan Couch
Kari Petrasek
Emily Arneson
Parvin Price
Alain Villeneuve
Christopher Bhang
Mary Rathbone

Officers and Executive Staff in attendance were: President Francis Adewale, President-Elect Kari Petrasek, Executive Director Terra Nevitt, Deputy Executive Director Dua Abudiab, Chief Disciplinary Counsel & Parliamentarian Doug Ende, General Counsel Laurie Powers, Chief Communications and Outreach Officer Sara Niegowski, Chief Regulatory Counsel Renata Garcia, Director of Finance Tiffany Lynch, Advancement Department Director Kevin Plachy, and HR Director & Chief Culture Officer Glynnis Klinefelter Sio.

Also in attendance were Aaron Pelley, Aderiike Shola-Dare, Allison Muth, Andrew Yi, Ashley Cummins, Betsylew Miale-Gix, Aziza Ozgoren, Shelly Bynum, Darlene Parker, Rex Nolte, Bobby Henry, Brian Anderson, Carlos Cepeda, Carolyn MacGregor, Catherine Schur, Cathy Biestek, Chelle Gegax, Chief Justice Debra Stephens, Christell Casey, Dean Anthony Varona, Dean Linda Jellum, Dean Martin Pritikin, Dean Tamara Lawson, Elena Zaitseva, Ezra Glanzer, Fabiola Jimenez, Fay Tavakolynia, Francis Scherry, Holly Crawford, Jill Coen, Joe Collen, John Tyler, Jordan Russell, Julianne Unite, Justice Steven González, Laura Sanford, Michael Clancey, Noah Baetge, Nancy Hawkins, Min Kang, Paris Eriksen, Sanjay Walvekar, Sean Coen, Sophie Ying, and Stephen Carpenter.

DRAFT

Member & Public Comments

President Adewale opened the floor for member and public comments. Elena Zaitseva, Dean Martin Pritikin of Purdue Global Law School, Allison Muth, Joe Collen, Francis Scherry, Carlos Cepeda, Eric Bowles, Michael Clancey and Jordan Russel addressed the Board regarding the possible motion to rescind the Board's May 2026 action expanding the definition of "approved law school" to include state-approved institutions. Speakers opposing rescission, including graduates of and representatives from Purdue Global Law School, emphasized the accessibility and affordability of online legal education for non-traditional students and the potential for these graduates to help address legal service shortages, particularly in rural areas. Other speakers, including representatives of Veterans Education Success, expressed concerns about the quality of education at non-ABA-accredited law schools and the potential for exploitation by predatory institutions.

Consent Calendar

President Adewale presented the consent calendar. No governor requested the removal of any item. The consent calendar was adopted by unanimous consent.

President's Report

President Adewale delivered his final President's report, reflecting on the past year and the ongoing transition within the legal profession. He highlighted the importance of preparing Washington lawyers for the future and acknowledged the significant resources required to advance access to justice initiatives. President Adewale expressed his gratitude for the support he received during his term and encouraged continued support for incoming President Kari Petrasek to ensure a seamless transition of leadership.

Executive Director's Report

Executive Director Nevitt referred to her written report available in the meeting materials. No questions were raised.

Budget and Committee Items

FY27 Budget

Treas. Nam Nguyen and Director of Finance Tiffany Lynch presented the final draft of the FY27 budget, highlighting changes from the first draft, including the addition of section budgets and adjustments to indirect expenses. The General Fund budget reflects a $1.4 million use of reserves which is an increase of approximately $155,000 from the first draft, primarily attributable to additional indirect expenses for a new full-time equivalent public trust liaison position. The Board discussed the historical use of reserves and the rationale for approving a deficit budget, including fiscal prudence and the strategic use of accumulated reserves. Gov. Petrasek moved to approve the FY27 budget. The motion passed unanimously. Gov. Couch, Gov. Rathbone, and Gov. Widney were not present for the vote.

Proposed License Fee Policy Revisions

Treas. Nguyen and Director of Finance Lynch presented the second read of the proposed revisions to the WSBA license fee policy to include other license types beyond attorneys fees, which were first presented at the July 2026 meeting. No further feedback was received. Gov. Villeneuve moved to approve the proposed license fee policy revisions. The motion passed unanimously. Gov. Couch, Gov. Rathbone, and Gov. Widney were not present for the vote.

Proposed Admissions Application Fees

Chief Regulatory Counsel Garcia presented the second read of the proposed changes to admissions application fees, which were first presented at the July 2026 meeting. No further feedback was received. Gov. Dresden moved to approve the proposed admissions application fees. The motion passed unanimously. Gov. Couch, Gov. Rathbone, and Gov. Widney were not present for the vote.

Regulatory Proposals

Proposed Amendments to APR 1(e) Re Definition of Active Legal Experience

Chief Regulatory Counsel Garcia presented the proposed amendments to APR 1(e) clarifying the definition of "active legal experience." The amendments are intended to provide clearer standards for WSBA members and applicants regarding admission by motion, applications, qualifications, and status changes. The Board discussed the inclusion of legal experience gained in positions that involve the practice of law, even where a law license is not expressly required for the position. Concerns were also raised regarding the exclusion of experience gained in non-common law jurisdictions. Gov. Bhang moved to approve the proposed amendments as presented. The motion passed 13-1. Gov. Rathbone and Gov. Widney were not present for the vote.

Proposed Amendment to WSBA Admissions Policies Re Selection of Third-Party Entity to Complete Investigations

Chief Regulatory Counsel Garcia and Associate Director Bobby Henry presented a proposed amendment to the WSBA Admissions Policies that replace a specific reference to the National Conference of Bar Examiners (NCBE) with a neutral reference to external third-party entity selected by the WSBA for completing investigations related to admissions applications. Gov. Dresden moved to approve the proposed amendment. The motion passed unanimously. Gov. Rathbone and Gov. Widney were not present for the vote.

Proposed Amendments to the WSBA Admissions Policies to Conform to APR 4(b)

Chief Regulatory Counsel Garcia presented proposed amendments to align the WSBA Admissions Policies with APR 4(b), which would give the WSBA discretion regarding the publication of bar exam pass lists. The Board discussed whether publication of pass lists is necessary and the potential impact on law schools and new admittees. Gov. Couch moved to approve the proposed amendments. The motion passed unanimously with one abstention. Gov. Rathbone and Gov. Widney were not present for the vote.

Small Town and Rural (STAR) Council Five-Year Assessment

STAR Council Chair Kari Petrasek, Chair-Elect Ashley Cummins, and Advancement Department Director Plachy presented the five-year assessment of the STAR Council. The Council was established in 2021 to support rural legal practice and improve access to justice in rural communities. The report highlighted the Council's annual STAR Summits, Legal Lunchbox CLEs, and internship grant program. Survey results indicated moderate awareness of STAR programs among rural practitioners, and ongoing challenges were identified in mentorship, succession planning, and infrastructure. The Council plans to increase outreach, strengthen partnerships, and explore economic incentives for rural practice. No action was taken.

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First Reading: Governance Committee Proposed Amendments to the WSBA Bylaws Re Section Voting and Review

Gov. Fay, Chair of the Governance Committee, presented proposed amendments to the WSBA Bylaws regarding section voting and review for a first reading. The amendments would permit section executive committees to conduct votes by email, a change that received positive feedback from section leaders. The Committee also proposed removing the mandatory section viability review from the Bylaws and replacing it with a policy assigning responsibility to the Member Engagement Council to support section wellness, which would allow more flexible reviews without requiring Supreme Court approval for future changes. Governors raised questions about the email voting process, including a suggested minimum period for objections and the need for transparency. No action was taken; the proposed amendments will return to the Board for a second reading.

Discussion with Law School Deans and Law Clerk Board Leadership

The Board held its annual discussion on legal education with Gonzaga University School of Law Dean Linda Jellum, University of Washington School of Law Dean Tamara Lawson, Seattle University School of Law Dean Anthony Varona, and Law Clerk Board Chair Christell Casey. Dean Jellum reported record enrollment and improved bar passage rates at Gonzaga. Dean Lawson described University of Washington initiatives, including coverage of bar preparation costs and a new admissions pathway that does not require standardized test scores. Dean Varona highlighted Seattle University's diverse student body and new programs, including a Creativity Law Clinic. Chair Casey outlined recent rule amendments to expand tutor capacity and outreach for the Law Clerk Program. The discussion addressed the role of scholarships, experiential learning, and partnerships in addressing legal deserts and supporting diverse pathways into the profession.

Washington State Bar Foundation Annual Meeting

The annual meeting of the Washington State Bar Foundation (WSBF) was called to order by President Brian Anderson. President Anderson reported that the WSBF approved distributing $230,000 to the WSBA for public service, pro bono, and equity and justice programs for FY27, with additional funds raised to support the 2027 Powerful Communities Grants. He noted that the WSBF awarded 12 grants for legal aid projects across Washington, three more than the prior year.

President Anderson presented the proposed slate of trustees for FY27, including new trustees Sophie Ying, Christopher Bhang, and Francis Adewale. Gov. Petrasek moved to approve the Board of Trustees. The motion passed unanimously. Govs. Allison and Rathbone were not present for the vote.

Court Rules & Procedures Committee Proposed Charter

Court Rules and Procedures Committee Chair Andrew Yi presented a proposed charter for the Committee, which would allow the Committee to provide technical comments during the pre-screening stage of court rule proposals, with a procedure for governors to object. Gov. Couch moved to approve the proposed charter. The motion passed unanimously. Govs. Petrasek, Allison and Rathbone were not present for the vote.

Suggested Amendments to RAP 16.10, RAP 18.17, and RAP 18.8

Chair Yi presented suggested amendments to RAP 16.10, RAP 18.17, and RAP 18.8. The amendments clarify word limits for personal restraint petitions, establishing a combined limit of 12,000 words for the

petition and its supporting brief, and allow a streamlined 30-day extension for filing briefs in personal restraint petitions. Gov. Couch moved to approve the suggested amendments. The motion passed unanimously. Gov. Petrasek, Gov. Rathbone, and Gov. Widney were not present for the vote.

Motion to Rescind a Prior Action of the Board to Approve Changes to WSBA Admissions Policies Re Definition of Approved Law School

Gov. Fay moved to rescind the Board's May 2026 action approving changes to the WSBA Admissions Policies regarding the definition of approved law school. Gov. Fay stated that the original decision was made without sufficient data and cited concerns raised by legal education stakeholders regarding the potential impact of the policy. The Board discussed the rationale for ABA accreditation, the concerns about predatory law schools, and the need for additional lawyers in rural areas. Gov. Couch noted the extensive process that preceded the original decision, while other governors expressed concerns about the pace of the decision-making process and about individuals who have relied on the policy change.

Gov. Fay moved to amend the motion so that the rescission would take effect beginning with the summer 2027 bar exam. The motion to amend failed with six votes in favor and eight against.

The underlying motion to rescind failed with three votes in favor and eleven against. Several board members indicated an interest in continuing to evaluate the impact of the policy.

Swearing In of FY27 Governors and Officers

Executive Director Nevitt facilitated the swearing in of the FY27 governors and officers. Chief Justice Debra Stephens and Justice Steven González administered the oaths of office. Kari Petrasek was sworn in as WSBA President and spoke about her commitment to fostering a thriving volunteer community within the WSBA. Outgoing governors and officers, including President Francis Adewale, were recognized for their service.

RECESS

There being no further business for the day, the meeting recessed at 5 p.m**.** on September 24, 2026.

FRIDAY, SEPTEMBER 25, 2026

The meeting reconvened at **9:04 a.m.** on Friday, September 25, 2026, with President Adewale presiding.

Member Engagement Council Recommendations for Sections Viability Reviews

Member Engagement Council Co-Chair Gov. Dresden and Advancement Department Director Plachy presented the Council's recommendations following viability reviews of the Legal Assistance to Military Personnel (LAMP) Section; the Liquor, Cannabis, and Psychedelics Law Section; and the Animal Law Section. All three sections exceeded the 75-member threshold and demonstrated a commitment to enhancing member engagement and leadership. The Council recommended maintaining all three sections, with periodic check-ins for the LAMP Section and the Liquor, Cannabis, and Psychedelics Law Section, and quarterly reviews for the Animal Law Section. Gov Arneson moved to approve all three recommendations. The motion passed unanimously. Govs. Price, Nguyen, Rathbone, Widney and Couch were not present for the vote.

Executive Session

At 9:50 a.m., the Board entered executive session to conduct the Executive Director's annual performance evaluation and to receive and discuss legal advice regarding the 2027 Keller deduction. The session concluded at 11:15 a.m.

2027 Keller Deduction

Upon returning from executive session, Gov. Couch moved to approve Option B for the Keller deduction, which was provided as confidential materials. The motion passed 10-2. Govs. Rathbone, Widney, Fay, and Price were not present for the vote. The methodology for the Keller deduction will be published for public transparency.

Governor Roundtable and Meeting Feedback: Rose, Thorns & Bud

Governors expressed appreciation for the meeting's location in Spokane and the engagement with the Spokane County Bar Association. Gov. Larry highlighted the value of volunteering with the WSBA. Gov. Ahearne highlighted the role of the YMCA High School Mock Trial Program in diversifying the legal profession and encouraged participation as coaches. The Board also discussed the need for modern communication tools, such as a mobile app, to engage members more effectively. Departing Govs. Larry and Dresden were recognized for their contributions to the Board.

Adjournment

There being no further business, President Adewale adjourned the meeting at 11:43 a.m. on September 25, 2026.

Respectfully submitted,

Terra Nevitt
WSBA Executive Director & Secretary

DRAFT

Board of Governors Meeting – Motions List
Spokane, WA
September 24-25, 2026

1. Approve the consent calendar. Passed unanimously. Govs Widney and Rathbone were not present.
2. Approve the FY27 budget. Passed unanimously; Govs. Couch, Widney and Rathbone were not present for the vote.
3. Approve the proposed license fee policy revisions. Passed unanimously; Govs. Couch, Widney and Rathbone were not present for the vote.
4. Approve the proposed admissions application fees. Passed unanimously; Govs. Couch, Widney and Rathbone were not present for the vote.
5. Approve proposed amendments to APR 1(e) re definition of active legal experience. Passed 13 to 1. Gov. Rathbone and Gov. Widney were not present for the vote.
6. Approve proposed amendment to WSBA Admissions Policies re selection of third-party entity to complete investigations. Passed unanimously. Gov. Rathbone and Gov. Widney were not present for the vote.
7. Approve proposed amendments to the WSBA Admissions Policies to conform to APR 4(b). Passed with one abstention. Gov. Rathbone and Gov. Widney were not present for the vote.
8. Approve WSBF FY27 Board of Trustees. Passed unanimously. Gov. Rathbone and Gov. Widney were not present for the vote.
9. Approve Court Rules & Procedures Committee proposed charter. Passed unanimously; Govs. Petrasek, Allison and Rathbone were not present for the vote.
10. Approve suggested amendments to RAP 16.10, RAP 18.17, and RAP 18.8. Passed unanimously. Govs. Petrasek, Allison and Rathbone were not present for the vote.
11. Amend the motion to rescind a prior action of the Board to approve changes to WSBA Admissions Policies re definition of approved law school to take effect beginning with the summer 2027 bar exam. Failed 6 to 8.
12. Rescind a prior action of the Board to approve changes to WSBA Admissions Policies re definition of approved law school. Failed 3 to 11.
13. Approve Member Engagement Council recommendations for sections viability reviews. Passed unanimously; Govs. Price, Nguyen, Couch, Allison and Rathbone were not present for the vote.
14. Approve 2027 Keller deduction (Option B). Passed 10 to 2; Govs. Fay, Price, Rathbone and Widney were not present for the vote.

DRAFT

WASHINGTON STATE
BAR ASSOCIATION

TO: WSBA Board of Governors
CC: Terra Nevitt, Executive Director
FROM: Mark Fucile, Chair of the Committee on Professional Ethics
Sara Ayoubi, Member of the Committee on Professional Ethics
DATE: September 18, 2026
RE: Updated Committee on Professional Ethics Charter

Action: The Committee on Professional Ethics (CPE) respectfully requests Board of Governors (BOG) approval of the updated CPE Charter.

Background

In 2013, the Committee's governing document, the Committee on Professional Ethics Rules of Procedure, was adopted and has guided the CPE's work since that time, including issuing advisory opinions and recommending amendments to the Rules of Professional Conduct. The 2013 Rules of Procedure, in turn, were based primarily on the corresponding rules governing the former RPC Committee (that the CPE replaced) which were developed in the 1990s.

Since 2013, WSBA's membership categories have evolved. Active WSBA members now include lawyers, Limited Practice Officers (LPOs), and Limited License Legal Technicians (LLLTs), reflecting changes in WSBA Bylaws and corresponding rules. The updated Charter, which is intended to replace the 2013 Rules of Procedure, brings CPE's scope into alignment with these membership categories.

To ensure appropriate representation when ethics guidance or rule amendments may affect LPOs or LLLTs, the Charter specifies that CPE will provide notice to the LPO and/or LLLT Boards and invite those Boards to provide input; the Committee may collaborate with those Boards as appropriate. This coordination language is included explicitly in the updated Charter text.

Substantive Changes in the Updated Charter

Membership Scope (Expanded License Types). Through its use of the term "members of the Bar," the Charter updates the reference to WSBA members to encompass lawyers, LPOs, and LLLTs, aligning CPE's remit with current WSBA membership categories as defined in Section III.A.1. of the WSBA Bylaws.

Coordination with LPO and LLLT Boards. When advisory opinions or proposed rule amendment**s** could implicate LPOs or LLLTs, CPE will notify the relevant Boards, invite input, and may collaborate with them in developing guidance or recommendations.

Structure and Format (Template Alignment). Beyond the scope updates noted above, other revisions modernize structure and formatting by adopting WSBA's standard charter template used by other committees and boards, improving clarity, consistency, and readability without changing core substantive duties.

The CPE subcommittee that took the lead on drafting the updated charter discussed the concept of coordination with representatives of the LPO and LLLT Boards and those discussions led to the notification/coordination provision noted above. The WSBA Office of General Counsel has also reviewed two drafts of the charter and the current draft reflects that review. We are not providing a redline because the two versions are so structurally different in format.

Request for Approval

The CPE asks that the BOG approve the amended Charter so the Committee's governance document accurately reflects WSBA's current membership and formalizes CPE's coordination with the LPO and LLLT Boards when ethics guidance or rule proposals may affect those license types. We appreciate the Board's continued support of the Committee's work to serve WSBA members and the public.

Sincerely,

Mark Fucile, Chair of the Committee on Professional Ethics
Sara Ayoubi, Member of the Committee on Professional Ethics

WSBA RISK ANALYSIS: *This section is to be completed by the Office of General Counsel, with input from the proposing entity or individual.*

Provided in confidential materials.

WSBA FISCAL ANALYSIS: *This section is to be completed by the Finance Department, with input from the proposing entity or individual.*

The fiscal impact of the proposed updated charter includes staff time used to draft the charter language, incorporate it into relevant records, and communicate changes to stakeholders. The staff time that would be allocated to this work is included in the overall duties of existing WSBA staff and does not require additional staff or allocation of resources from other internal sources.

WSBA EQUITY ANALYSIS: *This section is to be completed by the Office of General Counsel, with input from the proposing entity or individual.*

The purpose of the equity analyses is to understand how an equity lens was applied to proposed action items presented to the Board of Governors. Applying an equity lens includes 1) identifying and centering people and communities most impacted decisions and/or 2) meeting people and communities according to their specific needs to produce fair and equal outcomes for all. The proposed amendments aim at facilitating inclusion of all bar licensees, not just lawyers, and create a process for including perspectives from Limited Licensed Officers and Licensed Limitation Legal Technicians through their boards. We have no equity concerns.

Attachments:
Committee on Professional Ethics Rules of Procedure (to be replaced with proposed CPE Charter)
Committee on Professional Ethics Draft Charter (replacing CPE Rules of Procedure)

WASHINGTON STATE
BAR ASSOCIATION

CHARTER (Draft)
Committee on Professional Ethics

Adopted as the Committee on Professional Ethics Rules of Procedure July 26, 2013. Amended XXXX XX, XXXX

Purpose

The Committee on Professional Ethics ("Committee") (a) provides guidance to the members of the Bar on legal ethics issues in the form of Advisory Opinions; (b) considers and proposes to the WSBA Board of Governors appropriate amendments to the Washington Rules of Professional Conduct; (c) considers and reports to the Board of Governors on amendments and proposed amendments to the American Bar Association's Model Rules of Professional Conduct; and (d) in the Committee's discretion, conducts periodic outreach to the members of the Bar on these subjects.

Objectives and Scope of Work

a) Advisory Opinions

i. Source of Issues. The Committee may issue Advisory Opinions on significant legal ethics issues. Members of the Committee, as coordinated by the Chair, are expected to research and identify legal ethics issues of relevance to the WSBA membership and bring them to the attention of the Committee. The Committee identifies issues on which it will express its opinion. In identifying issues, the Committee may consider inquiries and suggestions submitted by members of the Bar, by Bar Sections, by lawyer professional organizations, by the Board of Governors, and by Bar staff, and it may pursue issues on the Committee's own initiative. The Committee's selection of issues may be guided by the breadth of relevance of an issue to members of the Bar, the significance of the issue and its potential effects on members of the Bar and the public, the likelihood of recurrence of an ethics issue, and the existence or absence of prior guidance on the issue (including whether that guidance is consistent). The Committee may consider the diversity of law practices in Washington state, including differences in geography, practice types, client bases, and levels of experience and sophistication. The Committee will generally avoid known instances of pending litigation, disciplinary proceedings, or other disputes.

ii. Form and Basis for Advisory Opinions. Each Advisory Opinion will set forth the operative facts and the basis for the decision, citing appropriate sections of the Rules of Professional Conduct and any other pertinent sources of authority. To the extent possible, information that would disclose the identity of an inquirer or other interested party will be omitted. The Committee will apply the Washington Rules of Professional Conduct as the standard in formulating opinions pertaining to legal ethics. In rendering Advisory Opinions, the Committee also may consider court rules, statutes, regulations, court decisions, and other applicable authorities and sources of law.

iii. Preparation of Advisory Opinions. The Chair has discretion to assign issues to individual Committee members or subcommittees for evaluation and/or preparation of draft Advisory Opinions. The Committee may solicit input from an inquiring or interested party, or from individuals or groups who have relevant experience with the issue under consideration or who are likely to be significantly affected by an Advisory Opinion adopted by the Committee. The Chair has discretion to designate a draft Advisory Opinion as "proposed" for purposes of

soliciting feedback from members of the Bar for a reasonable period of time. That feedback will be submitted to the Committee for consideration, prior to the Committee's final decision on designating the Advisory Opinion as adopted. At the Chair's discretion following consultation with the Committee, proposed opinions may also be posted on the WSBA website for public comment.

iv. Effect of Advisory Opinions. All Advisory Opinions adopted by the Committee will be kept on file by the Washington State Bar Association. They will be made available to any inquirer, and will be published on the Bar's website or through one or more other forms of electronic communication generally available to the members of the Bar. Advisory Opinions are provided for the education of the Bar and reflect the opinion of the Committee only. Advisory Opinions are provided pursuant to the authorization granted by the Board of Governors but are not individually approved by the Board of Governors and do not reflect the official position of the Bar Association.

v. Validity of Prior Advisory Opinions. A later Advisory Opinion supersedes earlier Advisory Opinions with which it is in conflict. The Committee may withdraw or amend prior Advisory Opinions in its discretion.

b) Amendments to the Rules of Professional Conduct

i. The Committee reports to the Board of Governors its opinion on any amendment to the ABA Model Rules of Professional Conduct. The Committee may, on its own initiative or at the request of the Board of Governors or the Supreme Court, report to the Board of Governors its opinion regarding suggested or proposed amendments to the Washington Rules of Professional Conduct. When considering suggested or proposed amendments, the Committee may solicit input from individuals or groups who have relevant experience with the amendments under consideration or who are likely to be significantly affected by them.

c) Other Considerations

i. Adoption of Advisory Opinions and Other Issues. A proposed Advisory Opinion or other issue presented for consideration at a Committee meeting will be finalized upon the vote of a majority of the members of the Committee. When deemed necessary by the Chair, votes on Committee issues may be taken electronically. The Chair is a voting member of the Committee. A finalized advisory opinion is considered adopted, without action by the WSBA Board of Governors, and will be posted on the WSBA website after its inclusion in the public materials of a regularly scheduled Board of Governors meeting, following that meeting's adjournment.

ii. Disclosure of Committee Member Interest. When a Committee member knows that the interest of a client, or the Committee member's own personal or professional interest, may be materially affected by a Committee decision, the Committee member shall disclose that fact, but need not identify the client. The Chair has the discretion to take appropriate action, including removing that member from the Committee's consideration of the issue.

iii. Responses to Inquiries. The Committee will acknowledge and respond to all inquiries from members of the Bar concerning legal ethics issues, including telephonic inquiries referred to the Committee by Professional Responsibility Counsel. The Committee retains the discretion whether to provide analysis of or specific guidance on the issue raised.

iv. Coordination with LPO and LLLT Boards. When the Committee is considering an amendment to the Rules of Professional Conduct or an advisory opinion that may implicate Limited Practice Officers or Limited License Legal Technicians, the Committee will provide notice to the LPO and/or LLLT Boards and invite the Boards to provide input to the CPE. The Committee may collaborate with the LPO and LLLT Boards as appropriate.

Meetings

a) Meeting Schedule. The Chair will schedule meetings to occur no less frequently than every other month. The Committee will make reasonable allowances for members to attend by electronic means.

b) Open Meetings. Meetings of the Committee will be open, except where the Committee elects to proceed in an executive session. Public participation in the meeting's discussion will be permitted by permission granted by the Chair. Information that would disclose the identity of an individual inquirer will not be disclosed other than to members of the Committee and WSBA staff.

Committee Structure and Terms of Appointment

The Committee consists of nine members, including the Chair. During the annual application cycle each year, the Chair will review applications submitted to the Bar and, in consultation with the WSBA Staff Liaison and BOG Liaison, will nominate to the Board of Governors proposed Committee members. To be considered for appointment, applicants must meet the requisite requirements enumerated in the WSBA Bylaws and must demonstrate knowledge and experience with legal ethics and strong analytical and writing skills. When making nominations, the Chair will take into consideration whether the nominations advance and promote the diversity, equality, and cultural understanding of the Committee.

The term of appointment for membership on the Committee is three years. Terms of appointment are staggered to ensure continuity on the Committee, with three of the nine positions being appointed each year. Terms of office begin at the start of the fiscal year or when a successor has been appointed, whichever occurs later.

Nominations and Appointment

The Executive Director will designate WSBA staff liaison(s) to the Committee. Committee members will be appointed by the Board of Governors in accordance with the WSBA Bylaws.

Reporting

Pursuant to the WSBA Bylaws, the Committee will submit an annual report to the Executive Director and submit such other reports as requested by the Board of Governors or Executive Director.

COMMITTEE ON PROFESSIONAL ETHICS
RULES OF PROCEDURE
(Effective July 26, 2013)

1. General Purpose. The Committee (a) provides guidance to the members of the Bar on legal ethics issues in the form of Advisory Opinions; (b) considers and proposes to the Board of Governors appropriate amendments to the Rules of Professional Conduct; (c) considers and reports to the Board of Governors on amendments and proposed amendments to the American Bar Association's Model Rules of Professional Conduct; and (d) in the Committee's discretion, conducts periodic outreach to the members of the Bar on these subjects.

2. Selection and Appointment of Members and Chair. The Committee consists of nine members, including the Chair. During the annual application cycle each year, after reviewing applications submitted to the Bar, the Chair in consultation with the Staff Liaison and BOG Liaison will nominate to the Board of Governors proposed Committee members who demonstrate knowledge and experience with legal ethics, and strong analytical and writing skills, for consideration for appointment. At all times, the principles of diversity enumerated in the WSBA BOG Committees and Boards Policy will be considered.

3. Term of Appointment. The term of appointment for membership on the Committee is three years. Terms of appointment are staggered to ensure continuity on the Committee, with three of the nine positions being appointed each year. Inaugural positions may be filled by appointments of less than three years, as designated by the Board of Governors, to permit as equal a number of positions as possible to be filled each year. Terms of office begin at the start of the fiscal year or when a successor has been appointed, whichever occurs later.

4. Source of Issues. The Committee may issue Advisory Opinions on significant legal ethics issues. Members of the Committee, as coordinated by the Chair, are expected to research and identify legal ethics issues of relevance to the WSBA membership and bring them to the attention of the Committee. The Committee identifies issues on which it will express its opinion. In identifying issues, the Committee may consider inquiries and suggestions submitted by members of the Bar, by Bar Sections, by lawyer professional organizations, by the Board of Governors, and by Bar staff, and it may pursue issues on the Committee's own initiative. The Committee's selection of issues may be guided by the breadth of relevance of an issue to members of the Bar, the significance of the issue and its potential effects on members of the Bar and the public, the likelihood of recurrence of an ethics issue, and the existence or absence of prior guidance on the issue (including whether that guidance is consistent). The Committee may also take into account the diversity of law practices in the State of Washington, including differences in geography, practice types, client bases, and levels of experience and sophistication. The Committee will generally avoid known instances of pending litigation, disciplinary proceedings, or other disputes.

5. Form and Basis for Advisory Opinions. Each Advisory Opinion will set forth the operative facts and the basis for the decision, citing to appropriate sections of the Rules of Professional Conduct and any other pertinent sources of authority. To the extent

possible, information that would disclose the identity of an inquirer or other interested party will be omitted. The Committee will apply the Rules of Professional Conduct, as amended from time to time, as the standard in formulating opinions pertaining to legal ethics. In rendering Advisory Opinions, the Committee also may consider court rules, statutes, regulations, court decisions, and other applicable authorities and sources of law.

6. Preparation of Advisory Opinions. The Chair has discretion to assign issues to individual Committee members or subcommittees for evaluation and/or preparation of draft Advisory Opinions. The Committee may solicit input from an inquiring or interested party, or from individuals or groups who have relevant experience with the issue under consideration or who are likely to be significantly affected by an Advisory Opinion adopted by the Committee. Any Committee members making such contact will disclose that contact to the other members of the Committee before or in conjunction with the Committee's consideration of the issue. The Chair has discretion to designate a draft Advisory Opinion as "proposed" for purposes of soliciting feedback from members of the Bar for a reasonable period of time, and in that event will submit that feedback to the Committee for consideration, prior to the Committee's final decision on designating the Advisory Opinion as adopted.

7. Effect of Advisory Opinions. All Advisory Opinions adopted by the Committee will be kept on file in the office of the Washington State Bar Association, will be made available to any inquirer, and will be published on the Bar's website or through one or more other forms of electronic communication generally available to the members of the Bar. Advisory Opinions are provided for the education of the Bar and reflect the opinion of the Committee only. Advisory Opinions are provided pursuant to the authorization granted by the Board of Governors, but are not individually approved by the Board of Governors and do not reflect the official position of the Bar Association.

8. Validity of Prior Advisory Opinions. A later Advisory Opinion supersedes earlier Advisory Opinions with which it is in conflict. The Committee may withdraw prior Advisory Opinions in its discretion.

9. Amendments to Rules of Professional Conduct. The Committee reports to the Board of Governors its opinion on any amendment to the ABA Model Rules of Professional Conduct. The Committee may, on its own initiative or on request of the Board of Governors or the Supreme Court, report to the Board of Governors its opinion regarding suggested or proposed amendments to the Washington Rules of Professional Conduct. When considering suggested or proposed amendments, the Committee may solicit input from individuals or groups who have relevant experience with the amendments under consideration or who are likely to be significantly affected by them. Any Committee members making such contact will disclose that contact to the other members of the Committee before or in conjunction with the Committee's consideration of the issue.

10. Meeting Procedure and Adoption of Advisory Opinions and Other Issues. The Chair will schedule meetings to occur no less frequently than every other month. The Committee will make reasonable allowances for members to attend telephonically or by other electronic means. A proposed Advisory Opinion or other issue presented for consideration at a Committee meeting will be deemed adopted upon the vote of a majority of the members of the Committee. When deemed necessary by the Chair, votes on

Committee issues may be taken electronically. The Chair is a voting member of the Committee.

11. Open Meetings. Meetings of the Committee will be open, except where the Committee elects to proceed in an executive session. Public participation in the meeting's discussion will be permitted by permission granted by the Chair. Information that would disclose the identity of an individual inquirer will not be disclosed other than to members of the Committee.

12. Disclosure of Committee Member Interest. When a Committee member knows that the interest of a client, or the Committee member's own personal or professional interest, may be materially affected by a Committee decision, the Committee member shall disclose that fact, but need not identify the client. The Chair has the discretion to take appropriate action, including removing that member from the Committee's consideration of the issue.

13. Responses to Inquiries. The Committee will acknowledge and respond to all inquiries from members of the Bar concerning legal ethics issues. The Committee retains the discretion whether to provide analysis of or specific guidance on the issue raised.

14. Amendments to Procedural Rules. Amendments to these procedural rules will be adopted by the Committee, subject to final approval by the Board of Governors.

WASHINGTON STATE
BAR ASSOCIATION

TO: WSBA Board of Governors

CC: Terra Nevitt, Executive Director

FROM: Jaymi Trimble, Chair Low Bono Section

DATE: September 28, 2026

RE: Proposed Bylaws Amendment for Low Bono Section

ACTION: Amend Low Bono Section Bylaws to lengthen executive committee member terms and allow inactive WSBA members to join as voting members.

In the existing Low Bono Section Bylaws, we previously amended our bylaw executive member term length from two years to one year. After experiencing a few years under that change, we found that it became onerous to apply annually for executive committee membership. We are requesting to reinstate the two-year term for committee members at large.

The proposed amendments also include some minor edits to entity references. The other issue we wish to amend is to allow inactive attorneys who still would like to participate in our section executive committee to be considered full members and eligible to serve as voting members of the executive committee.

As a Section, we don't see these issues as relevant to the listed equity factors or marginalized communities. However, our experience showed that the one-year term did not significantly improve membership in the executive committee. We did not consult anyone outside of the executive committee, considering that the issue directly affects a few members of the Low Bono executive committee and those members voted unanimously for this change.

We do not anticipate any budgetary impact as a result of the proposed amendments.
The Section executive committee voted to approve these proposed amendments on July 8, 2026.
Jaymi Trimble, Chair, Low Bono Section

WSBA RISK ANALYSIS: *This section is to be completed by the Office of General Counsel, with input from the proposing entity or individual.*

The risk analysis is included in confidential materials.

WSBA FISCAL ANALYSIS: *This section is to be completed by the Finance Department, with input from the proposing entity or individual.*

The fiscal impact of the proposed amendments includes staff time used to draft the amendment language, incorporate it into relevant records, and communicate changes to stakeholders. The staff time that would be allocated to this work is included in the overall duties of existing WSBA staff and does not require additional staff or allocation of resources from other internal sources.

WSBA EQUITY ANALYSIS: *This section is to be completed by the Equity and Justice Team, with input from the proposing entity or individual.*

This proposed action presents no concerns with regard to equity. The proposed action is primarily procedural in nature and intended to improve application ease and continuity for section executive committee members.

Attachments

- Low Bono Bylaws proposed amendments redline 7.8.2026.doc
- Low Bono Bylaws proposed amendments clean 7.8.2026.doc

WASHINGTON STATE
BAR ASSOCIATION

LOW BONO SECTION

Bylaws

As last amended and approved by the Washington State Bar Association Board of Governors on September 8, 2023, and including 2017 amendments.

ARTICLE I. NAME

The name of the Section (the "**Section**") is the "**Low Bono Section**" of the Washington State Bar Association (the "**WSBA**").

ARTICLE II. PURPOSE

The purpose of the Section shall be to benefit the members of the WSBA and the general public by:

2.1 Developing and providing resources for members, regardless of field or area of practice, who are dedicated and committed to providing low bono legal services, defined as legal and law-related services provided with the intent to increase accessibility of legal services for people of moderate financial means.

2.2 Providing a forum and opportunity for education, training, and sharing of forms, practice tips, client counseling techniques, alternative forms of conflict resolution, and other resources to and among members of the Section.

2.3 Developing best and alternative practices for providing competent, current, efficient, and economical professional services while being mindful of the clients' moderate means.

2.4 Promoting the provision of low bono legal services as an effective business model for attorneys and other professionals, particularly in solo and small firm environments.

2.5 Promoting the provision of low bono legal services as an effective way to increase access to justice in Washington State.

2.6 Promoting a mentorship program among members of the Section.

2.7 Undertaking with flexibility such other service not inconsistent with the bylaws of the Section, the bylaws of the WSBA, the State Bar Act, and General Rule 12 as may be of benefit to the members of the Section, the legal profession, and the public.

ARTICLE III. MEMBERSHIP

Any Active or Inactive member of the WSBA and any professor at a Washington law school (whether licensed in Washington or not)-; Pro Bono member (APR 3(g)); House Counsel (APR 8(f)); or any lawyer

who is a full-time lawyer in a branch of the military who is stationed in Washington but not licensed in Washington (may be enrolled as a voting member of the Section upon request and payment of annual Section dues in the amount and for the purpose approved by the Board of Governors of the WSBA ("**BOG**") pursuant to these bylaws.

In addition, law students and people not licensed to practice law may be enrolled as nonvoting members of the Section by paying the Section dues as required by the WSBA. Voting members and nonvoting members of the Section are hereinafter collectively referred to as "**members**."

ARTICLE IV. MEETINGS OF THE MEMBERSHIP

4.1 **Quorum.** The members of the Section present at any meeting shall constitute a quorum for the transaction of business.

4.2 **Voting**. Acts of the Section which are required to be taken by its members shall be made by majority vote of the voting members present at a meeting.

4.3 **Meetings.** Meetings of the membership of the Section may be called by the Chair, Chair-elect, or executive committee at such time and place as it may determine. Notice of all meetings must be given to Section members and published on the WSBA's website.

ARTICLE V. PRINCIPAL OFFICE

The principal office of the Section shall be maintained at the offices of the WSBA.

ARTICLE VI. FISCAL YEAR

The fiscal year of the Section shall coincide with that of the WSBA, October 1 through September 30.

ARTICLE VII. EXECUTIVE COMMITTEE

7.1 **Powers and Duties.** The executive committee shall be vested with the powers and duties necessary for the administration of the affairs of the Section including, without limitation, the power and duty to act on behalf of the Section in connection with the Purposes listed in Article II. The executive committee shall have the authority to determine the amount of section dues submitted to the BOG for approval, submit a budget for BOG approval and approve expenditures consistent with approved WSBA fiscal policies and procedures, and shall perform duties assigned to it by the BOG. The executive committee shall have the responsibility of establishing and discontinuing committees of the Section.

7.2 **Composition.** The executive committee shall be composed of at least five (5) voting members of the Section. Five (5) positions on the executive committee shall be held *ex officio* by the officers of the Section. The number of voting members of the executive committee may be increased from time to time by up to eight (8) additional voting members (other than officers). The executive committee may have any number of additional nonvoting liaison positions, which may be held by people who are not qualified to be voting members of the Section. The executive committee should encourage law students to participate as nonvoting liaisons.

The executive committee will appoint, by majority vote, voting members and nonvoting liaisons to fill vacancies on the executive committee. When a voting member or nonvoting liaison is appointed to fill a vacancy in an unexpired term, the voting member or nonvoting liaison will hold such position until the next annual election when an individual will be elected to serve the remainder of the vacated term.

Any voting member or nonvoting liaison may be removed from the executive committee by a two-thirds vote of the voting members of the executive committee. Grounds for removal include, but are not limited to, regular absence from executive committee meetings and events, failure to perform duties, unprofessional or discourteous conduct or whenever, in the executive committee's judgment, the executive committee member is not acting in the best interest of the Section membership.

7.3 **Voting.** Acts of the executive committee shall be by majority vote of the voting members of the executive committee~~,~~ after a quorum (a majority of the voting members of the executive committee) is established. Voting may be in person, by telephone, by videoconference, or by email as permitted by the WSBA's Bylaws. All voting members of the executive committee, including all officers, shall be entitled to vote.

7.4 **Meetings.** Meetings of the executive committee shall be held at such time and place as may be designated by the Chair or a majority of the executive committee. Section members and the public shall be entitled to attend executive committee meetings and shall receive notices of such meetings. Notice for meetings shall be provided, may be by electronic means, and shall be a reasonable amount of time before the meeting. The Chair may cancel any meeting of the executive committee.

7.5 **Term.** The term of office of each of the at-large members of the executive committee and nonvoting liaisons shall be two years and shall commence in odd years at the beginning of the fiscal year of the Section (October 1) and ~~extend through the~~ end at the close of the Section's fiscal year (September 30).

ARTICLE VIII. COMMITTEES

8.1 **Standing and ad hoc Committees**. The executive committee shall have the power to designate both standing and ad hoc committees of the Section. Each committee shall have at least one member, its chair. The chair of each committee shall be selected by the Chair, subject to the approval of the majority of the voting members of the executive committee.

8.2 **Members.** The committee members shall be selected by the Chair from among members of the Section subject to the approval by a majority of the voting members of the executive committee.

8.3 **Term.** The terms of the chair and the members of each committee shall be for the shorter of one (1) year or the duration of the committee.

ARTICLE IX. OFFICERS

9.1 **Officers.** The officers of the Section shall be as follows: Chair, Chair-elect, Immediate Past Chair, Secretary, and Treasurer. Every officer must be a voting member of the Section.

9.2 **Chair.** The Chair shall be the chief executive officer of the Section and, subject to the executive committee's oversight, shall supervise and control all the affairs of the Section. The Chair shall preside at all meetings of the Section and of the executive committee. The person holding the office of Chair shall automatically succeed to the office of Immediate Past Chair upon completion of the one-year term as Chair.

9.3 **Chair-elect.** The Chair-elect shall exercise the duties and responsibilities of the Chair in the absence or inability of the Chair to so act. The Chair-elect shall have such other powers and perform such other duties consistent with these bylaws as, from time to time, may be requested by the Chair or the executive committee. The person holding the office of Chair-elect shall automatically succeed to the office of Chair upon completion of the one-year term as Chair-elect.

9.4 **Immediate PastChair.** The Immediate Past Chair shall exercise the duties and responsibilities of the Chair in the absence or inability of both the Chair and the Chair-elect to so act. The Immediate Past Chair shall have such other powers and perform such other duties consistent with these bylaws as, from time to time, may be requested by the Chair or the executive committee.

9.5 **Secretary.** It shall be the duty of the Secretary to prepare minutes of the proceedings of all meetings of the Section and of all meetings of the executive committee and provide approved minutes to the WSBA for publication and records retention. Upon direction by the Chair, and as authorized by the executive committee, the Secretary shall attend generally to the business of the Section.

9.6 **Treasurer.** The Treasurer will work with the WSBA to ensure that the Section complies with WSBA's fiscal policies and procedures, work with the WSBA to prepare the Section's annual budget and review the Section's monthly financial statements for accuracy and comparison to budget.

9.7 **Term.** The term of office of each of the officers shall be one year and shall commence at the beginning of the fiscal year of the Section (October 1) and extend through the end of the Section's fiscal year.

ARTICLE X. ELECTIONS

10.1 **Officers, Other Voting Members of the Executive Committee, Nonvoting Liaisons.** Nominations and elections for open officer positions and other open executive committee positions will be held between March and May each year. The WSBA will administer the elections by electronic means and certify the results unless the Section develops its own equivalent electronic election process. In the event of a tie, the executive committee will determine the winner using a coin toss at its next meeting where a quorum is established. Each voting member of the Section in good standing as of the date of the annual election shall have one vote for each open position.

10.2 **Nominating Committee.** Each year, the executive committee or Chair shall appoint a nominating committee of no fewer than three (3) section members, one of whom is not a current member of the executive committee. All applicants will apply through an electronic process administered by the WSBA. The nominating committee shall nominate one or more voting members of the Section for each officer position, may nominate one or more voting

members of the Section for open non-officer voting member positions on the executive committee, and may nominate one or more subscribers of the Section for any number of nonvoting liaison positions. As an alternative process to allow for nominations to occur outside of the nominating committee process, any member of the Section may nominate themself for open positions. All nominees must meet the prerequisites for the position for which they are running. The executive committee will approve a list of nominees for each open position.

ARTICLE XI. AMENDMENTS

These bylaws may be amended at an annual meeting of the Section by a majority vote of the voting members of the Section present. These bylaws may also be amended at any regular or special meeting of the executive committee of the Section called for the purpose of amending the bylaws and upon five (5) business days with written notice, by any reasonable means, including electronic, to members of the section and the public, by a majority vote of the members of the executive committee present, once a quorum is established. No amendment to these bylaws shall become effective until approved by the BOG.

ARTICLE XII. LIMITATIONS

These bylaws have been adopted subject to the applicable Washington statutes and the bylaws of the WSBA and shall be construed in conformity therewith.

WASHINGTON STATE
BAR ASSOCIATION

LOW BONO SECTION

Bylaws

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WASHINGTON STATE
BAR ASSOCIATION

TO: WSBA Board of Governors

FROM: Executive Director Terra Nevitt

DATE: October 15, 2026

RE: Executive Director's Report

July/September Bar Exam Results

On Friday, October 9, applicants received results from the July/September Bar Exam. The National Conference of Bar Examiners (NCBE) has reported that scores from the inaugural July 2026 administration of the NextGen UBE provide encouraging initial evidence about the performance and stability of the new assessment. Performance patterns—including pass rates—were generally consistent with historical bar exam outcomes, with expected differences between first-time and repeat examinees. Importantly, NCBE's targeted analyses found no evidence that July's operational disruptions systematically affected score outcomes. Our own results were consistent with this analysis. The pass rate for the combined July/September exam was 74% which is slightly higher than the average pass rate for summer exams from the past 5 years. A consistent pass rate is good news, which does not diminish the impact of the July cancellation. As we welcome new members to the legal profession in Washington, we will also continue to address individual concerns and update our FAQs as the need arises.

First Entity Authorized Through the Entity Regulation Pilot Project

In September and October, the Washington Supreme Court authorized the first two participants in Washington's Entity Regulation Pilot Project, which is a time-bound, data-driven study to determine if new service models—that are not allowed under current regulations—can meaningfully expand access to legal services while protecting consumers. This means that for the first time in state history, businesses and nonprofits (entities) can seek Court authorization to offer legal services via the pilot process; until now only individual people licensed by the Court have been allowed to own law firms and practice law.

The first entity is Legata, Inc., a Seattle-based legal-technology firm that is now authorized to provide estate-planning services such as wills, trusts, powers of attorney, and health-care directives. Legata's model is to use legal experts to oversee and train nonlawyer staff to provide entry-level services and design automated document-generation technology; clients with complex cases will be escalated to Washington estate-planning lawyers. The second authorized entity is Law on Call, which provides on-demand legal services through licensed attorneys on a subscription basis, giving customers access to legal advice for a flat monthly fee of $9. They operate through a nontraditional law firm structure that permits nonlawyer ownership and investment while remaining subject to regulatory oversight and consumer protection requirements. For more information about authorized entities, including a link to the Court's authorizing order, visit the Legal Directory. We currently have three pending applications, including one with the Court. You can learn more about the Pilot Project here.

Initial Meeting of the Court Unification Task Force

Last March the Washington State Legislature established the Court Unification Task Force through passage of HB 1909. The task force, which held its first meeting on September 30, will study our existing court system, particularly inefficiencies and inequities resulting from disparate local court rules, technology adoption, and funding levels. The task force will identify areas where a more unified or centralized approach in court operations would improve efficiency and uniformity. WSBA was asked and agreed to staff the task force. Additionally, I am serving as the WSBA representative. I welcome input on these issues from WSBA members who can email me at terran@wsba.org. The next meeting of the task force will be December 15. You can learn more about task force here.

Constitution Day Success! And the Work Continues…

We did it! Lawyers and judges were out in force in schools on Constitution Day (Sept. 17); we are still gathering stories, pictures, and gratitude to sum up the impact, but here's what we do know: More than 300 lawyers and judges committed to be in classroom, and our initial counts show that these ambassadors engaged with *thousands* of students across the state. I personally was in my neighborhood school and was blown away and amused by some of the questions those eighth graders had. We are continuing to work closely with the AOC, which administers the Lawyers and Judges in the Classroom programs, and our intention is to partner with school-based organizations to put out specific calls throughout the school year to make it easy for our legal ambassadors to get involved (this will include the statewide YMCA mock trial program in early 2027). We also will replicate and expand our efforts around Constitution Day so that the Judges and Lawyers in the Classroom programs become the go-to resource for schools' annual federal mandate to offer programing.

Attachments

Q4 FY26 Budget Reallocations Memo
Media Report
Outreach Report
Member Demographics Report
Litigation Report (confidential)

WASHINGTON STATE
BAR ASSOCIATION

To: Board of Governors
Budget and Audit Committee

From: Terra Nevitt, Executive Director

Date: October 12, 2026

Subject: FY 2026 Budget Reallocations for Q4

Background

WSBA Fiscal Policies allows the Executive Director to approve the reallocation of budgeted and unbudgeted expenditures within certain limitations. Specifically, the policy states:

"The Executive Director approves and reports to the Board of Governors about certain unbudgeted expenses, including reallocations of budgeted expenditures where the intent is similar or varies slightly; unbudgeted expenditures that are fully offset by unbudgeted revenue or a reallocation of budgeted expenditures up to 5% of the approved operating budget to address operational, regulatory or programmatic needs; and necessary and prudent expenditures to implement WSBA's Disaster Recovery Plan or to maintain WSBA's operations. Per occurrence limit is $215,000.00. Reallocations may not affect the annual budget's bottom line. The Executive Director must report reallocation of funds to the President on a monthly basis and to the Board on a quarterly basis. It is expected that the Executive Director will consult with the President on reallocations that may be considered sensitive or controversial in nature, prior to execution."

Immediate Past President Adewale was notified of the monthly reallocations on August 13 and September 14. There were no budget reallocations for the month of September.

For FY 2026, the WSBA's annual operating budget is $27,892,774, and the Executive Director's limit for reallocation is up to $1,394,639 (5%). The total amount of funds reallocated from October 1 through September 30th are $304,123.15 (1.09% of annual operating budget).

FY26 Budget Reallocations for Q4

ATJ Board expenses for the ATJ Board Appellate Work Group, who recently finalized a comprehensive report. The funds will be used for outreach with key partners across the state and were reallocated from three areas within the same cost center (Leadership Training, ATJ Board Retreat, and Reception/Forum Expense) for a total reallocation of $6,235.

Justice Gap Scoping Workgroup expenses for in-person meetings and retreats are higher than originally anticipated. The Executive Director approved an initial reallocation of funds in January for this workgroup in the amount of $3,700. Funds were reallocated from the Diversity Events & Projects budget in the amount of $3,000.

Board of Governors expenses for extra costs for BOG Conference Attendance, which can change each year based on which events governors and officers choose. Additionally, more funding for BOG Travel & Outreach is needed to support the higher cost of outreach events held in conjunction with Board meetings such as

Local Hero Awards and dinners with other entities. A total of $19,000 was reallocated within the same cost center: $4,000 from Leadership Training and BOG Elections for Conference Attendance, and $15,000 for Travel & Outreach.

Washington New Members Committee expenses of $9,000 were needed to send additional members to the ABA mid-year meeting and host additional engagement events beyond the original established budget. Funds were reallocated within the same cost center (Member Services & Engagement) from the Law Library Deskbook Access budget line which will go unused this year.[1]

WSBA Immigration Legal Assistance Small Grant Program was established in August to support organizations working to assist former clients of Alexandra Lozano. A total of $45,000 in funds was reallocated for this effort coming from the **Diversity** cost center ($4,000 from DEI Council, $3,000 from Consulting Services, $22,000 from Diversity Events & Projects, and $2,500 from Access to Justice Board Expenses), the **Public Service Programs** cost center ($2,500 from Staff Conferences & Training, $1,500 from Staff Travel & Parking, and $3,500 from Pro Bono Outreach and Events), and the **Discipline** cost center ($6,000 from Litigation Expenses).

[1] This item was originally approved in June 2026 but was not included in the Q3 report.

WSBA Media & PR Log | Report Period: August 25, 2026 – October 1, 2026

Date	Type	Title / Subject / Inquiry	Outlet / Target Audience	Owner	URL	Notes
NEWS RELEASES						
9/9/26	Release	First Entity Authorized to Provide Legal Services in Innovative Pilot Project			https://wsba.org/news-events/media-center/media-releases/first-entity-authorized-to-provide-legal-services-in-innovative-pilot-project	
9/29/26	Release	DWT Awarded WSBA Presidential Commendation for Defending Legal Independence			https://wsba.org/news-events/media-center/media-releases/dwt-awarded-wsba-presidential-commendation-for-defending-legal-independence	
9/29/26	Release	WSBA Honors C. Matthew Andersen with Local Hero Award			https://wsba.org/news-events/media-center/media-releases/wsba-honors-c.-matthew-andersen-with-local-hero-award	
10/1/26	Release	Kari Petrasek Sworn in as President of the Washington State Bar Association			https://wsba.org/news-events/media-center/media-releases/kari-petrasek-sworn-in-as-president-of-the-washington-state-bar-association	
MEDIA INQUIRIES						
8/24/26	Inquiry	Bar Exam - request for stats on test takers - waivers, make-up, etc.	Mitchell Black - Bloomgberg Law	Sara		
8/26/26	Inquiry	Alexandra Lozano - WSBA interview request	Luna, Itzel - LA Times	Sara		
8/28/26	Inquiry	Make-up Exam - request for numbers, waivers and protocols	Julianne Hill - ABA Journal	Sara		
9/1/26	Inquiry	Documents request - incl internal comms during July Bar Exam	Mitchell Black - Bloomgberg Law	Sara		
9/16/26	Inquiry	Lozano custodianship	Marines	Sara		
9/21/26	Inquiry	Entity regulation pilot - number of applicants	Rachel Rippetoe - Law 360	Sara		
9/21/26	Inquiry	Status of Paul Correa of Tierney Law Firm; SA allegations	Unknown	Sara		

PRESS COVERAGE						
8/30/26	Reactive Response	She used the Virgin Mary to attract immigrants seeking	Los Angeles Times		https://news.bloomberglaw.com/litigation/washington-bar-takers-try-again-after-cancellation-and-waiver	WSBA mention; subscription
9/1/26	Coverage	Washington Bar Takers Try Again After Cancellation and Waiver	Bloomberg Law		https://news.bloomberglaw.com/litigation/washington-bar-takers-try-again-after-cancellation-and-waiver	Makeup bar exam coverage; refers to 'the bar' accepting 447 waivers (WSBA named only generically in excerpt reviewed - verify)
9/1/26	Coverage	Washington Bar Takers Try Again After Cancellation and Waiver	Bloomberg Law			
9/4/26	Coverage	WA State Supreme Court agrees to review case challenging legislative privilege	My Edmonds News		https://myedmondsnews.com/2026/09/wa-state-supreme-court-agrees-to-review-case-challening-legislative-privilege/	
9/10/26	Coverage	Legal Tech Co. Is 1st Approved To Practice Law In Wash. Pilot	Law 360		https://www.law360.com/pulse/articles/2523691/legal-tech-co-is-1st-approved-to-practice-law-in-wash-pilot	
9/12/26	Op-Ed	Democracy is learned: That's why we're heading back to the classroom	Seattle Times	Sara	https://www.seattletimes.com/opinion/democracy-is-learned-thats-why-were-heading-back-to-the-classroom/	Subscription
9/17/26	Coverage	Washington Supreme Court chief justice, Bar president rally middle schoolers to defend the Constitution	Spokesman - Review	Evan	https://www.spokesman.com/stories/2026/sep/17/washington-supreme-court-chief-justice-bar-preside/	Pitched - Secured
9/29/26	Coverage	Pioneering Fil-Am leader Dolores Sibonga dies at 95	Inquirer. Net		https://usa.inquirer.net/210791/pioneering-fil-am-leader-dolores-sibonga-dies-at-95	Pitched - Secured WSBA mention

WASHINGTON STATE
BAR ASSOCIATION

MEMO

To: Board of Governors

From: Darlene Parker, Sr. Outreach Coordinator

Date: October 1, 2026

Re: Summary of Outreach, June 1 – September 30

Between June and September, WSBA leaders and staff participated in numerous outreach activities across Washington's legal community, including affinity and county bar events, legal service organizations, community celebrations, and various CLE presentations.

Events and Presentations		
Date	**Event Title**	**Bar Association/Legal Entity**
Affinity Bar and County Bar Associations		
June 3	Annual Meeting	Spokane County Bar Association
June 23	Annual Awards Reception	King County Bar Association
July 12	Summer Picnic	South Asian Bar Association of WA.
August 13	Summer Happy Hour	Cardozo Society
August 29	Joint Affinity Bar Summer Picnic	Varies Affinity Bar Associations
August 29	Summer Soiree	Clark County Bar Association
September 11	Bar Connection Lunch	Snohomish County Bar
Other Legal Entities		
September 10	Voices 2026	Communities Rise
September 24	Imagine Justice	Columbia Legal Services
September 30	7th Annual Voices for Justice	Endowment for Equal Justice
APEX in Community Celebrations		
July 12	Professionalism Award: Bruce Johnson (Presented Posthumously)	
September 29	Outstanding New Member: Mason Ji	
Date	**Presentations and Panels**	**Host or Venue Location**
June 5	Washington Judges and AI	Remote
June 5	Speak up for Justice!	Pacific County
June 9	4th Grade Social Studies Class – Mock Trial Skills	WSSC Lawyers in Classroom - Bothell
June 15	NCBP Podcast Recording	Remote
June 26	START Summit	Ellensburg
June 26	2026 Summer Civil Training	Remote
July 8	Summer School – AI	Remote

July 17	The Ethics of Withdrawing and Terminating Representation + Hypotheticals	Tacoma
July 25	Decision Making	Washington Leadership Institute
July 28	Legal Lunchbox: Executive Power	Remote
August 5-7	Current Developments: Ethics Opinions	Louisville
August 11	Speak up for Justice! Wrap-Up	Remote
August 20	Constitution Day Lunch & Learn	Remote
September 9	National Convening for Bar Leaders & Legal Aid Providers	Remote
September 17	Governance Training	Snohomish County Bar Association
September 17	Constitution Day Presentation	McMurray Middle School
September 18	Common Ethical Dilemmas and Recent Advisory Opinions	Spokane

WASHINGTON STATE
BAR ASSOCIATION

TO: Board of Governors

FROM: Terra Nevitt, Executive Director
Paris Eriksen, Manager of Volunteer Engagement

DATE: October 5, 2026

RE: WSBA Board of Governors Congressional District 10 Interview & Appointment Process

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ACTION:

Elect the Congressional District 10 Governor for a two-year term.

Summary

President-elect Nam Nguyen has resigned his Congressional District 10 position with two years remaining in the term. The application deadline for this position was October 1. WSBA received applications from the following individuals:

- Darryl Colman
- Bruce Conklin
- Mark Fowler

In accordance with the WSBA Bylaws, if a vacancy occurs with more than 12 months remaining, the Board elects a candidate to complete the term until the next election for that position. Therefore, the term for the Congressional District 10 position will be for two years beginning immediately upon election through to the conclusion of the September 2028 meeting (specific date to be identified later).

Interview Process:
Candidate interviews will take place on Friday, November 6. The candidates will be interviewed in public session and permitted twenty minutes total for self-introduction and to answer questions. Governors may use the pool of interview questions provided but are not limited to these questions and may ask others should time permit.

Voting Process:

The election will be conducted through a secret electronic ballot. After all interviews, Board members participating in the meeting in-person or remotely will be asked to indicate their choices for all three positions through the e-ballot. All votes will remain secret and made available only to three persons appointed by the President, one of which will be the Executive Director. Results will be announced immediately following the election.

Relevant WSBA Bylaws:

IV.4.B(2)
If a vacancy occurs due to resignation, death or removal of a Governor by the BOG, and more than 12 months remain in the Governor's term, the BOG must elect a candidate eligible for that position to serve as Governor until the next regularly scheduled election for that Governor position.

IV.4.B(4)
In the event no application is made for a seat, the position will be treated, advertised, and filled by Board appointment until the next election cycle only, in which the position will be included in the election cycle for the remainder of the term.

Attachments:

Pool of Interview Questions
Congressional District 10, candidate materials, redacted

Darryl Colman

October 1, 2026

Dear Sir or Madam:

I am writing you because I am interested in the opportunity to serve the Washington State Bar Association (WSBA) as Governor for Congressional District 10. This opportunity to join the Board of Governors excites me because, if selected, I could continue to share my legal expertise and collaborative skills in support of the legal profession's success and WSBA's mission.

I have prioritized my commitment to public service and the legal profession by serving as a WSBA volunteer. I currently serve as Chair of the MCLE board, in the third year of my volunteer term, and recently re-appointed for another year as Chair by the Supreme Court, as well as to the Hearing Officer Panel. I am deeply grateful for my experience on the MCLE board. As chair, I facilitate discussions so all members can share their perspectives, so that our decision may benefit from their expertise and background. As a board we collaborate positively, resulting in stronger decisions.

In my day job, I support the Office of Superintendent of Public Instruction (OSPI) as Chief Legal and Civil Rights Officer from February 2025. Prior to my current role, I have served as a high-level legal expert and manager in state government, such as the Deputy Chief Legal Officer for OSPI or as an Attorney Manager for the Office of the Insurance Commissioner (OIC). I am a graduate of the Gonzaga University School of Law, and have practiced law in Washington for over fifteen years, including time in private practice at a general civil litigation law firm.

My leadership of OSPI's Office of Legal Affairs combines disparate legal teams to provide high-quality, timely, and responsive legal expertise to the agency. I serve as in-house counsel for OSPI, advising agency leadership and various stakeholders how to resolve major issues in public education. This work involves executive leadership as well as in-depth statutory and regulatory interpretation. I am the agency's liaison with the Office of the Attorney General on questions regarding litigation and legal questions of major policy importance.

I have experience successfully managing teams of legal professionals, including significant mentorship around litigation and writing skills. I have experienced litigation success in many cases of importance and complexity, especially administrative cases for the state.

My legal research, writing, and internal advice is considered fast and of high quality, relied upon by the highest levels of agency leadership. I successfully work with policy staff to respond to legislator inquiries and have testified to legislative committees as a subject matter expert. I regularly serve on rulemaking teams and have participated in groups drafting legislation. I also have adjudicative experience, such as interim review officer for OSPI's informal hearings on professional misconduct by certificated educators.

In all my work, I take pride in collaborating effectively and positively with others. I treat my colleagues with respect and empathy, and value my ability to build relationships and trust with my collaborators wherever I work. I know that diversity and inclusion are essential for a healthy work environment, and I strongly emphasize these values in my practice.

I think my combination of leadership skills, diverse legal experience, strong communication skills, and collaborative approach would be a major asset to the Board of Governors. Further, I find public service very rewarding. If selected, I would be honored to continue this challenge of assisting WSBA, with its crucial role in protecting the public and the profession.

Thank you very much for your time and consideration.

Sincerely,

Darryl Colman

Darryl Colman
WSBA #: 42954

Experience

Washington State Office of Superintendent of Public Instruction
Chief Legal and Civil Rights Officer, April 2025-present
Interim Chief Legal and Civil Rights Officer, February 2025-April 2025
Deputy Chief Legal Officer, December 2022-present

- Senior executive for legal affairs for OSPI
- Leads a diverse and high-impact legal division (OLA), including the equity and civil rights team, office of professional practices (for certificated educators), fingerprinting office, and public records office.
- Provides strategic planning support and advice regarding emerging and ongoing legal and civil rights matters that affect OSPI and K–12 education statewide.
- Agency lead in coordinating responses related to civil rights, public records, administrative procedure, and other enterprise-wide legal questions affecting the work of the agency.
- Analysis and research applying laws and regulations on statewide education. Provides strategic planning support and advice on emerging and ongoing legal matters that affect OSPI and K12 education statewide.
- Leads the OLA division through staff reductions required by statewide budget cuts, finding opportunity to reorganize and optimize the division's structure
- Refocuses OLA division's preexisting siloed structures into a more dynamic generalist capacity, maintaining subject matter expertise while allowing more cross-collaboration so that different teams can benefit from each other's skills
- Leads implementation of major bills and provisos, including creation of a new process for addressing willful noncompliance with state law by school districts or their leaders
- Leads the OLA division in proactive process improvement with focus on closing opportunity gaps, aligning with the agency's antiracist objectives, mitigating agency risk, and meeting compliance requirements.
- Develops and manages internal OLA division budgets to optimize existing resources.
- Leads OSPI's internal administrative policies review and development process, including chairing the agency's Administrative Policies Committee.
- Establishes, monitors, and evaluates divisional and individual performance goals and performance management activities.
- Mentors and collaborates with direct reports and subordinates in order to coach success, unlock talent, and access subject matter expertise from a talented legal team.
- Establishes and promotes a culture that emphasizes the importance of customer focus and service.
- Builds partnerships and cooperative agreements that establish credibility within the OLA division, with agency's stakeholders and outside entities. Fosters useful communication within the agency and with external business partners.
- Closely collaborates with the Attorney General's office and builds an effective working relationship with the Assistant Attorneys General assigned to OSPI. Facilitates effective communication and relationships between OSPI programs and assigned AAGs to manage litigation cases against OSPI and obtain legal counsel for significant questions from OSPI's Executive team.
- Effectively utilizes communication skills and strategies to connect remote, hybrid, and in-person workers to each other and to the agency.

- Closely collaborates with agency staff responsible for rulemaking, assisting with drafting and procedures.
- Assists OSPI staff in drafting statutes or rules through the legislative or agency implementation process.
- Provides time-sensitive bill analyses that further OSPI's strategic legislative goals.
- Assists School Apportionment staff regarding fiscal allocations to school districts, tribal compact schools, and charter schools.
- Assists the Public Records Office with disclosure of public records and protection of private information in accordance with state and federal laws.
- Reviews contracts between OSPI and other entities for delivery of services and goods
- Coordinates the review and processing of OSPI internal policies and procedures.

Washington State Office of the Insurance Commissioner
Attorney Manager, July 2018-December 2022
Insurance Enforcement Specialist, March 2014-July 2018

- Alternatively supervised unit of five insurance enforcement specialists (staff attorneys) or four to five paralegals and legal assistants who collectively handled all agency administrative enforcement actions, as needed by the agency. Included significant mentorship and training of direct reports, as well as the use of data-driven performance measures.
- Additionally maintained own caseload of administrative litigation, including major administrative hearings involving complex legal questions and penalties of significant size and severity for substantial violations. Lead or sole agency representative in all cases.
- Facilitated internal meetings which formulate decisions on enforcement recommendations and strategy, as well as internal processes.
- Subject matter expert on Insurance Code and related regulations. Provided legal analysis and advice to agency stakeholders. Advice relied upon by agency leadership.
- Drafted OIC's COVID-19 emergency orders and extensions, altering insurance regulatory requirements protect consumers during the pandemic.
- Participated in all phases of rulemaking process, including drafting.
- Testified as a subject matter expert before legislative committees. Performed legislative analysis and responded to legislator questions, and helped draft significant legislation.
- Presiding officer for small pharmacy reimbursement appeals from Sept. 2018 to Sept. 2020.
- Presented enforcement cases to internal committees to ensure that enforcement actions are fair, consistent, and defensible.
- Participated in first-ever Diversity, Equity, and Inclusion Committee for OIC
- Collaborated with the Office of the Attorney General on legal questions as well as with enforcement cases that go to Superior Court.

Walstead Mertsching PS
Associate Attorney, June 2011-December 2013

- Practiced general civil litigation, which included insurance coverage, contractual disputes, landlord-tenant relations, real property disputes, adult guardianships, and collections cases.
- Solely responsible for complex legal research and drafting of pleadings.
- Participated regularly in all aspects of motion practice.

University Legal Assistance
Rule 9 Legal Intern, May 2009 – May 2010

Professor Megan Ballard, Gonzaga University School of Law
Research Assistant, September 2008 – June 2009

Multicare Health Services, Legal Department
Volunteer Intern, Summer 2008

Legal Volunteer Activities

Mandatory Continuing Education Board, Washington State Bar Association
Member, *Vice Chair, Chair,* October 2023 – present

Education

Gonzaga University School of Law
Juris Doctor, graduated *cum laude* May 2010; admitted to practice of law in WA November 5, 2010
Dean's List recipient in Fall 2008, Spring 2009, Fall 2010
CALI Awards for Excellence in Legal Research and Writing IV (Spring 2009), Community Property (Spring 2009), and Comparative Law (Summer 2008)

Western Washington University
B.A. History, B.A. Spanish Language and Literature, *cum laude*, June 2007
Foreign Study – University of Granada, Spain, Hispanic Studies Program, August 2005-May 2006

Languages

Aptitude in speaking, writing, and reading Spanish.

Interests

Baseball, recreational slow-pitch softball, parent of small children, travel, music, hiking, photography.

Nam D Nguyen

WSBA # 470
Phone: (206) 233 - 3392 ♦nam.wsba@gmail.com

October 1, 2026

Re: Letter of Support for Darryl Colman

Dear Fellow Governors:

Darryl Colman has all the experience and knowledge to make a great member of the Washington State Bar Association's (WSBA) Board of Governors. He practices law at a high level, he believes in equity and justice, and he volunteers for the WSBA.

I have known Darryl for close ten years and, over that time, watched him develop into a leader in State government. When I met Darryl, he was a line attorney at the Office of the Insurance Commissioner (OIC). He quickly rose within the OIC and then moved to the Officer of the Superintendent of Public Instructions (OSPI), where is currently the Chief Legal and Civil Rights Officer. In this position, he is managing legal and civil rights policies for Washington's K-12 schools. This shows that Darryl is, not only a great attorney, but also a hard worker and a leader.

I also know that Darryl is an advocate for equity and access to justice. He works on equity issues as the lead on civil rights for the OSPI. I also know that his wife, Ayanna (who was in my Washington Leadership Institute cohort), and him are strong supporters of equity in the law and access to justice. They are both State government lawyers and are both working on equity within their positions and in their volunteer time.

Speaking of volunteering, Darryl also has a strong record of volunteering the WSBA. He is the chair of the WSBA's Mandatory Continuing Education (MCLE) Board and has presented before the Board of Governors.

Overall, Darryl has all the qualities that we look for in a Governor. He is leader in the legal profession as a practitioner, an advocate for equity and access for justice, and a volunteer for the WSBA,

Thank you for your consideration,



Nam Nguyen

WASHINGTON STATE BAR ASSOCIATION

Board of Governors Congressional District 10 - Application Form

All Application materials must be received by 5 p.m. PST on Thursday, October 1, 2026.
Late materials will not be accepted.

INSTRUCTIONS

1. Review all information regarding board service, the application and the election processes online here.
2. Complete this required application form. If you are nominating someone else, ask them to sign it below.
3. Email this signed form and materials to barleaders@wsba.org. Applications must be received by 5 p.m. PST on Thursday, October 1, 2026. Late materials will not be accepted.

Applicant Information	
Name	Darryl Colman
WSBA Bar #	42954
Email Address	[redacted]
Phone Number	[redacted]
Congressional District Position:	☒ District 10

Candidate for position on the Washington State Bar Association Board of Governors

I, the undersigned Active member of the Washington State Bar Association, am running for the office of Governor from Congressional District 10.

Darryl Colman	42954
Name of Candidate (please print)	WSBA Bar #

Signature of Nominator (if applicable)	WSBA Bar #

/s/ Darryl Colman
Signature of Candidate

The WSBA values diversity and inclusion, and encourages Black, Indigenous and people of color, women, people from the LBGTQ communities, people with disabilities, and members of other groups who have been systemically oppressed to apply for our committees, boards, and panels. This process is administered by the Office of the Executive Director. Submit the application form and all materials to WSBA no later than 5 p.m. PST on October 1, 2026. Filing may be accomplished by emailing the form to barleaders@wsba.org.

Bruce H. Conklin
2605 18th Avenue N.E.
Olympia, WA 98506
(360) 250-6620
[redacted]

September 3, 2026

Board of Governors
Washington State Bar Association
1325 Fourth Ave., Suite 600
Seattle, WA 98101-2539

RE: Board of Governors Congressional District 10 Application

Dear Governors:

I am applying for the District 10 seat as an advocate for increasing access to justice. I was admitted to the California Bar Association in 1996 but my family decided to relocate to Washington State in 2007. Even before moving, I made arrangements to take the WSBA exam and was admitted in 2007.

As soon as I was admitted, I began volunteering with Thurston County Volunteer Legal Services (now Sound Legal Aid). In 2008, I was hired as Executive Director, retired in 2011, returned upon their request in 2013. The Agency grew under my leadership despite a serious downturn in funding due to the recession of 2007-8.

I was privileged to serve on a state-wide committee to review simplification of pleading forms, as well as attending annual events such as the Goldmark Awards and the Access to Justice meetings. I have also served a one-year term on a WSBA committee.

My previous board experience includes staffing a small government agency, First Five Yuba County. I have been a board member of Nevada County California, three-county Sierra Nevada Air Quality Management District, seven-county Area 4 Agency on Aging, California Association of Counties, Nevada County Transportation Commission and Mental Health Advisory Board.

My volunteer service on non-profit boards includes a food cooperative, a food bank, a United Way, a County Library Blue Ribbon Panel, and Thurston County Pickleball Club Board.

I see the District 10 BOG seat as a way to continue advocating for volunteerism and for access to justice, while also working for an equitable and responsive Bar Association.

Sincerely,

Bruce H Conklin

Bruce H. Conklin
2605 18th Avenue N.E.
Olympia, WA 98506
(360) 250-6620
[redacted]

RESUME

Agency: Thurston County Volunteer Legal Services
P.O. Box 405
Olympia, WA 98507
360.705.0473
Contact: Rebecca Glasgow, Board Chair
Title: Executive Director
Dates: November 1, 2008—November 1, 2011 and May 15, 2013—November 1, 2013
Responsibilities: I was responsible for the leadership and management of the Thurston County Volunteer Legal Services Program. I coordinated volunteer legal services to low-income individuals in accordance with the program's mission, the Access to Justice Boards' State Plan and Hallmarks, and the ABA performance standards for Pro Bono Programs. I worked under the direction of a 15-member Board of Directors and coordinated with the local office of the Olympia Northwest Justice Project. I represented TCVLS in community meetings and before Bar groups. I organized Continuing Legal Education seminars for our volunteers. I retired from the Executive Director position but was asked to return while the Board of Directors found a new permanent director.

Agency: First 5 Yuba
1114 Yuba Street, Suite 121
Marysville, CA 95901
Contact: Professor Terri Hutton 530) 743-2584 tmhutton@earthlink.net
Title: Executive Director
Dates: 4/1/06 to 7/15/07
Responsibilities: I directed an independent public agency administering a tobacco tax dedicated to enhancing early childhood health and education programs. I hired, trained and supervised staff. We awarded grants through a public bid process and performance-based contracts. It was my responsibility to develop and administer long-term financial plans that complied with state and federal mandates as well as the Board's policies. I established good relationships with the local Board of Supervisors, other county First 5s, and our statewide association. I prepared quantitative and qualitative reports for three committees and for the State Commission. I managed our early childhood educator support program, our early childhood health insurance program and our school readiness program—the latter a partnership with three schools and First 5 California. I would have remained in this position longer but for my family's move to Washington State.

Agency: Nevada County Behavioral Health
500 Crown Point Circle
Grass Valley, CA 95945
Contact: Mary Lowe (530) 265-1437
Title: Behavioral Health Case Worker
Dates: 8/15/05-3/15/06
Responsibilities: I managed outpatient cases for a rural, county-based, mental health system. I consulted with nurses, social workers, psychiatrists, psychologists, and administrators. I provided resource and referral services to clients facing public benefits, housing, and other issues.

Agency: **Nevada County Land Trust**
10175 Joerschke Drive, Suite R
Grass Valley, CA 95945
Contact: **Cheryl Belcher (530) 272-5994**
Title: **Project Manager**
Dates: **3/15/03-6/20/04**
Responsibilities: I negotiated a gift of land and historic buildings to a non-profit. I drafted agreements and obtained due diligence studies. I advertised for construction bids, analyzed bids, wrote contracts, and oversaw performance. I initiated and oversaw a successful volunteer program. I reported back to an advisory committee and the Land Trust Board of Directors. I prepared business plans, annual reports, grant applications, meeting minutes, agendas and newsletter articles.

Agency: **Nevada County**
950 Maidu Avenue
Nevada City, CA 95959
Contact: **Cathy Thompson (530) 265-1481**
Title: **Supervisor**
Dates: **1999-2003**
Responsibilities: As an elected County Supervisor, I shared responsibility to set County policies, appoint committees, develop a $135,000,000 budget, and hire and supervise top managers. We also resolved land use appeals, conducted long-term planning, and wrote ordinances. I was the County representative to the California State Association of Counties, the Sierra Nevada Air Quality Management District, and the Area 4 Agency on Aging. I was the Chair of First 5 Nevada County. I also served as a member of the Nevada County Transportation Commission and the Mental Health Advisory Board.

Agency: **Reforestation Services**
13831 Rattlesnake Road
Grass Valley, CA 95945
Title: **Proprietor**
Dates: **1975—1999**
Responsibilities: I hired, trained and supervised 25 employees reforesting clearcuts or wildburns. I prepared bids, cash-flow analyses, budgets, and payrolls; managed contract performance, and complied with state and federal regulations.

EDUCATION

B.S.	Psychology/Speech	Florida Atlantic University,	Boca Raton, FL
M.A.	Psychology/Sociology	San Jose State University,	San Jose, CA
J.D.	Law	McGeorge School of Law,	Sacramento, CA

Honors: Dean's List, chosen for interscholastic trial team, competed in interscholastic client counseling competition. I advised and represented senior citizens through a clinical program.

NONPROFIT COMMUNITY SERVICE

Nevada County Food Bank, Board Member. Briarpatch Cooperative Store, Board Member, Finance Officer. United Way of Nevada County, Vice-President. Nevada County Library, Blue Ribbon Panel. Thurston County Volunteer Legal Services volunteer attorney. Thurston County Pickleball Club Board.

WASHINGTON STATE BAR ASSOCIATION

Board of Governors Congressional District 10 - Application Form

All Application materials must be received by 5 p.m. PST on Thursday, October 1, 2026.
Late materials will not be accepted.

INSTRUCTIONS

1. Review all information regarding board service, the application and the election processes online here.
2. Complete this required application form. If you are nominating someone else, ask them to sign it below.
3. Email this signed form and materials to barleaders@wsba.org. Applications must be received by 5 p.m. PST on Thursday, October 1, 2026. Late materials will not be accepted.

Applicant Information	
Name	Bruce H. Conklin
WSBA Bar #	39741
Email Address	[redacted]
Phone Number	360 250 6620
Congressional District Position:	☒ District 10

Candidate for position on the Washington State Bar Association Board of Governors

I, the undersigned Active member of the Washington State Bar Association, am running for the office of Governor from Congressional District 10.

BRUCE H. CONKLIN — 39741
Name of Candidate (please print) — WSBA Bar #

39741
Signature of Nominator (if applicable) — WSBA Bar #

Bruce H. Conklin
Signature of Candidate

The WSBA values diversity and inclusion, and encourages Black, Indigenous and people of color, women, people from the LBGTQ communities, people with disabilities, and members of other groups who have been historically oppressed to apply for our committees, boards and panels. This process is administered by the Office of the Executive Director. Submit the application form and all materials to WSBA no later than 5 p.m. PST on October 1, 2026. Filing may be accomplished by emailing the form to barleaders@wsba.org.

Fowler Law PLLC

3025 Limited Lane NW STE 206
Olympia, Washington 98502

Tel: (360) 291-9800
[redacted]

September 25, 2026

Re: Board of Governors Congressional District 10 - Application

Dear Board of Governors:

I am writing to express my interest in serving on the Washington State Bar Association Board of Governors. After more than two decades practicing law in Arizona and Washington, I believe I can bring a practical, thoughtful, and experienced perspective to the Board and contribute meaningfully to its work on behalf of Washington's legal profession.

I am particularly interested in the opportunity to help shape statewide policy and strategic priorities, while representing the perspectives and interests of attorneys in my district. My practice has given me experience working with a wide range of legal and business issues, and I value practical solutions, responsible stewardship, and open communication.

I would welcome the opportunity to work with other legal leaders from across Washington and to contribute my experience and perspective to the Board's mission. I am committed to active participation, thoughtful governance, and representing District 10 with professionalism and integrity.

Thank you for considering my application. I would appreciate the opportunity to serve and contribute to the Board of Governors.

Sincerely,

Mark Fowler

MARK L. FOWLER

OLYMPIA, WASHINGTON, (360) 291-9800, [redacted]

EDUCATION

Texas Tech University School of Law, Lubbock, Texas.
Doctor of Jurisprudence, 2001
University of Texas at Arlington, Arlington, Texas.
Bachelor of Arts in Russian, minor in International Business

BAR MEMBERSHIPS

Member of Washington State Bar, 2022
Member of State Bar of Arizona (Inactive), 2002
Member of State Bar of Texas (Inactive), 2026
U.S. District Court, District of Arizona
U.S. District Court, Eastern District of Texas
U.S. District Court, Western District of Washington

EXPERIENCE AND ACCOMPLISHMENTS

- Real Estate Residential and Commercial Leasing, Development, Acquisitions
- General Business Litigation
- Breach of Contract Litigation
- Probate and Estate Planning
- Privacy Law – GDPR, CCPA
- Domestic and International HR Support
- Strong Technology Skills
- Corporate Law and Transactions
- Business Governance, Finance and Ownership
- Business Entity Formations/JV and Partnership Agreements
- Bankruptcy

EMPLOYMENT

Fowler Law PLLC, Olympia, Washington
Solo Practice, October 2020 – Present
Commercial counsel to growth-stage SaaS corporations. Manage clients' issues with commercial B2B SaaS licensing contracts, partner agreements, HR, IP, data privacy, real estate, general legal issues, M&A support. Real estate, bankruptcy, Probate, Estate Planning and general business litigation. Listed on Thurston County registry for Guardianship/Conservatorship court visitors/respondent attorneys.

Conga, Broomfield, Colorado (Remote)
Vice President, General Counsel, March 2016 – June 2020
Chief legal officer in charge of litigation, contracting, international real estate and insurance. Managed budget and forecasting for legal team and outside law firm spend. Member of the Global Management Team reporting directly to COO. Manage and strategically advance intellectual property. Assist and advise on data privacy issues and policies including GDPR and other data privacy issues. Onsite sales support for the sales organization and frequent speaker at industry shows. Manage cap table and employee options program. Assist with executive compensation agreements. Work closely with HR on domestic and international employee issues and policies. Managed due diligence and internal legal issues related to multiple M&As and several financing rounds.

Elevate Services, Los Angeles, California (Remote)
Manager, Commercial Contracts 2014-2015
Managed an international team of 12 lawyers that provided contract review and legal research for a multi-national corporation.

Fowler Law Office, PLC, Chandler, Arizona
Sole Proprietorship, 2008-2014
Breach of contract litigation, commercial law, business litigation and real estate practice.

Barclay Group, Scottsdale, Arizona
General Counsel, 2007-2008
Barclay Group is a commercial real estate development company specializing in regional commercial centers. I Managed the company's legal issues including contract drafting, negotiations, conflict resolution and management of outside litigation and transactional counsel. Managed staff of two paralegals and one legal secretary.

New Legacy Building and Design. Scottsdale, Arizona
General Counsel, 2005 – 2007
General corporate legal with an emphasis on contract management and conflict resolution. Drafted contracts for complex joint venture agreements and financing agreements for real estate development projects.

Combs Law Group. Phoenix, Arizona
Associate Attorney, 2004 – 2005
Managed a client load of 90+ clients in real estate litigation. Served as a hotline attorney for the Arizona Association of Realtors Broker hotline.

Avnet, Inc. Phoenix, Arizona
Legal Department, 2003- 2004
Contract drafting and negotiation for domestic and international supplier and customer agreements. Contract enforcement and general counsel duties up to litigation. Experience with FARS/DFARS with aerospace/military clients.

Maricopa County Attorney's Office. Phoenix, Arizona
Deputy County Attorney, 2002 – 2003
General prosecutor duties including case management, trials, preliminary hearings, motions, plea writing and negotiation.

Career Experience Prior to Law School
US Army, Russian Cryptologic Linguist 1991-1995, Software Developer 1996-1999

SPEAKING ENGAGEMENTS
February 2016 – Novatus Connect – Orlando, Florida
Topic: Navigating the Inherent Tension between Legal and Business Perspectives When Drafting and Negotiating Contracts

March 2017 – Conga Connect – Orlando, Florida
Topic: Mitigate risks, eliminate errors & make everyone's life easier (through effective use of CLM)

April 2018 – Association of Corporate Counsel Mid-Year Meeting – Denver, Colorado
Topic: Navigating the Inherent Tension between Legal and Business Perspectives When Drafting and Negotiating Contracts

October 2018 – Association of Corporate Counsel Annual Meeting – Austin, Texas
Topic: Insurance and Indemnity in Vendor Contracts

November 2018 – NAW Billion Dollar CLO Roundtable Presenter – Chicago, Illinois
Topic: How CLOs Can Improve Their Contract Management Structure

January 2019 – IVP General Counsel Offsite – New York City, New York
Topic: Selecting and Implementing SaaS CLM Software

October 2019 – Texas Tech University School of Law – Lubbock, Texas
Topic: Careers in International Law

October 2019 – Association of Corporate Counsel Annual Meeting – Phoenix, Arizona
Topic: Critical Elements to Transform your Contracts

March 2020 – Texas Tech University School of Law – Lubbock Texas
Topic: Diversity in the Practice of Law in the U.S. and Abroad

WASHINGTON STATE BAR ASSOCIATION

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3. Email this signed form and materials to barleaders@wsba.org. Applications must be received by 5 p.m. PST on Thursday, October 1, 2026. Late materials will not be accepted.

Applicant Information	
Name	Mark Fowler
WSBA Bar #	60085
Email Address	[redacted]
Phone Number	360-291-9800
Congressional District Position:	☒ District 10

Candidate for position on the Washington State Bar Association Board of Governors

I, the undersigned Active member of the Washington State Bar Association, am running for the office of Governor from Congressional District 10.

Mark L. Fowler	60085
Name of Candidate (please print)	WSBA Bar #

Signature of Nominator (if applicable)	WSBA Bar #

Signature of Candidate

The WSBA values diversity and inclusion, and encourages Black, Indigenous and people of color, women, people from the LBGTQ communities, people with disabilities, and members of other groups who have been systemically oppressed to apply for our committees, boards, and panels. This process is administered by the Office of the Executive Director. Submit the application form and all materials to WSBA no later than 5 p.m. PST on October 1, 2026. Filing may be accomplished by emailing the form to barleaders@wsba.org.

WASHINGTON STATE BAR ASSOCIATION

Pool of Interview Questions

Updated April 2026

Background

1. Why do you want to serve in this role?
2. How will you fit Board service into your personal, work and other commitments?
3. What motivates you as an individual?
4. Please share any prior board service and/or leadership experience?

Interest and Commitment

5. What experience(s) do you have related to WSBA's mission?
6. What interests you most about the WSBA?
7. What makes our mission meaningful to you?
8. What three adjectives or short phrases do you think best characterize WSBA?
9. What is your understanding of the role of the WSBA Board of Governors?

Skills and Expertise

10. What qualities make a great board member?
11. What would you suggest your unique contribution to the Board to be?
12. What is the most difficult problem that a board you have been on has had to deal with and what did you learn from that experience?

Current Topics and Member Engagement

13. WSBA's goals span governance, public service, technology and equity. Which goal do you think will be the most challenging for the Board to advance and why?
14. What do you see as the biggest technology-related opportunities and risks for the legal profession, and how can WSBA help members navigate them?
15. What does effective, transparent governance look like to you, and how would you help the Board strengthen trust and accountability?
16. How could you serve as a link between the organization and the legal community?
17. How should WSBA balance innovation with its responsibility to protect the public?
18. What emerging or persistent barriers to legal access do you see in Washington, and how should WSBA respond?
19. What does a culture of belonging within the legal profession mean to you, and how should WSBA and the Board help cultivate it?
20. How do you think WSBA can better support communities historically underrepresented in the legal profession?

WASHINGTON STATE
BAR ASSOCIATION

TO: WSBA Board of Governors

CC: Terra Nevitt, Executive Director

FROM: Appellate Caseload Standards Committee, WSBA Council on Public Defense

DATE: September 29, 2026

RE: Proposed Amendments to WSBA Standards for Indigent Defense Services for Appellate Case Weighting

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ACTION: The Appellate Caseload Standards Committee of the WSBA Council on Public Defense requests that the WSBA Board of Governors adopt amendments to the WSBA Standards for Indigent Defense Services to include case weighting standards for use by appellate public defense attorneys.

The Washington State Bar Association Standards for Indigent Defense Services establish guidelines for minimum requirements for public defense attorneys in Washington. The Standards include guidance on topics such as the appropriate number of support staff for public defense offices, attorney compensation structures, the qualifications needed to handle case types, maximum caseloads, and case weighting. The Washington Supreme Court similarly promulgates standards for public defenders in court rules.[1] The Court rules, which are enforceable by the courts, mirror some of the WSBA Standards, however, the WSBA Standards are broader in scope and provide significantly more guidance for Washington public defense services.

The WSBA Board of Governors adopted comprehensive amendments to the WSBA Standards in March 2024. At that time, the Board adopted caseload standards for trial level public defense attorneys. These standards incorporated case weighting as part of the caseload calculation. In March 2024, the WSBA Board of Governors also requested that the Washington Supreme Court incorporate the revisions to the WSBA Standards into the Court's standards. The Board deferred consideration of appellate caseloads and case weighting, however, to allow for additional study of appellate workloads. In September 2024, the Board adopted an interim standard for appeals cases, which remains in place. The present recommendation would implement a permanent standard.

Following adoption of the revised WSBA Standards in March 2024, the WSBA Council on Public Defense subsequently convened appellate public defense experts into the Appellate Caseload Committee[2] for the purpose of overseeing a study of workload and proposing amendments to the appellate caseload standards, if appropriate.

The Committee coordinated a study of Washington appellate defenders, described in more detail below, in conjunction with the WSBA and the Washington Office of Public Defense. The results of the study were released in November 2025[3], and were shared with the Washington Supreme Court to allow the Court to include the study results in its consideration of the comprehensive amendments to its standards.

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[1] *See* CrR 3.1 Stds.

[2] See Appendix A for a list of committee members.

[3] *See* Washington State Bar Association, Office of Public Defense Appellate Workload Study, Nov. 2025, hereinafter *WSBA Study*, at Appendix B.

In January 2026, the Washington Supreme Court adopted revised rules establishing new public defense caseload standards, including a new maximum caseload for appellate public defense attorneys. The court rules, however, did not provide for specific case weights for public defense caseloads, although they did encourage use of case weighting. Case weighting is a generally accepted best practice to allow public defense attorneys the time and resources necessary to provide constitutionally adequate defense.

Accordingly, CPD's Appellate Caseload Standards Committee is proposing amending the WSBA Standards for Public Defense Services to provide guidance for appellate caseload weighting. The Committee proposed the amendments to the Council on Public Defense on September 18, 2026, which approved transmission of the proposals to the WSBA Board of Governors. The Committee now respectfully requests that the WSBA Board of Governors approve the proposed amendments.

Basis for Recommendation

In its recent amendment of court rules, the Court identified criteria which must govern case weighting. Any case-weighting system must:

A. Recognize the greater or lesser workload required for cases compared to an average case based on a method that adequately assesses and documents the workload involved;

B. Be consistent with [the Court's] standards, professional performance guidelines, and the Rules of Professional Conduct;

C. Not institutionalize systems or practices that fail to allow adequate attorney time for quality representation;

D. Be periodically reviewed and updated to reflect current workloads; and

E. Be filed with the State of Washington Office of Public Defense.[4]

The Committee's case-weighting recommendation is based on the *Public Defense Appellate Workload Study*, referred to above. The study was performed by Baker Tilly Advisory Group, LP, and Malia Brink using the Delphi method to survey Washington appellate practitioners to discern appropriate workloads for appellate public defense attorneys. This study determined the average amount of time attorneys should devote to the average case within 10 broad case categories in order to provide constitutionally adequate defense. Consistent with the Supreme Court's criteria, the workload study provides an appropriate Washington-specific framework to determine case weighting for appeals.

The study employed a widely-accepted methodology to assess and document the workload of appellate public defenders in Washington to reach its findings.[5] Study participants were specifically directed to consider standards applicable to constitutional and ethical public defense, including Washington appellate performance guidelines and the Rules of Professional Conduct.[6] The study methodology intentionally did not rely on institutionalized systems and current time spent on cases to measure the adequacy of attorney time because such measures reinforce the

[4] CrR 3.1, Standard 3.5.
[5] *See WSBA Study* at 13; App. B p.31-34.
[6] *Id.* at 6-7.

present limitations on attorney time, rather than measuring the time attorneys should be spending to fulfill their ethical obligations to their clients. That fact is revealed in the study's conclusion that current appellate public defense staffing is roughly 56% of the level required to provide adequate attorney time for quality representation.[7]

The workload study's findings detail the appropriate amount of time needed for appellate public defenders to meet their constitutional and professional obligations in the average case of each case type.[8] The time needed for each case can then be translated into case weights based on the amount of case time typically available to attorneys per year. In Washington, "[t]he maximum number of case credits for a fully supported, full-time public defense attorney each calendar year is based on an assumed 1650-hour 'case-related hours' available each year."[9] Dividing 1,650 hours by the total time necessary for each case type and calculating the ratio between the smallest case type and all other case types, the subcommittee arrived at the appropriate weight for each case.

Allocating one case "credit" to the case that requires the smallest amount of time to complete—here, cases with a record of less than 500 pages and miscellaneous case types listed above—results in a maximum caseload of 19 credits assuming attorneys have 1650 hours of annual case time. The Supreme Court, however, has adopted a 25-caseload maximum for appellate public defense cases. With respect to case weighting, the study produced robust results and was based on significant effort from Washington's appellate practitioners. The Committee's proposal, therefore, seeks to adapt the workload study results to the 25-caseload requirement. Consequently, the case weighting proposed above scales the weighting based on the study results to the 25-credit caseload.

Alternatives Considered

Given the Court's adoption of the 25-caseload maximum, the Committee considered several options before arriving at the proposed case weights. The Committee found, however, that other options either required modifying the study's results, increasing the total number of hours an attorney must work annually beyond 1,650 hours per year, or both. The Committee, therefore, elected not to recommend these alternatives.

For instance, the Committee considered employing the 25-case maximum, but strictly applying the case weight ratios for each of the 10 case categories as developed in the study rather than scaling the case weighting as described above. That approach, however, would result in attorneys working excess hours, requiring attorneys to triage case activities and contributing to attrition and burnout—precisely the problems the new case maximums and weighting are intended to prevent.[10]

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[7] *Id.* at 23.
[8] *Id.* at 22-23.
[9] WSBA, *Standards for Indigent Defense Services*, 10 (2025).

[10] For example, for cases with a record length of 500 pages or less, the workload study revealed an attorney requires 85.5 hours. Based on that number, an attorney would expect to spend 2,137 hours on average to handle 25 appeals. Not only does that total exceed 1,650 hours, it would require the attorney to work more than 40 hours per week all 52 weeks of the year. Alternatively, to handle 25 appeals in 1,650 hours, the attorney could not allocate more than 66 hours on average per case, a more than 23% reduction in the average time the study found necessary for quality representation. There is no study, much less a methodologically-sound study, suggesting that lower amount of time per case is adequate to provide quality representation.

Determining an average based solely on the record size of all appeals proved equally unfruitful as there is no "average" appellate case broadly speaking. Appeals include both criminal and civil cases. The WSBA Standards for trial attorneys recognize the distinction between these broad categories by providing distinct qualification and caseload standards for criminal and civil cases.[11] The appellate qualification standards also reflect this distinction with separate qualifications for family defense and criminal appeals.[12]

Within the two broad categories for criminal and civil cases there is a high degree of variability between case types. Family defense cases and civil commitment cases are both nominally civil cases but as recognized in the qualification and caseload standards for trial attorneys each case type requires distinct qualifications and time requirements. The workload study illustrates that those distinctions continue on appeal as reflected in vastly different measures of the time required of appellate defenders in those two case types. Personal restraint petitions are nominally civil, but the work is akin to a combination appellate and trial-level work in criminal cases.

Even within the broad category of criminal appeals, the appellate qualification standards already recognize distinctions in case types. The workload study reinforces the merits of those distinctions. The study revealed marked differences in average time required in criminal cases based on case size. While not exponential, those differing time requirements are certainly not neatly linear.

An "average" appellate case is not readily identifiable. Using an average case size of all appeal cases to weight is inconsistent with the Standards' differentiation of case types, and cannot recognize the greater or lesser work required by different case types.[13] Weighting based on historical averages runs the risk of institutionalizing past practices which did not allow adequate attorney time to provide quality representation.[14]

Given the considerations above, the Committee's proposal seeks to reconcile the results of the workload study with the caseload maximum prescribed by the Court's rules. Including appellate case weighting in the WSBA Standards will provide guidance to appellate practitioners and the Office of Public Defense as to how to implement the Court's caseload requirements. In combination, the Court's standards and the WSBA Standards will allow Washington's appellate public defense attorneys to provide constitutional defense to defendants on appeal. The Committee respectfully requests that the WSBA Board of Governors approve the proposed amendments.

WSBA RISK ANALYSIS: *This section is to be completed by the Office of General Counsel, with input from the proposing entity or individual.*

The risk analysis is included in confidential materials.

WSBA FISCAL ANALYSIS: *This section is to be completed by the Finance Department, with input from the proposing entity or individual.*

The fiscal impact of the proposed amendments includes staff time used to draft the amendment language, incorporate it into relevant records, and communicate changes to stakeholders. The staff time that would be allocated to this work is included in the overall duties of existing WSBA staff and does not require additional staff or allocation of resources from other internal sources.

[11] WSBA, *Standards for Indigent Defense Services*, 14.2-4 (2025).
[12] *Id.* 14.5.
[13] *See* CrR 3.1, Standard 3.5.A.
[14] *See* CrR 3.1, Standard 3.5.C.

WSBA EQUITY ANALYSIS: *This section is to be completed by the Equity and Justice Team, with input from the proposing entity or individual.*

The purpose of the equity analyses is to understand how entities incorporated an equity lens into proposed action items presented to the Board of Governors. Applying an equity lens includes 1) identifying and centering people and communities most impacted decisions and/or 2) meeting people and communities according to their specific needs to produce fair and equal outcomes for all.

The proposed appellate caseload standards would provide guidance around case weighting in relation to the Washington Supreme Court's maximum caseload standards for appellate defense attorneys. The guidance in the proposal around case weighting were derived from the results of a study whose methodology includes participatory research and consensus building. Study participants were intentionally recruited to ensure a variety of geographic areas, contract types, and employment settings were represented. This methodology was specifically chosen to be data-driven while also avoiding the use of historical or current data that may not reflect the revised standards or best practices with regard to case weighting. Instead, the study centers the ethical obligations to clients within the standards and then builds the case weighting standards around the direct experiences of appellate defense attorneys. The proposers also considered several alternatives to the proposed weighting scales derived from the study and identified that these would have led to unintended consequences like excess working hours and burnout.

In summary, while the proposed action has the potential for significant impacts on appellate defense attorneys and their clients, the proposers appear to have done their due diligence to identify and mitigate the potential for adverse consequences.

Attachments

Appendix A: Appellate Caseload Standards Committee Members

Appendix B: Washington Appellate Workload Study

Appendix C: Case Weight Calculations

Appendix A: Members of Appellate Caseload Standards Committee:

Professor Kimberly Ambrose	*University of Washington School of Law*
Jodi Backlund	*Backlund & Mistry*
Kate Benward	*King County Department of Public Defense*
Professor Robert Boruchowitz	*Seattle University School of Law*
Andrea Burkhart	*Two Arrows, PLLC*
Sean Devlin	*Washington State Office of Public Defense*
Suzanne Lee Elliott	*Washington Appellate Project*
Corey Endo	*Federal Public Defender, Western District of Washington*
Neil Fox	*Law Office of Neil Fox, PLLC*
Casey Grannis	*Nielsen, Koch & Grannis*
Greg Link, Chair	*Washington Appellate Project*
Judge Rich Melnick	*Washington State Court of Appeals, Division II*
Judge Whitney Rivera	*Snohomish County Superior Court*



NOVEMBER 2025

Washington State Bar Association

OFFICE OF PUBLIC DEFENSE APPELLATE WORKLOAD STUDY

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I. Acknowledgments

This work would not have been possible without the dedication and contributions of many individuals and organizations across every aspect of this study, including:

Catherine Schur
ASSISTANT GENERAL COUNSEL
Washington State Bar Association

Katrin Johnson
DEPUTY DIRECTOR FOR OPERATIONS
Washington Office of Public Defense

Malia N. Brink
POLICY DIRECTOR
Deason Criminal Justice Reform Center

Suzanne L. Elliott
SPECIAL ADVISOR
Appellate Practitioner

Gregory C. Link
DIRECTOR
Washington Appellate Project

Scott Simpson, CPA
PRINCIPAL
Baker Tilly Advisory Group, LP

Jessie Lenhardt, PMP
SENIOR MANAGER
Baker Tilly Advisory Group, LP

Emily Hayes, CIA
MANAGER
Baker Tilly Advisory Group, LP

Claire Kasinadhuni
SENIOR
Baker Tilly Advisory Group, LP

The authors of this study would like to especially thank the Advisory Group, including Catherine Schur, Katrin Johnson, Greg Link, and Suzanne Elliott. This group was instrumental in providing ongoing support and extensive expertise throughout the project. Baker Tilly also wishes to recognize the members of the appellate attorney community across Washington State who generously contributed their time, experience, and insights by participating in the development of Case Types and Tasks, as well as the Delphi process. Their thoughtful engagement and professional perspective were foundational to ensuring that the resulting workload standards accurately reflect the realities of appellate public defense practice in Washington.

This report has been produced by Baker Tilly Advisory Group, LP (Baker Tilly) and the Washington State Bar Association (the WSBA) in collaboration with the Washington Office of Public Defense (OPD) and Malia Brink, J.D. The views expressed herein, unless otherwise noted, have not been approved by the WSBA or OPD, and, accordingly, should not be construed as representing the official policy of the WSBA or OPD.

Data gathering and analysis services performed by Baker Tilly were conducted in accordance with the Standards for Consulting Services established by the American Institute of Certified Public Accountants. Baker Tilly's deliverables and other work products are based on underlying assumptions and information provided by its clients, the WSBA, and OPD. No legal opinion from Baker Tilly is intended or implied in this report. Baker Tilly's services, deliverables, and other work products are intended solely for the use of its client.

II. Introduction

The WSBA adopts Standards for Indigent Defense Services, which set forth the norms and requirements for the effective legal representation of clients served by public defense attorneys. These standards include caseload limits to ensure that attorneys have sufficient time to provide high-quality representation. Portions of the WSBA Standards, specifically those addressing attorney caseload limits, have been adopted by the Washington Supreme Court through court rules (CrR 3.1, CrRLJ 3.1, JuCR 9.2, and CCR 2.1).

In March 2024, the WSBA revised its standards for trial-level public defense caseloads, drawing upon recent national research on public defense attorney workloads. However, there is no recent study that addresses the Washington appellate public defense system, and no national study has ever addressed appellate public defense caseloads.[1] Accordingly, the WSBA deferred revision of appellate caseload standards pending completion of a Washington-specific appellate workload study.

The WSBA engaged Baker Tilly Advisory Group, LP (Baker Tilly, formerly Moss Adams LLP) and Malia Brink to collaborate with OPD to undertake a workload study to establish empirically grounded appellate indigent defense caseload standards for Washington State. Consistent with workload studies conducted in Oregon, New Mexico, and Michigan, among others, this study employed the Delphi process to assess the time required to provide effective representation across appellate Case Types in Washington State, analyzing the time needs for core attorney Case Tasks. The Delphi results provide the average hours per case needed by Case Type (often called a case weight), reflecting the time needed to provide constitutionally sufficient representation consistent with applicable professional standards and ethical rules. The Delphi results can now inform the determination of new appellate caseload standards for indigent defense attorneys in Washington State, as well as guide resource allocation, attorney assignments, and future budgetary and legislative planning by OPD and other stakeholders.

[1] Washington last reviewed appellate indigent defense in the "Appellate Indigent Defense System Review," published 1989. Researchers focused the review on the work of the nonprofit Washington Appellate Defender Association, a single office with fourteen attorneys. This study marks the first time Washington will evaluate the entire appellate public defense system.

III. Executive Summary

Regardless of skill or experience, public defense attorneys who are assigned too many cases cannot fulfill their constitutional, professional, and ethical obligations. When caseloads exceed reasonable limits, attorneys must either triage, focusing on select cases at the expense of others, or devote less time than is necessary to each client's case. In this way, excessive caseloads undermine the right to effective assistance of counsel guaranteed by the Sixth Amendment and Washington law.

Excessive caseloads have a profound impact on both attorneys and clients. Attorneys are forced to make difficult choices about how to use their limited time. For example, Washington appellate attorneys describe not being able to visit clients in person and spending less time on research, writing, and preparing for oral argument than they should. Having to rush, attorneys risk inadequate preparation and representation for those appealing criminal convictions, terminations of parental rights, ongoing civil commitment, or other life-altering decisions. Clients must therefore navigate the appellate process without adequate communication or the assurance that their attorney has the time needed to fully research and advocate for their case, undermining the promise of equal justice under the law.

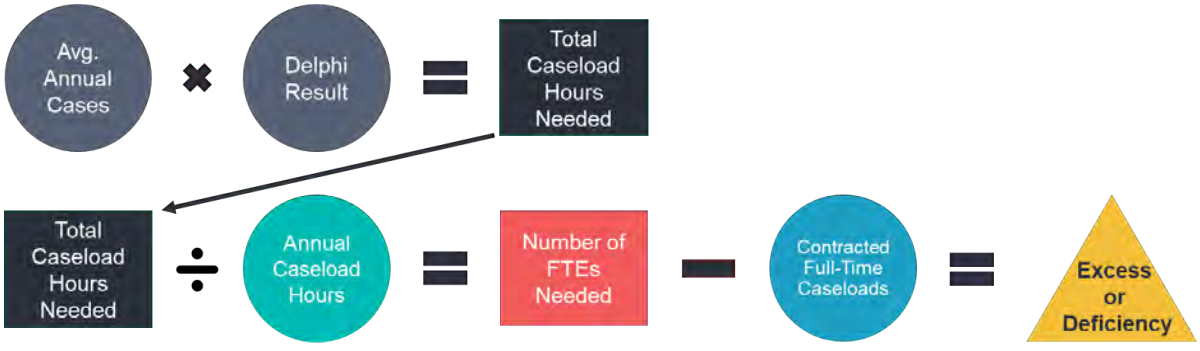
Recognizing the importance of reliable, data-driven standards to ensure quality representation and manageable workloads, the WSBA, under the delegated authority of the Washington Supreme Court, partnered with OPD to engage Baker Tilly and Malia Brink to conduct a comprehensive workload study. Consistent with other public defense workload studies, this study employed the Delphi method to assess the time required to provide effective representation across appellate Case Types in Washington State. The Delphi results provide the average hours per case needed by Case Type, reflecting the time needed to provide constitutionally sufficient representation consistent with the applicable professional standards and ethical rules. The results of the Washington State appellate workload study are as follows:

TABLE 1. WASHINGTON STATE APPELLATE WORKLOAD STUDY RESULTS

CASE TYPE	HOURS PER CASE		
	DELPHI RESULT	TRAVEL TIME	DELPHI RESULT + TRAVEL TIME
Criminal/Juvenile Record Under 500 Pages/ Miscellaneous Limited Topic Cases	77.5	8	85.5
Criminal/Juvenile Record 501-1,200 Pages	115.5	11	126.5
Criminal/Juvenile Record 1,201-2,500 Pages	200	16	216
Criminal/Juvenile 2,500+ Page Record	401	16	417
Family: Dependency–Direct Appeal	132	2	134
Family: Termination of Parental Rights–Direct Appeal	168	4	172
Family: Motion for Discretionary Review (MDR)	94	1	95
Personal Restraint Petition (PRP)	202	12	212
Not Guilty for Reasons of Insanity (NGRI)/71.09 Sexually Violent Predator (SVP)	269	16	285
Supreme Court	161.5	4	165.5

To determine the total attorney full-time equivalent (FTEs) needed, the Delphi results are applied to the average annual caseload. Comparing the needed attorney FTEs to the current attorney FTEs determines whether Washington needs additional appellate attorneys to provide effective and timely public defense representation, and, if so, how many.

FIGURE 1. DEFICIENCY ANALYSIS CALCULATION



Based on this analysis, Washington State needs an additional 33 full-time appellate attorneys to ensure reasonably effective assistance of counsel as required by the Sixth Amendment and prevailing professional norms. In other words, Washington's

appellate public defense system currently operates with approximately 59% of the attorneys needed to meet the demand for quality representation.

FIGURE 2. DEFICIENCY ANALYSIS RESULTS



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IV. Background

A. Applicable Standards

The Sixth Amendment to the United States Constitution gives those accused in criminal prosecutions the right to "have the Assistance of Counsel" for their defense. Supreme Court interpretations of this provision make clear that in "our adversary system of criminal justice, any person haled into court, who is too poor to hire a lawyer, cannot be assured of a fair [process] unless counsel is provided" for them.[2] Washington was the first state to expressly guarantee a right to appeal in its state constitution. That state constitutional provision goes further than the federal Constitution, expressly guaranteeing the right to counsel on appeal.[3] Washington State also extends the right to counsel beyond criminal cases to dependency and termination of parental rights cases and other cases in which liberty is at stake.[4]

The right to counsel is not satisfied merely by having a lawyer assigned; counsel must provide "reasonably effective assistance" under "prevailing professional norms."[5] The purpose of this study is to produce a reliable professional consensus on the amount of time it should take, on average, for a lawyer to meet this standard for various types of appeals in Washington State. The touchstone for this study is reasonableness, not the ideal. To define "reasonably effective assistance of counsel," panel participants were asked to apply "the prevailing professional norms" of practice, which the Supreme Court has stated should guide this inquiry.

In making assessments of whether counsel provided reasonably effective assistance, courts routinely look to ethical rules and professional standards.[6] Accordingly, Delphi panel participants were asked to consider the relevant ethical rules and professional standards as follows:

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[2] Gideon v. Wainwright, 372 U.S. 335, 344 (1963).

[3] Const. art. I, § 22; State v. Rafay, 167 Wn.2d 644, 651 (2009). The right to counsel in an initial criminal appeal is also guaranteed under the Sixth Amendment. Douglas v. California, 372 U.S. 353 (1963); Halbert v. Michigan, 545 U.S. 605 (2005).

[4] RCW 10.73.160; RAP 15.2(b) (listing cases in which counsel is provided for people who cannot afford to hire an attorney including dependency and termination cases, commitment proceedings, civil contempt proceedings directing incarceration).

[5] Strickland v. Washington, 466 U.S. 668, 688 (1984).

[6] In 2010, the Supreme Court stated: "We have long recognized that 'prevailing norms of practice as reflected in American Bar Association Standards and the like are guides to determining what is reasonable.' Although they are 'only guides' and not 'inexorable commands,' these standards may be valuable measures of the prevailing professional norms of effective representation[.]" Padilla v. Kentucky, 559 U.S. 356, 366-67 (2010) (citations omitted); *State v. A.N.J.*, 168 Wn.2d 91, 109-10 (2010) (same).

Washington State Rules of Professional Conduct

The Washington State Rules of Professional Conduct (RPC) address not only the responsibilities of lawyers in representing a client, but also what lawyers must not do in representing a client. These rules apply to all attorneys, including public defense providers. The RPC requires lawyers to provide competent and diligent representation (RPC 1.1 and 1.3) and communicate with the client (RPC 1.4). Importantly, under the RPC, "[c]ompetent handling of a particular matter includes inquiry into and analysis of the factual and legal elements of the problem[.] … It also includes adequate preparation." (RPC 1.1, Comment 5).

Washington State Guidelines for Appointed Counsel in Indigent Appeals

The WSBA, under authority delegated by the Washington Supreme Court, licenses and regulates legal professionals statewide, including lawyers, limited practice officers, and limited license legal technicians. The WSBA has adopted Guidelines for Appointed Counsel in Indigent Appeals. These Guidelines address core obligations of appointed counsel in appeals cases, including:

- Establishing a relationship with and consulting with the client (Guideline 5)
- Preparing the record (Guideline 6)
- Issue selection (Guideline 7)
- Drafting briefs and other pleadings (Guideline 8)
- Oral argument (Guideline 9)
- Post-Decision responsibilities (Guideline 10)

ABA Standards on Criminal Appeals

The ABA Standards for Criminal Justice are the preeminent practice standards on all aspects of criminal law and the operations of the criminal justice system. These standards "are the result of the considered judgment of prosecutors, defense lawyers, judges, and academics who have been deeply involved in the process." The ABA Standards for Criminal Justice have been cited by federal courts in more than 700 opinions. For this study, the focus was on the ABA Standards for Criminal Appeals. These standards require counsel to provide a client with counsel's "best professional evaluation of the questions that might be presented on appeal" and "consider all issues that might affect the validity of the judgment of conviction and sentence" (Standard 21-3.2(i)).

ABA Defense Function Standards

The ABA Standards for Criminal Justice for the Defense Function most directly and comprehensively address criminal defense practice. With regard to appellate counsel, the Defense Function Standards state that counsel should:

- Communicate and coordinate with trial counsel (Standard 4-9.2(a))

- Evaluate the case and all issues that might affect the validity of the judgment and "consider raising on appeal even issues not objected to below or waived or forfeited, if in the best interests of the client" (Standard 4-9.2(b))
- Share their case evaluation with the client and "discuss arguments to present in appellate briefing" (Standard 4-9.2(g); Standard 4-9.3(a))
- Augment the record as necessary "with any other matters, documents or evidence relevant to effective prosecution of the client's appeal" (Standard 4-9.3(d))
- Consider motions practice (Standard 4-9.3(d))
- Diligently and timely submit appeals documents (Standard 4-9.3(e))

Panel participants were instructed — both before each Delphi survey and before each Round 3 session — to consider what is involved with each Case Task in reference to these standards. They were then asked, based on their experience as appellate attorneys in Washington State, to determine how much time, on average, is required for each Case Task and in what percentage of cases that Case Task is performed for each Case Type.

B. Washington Appellate Public Defense System Overview

OPD funds and administers appellate public defense in Washington State. OPD does not directly represent clients but contracts with two mid-sized public defense firms, one nonprofit and one for-profit, as well as more than twenty small and solo firms. OPD-contracted attorneys represent clients in appeals involving felony convictions, termination of parental rights, civil commitment, and other matters where a constitutional or statutory right to appeal exists. The two mid-sized firms together handle approximately 70% of Washington's appellate public defense caseload. While these two firms handle all Case Types, the smaller contractors generally focus on a subset of appeals. From fiscal years 2022 through 2025, OPD assigned approximately 959 appeals cases for representation per year in Washington.

HISTORY OF APPELLATE WORKLOAD STANDARDS IN WASHINGTON STATE

The WSBA adopted an appellate caseload standard of 25 appeals per attorney per year in 1991, based on a National Advisory Commission on Criminal Justice (NAC) recommendation published in 1973.[7] In 2005, RCW 10.101.030[8] was amended to provide that the WSBA Standards "should serve as guidelines to local legislative authorities in adopting standards." The WSBA adjusted the caseload limit upward in 2007 to 36 appeals

[7] National Legal Aid & Defender Association, "National Advisory Commission on Criminal Justice Standards and Goals: Black Letter," *NLADA*, https://www.nlada.org/defender-standards/national-advisory-commission/black-letter.

[8] Revised Code of Washington § 10.101.030. *Washington State Legislature*, https://app.leg.wa.gov/RCW/default.aspx?cite=10.101.030

per attorney per year, assuming an average of 350 transcript pages per case.[9] This increase was not grounded in empirical data nor any evidence demonstrating that 36 appeals per year was a manageable caseload or consistent with quality representation. In 2012, the Washington Supreme Court adopted court rules that included public defense caseload standards promulgated by the WSBA, including the 36-appeal caseload standard.

In 2024, the WSBA adopted revised Standards for Indigent Defense Services,[10] setting new trial-level caseload limits. Pending the outcome of a workload study, the WSBA subsequently adopted an interim caseload limit for appellate attorneys of no more than 25 new cases per attorney per year. The WSBA then submitted a proposed amendment to the Washington Supreme Court, petitioning the Court to adopt the WSBA's interim appellate caseload standard. The Court issued an Interim Order[11] in September 2025, reducing the appellate caseload standards from 36 new appeals per attorney per year to 30 new appeals per attorney per year.

WASHINGTON'S APPELLATE DIVISIONS

Washington's appellate system consists of two levels of review: the Court of Appeals and the Washington Supreme Court. Most appellate public defense cases are before the Court of Appeals, the state's intermediate appellate courts. A far smaller number of cases are reviewed directly by or further appealed to the Washington Supreme Court.

Court of Appeals

The Washington Court of Appeals is divided into three geographic divisions, each serving specific regions of the state:

- **Division I – Seattle:** Covers King, Snohomish, Skagit, Whatcom, Island, and San Juan Counties, among others. Division I is headquartered in Seattle and handles, on average, 30% of appellate public defense cases statewide.
- **Division II – Tacoma:** Serves Pierce, Kitsap, Thurston, Clark, and surrounding counties. Division II, based in Tacoma, reviews on average 41% of appeals cases statewide, arising from both urban and rural jurisdictions across southwestern Washington.
- **Division III – Spokane:** Encompasses the central and eastern portion of the state, including Spokane, Yakima, Benton, Franklin, and other eastern counties. Division III,

[9] Appeals are the only case type for which the WSBA has ever increased the caseload limit.

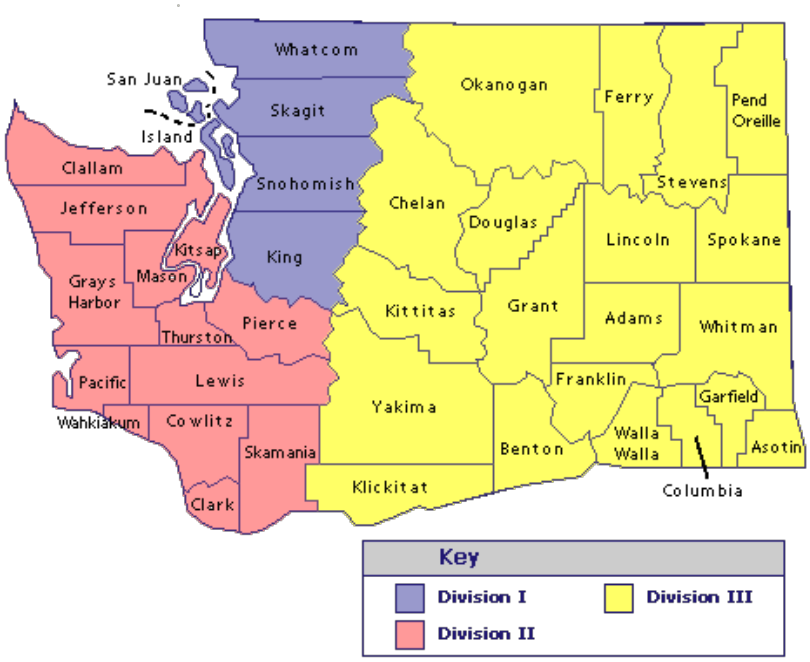
[10] Washington State Bar Association, *Standards for Indigent Defense Services*, revised March 8, 2024, (PDF), https://www.wsba.org/docs/default-source/legal-community/committees/council-on-public-defense/wsba-indigent-defense-standards-as-approved-by-bog-2024.03.08.pdf

[11] The Supreme Court of Washington, *Order No. 25700-A-1657: In the Matter of the Appellate Caseload Standards for Indigent Defense under CrR 3.1, CrRLJ 3.1, and JuCR 9.2*, September 5, 2025, (PDF), https://www.courts.wa.gov/court_rule_related_orders/orders/25700-A-1657.pdf

seated in Spokane, hears on average 22% of appeals cases statewide from a geographically large but less densely populated region.

All divisions handle a full range of appeals cases, including criminal, dependency and termination of parental rights, juvenile offender, civil commitment, and other statutory appeals involving a constitutional or legislative right to appointed counsel. Each division operates independently, hearing cases arising from the superior courts within its division. Often, they have different customs and practices, including, for example, how often and by whom oral argument is held.

FIGURE 3. COUNTIES BY COURT DIVISION[12]



Washington Supreme Court

The Washington Supreme Court is the state's court of last resort and exercises both mandatory and discretionary review. The Court hears certain appeals directly from the superior courts, such as significant constitutional cases and cases of broad public import. The Court also considers cases for discretionary review of Court of Appeals decisions, by granting or declining petitions for review or motions for discretionary review. Annually, on average, 7% of appeals cases are heard by the Court. Appellate public defense attorneys

[12] Washington State Administrative Office of the Courts, "Court of Appeals Divisions of Washington," *Washington Courts*, https://www.courts.wa.gov/newsinfo/resources/jury_guide/divisions.cfml

represent indigent individuals at the Supreme Court level when review is accepted or when a direct appeal is statutorily required.

While the subject matter of cases is similar across divisions, appellate caseload varies based on underlying criminal charging in served jurisdictions, transcript length, case complexity, and regional differences in trial court practices and record preparation.

APPELLATE CASELOAD ASSIGNMENT

OPD contracts with firms statewide to provide indigent appellate defense. Based on the full-time caseload standard established by the Supreme Court, each full-time appellate contract attorney is assigned up to 30 case credits per year (36 case credits per year prior to July 1, 2025), and part-time contract appellate attorneys are assigned case credits proportional to their contract sizes.

OPD grants one case credit to all cases upon assignment to attorneys. Case credits are then adjusted when circumstances indicate that additional work is needed. Personal restraint petitions are given a presumptive two credits upon assignment due to the additional work typically involved in these cases, regardless of transcript size. Similarly, when cases are granted review to the Washington Supreme Court, an additional credit is granted.

Additional credits are also granted in any case in which the transcript exceeds 800 pages. An additional credit is then granted for each 800-page interval thereafter. This is calculated using the cumulative number of pages of ordered transcripts in a case, also referred to as Verbatim Report of Proceedings (VRP).

TABLE 2. CREDITS PER NUMBER OF VRP PAGES

CREDITS	VRP
2	800+
3	1,600+
4	2,400+
5	3,200+
6	4,000+

There is no limit to the number of credits granted; credits continue to accrue as transcripts increase in 800-page intervals.

When multiple appeals for a single client are formally consolidated by the court, OPD counts the consolidated cases as a single case unless an adjustment is requested. Similarly, linked cases for a single client, e.g., those that were tried together in the trial court, are counted as

one case assignment unless an adjustment is approved. Attorneys must notify OPD when cases are consolidated or linked to allow for accurate workload tracking.

Attorneys receive assignment credit for each case accepted unless representation is withdrawn before the record is perfected, withdrawn due to excessive workload, or terminated for cause.

OPD seeks to distribute case credits evenly throughout the year to maintain manageable and consistent workloads. Attorneys are expected to accept all case assignments unless a legal conflict or other ethical reason requires withdrawal. Case assignments are communicated electronically, and attorneys are responsible for maintaining accurate contact information with OPD.

V. Delphi Process

The workload study used the Delphi method, a structured, iterative survey process originally developed by the RAND Corporation in the 1950s to build consensus among experts. The method has been widely used in judicial workload studies, public defense workload studies, and other legal system studies by organizations including the National Association of Court Management, the National Center for State Courts, and the American Bar Association's Standing Committee on Legal Aid and Indigent Defendants (ABA SCLAID). These prior efforts have established the Delphi method as a recognized and reliable approach for determining appropriate caseload standards for public defense attorneys.

The Delphi method gathers expert opinion through multiple rounds of surveys or interviews. In each round, participants (the Delphi panel) provide independent, anonymous input on a specific topic based on their professional experience. Aggregated, anonymous feedback from prior rounds is shared with the panel participants in subsequent rounds, allowing them to reconsider and refine their responses in light of peer input. This iterative process transforms individual professional judgment into a well-informed group consensus. In public defense workload studies, the Delphi process is used to develop a professional consensus on the time required for public defense attorneys to provide reasonably effective representation consistent with prevailing professional standards and ethical rules.

A. Application in the Washington Appellate Workload Study

Baker Tilly, in partnership with OPD and the WSBA, conducted this Delphi study to determine the time required to provide reasonably effective assistance of counsel in Washington State appellate cases in which public defense representation is provided. To help guide this study, Baker Tilly assembled an Advisory Group comprised of leading public defense providers and system administrators, including Catherine Schur, Katrin Johnson, Greg Link, and Suzanne Elliott. This group provided critical context on the Washington appellate system, the current appellate caseloads, and the case assignment system, as well as the process by which public defense standards are developed and adopted in Washington State. This group also helped to identify and define the Case Types and Case Tasks used in this study, as well as identify experienced appellate attorneys to participate in the Delphi process.

The Delphi participants included experienced appellate attorneys practicing throughout the state. Panelists represented a cross-section of Washington's appellate defense system,

including attorneys from large and small public defense firms, as well as solo practitioners under contract with OPD.[13]

The Delphi process consisted of three rounds, which included two online surveys followed by a third round held in an online live group setting. The result of the Delphi process is a consensus among the expert panel on the frequency and time required by attorneys to complete each Case Task for each Case Type. These consensus findings were then used to calculate the average number of hours needed for a public defense attorney to provide reasonably effective assistance of counsel in an average case of each Case Type, often called a case weight.

B. Methodology Framework

CASE TYPE AND CASE TASK DEFINITION

The Advisory Group convened a smaller group of highly experienced appellate defense attorneys to define the Case Types and Case Tasks to be evaluated in the Delphi survey.

- **Case Types:** The Case Types are categories of indigent defense appellate cases that generally require similar types and amounts of work.
- **Case Tasks:** The Case Tasks group attorney activities into categories. Together, these tasks describe the full scope of work typically performed by appellate public defense attorneys, from case review and record analysis to briefing, oral argument, and post-disposition briefing.

Each Case Type and Case Task was defined to minimize overlap and ensure consistency across responses. These definitions served as the foundation for the Delphi surveys, allowing the study to measure attorney workload with precision and uniformity.[14]

Case Types

Appeals were divided into ten Case Types:

1. Criminal/Juvenile: Record Under 500 pages/Misc. Limited Topic Cases (Resentencing, Juvenile Declines, Discretionary Appeals, Involuntary Treatment Act)
2. Criminal/Juvenile: Record 500-1,200 pages
3. Criminal/Juvenile: Record 1,201-2,500 pages
4. Criminal/Juvenile: Record Above 2,500 pages
5. Family: Dependency–Direct Appeal

[13] Delphi panel characteristics are provided in Appendix D: Delphi Panel Characteristics.

[14] Detailed Case Type and Case Task definitions are provided in Appendix A: Case Type and Task Definitions.

6. Family: Termination–Direct Appeal
7. Family: Motion for Discretionary Review (MDR)
8. Personal Restraint Petition (PRP)
9. Not Guilty for Reasons of Insanity (NGRI)/71.09 Sexually Violent Predator (SVP)
10. Washington Supreme Court Appeal

Record length as used in the study's Case Types was defined to include not only case transcripts, but also clerk's papers.[15] The attorneys believed that the more comprehensive definition of record length more accurately captured case complexity. This definition is different from VRP, which OPD currently uses to determine case credits.

Case Tasks

Two sets of Case Tasks were developed for this study. The first set of Case Tasks applies to Case Types 1 through 9 for appellate cases in the Washington Court of Appeals. The second set was specifically designed for Washington Supreme Court cases.

Travel was not included as a separate Case Task during survey Rounds 1 and 2 of the study. However, as discussions progressed in Round 3, participants stated that travel time represented a significant and distinct component of appellate work. As a result, travel was incorporated as its own Case Task in Round 3, allowing the group to specifically address and estimate the hours associated with travel for each Case Type. The implication of including travel time only in the Round 3 results is discussed further in the Task Considerations section in Appendix A.

For Case Types 1-9, the tasks are as follows:

- Initial Post-Appointment Activities
- Investigation (PRP Case Type only)
- Record Review and Preparation for Initial Brief
- Research, Drafting, and Filing Initial Brief
- Briefing Following Initial Brief
- Oral Argument
- Post-Decision Practice
- Travel Time

[15] There was significant discussion about whether and how to consider exhibits in record length for Case Type categorization purposes. Exhibits undoubtedly make up a significant portion of the appellate record and often require substantial review, particularly when they include video evidence. However, because exhibits range from physical objects to photographs, documents, and digital media, they cannot always be easily reduced to a page count. The final determination was to define the record for Case Type categorization purposes to include transcripts and clerk's papers, but not exhibits. The time required to review exhibits is included in, for example, the record review Case Task.

Tasks for Supreme Court Review (Case Type 10) begin when the Court accepts a petition for review or motion for discretionary review and are as follows:

- Pre-Briefing Activities
- Drafting and Filing Supplemental Brief
- Post-Briefing Activities
- Oral Argument
- Post-Decision Practice
- Certiorari
- Travel Time

DELPHI PANEL SELECTION

The Advisory Group collaborated to develop a comprehensive list of Delphi panel participants, seeking to include as many appellate attorneys with the necessary experience as possible. The selection process aimed to ensure broad representation across geographic regions, firm sizes, and contract types, reflecting the diversity of Washington's appellate defense community. The Advisory Group considered candidate experience, practice area, and familiarity with appellate procedures to ensure balanced input. Through the selection process, 95 attorneys were invited to participate in the Delphi study. Members of the Advisory Group did not serve as participants in the Delphi panel.

DELPHI SURVEY

The Delphi process included three rounds designed to gather expert input on attorney time requirements for appellate defense work. Baker Tilly created the Delphi surveys and administered the first two rounds as anonymous online surveys to allow participants to provide independent estimates without influence from other respondents. Round 3 consisted of live virtual discussion sessions to clarify responses, address discrepancies, and promote consensus. In each round, participants estimated the average attorney time reasonably required to complete specific categories of appellate defense work while upholding professional and constitutional standards of representation. Participants also estimated how often each task occurred within each specific Case Type.[16]

Participation in each round proceeded as follows:

- **Round 1 – Online Survey:** The 95 attorneys identified through the selection process were invited to complete the survey. Of the 95 invited, 61 submitted responses, a 64% completion rate.

[16] See Appendix C for examples of the survey questions.

- **Round 2 – Online Survey:** The 61 attorneys who submitted responses in Round 1 were invited to complete Round 2. Of the 61 invited, 48 submitted responses, a 79% response rate.
- **Round 3 – Virtual Discussion:** The 48 attorneys who submitted responses in Round 2 were invited to participate in Round 3. Twenty-eight attorneys attended at least one of the Round 3 sessions, contributing their expertise to refine the consensus.

Baker Tilly and Malia Brink facilitated the Round 3 sessions. In Round 3, there were five sessions totaling 17 hours, during which participants discussed challenging cases and reconciled differences in estimates for all ten Case Types. Participants were instructed to draw on their personal experience handling appeals before both the Washington Court of Appeals and the Washington Supreme Court. Facilitators instructed participants to base their estimates on the practices required by the relevant Washington court rules, ethical obligations, and professional norms governing appellate practice. Each Case Type discussion opened by confirming that participants had the expertise needed and participated in the previous survey rounds for that Case Type.

Consensus in Round 3 was reached through structured polling in which participants selected one of three responses, agree, too high, or too low, for each proposed estimate, whether relating to task hours or task frequency. A consensus threshold of approximately 66% agreement was generally required for each topic. In situations where the 66% threshold could not be achieved, agreement as low as 60% was accepted, provided the remaining responses were reasonably balanced between too high and too low. For example, 60% agree, with 20% too high and 20% too low.

RESULTS

Baker Tilly analyzed the consensus findings for each Case Task, including both the estimated time required and the frequency of occurrence, to determine the total time, on average, that attorneys should reasonably spend on each task. Baker Tilly then aggregated these task-level times to produce a final Delphi result for each Case Type. The Delphi result represents the average number of attorney hours needed to provide reasonably effective assistance of counsel in accordance with prevailing professional standards for that Case Type. The Delphi results for each Case Type follow.

TABLE 3. DELPHI RESULTS

CASE TYPE	HOURS PER CASE		
	DELPHI RESULT	TRAVEL TIME	DELPHI RESULT + TRAVEL TIME
Criminal/Juvenile Record Under 500 Pages/ Miscellaneous Limited Topic Cases	77.5	8	85.5
Criminal/Juvenile Record 501-1,200 Pages	115.5	11	126.5
Criminal/Juvenile Record 1,201-2,500 Pages	200	16	216
Criminal/Juvenile 2,500+ Page Record	401	16	417
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Family: Motion for Discretionary Review (MDR)	94	1	95
Personal Restraint Petition (PRP)	202	12	212
Not Guilty for Reasons of Insanity (NGRI)/71.09 Sexually Violent Predator (SVP)	269	16	285
Supreme Court	161.5	4	165.5

VI. Staffing and Caseload Analysis

The staffing and caseload analyses are comprehensive reviews of the current and historical workload of the public defense system in Washington. They seek to accurately describe the current state of public defense in the jurisdiction and are integral to establishing a baseline to compare to the requirements generated through the Delphi study..[17]

A. Staffing Calculations

CALCULATING ATTORNEY TIME NEEDED

The Washington system operates under case-based contracts, which are expressed in the number of appeal case credits handled each contract year. In its 2025-2026 contracts, OPD contracted for a total of 1,445 case credits, engaging a mix of law firms and solo providers to deliver representation. Approximately 60 attorneys are participating under these agreements.

In many workload studies, attorney availability is calculated by determining the number of FTE attorneys providing indigent defense. In Washington, however, this approach does not apply. The Delphi survey revealed that attorneys performing appellate public defense in Washington (who completed the survey) devoted variable amounts of their total practice to appointed appellate cases. This ranges roughly from 35% to 100% depending on individual roles and firm structures. Neither OPD nor contracted attorneys track the percent of time dedicated to indigent appeals for all appointed attorneys; therefore, traditional FTE capacity calculations used in other workload studies cannot be meaningfully applied in Washington's appellate system.

To calculate current FTE capacity for the workload analysis, Baker Tilly converted contracted caseloads into FTE by dividing the total number of case credits contracted in OPD's 2025-2026 contracts by the Supreme Court standard of 30 cases per appellate attorney per year. Dividing the contractual case coverage (1,445)[18] by the Supreme Court standard of 30 cases per appellate attorney per year results in an equivalent coverage

[17] Historical staffing and caseload levels reflect the "world of is," how work has traditionally been performed, while the Delphi-based time estimates represent the "world of should," identifying the time required to provide effective representation. This distinction follows the approach outlined in the ABA's guidance on Delphi methodology, detailed in Appendix B: Delphi Method.

[18] When compared to the average annual case volume of approximately 959 cases per year, OPD's 2025-2026 contracting structure appears to suggest that there is sufficient attorney staffing to cover the case volume. However, this is misleading. As described, in Appellate Caseload Alignment, there is not a 1:1 ratio of credit to cases. Multiple credits can be assigned to one case based on complexity, type, and whether it is heard by the Supreme Court.

of 48.2 full-time caseloads. This conservative calculation is then used as a proxy for current FTE in the deficiency calculations.

CASELOAD

Baker Tilly obtained historical case data from OPD's case management system, Justice Works defenderData. This is a common case management system used by public defense agencies across the nation for tracking case information, and includes case filings and tracking by division, case type, appeal type, assigned attorney, and client identifiers. This study analyzed all public defense appellate cases opened from July 1, 2021 through June 30, 2025. The caseloads represent cases opened during the period presented, but some cases remain open for more than one year. The analysis of caseloads does not take this carry-over into account.

Mapping Caseload to the Delphi Case Types

This caseload then needed to be sorted into the Case Types used in the Delphi process. Mapping the Washington appellate caseload to the Delphi Case Types presented some challenges, particularly with regard to the criminal appeals Case Types, which were defined by total record length.

OPD contractors are required to enter the number of transcript pages into defenderData, which will automatically assign additional case credits for each 800-page increment. As defined in the current OPD policy, "Number of Pages of Transcript" refers to the trial transcript, including pre-trial, post-trial, voir dire, and opening statements. For cases in which no trial took place, it includes all relevant hearing transcript pages. However, the study's Case Types defined record length more broadly to include transcript pages and clerk's papers.

To estimate the number of criminal cases properly categorized into Case Types 1-4,[19] Baker Tilly conducted a supplemental sampling exercise to estimate the relationship between transcript length and total record length. Baker Tilly selected a sample of 31 cases representative of Case Types 1-4 and from all appellate districts. A list of these cases was distributed to Round 3 Delphi participants, including individual practitioners and those aligned with firms, and asked them to review and confirm the number of transcript pages, and to provide the number of pages of clerk's papers for each of these cases. Using the data gathered through the sampling exercise, Baker Tilly calculated the average ratio of total clerk's papers to total transcript page length as 1 to 3.68.

[19] This calculation was only necessary for criminal and juvenile appeals Case Types 1-4 where record length is used to differentiate these categories. It does not apply to Case Types 5-10.

Baker Tilly applied this ratio to estimate the clerk's papers for each criminal case based on transcript length. For example, if a case transcript was 500 pages, the estimated number of clerk's papers would be 136 pages (500 ÷ 3.68 = 136 pages). Baker Tilly then summed the transcript pages and the estimated clerk's papers size to estimate the total record length. In this example, 500 (transcript length) + 136 (clerk's papers) = 636 pages (estimated total record length). Using the estimated total record length, Baker Tilly assigned each criminal case to the appropriate Case Type (1-4).

A summary of public defense appellate cases opened statewide by Case Type is detailed in Table 4.[20]

TABLE 4. STATEWIDE APPELLATE CASES BY TYPE[21]

CASE TYPE	CASES OPENED IN FISCAL YEAR				AVG. CASES
	2022	2023	2024	2025	
Criminal/Juvenile Record Under 500 Pages/ Miscellaneous Limited Topic Cases	341	428	402	386	**389**
Criminal/Juvenile Record 501-1,200 Pages	126	174	179	129	**152**
Criminal/Juvenile Record 1,201-2,500 Pages	94	94	99	78	**91**
Criminal/Juvenile 2,500+ Page Record	36	40	56	40	**43**
Family: Dependency–Direct Appeal	64	35	55	45	**50**
Family: Termination of Parental Rights–Direct Appeal	35	21	26	13	**24**
Family: Motion for Discretionary Review (MDR)	73	61	83	82	**75**
Personal Restraint Petition (PRP)	71	61	67	33	**58**
Not Guilty for Reasons of Insanity (NGRI)/71.09 Sexually Violent Predator (SVP)	10	12	13	13	**12**
Washington Supreme Court	59	74	73	55	**65**
Total Cases:	**909**	**1,000**	**1,053**	**874**	**959**

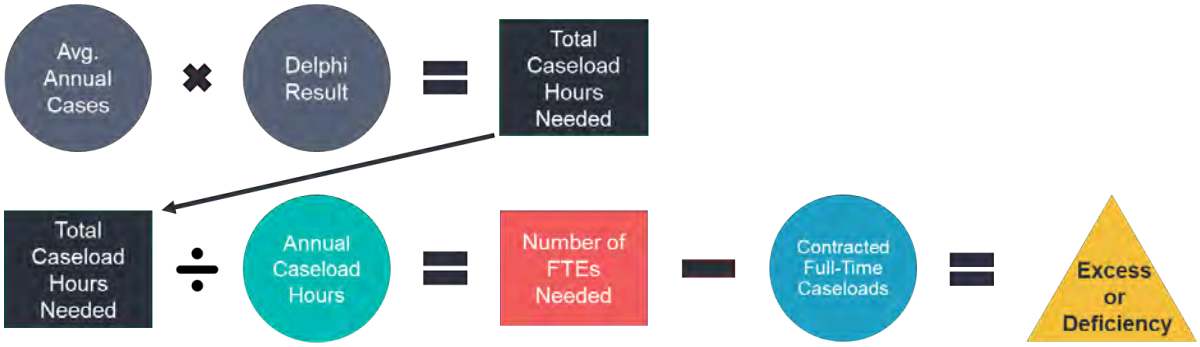
[20] The number of cases contracted refers to the total number of cases OPD assigns to attorneys under contract, while the number of cases opened reflects the actual cases initiated during the fiscal year. These figures may differ due to timing, case carryover from previous years, or cases that are contracted but not ultimately opened within the same reporting period.

[21] Table 4 represents the number of cases opened each fiscal year. It is not a reflection of the case credits allocated by OPD per case.

B. Deficiency Calculations

To perform the deficiency analysis, the projected caseload (obtained by analysis of the historical caseloads) is multiplied by the time needed by Case Type to produce the hours needed annually to provide reasonably effective assistance of counsel pursuant to prevailing professional norms.

FIGURE 4. DEFICIENCY ANALYSIS CALCULATION



To calculate the attorney FTEs needed to provide adequate representation, Baker Tilly used the Delphi panel's estimates of the hours required to provide adequate representation for each Case Type. These hours were multiplied by the annual number of appellate cases of that type, as shown in Table 5. Summing these results across all Case Types produced the total number of attorney hours needed per year to handle Washington's appellate caseload. The total attorney hours needed equal 134,502 hours.

TABLE 5. WORKLOAD ESTIMATES

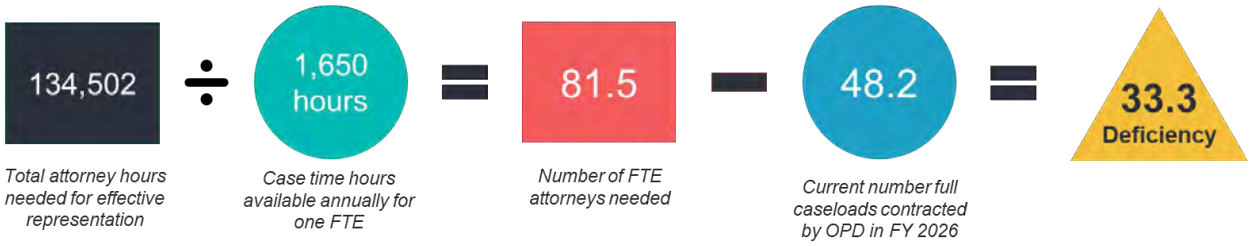
CASE TYPE	DELPHI RESULT (HOURS PER CASE)	PROJECTED CASELOAD (AVERAGE)	TOTAL ATTORNEY HOURS NEEDED
Criminal/Juvenile Record Under 500 Pages/ Miscellaneous Limited Topic Cases	85.5	389	**33,260**
Criminal/Juvenile Record 500-1,200 Pages	126.5	152	**19,228**
Criminal/Juvenile Record 1,201-2,500 Pages	216.0	91	**19,656**
Criminal/Juvenile 2,500+ Page Record	417	43	**17,931**
Family: Dependency–Direct Appeal	134	50	**6,700**
Family: Termination of Parental Rights–Direct Appeal	172	24	**4,128**
Family: Motion for Discretionary Review (MDR)	95	75	**7,125**

CASE TYPE	DELPHI RESULT (HOURS PER CASE)	PROJECTED CASELOAD (AVERAGE)	TOTAL ATTORNEY HOURS NEEDED
Personal Restraint Petition (PRP)	200	58	**11,600**
Not Guilty for Reasons of Insanity (NGRI)/71.09 Sexually Violent Predator (SVP)	285	12	**3,420**
Washington Supreme Court	165.5	65	**10,758**
	Total:	**959**	**134,502**

The WSBA Standards for Indigent Defense Services assume an FTE attorney has 1,650 hours to devote to case-related work per year.[22] To calculate the number of attorneys needed, the total annual case hours (134,502) were divided by the annual time available per FTE (1,650). This calculation yields the number of attorney FTEs required to provide constitutionally sufficient representation for the State's appellate caseload, which is 81.5 attorney FTEs.

Comparing the number of full caseloads currently contracted by OPD (48.2 FTE) to the number needed (81.5 FTE), shows a statewide deficiency of 33.3 FTE attorneys.

FIGURE 5. DEFICIENCY ANALYSIS RESULTS



In other words, Washington's appellate public defense system currently operates with only about 59% of the attorneys needed to meet the demand for quality representation.

[22] "The maximum number of case credits for a fully supported, full-time public defense attorney each calendar year is based on an assumed 1,650-hour "care-related hours" available each year." Standard 3.J., Washington State Bar Standards for Indigent Defense Services (Sept 7, 2024). This subtracts from the total available attorney time of 2,080 per year (40 hours per week, 52 weeks per year) time for annual leave, holidays, training, supervision and "other time that is not 'case-related.'" *Id.*

VII. Implementation Considerations

A. Workload Management

Not all cases require the same effort. To improve the contracting structure, case assignments and time allocations should be adjusted across Case Types to better reflect the realities of attorney time required. By incorporating the Delphi results, with their differentiations by Case Type, OPD can more accurately manage the actual demand and attorney capacity.

OPD should implement a tracking tool designed to manage case assignments at the contract or individual attorney level. Each case, when assigned, would have a case weight that reflects its complexity and allows for the needed hours as determined through this study. These weights would then be summed for each attorney or contract, providing a real-time view of workload and enabling continuous monitoring to ensure workloads remain manageable.

The system should also accommodate a certain overage or shortfall relative to a full-time baseline, recognizing that some cases may conclude sooner than expected, while others may grow more complex over time. By tracking weighted workloads rather than simple case counts, OPD can proactively balance assignments, prevent overload, and make informed adjustments to contracts or staffing as needed. This approach allows workload management to be dynamic, data-driven, and responsive to the actual demands of appellate work.

B. Non-Attorney Support

Effective implementation of this study's results requires careful attention to how attorney time is allocated, monitored, and supported through the contracting process. One critical insight from the Delphi process was that attorney work time is heavily impacted by the support available for administrative and preparatory tasks. For example, the Case Task of initial post-appointment activities includes requesting and gathering the complete record (transcripts, clerk's papers, and exhibits) and pre-briefing motions practice, which commonly include standard motions regarding record acquisition, continuances, and correcting the record. Similarly, considerable time is often required on the back end for case closeout, transcript review, and final filings. Currently, these tasks consume significant attorney time, but they could often be performed by support staff. Accordingly, attorney time could be substantially reduced with additional support staff, whether through centralized clerical resources or embedded administrative assistants or paralegals. Proper investment in such

support would not only accelerate case preparation but also allow attorneys to focus on the substantive work of appellate advocacy.[23]

OPD has proactively built administrative time into its contracts, recognizing that tasks such as reviewing records, organizing exhibits, and managing filings are essential components of appellate work. This built-in allocation helps to ensure that attorneys have dedicated time to complete these critical tasks without compromising the quality of legal advocacy. Continuing this practice is essential, as it allows for more accurate workload planning, prevents attorney overload, and acknowledges the substantial effort that administrative tasks require in the preparation and management of cases. Maintaining and refining this approach, particularly in conjunction with support from non-attorney personnel, will enhance both efficiency and the overall effectiveness of OPD's contracted work.

C. Data and Information Management

Operational improvements should prioritize updating OPD's data systems to accurately capture the key drivers of case-specific workload, ensuring that resource allocation and case management are data-driven. A central component of this effort is refining the entry of transcript lengths, which are a primary determinant of the time required for review and brief preparation in criminal appeals. Specifically, the system should collect and record the number of pages in the clerk's papers, as these components are now considered within the definition of record length and used to categorize cases by Case Type. By tacking these elements through a consistent, standardized process, OPD can capture an overall "record length" for each case.

At present, OPD cannot identify cases in which a defendant is found Not Guilty for Reasons of Insanity (NGRI appeals). Rather, they are currently grouped with other criminal appeals. The appellate attorneys in Washington State identified NGRI cases as requiring distinct work from other criminal appeals, grouping them instead with Sexually Violent Predator (SVP) appeals. OPD should also take steps to identify and track NGRI cases within its system. Once the field is created, system users should receive targeted training on how to use the new field consistently, ensuring that all relevant cases are properly categorized.

Collectively, these operational improvements will provide a robust, data-informed foundation for ongoing workload management based on standards, enhancing both efficiency and the quality of representation delivered by OPD's contracted attorneys.

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[23] Appendices A and B of the Oregon Six-Year Plan to Reduce the Public Defender Deficit provide a detailed analysis of how non-attorney personnel could be leveraged to support key administrative and preparatory tasks, such as organizing records, managing exhibits, and handling clerical filings. These appendices also include calculations estimating the amount of attorney time that could be shifted to support staff, demonstrating the potential efficiency gains and allowing attorneys to focus on substantive appellate work.

Appendix A: Case Type and Task Definitions

Case Types

Appeals cases were categorized into ten Case Types. These Case Types were identified by appellate attorneys in Washington. For this study, the record length is inclusive of transcript page length and clerk's papers.

- Criminal/Juvenile: Record Under 500 pages/Misc. Limited Topic Cases (Resentencing, Juvenile Declines, Discretionary Appeals, Involuntary Treatment Act)
- Criminal/Juvenile: Record 500-1,200 pages
- Criminal/Juvenile: Record 1,201-2,500 pages
- Criminal/Juvenile: Record Above 2,500 pages
- Family: Dependency–Direct Appeal
- Family: Termination–Direct Appeal
- Family: Motion for Discretionary Review (MDR)
- Personal Restraint Petition (PRP)
- Not Guilty for Reasons of Insanity (NGRI)/71.09 Sexually Violent Predator (SVP)
- Washington Supreme Court Appeal

Case Tasks

CASE TASKS FOR INITIAL APPEALS (CASE TYPES 1-9)

- **Initial Post-Appointment Activities** – Activities completed immediately after case assignment, including review of docket, initial client letter, discussion with trial attorney, any trial court work required, requesting and gathering the complete record (transcripts and clerk's papers), sending copy of materials to docket, and pre-briefing motions practice (e.g., record acquisition, continuances and correcting the record).
- **Investigation (PRP Case Type only)** – Any factual investigation that is conducted by the attorney before preparing the brief, including requesting an investigator and any communications/work with the investigator.
- **Record Review and Preparation for Initial Brief** – Activities conducted in preparation for, but before the attorney begins drafting, the initial brief, including reading the record (transcripts and clerk's papers), additional communication with the trial attorney, and visiting and communicating with the client regarding the initial brief.
- **Research, Drafting, and Filing Initial Brief** – Activities conducted while preparing the initial brief, including legal research, consultations with other attorneys, drafting, and filing. Includes editing time and citation checking.

- **Briefing Following Initial Brief** – Activities conducted after filing the initial brief through the end of filing submission, including reviewing the response brief, communicating with the client about the response brief, researching and drafting the reply brief, consultation with the client regarding the reply brief, and drafting/addressing any supplemental briefing.
- **Oral Argument** – Activities related to oral argument, including research, preparation, mooting, consultation with other attorneys, conducting the oral argument, and communicating with the client regarding oral argument.
- **Post-Decision Practice** – Activities conducted after an appellate decision issues, including motions to modify or reconsider, motions for discretionary review or petition for review to the Supreme Court, any follow-up with the trial lawyer, and communications with the client regarding the decision and post-decision practice.
- **Travel Time** – Time spent by the attorney traveling for case-related purposes, including to obtain records or exhibits, to visit a client in person, and to attend oral argument.

TASKS FOR WASHINGTON SUPREME COURT REVIEW (TYPE 10)

Note: A Supreme Court case begins when the Court accepts a petition for review or a motion for discretionary review.

- **Pre-Briefing Activities** – Activities completed immediately after the Court accepts the petition for review or motion for discretionary review, including communication with the client regarding acceptance of review and any pre-briefing motions practice, e.g., motion to extend time.
- **Drafting and Filing Supplemental Brief** – Activities related to filing any additional briefing, including research and drafting, as well as consulting with other attorneys.
- **Post-Briefing Activities** – Activities conducted after filing briefs but before oral argument, including post-briefing motions (e.g., motion to strike), drafting and filing statement(s) of additional authorities, and addressing amicus curiae (working with amicus, reviewing and responding to amicus briefs).
- **Oral Argument** – Activities related to oral argument, including research, preparation, mooting, consultation with other attorneys, conducting the oral argument, and communicating with the client regarding oral argument.
- **Post-Decision Practice** – Activities conducted after a decision is issued, including motions to modify or reconsider, any follow-up with the trial lawyer, and communications with the client regarding the decision and post-decision practice.
- **Certiorari** – Research and drafting petition for certiorari to the United States Supreme Court; working with/addressing any amicus curiae on the petition for certiorari.

TASK CONSIDERATIONS DURING THE DELPHI PROCESS

During Round 3 of the Delphi process, the panel participants discuss the Case Tasks and often clarify the definitions to ensure that all attorney time is counted, but is not double-

counted. This section reviews the most significant discussion points and details the panel's decision-making and the impact of those decisions.

Travel as a Case Task

In this study, travel was added as a distinct Case Task during Round 3 of the Delphi process. Delphi participants stated that travel time is often substantial, and in some cases amounts to as much as 10% of total case hours, as revealed through the Delphi process. Participants determined that travel time could be averaged in Washington State by appellate Case Type.

In other public defense workload studies, travel is not included in the Delphi results. Because travel time often differs within a jurisdiction based on the location of the attorney, it can be difficult to determine the average travel time needed for a case. Moreover, in some instances, trial attorneys' travel serves multiple cases, e.g., an attorney will travel to a jail and visit multiple clients. For these reasons, travel time is generally considered case-related time, rather than case-specific time, and is not included in the Delphi result. Instead, it is more commonly deducted from the hours the attorney has available for case work each year. Proceeding in this manner allows for differentiation between rural attorneys and urban attorneys, for example.

There are several reasons why a Washington appellate attorney is required to travel for a single, specific case. For example, in-person communication is part of Washington's performance standards, which suggests that attorneys should travel to visit clients in prisons or mental health institutions. Washington's geography further intensifies these travel demands. Most prisons are in Eastern Washington, while most appellate attorneys are based in Western Washington.[24]

Washington appellate attorneys are sometimes also required to travel to courthouses to gather key components on the record, notably exhibits, as well as to attend in-person oral arguments. Further, unlike trial attorneys, appellate attorneys cannot always combine travel for multiple cases. For example, the timing for gathering exhibits or an oral argument is specific to a single case. These requirements make travel a frequent, time-intensive, and unavoidable component of appellate work in Washington State. And yet, travel time is also not included in the current 1,650 annual caseload-hour framework. To ensure that workloads do not discourage or prevent attorneys from meeting with their clients, travel must be accounted for, either within the Delphi-based time estimates, calculation of available annual hours, or through adjustments made during implementation.

[24] An appellate attorney based in Seattle who needs to visit a client at the Washington State Penitentiary in Walla Walla must travel roughly 270 miles each way, for a total of 540 miles. Not considering adverse traffic, the drive takes 4.5-5 hours each way, resulting in a 9- to 10-hour round trip, or the equivalent of an entire workday spent on travel alone.

It is also noteworthy that, although the Delphi participants insisted that travel is a critical component of many appellate cases, evidence indicates that many Washington appellate attorneys do not routinely travel for their cases. Many appellate attorneys do not currently visit their clients, even though in-person communication is considered essential to gaining client trust and is widely viewed as a requirement of Washington's performance standards.

Excessive workloads may have led many attorneys to minimize or omit travel. Ensuring that time is provided for travel, whether through the Delphi result, adjustments to the 1,650-hour annual caseload framework, or some other implementation process, will enable attorneys to pursue in-person visits. At the same time, strong performance and change management practices may be needed to ensure that such visits become part of regular appellate practice. Without intentional mechanisms to guide this shift, even well-designed standards may fail to produce the improvements in representation that the updated workload model is intended to achieve.

As a Case Task, travel time is fundamentally different from other case-specific attorney tasks. Providing a sum of attorney time for case-specific tasks, separate from travel time, permits OPD to recognize and account for the real-world demands of travel, while still aligning with the methodology used in other workload studies.

When comparing this workload analysis to other appellate workload studies, it is important to understand that travel time is typically not included in those studies. To facilitate meaningful comparisons, analysts should rely on the subtotaled time per Case Type that excludes travel, as detailed in Appendix F: Detailed Delphi Results.

Oral Argument Considerations

During the Delphi process, participants resisted attempting to estimate the percentage of cases in which oral argument was ordered. Participants recognized that this information is not a professional judgment, but potentially attainable data. However, actual court data on the frequency with which oral argument is granted by Case Type was not available at the time of this study.

Further, for certain Case Types, such as Motion for Discretionary Review (MDR) cases, achieving consensus on the percentage of cases in which oral argument occurs and the time required was challenging due to variations in court operations, including:

- Some courts schedule oral argument in all or nearly all termination of parental rights cases.
- Some courts have oral arguments before a commissioner rather than a judicial panel.
- Some courts hold oral arguments virtually, while others hold all oral arguments in person.

These differences make it difficult to apply a single, standardized time estimate across all cases.

In the future, OPD should replace the percentage of cases that go to oral argument with actual court data for each Case Type. Additionally, OPD should also consider tracking oral argument occurrences by division, as the frequency varies widely per division, reflecting differences in court practices and procedural requirements. Maintaining a division-specific record of oral argument cases will allow workload calculations to reflect the time attorneys spend preparing for and participating in oral arguments more accurately, ensuring that assignments and contract allocations are grounded in real-world practice.

Attorney Time

Across all Case Tasks, the Delphi results account for the full scope of attorney time, not just the time spent by the lead attorney or the preparing attorney. This includes editing and reviewing work conducted by other attorneys, as well as the participation of additional attorneys in practice or mooting sessions related to oral argument. Incorporating these collaborative and review activities ensures that the standards more accurately reflect the total time attorneys need for each case.

Washington Supreme Court: Post-Briefing Activities

For the post-briefing activities Case Task for the Supreme Court Case Type, the Delphi results account for time spent assessing the impact of amicus curiae briefs. This includes reviewing and analyzing amicus curiae briefs filed by other parties to determine if and how they impact the legal strategy, arguments, or focus of the case. Additionally, time associated with reply briefs and other post-briefing activities incorporates the review of these amicus submissions, ensuring that attorneys' efforts in responding to, integrating, or addressing the points raised in amicus curiae briefs are fully reflected in workload calculations.

Appendix B: Delphi Method

The Delphi method[25] was introduced in 1962 by researchers at the RAND Corporation. The method was described as a "new" research technique utilized by the Air Force in the 1950s to gather expert opinion and generate a reliable consensus.[26] The Delphi method requires that a succession of surveys be given to a group of experts, with structured feedback presented to the experts at each interval stage. The surveying practices applied by the Delphi method could be interviews or questionnaires that focus on some fundamental questions of significance to the group of experts convened for feedback.

The features of this method include "anonymity, iteration, controlled feedback, and the statistical aggregation of group response."[27] At the onset of the process, participants in a Delphi group are largely anonymous from one another. The purpose of anonymity is to ensure that solicited experts are not influenced by the responses of other participants and that the ideas presented are judged on their own merit. This technique is believed to be conducive to the exercise of independent thought on the part of participating experts and to aid experts in forming well-thought-out opinions.

The reliance on expert opinion as data is built on the premise that an expert is "able to select the needed items of background information, determine the character and extent of their relevance, and apply these insights to the formulation of the required personal probability judgments."[28] Experts typically complete a questionnaire over multiple iterations with the goal of allowing participants to change their opinions and judgments when presented with controlled feedback regarding the opinions and judgments of their fellow participants. This controlled feedback is normally presented as a statistical summation of the group's responses, e.g., a mean or median. The structured feedback at each successive iteration consists of "available data previously requested by the expert, or of factors and considerations suggested as potentially relevant by one or another respondent."

The goal of the feedback at each stage is to assist in limiting mistaken beliefs an expert may have on the question at hand or to increase their awareness of other information they may not have previously considered.[29]

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[25] This literature review on the Delphi method is derived from *The Missouri Project: A Study of the Missouri Public Defender System and Attorney Workload Standards*, prepared by RubinBrown on behalf of the ABA's Standing Committee on Legal Aid and Indigent Defendants. The Missouri Project provided a national blueprint for workload studies such as this one.

[26] Norman Dalkey and Olaf Helmer, An Experimental Application of the Delphi Method to the Use of Experts, 1962.

[27] Gene Rowe and George Wright, The Delphi Technique as a Forecasting Tool: Issues and Analysis, 15 INT'L J. FORECASTING 35354 (1999) (hereafter Rowe and Wright, The Delphi Technique).

[28] Olaf Helmer and Nicholas Rescer, On the Epistemology of the Inexact Sciences P-1513 42 (The RAND Corporation 1958).

[29] *Id.*

At the conclusion of the final iteration, the final iteration's mean or median response is used as the measure of the group's opinion.[30] In theory, the number of iterations required by the Delphi method can be unlimited until consensus among participants is achieved; however, it has been found that three to four iterations are usually all that is required to reach consensus.[31]

Rowe and Wright systematically reviewed studies that explored the effectiveness of the Delphi method. Their focus was on how well the Delphi method worked in producing a consensus of opinions and judgments, and to assess how accurate those opinions and judgments were.

Overall, they found that the majority of these evaluative studies showed support for the Delphi method in reducing variances in opinion and judgment, thus indicating that greater consensus had been achieved. As for the concern over the accuracy of those opinions and judgments, Rowe and Wright again found that the majority of studies provide compelling evidence in support of the Delphi method. Compared to other methodological techniques utilized for similar purposes, the Delphi method was found to "lead to improved judgments over staticized groups and unstructured interacting groups."[32]

Since its introduction, the Delphi method has been employed across a diverse array of industries, such as health care, education, information systems, transportation, and engineering.[33] In addition to its use in forecasting, the Delphi method has been used for "program planning, needs assessment, policy determination, and resource utilization."[34] Within the legal system, early examples of the use of the Delphi method can be traced back a couple of decades. Examples of these attempts were sponsored by both the National Association of Court Management (NACM) and the National Center for State Courts (NCSC). These efforts were principally charged with assessing judicial and court support staff needs.[35]

In seeking to undertake its first public defense attorney caseload study in Missouri, ABA SCLAID partnered with RubinBrown to both select a methodology and execute an analysis that would, using data and analytics, result in reliable caseload standards. After an

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[30] Rowe and Wright, The Delphi Technique, *supra*.

[31] Chia-Chien Hsu and Brian A. Sandford, The Delphi Technique: Making Sense of Consensus (2007) (hereafter Hsu and Sandford, The Delphi Technique).

[32] Rowe and Wright, The Delphi Technique, *supra*, at 353-54.

[33] Harold Linstone and Murray Turoff, The Delphi Method: Techniques and Applications (2002); Rowe and Wright, The Delphi Technique, *supra*, at 353-54.

[34] Hsu and Sandford, The Delphi Technique, *supra*.

[35] See, e.g., Victor Flango and Brian Ostrom, Assessing the Need for Judges and Court Support Staff (National Center for State Courts 1996).

exhaustive literature review, RubinBrown concluded that the Delphi method was a reliable research tool to determine the appropriate workload for a public defense office because it was capable of generating a reliable consensus of expert opinion. The experts in a public defense attorney workload Delphi study are experienced defense attorneys, both private practitioners and public defense attorneys, with in-depth knowledge of practice in the jurisdiction. These individuals serve as panelists in the Delphi process.

RubinBrown and ABA SCLAID utilized the Delphi method to complete The Missouri Project, a public defense attorney workload study, which included a National Blueprint for conducting future workload studies.[36] In these studies, the Delphi process is driven not by actual time data provided to the Delphi panel participants, but by the Standards applicable to public defense practice discussed above – the ABA Criminal Justice Standards and the state Rules of Professional Responsibility.[37]

In the years since The Missouri Project, ABA SCLAID has conducted six additional appellate public defense attorney workload studies in collaboration with five additional accounting and consulting firms:

- Louisiana (Postlewaithe and Netterville, APAC)[38]
- Colorado (RubinBrown)[39]
- Rhode Island (Blum Shapiro)[40]
- Indiana (Crowe LLP)[41]
- New Mexico (Moss Adams LLP)[42]
- Oregon (Moss Adams LLP)[43]

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[36] *The Missouri Project*, *supra*.

[37] These standards were included in the Delphi surveys and were also discussed at length prior to the start of the live meeting of the Delphi panel.

[38] Postlethwaite & Netterville, APAC on behalf of ABA's Standing Committee on Legal Aid and Indigent Defendants, The Louisiana Project, A Study of the Louisiana Defender System and Attorney Workload Standards (2017).

[39] RubinBrown on behalf of ABA's Standing Committee on Legal Aid and Indigent Defendants, The Colorado Project, A Study of the Colorado Public Defender System and Attorney Workload Standards (2017).

[40] Blum, Shapiro & Company, P.C. on behalf of ABA's Standing Committee on Legal Aid and Indigent Defendants and The National Association of Criminal Defense Lawyers, The Rhode Island Project, A Study of the Rhode Island Public Defender System and Attorney Workload Standards (2017).

[41] Crowe LLP on behalf of ABA's Standing Committee on Legal Aid and Indigent Defendants, The Indiana Project, A Study of the Indiana Public Defense System and Attorney Workload Standards (2020).

[42] Moss Adams LLP on behalf of ABA's Standing Committee on Legal Aid and Indigent Defendants, The New Mexico Project, An Analysis of the New Mexico Public Defense System and Attorney Workload Standards (2022).

[43] Moss Adams LLP on behalf of ABA's Standing Committee on Legal Aid and Indigent Defendants, The Oregon, An Analysis of the Oregon's Public Defense System and Attorney Workload Standards (2022)

In each instance, the accounting and consulting firm reviewed and approved the use of the Delphi process and conducted their services in accordance with the Standards for Consulting Services, as established by the American Institute of Certified Public Accountants.

In 2020, ABA SCLAID published a report on its use of the Delphi method to conduct public defense workload studies. That report, Use of the Delphi Method in ABA SCLAID Public Defense Workload Studies: A Report on Lessons Learned, is available on the ABA SCLAID website.[44]

[44] S. Hanlon, et. al., Use of the Delphi Method in ABA SCLAID Public Defense Workload Studies: A Report on Lessons Learned, American Bar Association Standing Committee on Legal Aid and Indigent Defense (2021).

Appendix C: Survey Examples

Round 1 Survey Example

Criminal/Juvenile: Record Under 500 Pages And/Or Miscellaneous Limited Topic Cases

(Examples of miscellaneous limited topic cases = Resentencing, Juvenile Declines, Discretionary Appeals, and/or Involuntary Treatment Act Appeals)

Hover mouse over case task for definition	Time Needed	% of Cases
Initial Post-Appointment Activities	____ hours	____ %
Record Review and Preparation for Initial Brief	____ hours	____ %
Research, Drafting, and Filing Initial Brief	____ hours	____ %
Briefing Following Initial Brief	____ hours	____ %
Oral Argument	____ hours	____ %
Post-Decision Practice	____ hours	____ %

Round 2 Survey Example

Criminal/Juvenile: Record Under 500 Pages And/Or Miscellaneous Limited Topic Cases

(Examples of miscellaneous limited topic cases = Resentencing, Juvenile Declines, Discretionary Appeals, and/or Involuntary Treatment Act Appeals)

	Time Needed	Peer Mean	Peer Range	% of Cases	Peer Mean	Peer Range
Initial Post-Appointment Activities	____ hrs	-# hrs	#—# hrs	____ %	#%	%—%
Record Review and Preparation for Initial Brief	____ hrs	-# hrs	#—# hrs	____ %	#%	%—%
Research, Drafting, and Filing Initial Brief	____ hrs	-# hrs	#—# hrs	____ %	#%	%—%
Briefing Following Initial Brief	____ hrs	-# hrs	#—# hrs	____ %	#%	%—%
Oral Argument	____ hrs	-# hrs	#—# hrs	____ %	#%	%—%
Post-Decision Practice	____ hrs	-# hrs	#—# hrs	____ %	#%	%—%

Appendix D: Delphi Panel Characteristics

PARTICIPATION PER ROUND

A total of 95 attorneys were invited to participate in the Round 1 Survey of the Delphi process. Table 6 illustrates the number of participants who completed each round (three total) by Case Type.

TABLE 6. DELPHI PROCESS PARTICIPATION BY ROUND

CASE TYPE	PARTICIPATION BY ROUND		
	ROUND 1	ROUND 2	ROUND 3
Criminal/Juvenile Record Under 500 Pages/Miscellaneous Limited Topic Cases	61	46	25
Criminal/Juvenile Record 500-1,200 Pages	58	47	24
Criminal/Juvenile Record 1,201-2,500 Pages	48	41	23
Criminal/Juvenile 2,500+ Page Record	38	29	14
Family Dependency–Direct Appeal	35	29	19
Family Termination of Parental Rights–Direct Appeal	34	27	19
Family: Motion for Discretionary Review (MDR)	35	28	17
Personal Restraint Petition (PRP)	34	29	14
Not Guilty for Reasons of Insanity (NGRI)/71.09 Sexually Violent Predator (SVP)	10	10	6
Washington Supreme Court	44	37	13

DELPHI PANEL DEMOGRAPHICS

The charts below summarize the characteristics of the attorneys who participated in at least one Case Type work session during Round 3:

TABLE 7. PARTICIPANT YEARS AS A PRACTICING ATTORNEY

YEARS AS PRACTICING ATTORNEY	# OF ATTORNEYS	% OF TOTAL
Less than 5 years	2	7%
5 to 15 years	12	43%
16 to 25 years	7	25%
More than 25 years	7	25%

TABLE 8. PARTICIPANT YEARS AS APPELLATE ATTORNEY

YEARS AS APPELLATE ATTORNEY	# OF ATTORNEYS	% OF TOTAL
Less than 5 years	6	21%
5 to 15 years	12	43%
16 to 25 years	4	14%
More than 25 years	6	21%

TABLE 9. PARTICIPANTS CURRENTLY REPRESENTING APPELLATE CASES

CURRENTLY REPRESENTING APPELLATE CASES	# OF ATTORNEYS	% OF TOTAL
Yes	25	89%
No	3	11%

TABLE 10. PARTICIPANT TIME SPENT ON PUBLIC DEFENSE APPEALS

AVERAGE OF % OF TIME ON PUBLIC DEFENSE APPEAL CASES	% OF TIME
Average	96.7%
Minimum	57.0%

TABLE 11. PARTICIPANTS BY DIVISION EXPERIENCE

HAVE PRACTICED IN DIVISIONS	# OF ATTORNEYS	% OF TOTAL
Division 1	28	100%
Division 2	26	93%
Division 3	28	100%
Washington Supreme Court	26	93%

TABLE 12. PARTICIPANT ACCESS TO SUPPORT STAFF

HAVE ACCESS TO SUPPORT STAFF	# OF ATTORNEYS	% OF TOTAL
Legal Assistants/Clerical	23	82%
Paralegals	12	43%
Other Support Staff	5	18%
Have No Support Staff	4	14%

TABLE 13. PARTICIPANT FIRM SIZE

FIRM SIZE	# OF ATTORNEYS	% OF TOTAL
Large (>10 Lawyers)	20	71%
Small (<10 Lawyers)	5	18%
Not Actively Practicing	3	11%

Appendix E: Delphi Results Summary

TABLE 14. ANNUAL ATTORNEY HOURS BY CASE TYPE

CASE TYPE	DELPHI RESULTS + TRAVEL TIME	PROJECTED CASELOAD	TOTAL ATTORNEY HOURS NEEDED
Criminal/Juvenile Record Under 500 Pages/Miscellaneous Limited Topic Cases	85.5	389	33,260
Criminal/Juvenile Record 500-1,200 Pages	126.5	152	19,228
Criminal/Juvenile Record 1,201-2,500 Pages	216.0	91	19,656
Criminal/Juvenile 2,500+ Page Record	417	43	17,931
Family: Dependency–Direct Appeal	134	50	6,700
Family: Termination of Parental Rights–Direct Appeal	172	24	4,128
Family: Motion for Discretionary Review (MDR)	95	75	7,125
Personal Restraint Petition (PRP)	200	58	11,600
Not Guilty for Reasons of Insanity (NGRI)/71.09 Sexually Violent Predator (SVP)	285	12	3,420
Washington Supreme Court	165.5	65	10,758
	Total:	**959**	**134,502**

Appendix F: Detailed Delphi Results

TABLE 15. CRIMINAL/JUVENILE RECORD UNDER 500 PAGES/MISCELLANEOUS LIMITED TOPIC CASES

CRIMINAL/JUVENILE RECORD UNDER 500 PAGES/MISCELLANEOUS LIMITED TOPIC CASES			
Task	Hours	Frequency	Total Time (Hours)
Initial Post-Appointment Activities	4	100%	4
Record Review and Preparation for Initial Brief	14	100%	14
Research, Drafting, and Filing Initial Brief	27	100%	27
Briefing Following Initial Brief	12	100%	12
Oral Argument	18	25%	5
Post-Decision Practice	15.5	100%	15.5
		Delphi Result:	**77.5**
Travel	10	75%	8
		Delphi Result + Travel Time:	**85.5**

TABLE 16. CRIMINAL/JUVENILE RECORD 500-1,200 PAGES

CRIMINAL/JUVENILE RECORD 500-1,200 PAGES			
Task	Hours	Frequency	Total Time (Hours)
Initial Post-Appointment Activities	4.5	100%	4.5
Record Review and Preparation for Initial Brief	30	100%	30
Research, Drafting, and Filing Initial Brief	40	100%	40
Briefing Following Initial Brief	18	100%	18
Oral Argument	24	22%	5
Post-Decision Practice	18	100%	18
		Delphi Result:	**115.5**
Travel	12	95%	11
		Delphi Result + Travel Time:	**126.5**

TABLE 17. CRIMINAL/JUVENILE RECORD 1,201-2,500 PAGES

CRIMINAL/JUVENILE RECORD 1,201-2,500 PAGES			
Task	**Hours**	**Frequency**	**Total Time (Hours)**
Initial Post-Appointment Activities	5	100%	5
Record Review and Preparation for Initial Brief	60	100%	60
Research, Drafting, and Filing Initial Brief	65	100%	65
Briefing Following Initial Brief	28	100%	28
Oral Argument	30	57%	17
Post-Decision Practice	25	100%	25
		Delphi Result:	**200**
Travel	16	100%	16
		Delphi Result + Travel Time:	**216**

TABLE 18. CRIMINAL/JUVENILE 2,500+ PAGE RECORD

CRIMINAL/JUVENILE 2,500+ PAGE RECORD			
Task	**Hours**	**Frequency**	**Total Time (Hours)**
Initial Post-Appointment Activities	11	100%	11
Record Review and Preparation for Initial Brief	140	100%	140
Research, Drafting, and Filing Initial Brief	120	100%	120
Briefing Following Initial Brief	50	100%	50
Oral Argument	40	95%	38
Post-Decision Practice	42	100%	42
		Delphi Result:	**401**
Travel	16	100%	16
		Delphi Result + Travel Time:	**417**

TABLE 19. FAMILY: DEPENDENCY–DIRECT APPEAL

FAMILY: DEPENDENCY–DIRECT APPEAL			
Task	Hours	Frequency	Total Time (Hours)
Initial Post-Appointment Activities	4	100%	4
Record Review and Preparation for Initial Brief	46	100%	46
Research, Drafting, and Filing Initial Brief	40	100%	40
Briefing Following Initial Brief	18	100%	18
Oral Argument	12	65%	8
Post-Decision Practice	16	100%	16
		Delphi Result:	**132**
Travel	4	52%	2
		Delphi Result + Travel Time:	**134**

TABLE 20. FAMILY: TERMINATION OF PARENTAL RIGHTS–DIRECT APPEAL

FAMILY: TERMINATION OF PARENTAL RIGHTS–DIRECT APPEAL			
Task	Hours	Frequency	Total Time (Hours)
Initial Post-Appointment Activities	4	100%	4
Record Review and Preparation for Initial Brief	48	100%	48
Research, Drafting, and Filing Initial Brief	50	100%	50
Briefing Following Initial Brief	28	100%	28
Oral Argument	20	90%	18
Post-Decision Practice	20	100%	20
		Delphi Result:	**168**
Travel	4	90%	4
		Delphi Result + Travel Time:	**172**

TABLE 21. FAMILY: MOTION FOR DISCRETIONARY REVIEW (MDR)

FAMILY: MOTION FOR DISCRETIONARY REVIEW (MDR)			
Task	Hours	Frequency	Total Time (Hours)
Initial Post-Appointment Activities	5	100%	5
Record Review and Preparation for Initial Brief	18	100%	18
Research, Drafting, and Filing Initial Brief	30	100%	30
Briefing Following Initial Brief	15	100%	15
Oral Argument	12	70%	8
Post-Decision Practice	18	100%	18
		Delphi Result:	**94**
Travel	4	30%	1
		Delphi Result + Travel Time:	**95**

TABLE 22. PERSONAL RESTRAINT PETITION (PRP)

PERSONAL RESTRAINT PETITION (PRP)			
Task	Hours	Frequency	Total Time (Hours)
Initial Post-Appointment Activities	12	100%	12
Investigation	26	80%	21
Record Review and Preparation for Initial Brief	50	100%	50
Research, Drafting, and Filing Initial Brief	56	100%	56
Briefing Following Initial Brief	28	100%	28
Oral Argument	30	50%	15
Post-Decision Practice	20	100%	20
		Delphi Result:	**202**
Travel	12	80%	10
		Delphi Result + Travel Time:	**200**

TABLE 23. NOT GUILTY FOR REASONS OF INSANITY (NGRI)/71.09 SEXUALLY VIOLENT PREDATOR (SVP)*

NOT GUILTY FOR REASONS OF INSANITY (NGRI)/71.09 SEXUALLY VIOLENT PREDATOR (SVP)*			
Task	**Hours**	**Frequency**	**Total Time (Hours)**
Initial Post-Appointment Activities	12	100%	12
Record Review and Preparation for Initial Brief	80	100%	80
Research, Drafting, and Filing Initial Brief	80	100%	80
Briefing Following Initial Brief	30	100%	30
Oral Argument	35	90%	32
Post-Decision Practice	35	100%	35
		Delphi Result:	**269**
Travel	16	100%	16
		Delphi Result + Travel Time:	**285**

**The NGRI/SVP session included fewer than 10 participants. While a larger group would have been preferable, the number of participants accurately reflects the limited number of attorneys who handle these case types in the State of Washington.*

TABLE 24. WASHINGTON SUPREME COURT

WASHINGTON SUPREME COURT			
Task	**Hours**	**Frequency**	**Total Time (Hours)**
Pre-Briefing Activities	7.5	100%	7.5
Drafting and Filing Supplemental Brief	70	100%	70
Post-Briefing Activities	18	100%	18
Oral Argument	55	100%	55
Post-Decision Practice	8	100%	8
Certiorari	40	8%	3
		Delphi Result:	**161.5**
Travel	4	100%	4
		Delphi Result + Travel Time:	**165.5**



25 caseload maximum with weighting scaled to study results	Case type		Hours + travel time	scaled case weight	*rounded to nearest .25:*	*rounded down to nearest .25:*
	Crim./Juv.	Record < 500 pgs, misc. limited topics cases	85.5	1.32	*1.25*	*1.25*
		Record 500-1200 pgs	126.5	1.95	*2.00*	*1.75*
		Record 1201-2500 pgs	216	3.32	*3.25*	*3.25*
		Record 2500+ pgs	417	6.42	*6.50*	*6.25*
	Family	Dependency - direct appeal	134	2.06	*2.00*	*2.00*
		Term. Parental rights - direct appeal	172	2.65	*2.75*	*2.50*
		MDR	95	1.46	*1.50*	*1.25*
	PRP		200	3.08	*3.00*	*3.00*
	NGRI, SVP		285	4.39	*4.50*	*4.25*
	WA SCt		165.5	2.55	*2.50*	*2.50*

By way of example--with 25 caseload max, full caseload consisting only of each type:

Crim./Juv.	Record < 500 pgs, misc. limited topics cases	*19.00*
	Record 500-1200 pgs	*12.84*
	Record 1201-2500 pgs	*7.52*
	Record 2500+ pgs	*3.90*
Family	Dependency - direct appeal	*12.12*
	Term. Parental rights - direct appeal	*9.44*
	MDR	*17.10*
PRP		*8.12*
NGRI, SVP		*5.70*
WA SCt		*9.82*

WASHINGTON STATE
BAR ASSOCIATION

TO: WSBA Board of Governors

CC: Terra Nevitt, Executive Director

FROM: Alain Villeneuve, BOG Legislative Committee Chair; Sanjay Walvekar, WSBA Legislative Affairs Manager

DATE: October 6, 2026

RE: 2027 WSBA Legislative Priorities

ACTION: Approve the 2027 Legislative Priorities for the upcoming legislative session.

Background

Each year, the BOG Legislative Committee (BLC) Chair and the WSBA Legislative Affairs team propose legislative priorities for consideration and approval by the BOG. Most of these priorities are longstanding, and the priorities document is primarily used to inform legislators of the WSBA's focus areas during the legislative session.

The WSBA and its entities are allowed to engage in the legislative process to inform members of new and proposed laws and to inform public officials about the organization's positions and concerns (GR 12.2).

The 2027 WSBA Legislative Priorities seek to make improvements to the practice of law and administration of justice that ultimately benefit both members of the public as well as legal professionals across the state. The genesis of these priorities is tied directly to the WSBA Guiding Principles and GR 12.2. These include supporting access to justice and a fair and impartial judiciary as well as increasing public understanding of Washington's justice system.

The 2027 Priorities also seek to support the work of the Court Unification Task Force, which was created by the legislature last session to study the inefficiencies and inequities created by disparate local court rules, funding, and technology. The bill creating the Task Force was supported by the WSBA last year and the reasons for this priority are contained in the enclosed proclamation, which was approved unanimously by the BLC and BOG in 2024. The Task Force held its first meeting on September 30, 2026 with staff support from the WSBA. The Task Force Co-Chairs have yet to make additional requests for assistance.

WSBA RISK ANALYSIS: *This section is to be completed by the Office of General Counsel, with input from the proposing entity or individual.*

Available in confidential materials.

WSBA FISCAL ANALYSIS: *This section is to be completed by the Finance Department, with input from the proposing entity or individual.*

The fiscal impact to WSBA resulting from the proposed recommended action is primarily limited to the amount of staff time used to develop, record, communicate and support the approved priorities. The staff time that would be allocated to this work is included in the overall duties of existing WSBA staff and would not require additional staff

or allocation of resources from other internal sources. It is possible that future proposed legislation resulting from the 2027 legislative priorities (if approved) could have additional fiscal impact on the WSBA, however we are unable to determine the extent of the impact at this point without additional information that is unavailable at this time.

WSBA EQUITY ANALYSIS: *This section is to be completed by the Equity and Justice Team, with input from the proposing entity or individual.*

The purpose of the equity analyses is to understand how entities incorporated an equity lens into proposed action items. The proposed legislative priority areas are longstanding priority areas and consistent with the WSBA's purposes and authorized activities. One way to strengthen equitable governance with regard to setting and advancing these priorities is to develop a clear framework for assessing the equity impacts of specific legislation being considered moving forward.

Attachments

2027 WSBA Legislative Priorities
November 8, 2024 WSBA Proclamation
Attorney Client Privileged and Confidential Memo from General Counsel (available in WSBA cloud-sharing service)

2027 WSBA Legislative Priorities

- Support non-Bar request legislative proposals approved by the Board that seek to:
  - Create and promote access to justice for all Washington residents;
  - Enhance statewide civics education;
  - Provide funding for the state's court system; and
  - Provide funding for civil legal aid and public defense services.

- Monitor and take appropriate action on legislative proposals that would:
  - Increase existing court user fees;
  - Alter court rules and/or the structure of the state's judicial branch; and
  - Other items of significance to the practice of law and administration of justice.

- Support the work of the Court Unification Task Force, as outlined in the November 2024 WSBA Proclamation adopted by the Board of Governors.

WASHINGTON STATE
BAR ASSOCIATION

Proclamation: Study Needed to Learn More about Inefficiencies and Inequities Created by Local Court Rules, Funding, and Technology

WHEREAS, WSBA leaders have received and considered direct feedback from members across the state who want the WSBA to take action to address inefficiencies and inequities resulting from disparate local court rules, funding, and technology in Washington state;

WHEREAS, these testimonies relay occurrences of harm to Washingtonians seeking legal help who encounter barriers navigating disparate local court rules or incur increased costs for legal practitioners to navigate these systems;

WHEREAS, these testimonies relay occurrences of harm to specific groups of Washingtonians, such as those living in rural areas or in poverty, who may be inequitably impacted by courts' disparate adoption of technology to create remote filing, record sharing, processes, procedures, and hearings;

WHEREAS, these testimonies relay occurrences of harm to Washingtonians seeking legal help because disparate local rules and adoption of technology make it difficult for lawyers—including those engaging in pro bono and legal aid work—to practice in multiple jurisdictions, exacerbating Washington's "legal deserts;"

WHEREAS, these testimonies relay occurrences of harm to Washingtonians seeking legal help, who may encounter inequitable outcomes due to disparate funding levels and standards from jurisdiction to jurisdiction;

WHEREAS, WSBA leaders seek to understand and support city and county leaders, who have expressed significant and urgent concerns with their ability to fund and implement the WSBA's new Standards for Indigent Defense, which derive from a Constitutional mandate;

WHEREAS, WSBA leaders recognize that disparate funding between the state's court systems can cause inequitable and inconsistent means for jurisdictions to implement and uphold best legal practices and standards, in general;

WHEREAS, potential solutions to these issues warrant further study, including data-collection from WSBA members to better understand the impact to the public and profession of disparate local rules, technology, and funding between Washington's court systems;

WHEREAS, one of the express purposes of the WSBA is to promote an effective legal system, accessible to all, and to serve as a statewide voice to the public and to the branches of government on matters relating to the legal profession;

WHEREAS, through its stated purpose**,** the WSBA is uniquely suited to convene stakeholders statewide and promote effective solutions to benefit the legal profession, the justice system, and the public;

NOW, THEREFORE, we, the WSBA Board of Governors, advocate for a comprehensive approach to study and understand the inefficiencies and inequities created by local court rules, technology, and funding, which will include convening many stakeholders across Washington state; and we stand ready to support solutions resulting from the study.

_____

Sunitha Anjilvel, President, WSBA Board of Governors

DRAFT

WASHINGTON STATE
BAR ASSOCIATION

Financial Reports

(Unaudited)

Year to Date August 31, 2026

Prepared by
Maggie Yu, Controller

Submitted by
Tiffany Lynch, Director of Finance
September 23, 2026

WASHINGTON STATE BAR ASSOCIATION

To: Board of Governors
Budget and Audit Committee

From: Terra Nevitt, Executive Director; Tiffany Lynch, Director of Finance; Maggie Yu, Controller

Re: Key Financial Benchmarks for the Preliminary Fiscal Year to Date (YTD) through August 31, 2026
As % of Completion to Annual Budget

	% of Year	Current Year % YTD	Current Year $ Difference Favorable/(Unfavorable)	Prior Year YTD	Comments
Total Salaries & Benefits	**92%**	**94%**	**$(389,789)**	**91%**	**Unfavorable to budget due to higher salaries, medical cost, transportation allowance, and unemployment taxes.**
Other Indirect Expenses*	**92%**	**74%**	**$851,241**	**80%**	**Favorable to budget due to timing of expenses for legal fees, workplace benefits, and HR and IT direct expenses.**
Total Indirect Expenses	**92%**	**90%**	**$461,452**	**89%**	**Favorable to budget resulting from other indirect expenses described above.**
General Fund Revenues	**92%**	**98%**	**$1,464,468**	**95%**	**Favorable to budget due to higher fee revenue for licensing & MCLE late fees, New Admittee licenses, Pro Hac Vice, and Law Clerk, bar exam, higher recovery of discipline costs and advertising revenue, and timing of collection of reimbursements from sections.**
General Fund Indirect Expenses	**92%**	**90%**	**$449,952**	**89%**	**Favorable to budget as described for indirect expenses above.**
General Fund Direct Expenses	**92%**	**80%**	**$329,610**	**79%**	**Favorable to budget due to timing of program activities and meetings/events.**
General Fund Net	**92%**	**-252%**	**$2,244,030**	**121%**	**Favorable to budget for the reasons described above.**
CLE Revenue	**92%**	**84%**	**$(121,480)**	**89%**	**Unfavorable to budget due to lower seminar registration revenue and digital video sales.**
CLE Direct Expenses	**92%**	**69%**	**$100,795**	**81%**	**Favorable to budget due to timing of expenses for seminar activities and lower online product hosting expenses.**
CLE Indirect Expenses	**92%**	**91%**	**$6,477**	**87%**	**Slightly favorable to budget due to indirect expenses as described above.**
CLE Net	**92%**	**102%**	**$(14,208)**	**36%**	**Unfavorable to budget due to lower revenue as described above.**

*Workplace benefits, Human Resources, meeting support, rent, taxes, furniture & maintenance, office supplies, depreciation, insurance, equipment, insurance, professional fees (legal & audit), internet & telephone, postage, records management, bank fees, Technology, etc.

Washington State Bar Association Financial Summary
Compared to Fiscal Year 2026 Budget
For the Period from August 01, 2026 to August 31, 2026

Category	Actual Revenues	Budgeted Revenues	Actual Indirect Expenses	Budgeted Indirect Expenses	Actual Direct Expenses	Budgeted Direct Expenses	Actual Total Expenses	Budgeted Total Expenses	Actual Net Result	Budgeted Net Result
Access to Justice	-	-	221,123	253,348	63,398	113,600	284,521	366,948	(284,521)	(366,948)
Admissions/Bar Exam	1,906,668	1,479,440	964,586	1,089,992	410,387	459,830	1,374,973	1,549,822	531,696	(70,382)
Advancement FTE		-	289,423	315,609	140	6,600	289,564	322,209	(289,564)	(322,209)
Bar News	541,208	529,600	298,824	331,526	352,441	382,945	651,265	714,471	(110,058)	(184,871)
Board of Governors	-	-	214,660	238,885	339,813	420,665	554,473	659,550	(554,473)	(659,550)
Conference & Broadcasting Services	-	-	75,310	83,138	-	-	75,310	83,138	(75,310)	(83,138)
Character & Fitness Board	-	-	145,394	159,981	15,757	23,050	161,151	183,031	(161,151)	(183,031)
Communications Strategies	730	3,000	678,589	741,101	198,175	189,015	876,765	930,116	(876,034)	(927,116)
Communications Strategies FTE		-	232,076	257,458	-	-	232,076	257,458	(232,076)	(257,458)
Discipline	170,211	85,000	5,804,846	6,614,175	146,811	179,509	5,951,657	6,793,684	(5,781,446)	(6,708,684)
Diversity	135,000	135,000	286,652	342,071	18,409	27,075	305,061	369,146	(170,061)	(234,146)
Entity Regulation	21,000	75,500	105,549	115,083	5,259	27,973	110,807	143,055	(89,807)	(67,555)
Facilities & Operations	-	-	687,683	746,702	2,398	2,565	690,082	749,267	(690,082)	(749,267)
Finance	718,687	600,000	1,092,554	1,225,253	3,719	4,920	1,096,273	1,230,173	(377,586)	(630,173)
Foundation	-	-	159,875	175,440	8,437	19,185	168,312	194,625	(168,312)	(194,625)
Human Resources	-	-	610,447	540,066	-	-	610,447	540,066	(610,447)	(540,066)
Law Clerk Program	276,267	224,000	156,301	177,416	52,542	67,409	208,844	244,825	67,423	(20,825)
Legislative	-	-	227,101	270,801	16,536	24,790	243,638	295,591	(243,638)	(295,591)
Legal Lunchbox	37,273	34,000	53,593	59,925	4,422	8,100	58,015	68,025	(20,742)	(34,025)
Licensing and Membership Records	624,949	494,260	713,602	807,725	29,849	22,680	743,451	830,405	(118,502)	(336,145)
Licensing Fees	16,309,449	17,652,266	-	-	-	-	0	-	16,309,449	17,652,266
Limited License Legal Technician	16,147	17,287	62,001	68,332	3,398	10,000	65,399	78,332	(49,252)	(61,045)
Limited Practice Officers	160,220	182,000	84,239	92,656	15,421	32,704	99,660	125,360	60,560	56,640
Mandatory CLE	1,306,125	1,338,250	618,615	694,269	133,750	153,032	752,365	847,301	553,760	490,949
Member Wellness Program	5,500	9,000	196,008	242,930	5,016	13,100	201,024	256,030	(195,524)	(247,030)
Member Services & Engagement	13,520	15,300	281,345	309,044	88,609	125,020	369,954	434,064	(356,434)	(418,764)
Mini CLE	-	-	119,991	134,341	-	-	119,991	134,341	(119,991)	(134,341)
New Member Education	132,577	142,000	105,825	118,278	2,473	3,700	108,298	121,978	24,279	20,022
Office of General Counsel	1,000	-	992,003	1,116,772	11,173	26,750	1,003,177	1,143,522	(1,002,177)	(1,143,522)
Office of the Executive Director	-	-	859,355	932,020	137,987	142,635	997,342	1,074,655	(997,342)	(1,074,655)
OGC-Disciplinary Board	-	-	192,405	210,543	133,214	136,245	325,618	346,788	(325,618)	(346,788)
Practice of Law Board	-	-	90,237	98,855	1,954	16,200	92,191	115,055	(92,191)	(115,055)
Practice Management Assistance	86,930	62,000	134,277	152,525	90,482	95,695	224,759	248,220	(137,829)	(186,220)
Professional Responsibility Program	-	-	192,687	216,787	4,075	7,990	196,762	224,777	(196,762)	(224,777)
Public Service Programs	132,639	132,635	262,268	310,124	(1,267)	50,200	261,001	360,324	(128,362)	(227,689)
Publication and Design Services	-	-	111,115	124,205	4,756	5,000	115,871	129,205	(115,871)	(129,205)
Regulatory Services FTE			373,044	425,472	1,542	12,590	374,587	438,062	(374,587)	(438,062)
Regulatory Reform	-	-	153,639	167,255	8,828	57,000	162,467	224,255	(162,467)	(224,255)
Sections Administration	396,778	275,000	288,699	322,943	484	2,400	289,183	325,343	107,595	(50,343)
Volunteer Engagement	-	-	224,579	253,536	24,268	36,301	248,846	289,836.58	(248,846)	(289,837)
Technology	-	-	894,533	959,791	-	-	894,533	959,791	(894,533)	(959,791)
Subtotal General Fund	**22,992,878**	23,485,538	**19,255,054**	**21,496,370**	**2,334,656**	2,906,473	**21,589,711**	24,402,843	**1,403,168**	**(917,304)**
Expenses using Facilities Reserve funds					(682)		(682)	(744)	682	744
Expenses using Special Project Reserve funds			(153,639)		(8,828)		(162,467)	(224,255)	162,467	224,255
Total General Fund - Net Result from Operations	**22,992,878**		**19,101,415**		**2,325,828**		**21,426,561**	**24,177,844**	**1,566,317**	**(692,306)**
Percentage of Budget	**98%**		**90%**		**80%**		**88%**			
CLE-Seminars and Products	1,240,633	1,491,745	957,695	1,048,807	228,580	313,153	1,186,275	1,361,960	54,358	129,785
CLE - Deskbooks	101,680	105,120	219,075	242,008	71,696	124,380	290,771	366,387	(189,091)	(261,267)
Total CLE	1,342,313	1,596,865	1,176,770	1,290,814	300,276	437,533	1,477,046	1,728,347	(134,733)	(131,482)
Percentage of Budget	**84%**		**91%**		**69%**		**85%**		-	-
Expenses using Facilities Reserve funds							0		**(134,733)**	**(131,482)**
Total CLE Fund - Net Result from Operations			**1,176,770**				**1,477,046**	**1,728,347**		
Total All Sections	690,160	653,316	-	-	770,216	1,091,122	770,216	1,091,122	(80,056)	(437,806)
Bench Bar Press-Restricted	8,160	-	-	-	7,060	-	7,060	0	1,100	-
Client Protection Fund-Restricted	948,559	945,480	173,066	194,280	100,587	507,100	273,654	701,380	674,906	244,100
Expenses using Facilities Reserve funds							-		-	-
Total CPF Fund - Net Result from Operations			**173,066**				**273,654**	**701,380**	**674,906**	**244,100**
Totals	**25,973,910**	**26,681,199**	**20,604,890**	**22,981,465**	**3,505,736**	**4,942,227**	**24,110,626**	**27,923,692**	**1,864,384**	**(1,242,493)**
Totals Net of Use of Facilities Reserve Funds			-		(682)		(682)		682	
Totals Net of Use of Special Project Reserve Funds			(153,639)		(8,828)		(162,467)	**27,698,693**	162,467	**(1,017,494)**
			20,451,251		**3,496,908**		**23,947,477**		**2,027,533**	
Percentage of Budget	**97%**		**90%**		**71%**		**86%**			

Summary of Fund Balances:	Fund Balances Sept. 30, 2025	2026 Budgeted Fund Balances	Fund Balances Year to date
Restricted Funds:			
Client Protection Fund	5,307,092	5,551,192	5,981,998
Bench Bar Press	1,110	1,110	2,210
Board-Designated Funds (Non-General Fund):			
CLE Fund Balance	1,233,727	1,102,244	1,098,994
Section Funds	2,164,531	1,726,725	2,084,475
Board-Designated Funds (General Fund):			
Operating Reserve Fund	2,500,000	2,500,000	2,500,000
Facilities Reserve Fund	159,925	159,181	309,243
Special Projects and Innovation Fund	616,067	391,813	453,600
Unrestricted Funds (General Fund):			
Unrestricted General Fund	6,754,154	6,061,848	8,170,471
Total General Fund Balance	**10,030,146**	**9,112,841**	**11,433,314**
Net Change in Total General Fund Balance		**(917,304)**	**1,403,168**
Total Fund Balance	**18,736,606**	**17,494,113**	**20,600,990**
Net Change In Fund Balance		**(1,242,493)**	**1,864,384**

Washington State Bar Association
Analysis of Cash Investments
As of August 31, 2026

Checking & Savings Accounts

General Fund

Checking

Bank	Account	Amount
Wells Fargo	General	1,030,524
	Total	

Investments	Rate (yield)	Amount
Wells Fargo Money Market	3.60%	9,762,984
UBS Financial Money Market	3.58%	1,208,095
CDs/Treasuries	see list	9,500,000
	General Fund Total	**21,501,603**

Client Protection Fund

Checking

Bank	Amount
Wells Fargo	305,919

Investments	Rate (yield)	Amount
Wells Fargo Money Market	3.60%	5,625,503
CDs/Treasuries	see list	250,000
	Client Protection Fund Total	**6,181,421**
	Grand Total Cash & Investments	**27,683,024**

Washington State Bar Association
Analysis of Cash Investments
As of August 31, 2026

General Fund

Bank	Yield	Term Months	Trade Date	Settle Date	Maturity Date	Amount
Zions Bancorp NA CD	3.70%	9	1/29/2026	2/4/2026	11/4/2026	250,000
Cross River Bank CD	3.70%	9	1/29/2026	2/6/2026	11/6/2026	250,000
JP Morgan chase bank CD	3.60%	12	12/30/2025	1/7/2026	1/7/2027	250,000
Bank of Baroda CD	3.70%	12	1/23/2026	1/28/2026	1/28/2027	250,000
Ally Bank/UT CD	3.60%	12	1/23/2026	1/29/2026	1/29/2027	250,000
BMW Bank North America CD	3.65%	12	1/23/2026	1/30/2026	1/29/2027	250,000
CAPE & Coast Bank CD	3.65%	12	1/23/2026	1/30/2026	1/29/2027	250,000
BMO Bank NA Primary CD	3.85%	9	4/28/2026	4/30/2026	2/1/2027	250,000
Tristate Capital Bank CD	3.80%	9	4/28/2026	5/6/2026	2/8/2027	250,000
Lake City Bank Warsaw CD	3.80%	12	2/10/2026	2/18/2026	2/18/2027	250,000
PCB Bank Primary CD	3.70%	12	2/26/2026	3/6/2026	3/5/2027	250,000
State Bank of India NY CD	3.75%	12	3/4/2026	3/9/2026	3/9/2027	250,000
Towne Bank Portsmouth VA CD	3.75%	12	3/4/2026	3/13/2026	3/12/2027	250,000
Stearns Bank NA CD	3.90%	11	4/15/2026	4/20/2026	3/22/2027	250,000
Associated BK Green Bay CD	3.80%	12	3/24/2026	3/27/2026	3/25/2027	250,000
First Reliance Bank CD	3.75%	12	3/24/2026	3/30/2026	3/30/2027	250,000
Ocean Bank/Miami FL CD	3.85%	12	3/24/2026	3/30/2026	3/30/2027	250,000
Seacoast National Bank CD	3.80%	12	3/24/2026	3/31/2026	3/31/2027	250,000
Mission Valley Bank CD	3.80%	12	4/15/2026	4/17/2026	4/16/2027	250,000
Bank of India NY CD	3.90%	12	4/15/2026	4/23/2026	4/21/2027	250,000
Old National Bank CD	3.90%	12	4/15/2026	4/22/2026	4/22/2027	250,000
Shinhan Bank America CD	3.90%	12	4/15/2026	4/24/2026	4/26/2027	250,000
American Coml BK & TR CD	3.85%	12	4/15/2026	4/28/2026	4/28/2027	250,000
Flagstar Bank National CD	3.95%	12	4/28/2026	4/30/2026	4/30/2027	250,000
Regions BK Birmngham CD	3.80%	12	4/28/2026	5/5/2026	5/5/2027	250,000
Bank Hope Los Angeles CD	3.75%	12	4/28/2026	5/6/2026	5/6/2027	250,000
Eaglemark Savings Bank CD	3.95%	12	5/26/2026	5/27/2026	5/27/2027	250,000
Nelnet Bank Inc. CD	3.80%	12	5/26/2026	5/27/2026	5/27/2027	250,000
Bank of America Calif CD	3.95%	12	5/26/2026	5/28/2026	5/28/2027	250,000
First-Citizens Bank/Trst CD	3.85%	12	5/26/2026	5/28/2026	5/28/2027	250,000
Mountainone Bank CD	3.80%	12	5/26/2026	5/29/2026	5/29/2027	250,000
Western Alliance Bank CD	3.85%	12	5/26/2026	5/29/2026	5/29/2027	250,000
Truist Bank CD	3.85%	12	5/26/2026	6/5/2026	6/4/2027	250,000
First Financial Bank CD	3.95%	12	6/17/2026	6/26/2026	6/25/2027	250,000
PNC Bank NA CD	3.85%	12	6/17/2026	6/25/2026	6/25/2027	250,000
Celtic Bank CD	3.95%	10	8/13/2026	8/28/2026	6/28/2027	250,000
Bank of China/New York CD	4.05%	12	8/13/2026	8/19/2026	8/9/2027	250,000
Bank of America NA CD	4.05%	12	8/13/2026	8/19/2026	8/19/2027	250,000
					Total	**9,500,000**

Client Fund Protection Fund

Bank	Yield	Term Months	Trade Date	Settle Date	Maturity Date	Amount
SAFRA National Bank CD	3.65%	11	1/23/2026	1/29/2026	12/29/2026	250,000
					Total	**250,000**

Washington State Bar Association

Statement of Activities

For the Period from August 01, 2026 to August 31, 2026

92% OF YEAR COMPLETE

LICENSE FEES

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
LICENSE FEES	17,652,266	1,445,000	16,309,449	1,342,817	92%	128,205
TOTAL REVENUE:	**17,652,266**	**1,445,000**	**16,309,449**	**1,342,817**	**92%**	**128,205**

Washington State Bar Association

Statement of Activities

For the Period from August 01, 2026 to August 31, 2026

92% OF YEAR COMPLETE

ADMISSIONS

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
EXAM SOFTWARE REVENUE	9,500	-	7,205	2,295	76%	(1,503)
BAR EXAM FEES	1,395,000	85,538	1,842,963	(447,963)	132%	564,213
RULE 9/LEGAL INTERN FEES	13,000	850	14,850	(1,850)	114%	2,933
SPECIAL ADMISSIONS	61,940	3,905	41,650	20,290	67%	(15,128)
TOTAL REVENUE:	**1,479,440**	**90,293**	**1,906,668**	**(427,228)**	**129%**	**550,515**
DIRECT EXPENSES:						
POSTAGE	2,900	226	3,272	(372)	113%	(614)
STAFF TRAVEL/PARKING	24,000	15,002	31,302	(7,302)	130%	(9,302)
STAFF MEMBERSHIP DUES	495	-	595	(100)	120%	(141)
SUPPLIES	2,500	116	2,887	(387)	115%	(595)
FACILITY, PARKING, FOOD	150,985	2,255	59,635	91,350	39%	78,768
EXAM GRADING	43,750	1,000	45,750	(2,000)	105%	(5,646)
UBE EXAMINATIONS	46,200	1,619	42,478	3,722	92%	(128)
BOARD OF BAR EXAMINERS	45,000	14,544	22,556	22,444	50%	18,694
BAR EXAM PROCTORS	10,000	3,398	11,884	(1,884)	119%	(2,717)
DISABILITY ACCOMMODATIONS	75,000	25,335	96,335	(21,335)	128%	(27,585)
CHARACTER & FITNESS INVESTIGATIONS	1,500	-	-	1,500	0%	1,375
LAW SCHOOL VISITS	1,500	-	23	1,477	2%	1,352
SOFTWARE HOSTING	45,000	5,012	49,799	(4,799)	111%	(8,549)
STAFF CONFERENCE & TRAINING	11,000	-	8,107	2,893	74%	1,976
BAR EXAM REIMBURSEMENT	-	35,764	35,764	(35,764)		(35,764)
TOTAL DIRECT EXPENSES:	**459,830**	**104,271**	**410,387**	**49,443**	**89%**	**11,124**
INDIRECT EXPENSES:						
SALARY EXPENSE (7.45 FTE) **	635,395	57,661	581,630	53,765	92%	816
BENEFITS EXPENSE	198,059	18,256	193,294	4,765	98%	(11,740)
OTHER INDIRECT EXPENSE	256,539	12,935	189,662	66,877	74%	45,499
TOTAL INDIRECT EXPENSES:	**1,089,992**	**88,851**	**964,586**	**125,407**	**88%**	**34,574**
TOTAL ALL EXPENSES:	**1,549,822**	**193,122**	**1,374,973**	**174,850**	**89%**	**45,698**
NET INCOME (LOSS):	**(70,382)**	**(102,829)**	**531,696**	**(602,078)**	**-755%**	**596,213**

**Budget reallocations apply to this line item. For details, see FY26 Budget Reallocations memo(s) included in the Board of Governors meeting materials.

Washington State Bar Association

Statement of Activities

For the Period from August 01, 2026 to August 31, 2026

92% OF YEAR COMPLETE

ADVANCEMENT FTE

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
STAFF CONFERENCE & TRAINING	6,600	-	140	6,460	2%	5,910
TOTAL DIRECT EXPENSES:	**6,600**	**-**	**140**	**6,460**	**2%**	**5,910**
INDIRECT EXPENSES:						
SALARY EXPENSE (1.41 FTE)	216,525	18,238	204,475	12,050	94%	(5,994)
BENEFITS EXPENSE	50,531	4,505	48,968	1,563	97%	(2,648)
OTHER INDIRECT EXPENSE	48,553	2,454	35,980	12,573	74%	8,527
TOTAL INDIRECT EXPENSES:	**315,609**	**25,196**	**289,423**	**26,185**	**92%**	**(115)**
TOTAL ALL EXPENSES:	**322,209**	**25,196**	**289,564**	**32,645**	**90%**	**5,794**
NET INCOME (LOSS):	**(322,209)**	**(25,196)**	**(289,564)**	**(32,645)**	**90%**	**5,794**

Washington State Bar Association

Statement of Activities

For the Period from August 01, 2026 to August 31, 2026

92% OF YEAR COMPLETE

ACCESS TO JUSTICE

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
ATJ BOARD RETREAT **	3,000	-	-	3,000	0%	2,750
LEADERSHIP TRAINING **	8,765	-	8,764	1	100%	(730)
ATJ BOARD EXPENSE **	55,635	14,261	22,311	33,324	40%	28,688
STAFF TRAVEL/PARKING	2,800	-	1,716	1,084	61%	851
STAFF CONFERENCE & TRAINING	4,400	-	3,662	738	83%	371
PUBLIC DEFENSE **	11,000	-	9,119	1,881	83%	965
RECEPTION/FORUM EXPENSE **	28,000	2,109	17,826	10,174	64%	7,841
TOTAL DIRECT EXPENSES:	**113,600**	**16,369**	**63,398**	**50,202**	**56%**	**40,735**
INDIRECT EXPENSES:						
SALARY EXPENSE (1.61 FTE) **	152,635	12,533	136,994	15,642	90%	2,922
BENEFITS EXPENSE	45,272	3,978	42,942	2,331	95%	(1,442)
OTHER INDIRECT EXPENSE	55,440	2,797	41,188	14,252	74%	9,632
TOTAL INDIRECT EXPENSES:	**253,348**	**19,308**	**221,123**	**32,225**	**87%**	**11,113**
TOTAL ALL EXPENSES:	**366,948**	**35,677**	**284,521**	**82,427**	**78%**	**51,848**
NET INCOME (LOSS):	**(366,948)**	**(35,677)**	**(284,521)**	**(82,427)**	**78%**	**51,848**

**Budget reallocations apply to this line item. For details, see FY26 Budget Reallocations memo(s) included in the Board of Governors meeting materials.

Washington State Bar Association

Statement of Activities

For the Period from August 01, 2026 to August 31, 2026

92% OF YEAR COMPLETE

BENCH-BAR-PRESS

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
LUNCHEON REGISTRATION	-	975	5,460	(5,460)		5,460
BENCH-BAR-PRESS MEMBERSHIP DUES	-	200	2,700	(2,700)		2,700
TOTAL REVENUE:	**-**	**1,175**	**8,160**	**(8,160)**		**8,160**
DIRECT EXPENSES:						
BENCH-BAR-PRESS LUNCHEON	-	-	7,060	(7,060)		(7,060)
TOTAL DIRECT EXPENSES:	**-**	**-**	**7,060**	**(7,060)**		**(7,060)**
NET INCOME (LOSS):	**-**	**1,175**	**1,100**	**(1,100)**		**1,100**

Washington State Bar Association

Statement of Activities

For the Period from August 01, 2026 to August 31, 2026

92% OF YEAR COMPLETE

BAR NEWS

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
ROYALTIES	2,000	-	-	2,000	0%	(1,833)
BNEWS DISPLAY ADVERTISING	405,000	50,944	412,732	(7,732)	102%	41,482
BNEWS SUBSCRIPT/SINGLE ISSUES	100	-	140	(40)	140%	49
BNEWS CLASSIFIED ADVERTISING	2,500	359	4,770	(2,270)	191%	2,479
JOB TARGET ADVERSTISING	120,000	14,055	123,565	(3,565)	103%	13,565
TOTAL REVENUE:	**529,600**	**65,358**	**541,208**	**(11,608)**	**102%**	**55,741**
DIRECT EXPENSES:						
POSTAGE	135,000	-	136,557	(1,557)	101%	(12,807)
PRINTING, COPYING & MAILING	242,000	-	214,313	27,687	89%	7,521
DIGITAL/ONLINE DEVELOPMENT	2,000	-	353	1,647	18%	1,481
GRAPHICS/ARTWORK	1,000	-	-	1,000	0%	917
EDITORIAL ADVIS COMMITTEE EXP	300	-	-	300	0%	275
STAFF CONFERENCE & TRAINING	2,200	-	999	1,201	45%	1,018
STAFF MEMBERSHIP DUES	220	220	220	-	100%	(18)
SUBSCRIPTIONS	225	-	-	225	0%	206
TOTAL DIRECT EXPENSES:	**382,945**	**220**	**352,441**	**30,504**	**92%**	**(1,409)**
INDIRECT EXPENSES:						
SALARY EXPENSE (2.13 FTE)	199,151	16,700	187,072	12,079	94%	(4,517)
BENEFITS EXPENSE	59,029	5,278	57,404	1,625	97%	(3,294)
OTHER INDIRECT EXPENSE	73,346	3,706	54,348	18,998	74%	12,886
TOTAL INDIRECT EXPENSES:	**331,526**	**25,684**	**298,824**	**32,703**	**90%**	**5,075**
TOTAL ALL EXPENSES:	**714,471**	**25,904**	**651,265**	**63,206**	**91%**	**3,667**
NET INCOME (LOSS):	**(184,871)**	**39,454**	**(110,058)**	**(74,814)**	**60%**	**59,408**

Washington State Bar Association

Statement of Activities

For the Period from August 01, 2026 to August 31, 2026

92% OF YEAR COMPLETE

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
BOARD OF GOVERNORS						
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
BOG MEETINGS **	175,000	428	112,204	62,796	64%	48,213
BOG COMMITTEES' EXPENSES **	14,200	3,632	15,104	(904)	106%	(2,087)
BOG RETREAT	40,000	-	51,525	(11,525)	129%	(14,858)
BOG CONFERENCE ATTENDANCE **	60,500	4,629	61,878	(1,378)	102%	(6,419)
BOG TRAVEL & OUTREACH **	85,000	4,814	82,617	2,383	97%	(4,701)
LEADERSHIP TRAINING **	3,000	-	-	3,000	0%	2,750
BOG ELECTIONS **	19,900	-	11,276	8,624	57%	6,966
PRESIDENT'S DINNER	12,000	-	-	12,000	0%	11,000
NEW GOVERNOR ORIENTATION	7,000	-	4,545	2,455	65%	1,871
PRESIDENT'S PHOTO	3,300	-	-	3,300	0%	3,025
SUPPLIES	765	-	665	100	87%	37
TOTAL DIRECT EXPENSES:	**420,665**	**13,503**	**339,813**	**80,852**	**81%**	**45,797**
INDIRECT EXPENSES:						
SALARY EXPENSE (1.73 FTE)	135,043	11,876	127,346	7,697	94%	(3,556)
BENEFITS EXPENSE	44,269	4,034	43,399	871	98%	(2,818)
OTHER INDIRECT EXPENSE	59,572	2,995	43,915	15,657	74%	10,693
TOTAL INDIRECT EXPENSES:	**238,885**	**18,905**	**214,660**	**24,225**	**90%**	**4,318**
TOTAL ALL EXPENSES:	**659,550**	**32,408**	**554,473**	**105,077**	**84%**	**50,115**
NET INCOME (LOSS):	**(659,550)**	**(32,408)**	**(554,473)**	**(105,077)**	**84%**	**50,115**

**Budget reallocations apply to this line item. For details, see FY26 Budget Reallocations memo(s) included in the Board of Governors meeting materials.

Washington State Bar Association

Statement of Activities

For the Period from August 01, 2026 to August 31, 2026

92% OF YEAR COMPLETE

CONFERENCE AND BROADCAST SERVICES

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
INDIRECT EXPENSES:						
SALARY EXPENSE (0.55 FTE)	49,269	4,242	46,647	2,622	95%	(1,483)
BENEFITS EXPENSE	14,930	1,355	14,619	310	98%	(934)
OTHER INDIRECT EXPENSE	18,939	958	14,044	4,896	74%	3,317
TOTAL INDIRECT EXPENSES:	**83,138**	**6,555**	**75,310**	**7,828**	**91%**	**900**
NET INCOME (LOSS):	**(83,138)**	**(6,555)**	**(75,310)**	**(7,828)**	**91%**	**900**

Washington State Bar Association

Statement of Activities

For the Period from August 01, 2026 to August 31, 2026

92% OF YEAR COMPLETE

CHARACTER & FITNESS BOARD

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
CHARACTER & FITNESS BOARD EXP	12,000	-	8,241	3,759	69%	2,759
COURT REPORTERS	11,050	-	7,040	4,010	64%	3,089
STAFF TRAVEL/PARKING	-	-	476	(476)		(476)
TOTAL DIRECT EXPENSES:	**23,050**	**-**	**15,757**	**7,293**	**68%**	**5,373**
INDIRECT EXPENSES:						
SALARY EXPENSE (0.85 FTE)	103,891	8,817	97,802	6,089	94%	(2,569)
BENEFITS EXPENSE	26,820	2,405	26,013	807	97%	(1,428)
OTHER INDIRECT EXPENSE	29,270	1,472	21,580	7,690	74%	5,251
TOTAL INDIRECT EXPENSES:	**159,981**	**12,693**	**145,394**	**14,586**	**91%**	**1,255**
TOTAL ALL EXPENSES:	**183,031**	**12,693**	**161,151**	**21,880**	**88%**	**6,627**
NET INCOME (LOSS):	**(183,031)**	**(12,693)**	**(161,151)**	**(21,880)**	**88%**	**6,627**

Washington State Bar Association

Statement of Activities

For the Period from August 01, 2026 to August 31, 2026

92% OF YEAR COMPLETE

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
CONTINUING LEGAL EDUCATION (CLE)						
(CLES - CLEP)						
REVENUE:						
SEMINAR REGISTRATIONS	730,535	25,644	435,619	294,916	60%	(234,038)
SEMINAR REVENUE-OTHER	32,500	-	45,150	(12,650)	139%	15,358
SEMINAR SPLITS W/ CLE	(150,000)	-	-	(150,000)	0%	137,500
SHIPPING & HANDLING	210	9	45	165	21%	(148)
COURSEBOOK SALES	3,500	70	395	3,105	11%	(2,813)
DIGITAL VIDEO SALES	875,000	26,149	759,424	115,576	87%	(42,660)
TOTAL REVENUE:	**1,491,745**	**51,872**	**1,240,633**	**251,112**	**83%**	**(126,800)**
DIRECT EXPENSES:						
COURSEBOOK PRODUCTION	150	-	-	150	0%	138
ONLINE EXPENSES	54,000	6,280	24,153	29,847	45%	25,347
ACCREDITATION FEES	2,500	(48)	1,766	734	71%	526
FACILITIES	175,000	32,773	155,849	19,152	89%	4,568
DISABILITY ACCOMMODATIONS	7,000	2,125	4,336	2,664	62%	2,080
SPEAKERS & PROGRAM DEVELOP	45,700	2,138	26,131	19,569	57%	15,761
HONORARIA	3,000	-	-	3,000	0%	2,750
CLE SEMINAR COMMITTEE	200	-	-	200	0%	183
STAFF TRAVEL/PARKING	16,500	2,563	13,268	3,232	80%	1,857
STAFF CONFERENCE & TRAINING	3,700	-	-	3,700	0%	3,392
STAFF MEMBERSHIP DUES	1,500	-	1,091	409	73%	284
SUBSCRIPTIONS	1,300	-	796	504	61%	396
SUPPLIES	1,000	-	455	545	45%	462
COST OF SALES - COURSEBOOKS	300	3	30	270	10%	245
POSTAGE & DELIVERY-COURSEBOOKS	200	7	34	166	17%	149
IT EXPENSE DUE TO GF	1,103	51	672	431	61%	339
TOTAL DIRECT EXPENSES:	**313,153**	**45,892**	**228,580**	**84,573**	**73%**	**58,477**
INDIRECT EXPENSES:						
SALARY EXPENSE (7.95 FTE)	614,468	53,875	581,755	32,713	95%	(18,492)
BENEFITS EXPENSE	202,492	18,482	199,199	3,293	98%	(13,581)
OTHER INDIRECT EXPENSE	231,847	11,868	176,741	55,106	76%	35,785
TOTAL INDIRECT EXPENSES:	**1,048,807**	**84,225**	**957,695**	**91,112**	**91%**	**3,711**
TOTAL ALL EXPENSES:	**1,361,960**	**130,117**	**1,186,275**	**175,685**	**87%**	**62,188**
NET INCOME (LOSS):	**129,785**	**(78,245)**	**54,358**	**75,427**	**42%**	**(64,612)**

Washington State Bar Association

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For the Period from August 01, 2026 to August 31, 2026

92% OF YEAR COMPLETE

CLIENT PROTECTION FUND

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVO
REVENUE:						
DONATIONS	-	-	7,039	(7,039)		7,039
CPF RESTITUTION	10,000	621	15,746	(5,746)	157%	6,579
CPF MEMBER ASSESSMENTS	735,480	4,635	740,905	(5,425)	101%	66,715
INTEREST INCOME	200,000	17,091	184,870	15,130	92%	1,536
TOTAL REVENUE:	**945,480**	**22,347**	**948,559**	**(3,079)**	**100%**	**81,869**
DIRECT EXPENSES:						
BANK FEES	500	175	(38)	538	-8%	497
GIFTS TO INJURED CLIENTS	500,000	35,009	97,973	402,027	20%	360,360
CPF BOARD EXPENSES	2,000	-	933	1,067	47%	900
STAFF CONFERENCE & TRAINING	4,400	-	1,519	2,881	35%	2,514
STAFF MEMBERSHIP DUES	200	-	200	-	100%	(17)
TOTAL DIRECT EXPENSES:	**507,100**	**35,185**	**100,587**	**406,513**	**20%**	**364,254**
INDIRECT EXPENSES:						
SALARY EXPENSE (1.23 FTE)	117,501	9,850	108,260	9,241	92%	(551)
BENEFITS EXPENSE	34,425	3,076	33,508	917	97%	(1,952)
OTHER INDIRECT EXPENSE	42,355	2,134	31,299	11,056	74%	7,526
TOTAL INDIRECT EXPENSES:	**194,280**	**15,060**	**173,066**	**21,214**	**89%**	**5,024**
TOTAL ALL EXPENSES:	**701,380**	**50,245**	**273,654**	**427,726**	**39%**	**369,278**
NET INCOME (LOSS):	**244,100**	**(27,898)**	**674,906**	**(430,806)**	**276%**	**451,147**

Washington State Bar Association

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92% OF YEAR COMPLETE

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
COMMUNICATION STRATEGIES						
REVENUE:						
50 YEAR MEMBER TRIBUTE LUNCH	1,000	-	730	270	73%	(187)
WSBA LOGO MERCHANDISE SALES	2,000	-	-	2,000	0%	(1,833)
TOTAL REVENUE:	**3,000**	**-**	**730**	**2,270**	**24%**	**(2,020)**
DIRECT EXPENSES:						
STAFF TRAVEL/PARKING	5,895	198	2,178	3,717	37%	3,226
STAFF MEMBERSHIP DUES	1,800	-	977	823	54%	673
SUBSCRIPTIONS	4,520	815	5,719	(1,199)	127%	(1,575)
APEX	52,500	24,269	51,797	703	99%	(3,672)
BAR LEADERS SUMMIT	35,000	-	29,936	5,064	86%	2,147
50 YEAR MEMBER TRIBUTE LUNCH	38,000	585	23,558	14,442	62%	11,275
BAR OUTREACH **	22,000	154	33,438	(11,438)	152%	(13,272)
COMMUNICATIONS OUTREACH **	8,000	294	8,710	(710)	109%	(1,377)
STAFF CONFERENCE & TRAINING	11,300	-	7,791	3,510	69%	2,568
AMBASSADOR TRAINING & TOWN HALLS	10,000	8,123	34,072	(24,072)	341%	(24,905)
TOTAL DIRECT EXPENSES:	**189,015**	**34,438**	**198,175**	**(9,160)**	**105%**	**(24,911)**
INDIRECT EXPENSES:						
SALARY EXPENSE (5.39 FTE)	417,995	41,700	412,006	5,989	99%	(28,844)
BENEFITS EXPENSE	137,502	10,991	129,443	8,059	94%	(3,399)
OTHER INDIRECT EXPENSE	185,603	9,353	137,140	48,463	74%	32,996
TOTAL INDIRECT EXPENSES:	**741,101**	**62,044**	**678,589**	**62,511**	**92%**	**753**
TOTAL ALL EXPENSES:	**930,116**	**96,482**	**876,765**	**53,351**	**94%**	**(24,158)**
NET INCOME (LOSS):	**(927,116)**	**(96,482)**	**(876,034)**	**(51,081)**	**94%**	**(26,178)**

**Budget reallocations apply to this line item. For details, see FY26 Budget Reallocations memo(s) included in the Board of Governors meeting materials.

Washington State Bar Association

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92% OF YEAR COMPLETE

COMMUNICATION STRATEGIES FTE

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
INDIRECT EXPENSES:						
SALARY EXPENSE (1.00 FTE)	183,193	15,266	168,103	15,090	92%	(176)
BENEFITS EXPENSE	39,830	3,531	38,426	1,404	96%	(1,915)
OTHER INDIRECT EXPENSE	34,435	1,742	25,547	8,888	74%	6,018
TOTAL INDIRECT EXPENSES:	**257,458**	**20,539**	**232,076**	**25,382**	**90%**	**3,927**
NET INCOME (LOSS):	**(257,458)**	**(20,539)**	**(232,076)**	**(25,382)**	**90%**	**3,927**

Washington State Bar Association

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92% OF YEAR COMPLETE

DESKBOOKS

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
DESKBOOK SALES	5,120	-	10,103	(4,983)	197%	5,410
LEXIS/NEXIS ROYALTIES	75,000	-	58,119	16,881	77%	(10,631)
SECTION PUBLICATION SALES	-	-	140	(140)		140
CASEMAKER ROYALTIES	25,000	11,659	33,318	(8,318)	133%	10,401
TOTAL REVENUE:	**105,120**	**11,659**	**101,680**	**3,440**	**97%**	**5,320**
DIRECT EXPENSES:						
COST OF SALES - DESKBOOKS	2,800	-	3,716	(916)	133%	(1,149)
COST OF SALES - SECTION PUBLICATION	-	-	37	(37)		(37)
DESKBOOK ROYALTIES	-	-	193	(193)		(193)
STAFF CONFERENCES & TRAINING	2,200	-	1,914	286	87%	103
POSTAGE & DELIVERY-DESKBOOKS	300	-	21	279	7%	254
OBSOLETE INVENTORY	118,700	-	65,597	53,103	55%	43,212
STAFF MEMBERSHIP DUES	330	-	218	112	66%	84
SUBSCRIPTIONS	50	-	-	50	0%	46
TOTAL DIRECT EXPENSES:	**124,380**	**-**	**71,696**	**52,684**	**58%**	**42,319**
INDIRECT EXPENSES:						
SALARY EXPENSE (1.75 FTE)	145,047	12,165	135,365	9,681	93%	(2,406)
BENEFITS EXPENSE	45,925	4,122	44,713	1,212	97%	(2,615)
OTHER INDIRECT EXPENSE	51,036	2,618	38,996	12,039	76%	7,786
TOTAL INDIRECT EXPENSES:	**242,008**	**18,905**	**219,075**	**22,933**	**91%**	**2,765**
TOTAL ALL EXPENSES:	**366,387**	**18,905**	**290,771**	**75,617**	**79%**	**45,084**
NET INCOME (LOSS):	**(261,267)**	**(7,246)**	**(189,091)**	**(72,176)**	**72%**	**50,404**

Washington State Bar Association

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92% OF YEAR COMPLETE

DISCIPLINE

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
AUDIT REVENUE	1,000	85	1,381	(381)	138%	465
RECOVERY OF DISCIPLINE COSTS	65,000	5,039	146,780	(81,780)	226%	87,197
DISCIPLINE HISTORY SUMMARY	19,000	1,890	22,050	(3,050)	116%	4,633
TOTAL REVENUE:	**85,000**	**7,014**	**170,211**	**(85,211)**	**200%**	**92,294**
DIRECT EXPENSES:						
PUBLICATIONS PRODUCTION	350	-	-	350	0%	321
STAFF TRAVEL/PARKING	15,000	2,767	18,084	(3,084)	121%	(4,334)
STAFF MEMBERSHIP DUES	7,659	-	7,695	(36)	100%	(674)
TELEPHONE	3,000	199	2,269	731	76%	481
COURT REPORTERS	66,200	8,496	51,686	14,514	78%	8,997
OUTSIDE COUNSEL/AIC	500	-	-	500	0%	458
LITIGATION EXPENSES **	24,000	2,271	16,804	7,196	70%	5,196
DISABILITY EXPENSES	15,000	-	4,755	10,245	32%	8,995
TRANSLATION SERVICES	10,000	1,413	13,378	(3,378)	134%	(4,211)
STAFF CONFERENCE & TRAINING	37,800	5,705	32,139	5,661	85%	2,511
TOTAL DIRECT EXPENSES:	**179,509**	**20,850**	**146,811**	**32,698**	**82%**	**17,739**
INDIRECT EXPENSES:						
SALARY EXPENSE (39.00 FTE)	4,131,360	344,523	3,718,069	413,291	90%	69,011
BENEFITS EXPENSE	1,139,859	101,505	1,094,740	45,120	96%	(49,869)
OTHER INDIRECT EXPENSE	1,342,955	67,657	992,037	350,919	74%	239,006
TOTAL INDIRECT EXPENSES:	**6,614,175**	**513,685**	**5,804,846**	**809,329**	**88%**	**258,148**
TOTAL ALL EXPENSES:	**6,793,684**	**534,535**	**5,951,657**	**842,027**	**88%**	**275,887**
NET INCOME (LOSS):	**(6,708,684)**	**(527,521)**	**(5,781,446)**	**(927,238)**	**86%**	**368,181**

**Budget reallocations apply to this line item. For details, see FY26 Budget Reallocations memo(s) included in the Board of Governors meeting materials.

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92% OF YEAR COMPLETE

DIVERSITY

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
DONATIONS	135,000	-	135,000	-	100%	11,250
TOTAL REVENUE:	**135,000**	**-**	**135,000**	**-**	**100%**	**11,250**
DIRECT EXPENSES:						
STAFF TRAVEL/PARKING	3,700	96	741	2,959	20%	2,651
STAFF MEMBERSHIP DUES	775	-	605	170	78%	105
DEI COUNCIL **	3,600	25	2,702	898	75%	598
DIVERSITY EVENTS & PROJECTS **	8,600	-	6,319	2,281	73%	1,564
STAFF EQUITY LEADERSHIP LAB	6,000	-	3,869	2,131	64%	1,631
STAFF CONFERENCE & TRAINING	4,400	1,054	4,173	227	95%	(139)
TOTAL DIRECT EXPENSE:	**27,075**	**1,175**	**18,409**	**8,666**	**68%**	**6,410**
INDIRECT EXPENSES:						
SALARY EXPENSE (2.24 FTE) **	198,124	16,326	169,300	28,824	85%	12,313
BENEFITS EXPENSE	66,814	5,364	57,732	9,082	86%	3,514
OTHER INDIRECT EXPENSE	77,134	3,880	59,621	17,513	77%	11,085
TOTAL INDIRECT EXPENSES:	**342,071**	**25,570**	**286,652**	**55,419**	**84%**	**26,913**
TOTAL ALL EXPENSES:	**369,146**	**26,744**	**305,061**	**64,085**	**83%**	**33,323**
NET INCOME (LOSS):	**(234,146)**	**(26,744)**	**(170,061)**	**(64,085)**	**73%**	**44,573**

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Washington State Bar Association

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92% OF YEAR COMPLETE

ENTITY REGULATION

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
APPLICATION FEES	28,000	-	11,000	17,000	39%	(14,667)
ANNUAL FEES	47,500	-	10,000	37,500	21%	(33,542)
TOTAL REVENUE:	**75,500**	**-**	**21,000**	**54,500**	**28%**	**(48,208)**
DIRECT EXPENSES:						
DEPRECIATION	-	664	1,527	(1,527)		(1,527)
STAFF CONFERENCE & TRAINING	4,400	-	1,551	2,849	35%	2,483
INVESTIGATION	9,600	-	-	9,600	0%	8,800
OUTREACH & COMMUNICATION	10,000	-	-	10,000	0%	9,167
SOFTWARE HOSTING	3,973	373	2,181	1,791	55%	1,460
TOTAL DIRECT EXPENSES:	**27,973**	**1,037**	**5,259**	**22,714**	**19%**	**20,383**
INDIRECT EXPENSES:						
SALARY EXPENSE (0.55 FTE) **	77,471	6,650	73,322	4,149	95%	(2,307)
BENEFITS EXPENSE	18,673	1,695	18,183	490	97%	(1,066)
OTHER INDIRECT EXPENSE	18,939	958	14,044	4,896	74%	3,317
TOTAL INDIRECT EXPENSES:	**115,083**	**9,303**	**105,549**	**9,534**	**92%**	**(56)**
TOTAL ALL EXPENSES:	**143,055**	**10,340**	**110,807**	**32,248**	**77%**	**20,327**
NET INCOME (LOSS):	**(67,555)**	**(10,340)**	**(89,807)**	**22,252**	**133%**	**(27,882)**

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92% OF YEAR COMPLETE

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
ETHICS, WELLNESS, & PRACTICE						
(MWP-PMA-PRP)						
REVENUE:						
DIVERSIONS	9,000	250	5,500	3,500	61%	(2,750)
ROYALTIES	62,000	12,786	86,930	(24,930)	140%	30,097
TOTAL REVENUE:	**71,000**	**13,036**	**92,430**	**(21,430)**	**130%**	**27,347**
DIRECT EXPENSES:						
STAFF MEMBERSHIP DUES	1,385	-	1,496	(111)	108%	(226)
MEMBER WELLNESS COUNCIL	4,500	-	1,850	2,650	41%	2,275
LEGAL TECH TASK FORCE	3,500	-	-	3,500	0%	3,208
STAFF TRAVEL/PARKING	7,700	-	2,391	5,309	31%	4,668
STAFF CONFERENCE & TRAINING	10,300	1,299	4,055	6,245	39%	5,386
SUBSCRIPTIONS	1,400	111	1,215	185	87%	68
CPE COMMITTEE	1,000	-	753	247	75%	163
VLEX FASTCASE	87,000	-	87,812	(812)	101%	(8,062)
TOTAL DIRECT EXPENSES:	**116,785**	**1,410**	**99,573**	**17,212**	**85%**	**7,480**
INDIRECT EXPENSES:						
SALARY EXPENSE (3.51 FTE)	385,777	25,115	334,509	51,268	87%	19,120
BENEFITS EXPENSE	105,599	8,317	99,206	6,393	94%	(2,407)
OTHER INDIRECT EXPENSE	120,866	6,087	89,258	31,608	74%	21,536
TOTAL INDIRECT EXPENSES:	**612,242**	**39,519**	**522,972**	**89,270**	**85%**	**38,250**
TOTAL ALL EXPENSES:	**729,027**	**40,929**	**622,545**	**106,482**	**85%**	**45,730**
NET INCOME (LOSS):	**(658,027)**	**(27,894)**	**(530,114)**	**(127,912)**	**81%**	**73,077**

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92% OF YEAR COMPLETE

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
FACILITIES & OPERATIONS						
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
STAFF TRAVEL/PARKING	2,376	198	2,178	198	92%	-
STAFF CONFERENCE & TRAINING	-	-	20	(20)		(20)
STAFF MEMBERSHIP DUES	189	200	200	(11)	106%	(27)
TOTAL DIRECT EXPENSES:	**2,565**	**398**	**2,398**	**167**	**93%**	**(47)**
INDIRECT EXPENSES:						
SALARY EXPENSE (5.78 FTE)	406,195	36,355	399,207	6,988	98%	(26,862)
BENEFITS EXPENSE	141,474	13,031	141,575	(101)	100%	(11,890)
OTHER INDIRECT EXPENSE	199,033	10,019	146,902	52,131	74%	35,545
TOTAL INDIRECT EXPENSES:	**746,702**	**59,404**	**687,683**	**59,018**	**92%**	**(3,207)**
TOTAL ALL EXPENSES:	**749,267**	**59,803**	**690,082**	**59,185**	**92%**	**(3,254)**
NET INCOME (LOSS):	**(749,267)**	**(59,803)**	**(690,082)**	**(59,185)**	**92%**	**(3,254)**

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92% OF YEAR COMPLETE

FINANCE

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
INTEREST INCOME	600,000	68,525	718,687	(118,687)	120%	168,687
TOTAL REVENUE:	**600,000**	**68,525**	**718,687**	**(118,687)**	**120%**	**168,687**
DIRECT EXPENSES:						
STAFF TRAVEL/PARKING	3,750	54	3,134	616	84%	304
STAFF CONFERENCE & TRAINING	500	-	-	500	0%	458
STAFF MEMBERSHIP DUES	670	-	585	85	87%	29
TOTAL DIRECT EXPENSES:	**4,920**	**54**	**3,719**	**1,201**	**76%**	**791**
INDIRECT EXPENSES:						
SALARY EXPENSE (6.92 FTE)	777,786	62,517	713,988	63,798	92%	(1,017)
BENEFITS EXPENSE	209,178	18,285	202,549	6,629	97%	(10,802)
OTHER INDIRECT EXPENSE	238,288	12,004	176,017	62,271	74%	42,414
TOTAL INDIRECT EXPENSES:	**1,225,253**	**92,806**	**1,092,554**	**132,699**	**89%**	**30,594**
TOTAL ALL EXPENSES:	**1,230,173**	**92,860**	**1,096,273**	**133,900**	**89%**	**31,385**
NET INCOME (LOSS):	**(630,173)**	**(24,335)**	**(377,586)**	**(252,587)**	**60%**	**200,072**

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92% OF YEAR COMPLETE

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
FOUNDATION						
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
CONSULTING SERVICES	3,350	-	3,350	-	100%	(279)
PRINTING & COPYING	1,000	-	30	970	3%	887
STAFF TRAVEL/PARKING	4,000	-	312	3,688	8%	3,354
SUPPLIES	2,000	-	112	1,888	6%	1,721
BOARD OF TRUSTEES	3,600	-	250	3,350	7%	3,050
EQUIPMENT/HARDWARE/SOFTWARE	2,635	220	2,418	217	92%	(3)
POSTAGE	400	-	23	377	6%	343
STAFF CONFERENCE & TRAINING	2,200	1,872	1,941	259	88%	76
TOTAL DIRECT EXPENSES:	**19,185**	**2,092**	**8,437**	**10,748**	**44%**	**9,149**
INDIRECT EXPENSES:						
SALARY EXPENSE (1.05 FTE)	108,755	9,170	103,668	5,087	95%	(3,976)
BENEFITS EXPENSE	30,528	2,725	29,547	982	97%	(1,562)
OTHER INDIRECT EXPENSE	36,156	1,818	26,660	9,497	74%	6,484
TOTAL INDIRECT EXPENSES:	**175,440**	**13,713**	**159,875**	**15,566**	**91%**	**945**
TOTAL ALL EXPENSES:	**194,625**	**15,805**	**168,312**	**26,314**	**86%**	**10,095**
NET INCOME (LOSS):	**(194,625)**	**(15,805)**	**(168,312)**	**(26,314)**	**86%**	**10,095**

Washington State Bar Association

Statement of Activities

For the Period from August 01, 2026 to August 31, 2026

92% OF YEAR COMPLETE

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
HUMAN RESOURCES						
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
STAFF TRAVEL/PARKING	300	-	132	168	44%	143
STAFF MEMBERSHIP DUES	1,200	-	852	348	71%	248
SUBSCRIPTIONS	2,000	-	1,192	808	60%	642
STAFF TRAINING- GENERAL	29,300	-	3,864	25,436	13%	22,995
RECRUITING AND ADVERTISING	8,750	305	6,326	2,424	72%	1,695
HR INFORMATION SYSTEM	65,950	4,678	57,928	8,022	88%	2,526
SALARY SURVEYS	3,000	-	934	2,066	31%	1,816
CONSULTING SERVICES	1,000	-	-	1,000	0%	917
STAFF CONFERENCE & TRAINING	4,200	-	2,895	1,305	69%	955
TRANSFER TO INDIRECT EXPENSE	(115,700)	(4,983)	(74,122)	(41,578)	64%	(31,936)
TOTAL DIRECT EXPENSES:	-	-	-	-		-
INDIRECT EXPENSES:						
SALARY EXPENSE (4.00 FTE)	504,229	36,397	394,175	110,053	78%	68,034
ALLOWANCE FOR OPEN POSITIONS	(200,000)	-	-	(200,000)	0%	(183,333)
BENEFITS EXPENSE	98,098	10,617	114,440	(16,342)	117%	(24,516)
OTHER INDIRECT EXPENSE	137,739	6,945	101,832	35,907	74%	24,429
TOTAL INDIRECT EXPENSES:	**540,066**	**53,959**	**610,447**	**(70,381)**	**113%**	**(115,386)**
TOTAL ALL EXPENSES:	**540,066**	**53,959**	**610,447**	**(70,381)**	**113%**	**(115,386)**
NET INCOME (LOSS):	**(540,066)**	**(53,959)**	**(610,447)**	**70,381**	**113%**	**(115,386)**

Washington State Bar Association

Statement of Activities

For the Period from August 01, 2026 to August 31, 2026

92% OF YEAR COMPLETE

LAW CLERK PROGRAM

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
LAW CLERK FEES	220,000	2,500	269,667	(49,667)	123%	68,000
LAW CLERK APPLICATION FEES	4,000	700	6,600	(2,600)	165%	2,933
TOTAL REVENUE:	**224,000**	**3,200**	**276,267**	**(52,267)**	**123%**	**70,933**
DIRECT EXPENSES:						
SUBSCRIPTIONS	331	-	-	331	0%	303
DEPRECIATION	37,278	2,908	31,986	5,292	86%	2,186
CHARACTER & FITNESS INVESTIGATIONS	100	-	-	100	0%	92
LAW CLERK BOARD EXPENSE	9,000	-	5,594	3,406	62%	2,656
SOFTWARE HOSTING	700	95	958	(258)	137%	(316)
STAFF MEMBERSHIP DUES	-	-	300	(300)		(300)
LAW CLERK OUTREACH	20,000	-	13,705	6,295	69%	4,628
TOTAL DIRECT EXPENSES:	**67,409**	**3,003**	**52,542**	**14,867**	**78%**	**9,249**
INDIRECT EXPENSES:						
SALARY EXPENSE (1.18 FTE) **	104,845	9,202	95,611	9,234	91%	497
BENEFITS EXPENSE	31,938	2,817	30,776	1,162	96%	(1,500)
OTHER INDIRECT EXPENSE	40,633	2,040	29,914	10,719	74%	7,333
TOTAL INDIRECT EXPENSES:	**177,416**	**14,059**	**156,301**	**21,115**	**88%**	**6,330**
TOTAL ALL EXPENSES:	**244,825**	**17,063**	**208,844**	**35,981**	**85%**	**15,579**
NET INCOME (LOSS):	**(20,825)**	**(13,863)**	**67,423**	**(88,248)**	**-324%**	**86,513**

**Budget reallocations apply to this line item. For details, see FY26 Budget Reallocations memo(s) included in the Board of Governors meeting materials.

Washington State Bar Association

Statement of Activities

For the Period from August 01, 2026 to August 31, 2026

92% OF YEAR COMPLETE

LICENSING & MEMBERSHIP RECORDS

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
STATUS CERTIFICATE FEES	29,000	3,100	31,373	(2,373)	108%	4,789
INVESTIGATION FEES	25,000	1,200	19,180	5,820	77%	(3,737)
PRO HAC VICE	435,000	63,628	567,402	(132,402)	130%	168,652
MEMBER CONTACT INFORMATION	5,000	550	6,430	(1,430)	129%	1,847
PHOTO BAR CARD SALES	260	36	564	(304)	217%	326
TOTAL REVENUE:	**494,260**	**68,514**	**624,949**	**(130,689)**	**126%**	**171,877**
DIRECT EXPENSES:						
POSTAGE	4,000	-	5,110	(1,110)	128%	(1,443)
SOFTWARE HOSTING	18,380	2,466	24,740	(6,360)	135%	(7,891)
INVESTIGATION	300	-	-	300	0%	275
TOTAL DIRECT EXPENSES:	**22,680**	**2,466**	**29,849**	**(7,169)**	**132%**	**(9,059)**
INDIRECT EXPENSES:						
SALARY EXPENSE (4.78 FTE) **	503,843	40,440	457,574	46,269	91%	4,282
BENEFITS EXPENSE	139,284	12,242	134,358	4,926	96%	(6,681)
OTHER INDIRECT EXPENSE	164,598	8,298	121,669	42,929	74%	29,212
TOTAL INDIRECT EXPENSES:	**807,725**	**60,980**	**713,602**	**94,123**	**88%**	**26,813**
TOTAL ALL EXPENSES:	**830,405**	**63,446**	**743,451**	**86,954**	**90%**	**17,754**
NET INCOME (LOSS):	**(336,145)**	**5,068**	**(118,502)**	**(217,643)**	**35%**	**189,631**

**Budget reallocations apply to this line item. For details, see FY26 Budget Reallocations memo(s) included in the Board of Governors meeting materials.

Washington State Bar Association

Statement of Activities

For the Period from August 01, 2026 to August 31, 2026

92% OF YEAR COMPLETE

LIMITED LICENSE LEGAL TECHNICIAN PROGRAM

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
LLLT LICENSE FEES	17,000	1,368	14,876	2,124	88%	(707)
LLLT LATE LICENSE FEES	137	-	571	(434)	417%	445
INVESTIGATION FEES	-	100	100	(100)		100
MCLE LATE FEES	150	-	600	(450)	400%	463
TOTAL REVENUE:	**17,287**	**1,468**	**16,147**	**1,140**	**93%**	**301**
DIRECT EXPENSES:						
LLLT BOARD	9,000	-	3,398	5,602	38%	4,852
LLLT EDUCATION	1,000	-	-	1,000	0%	917
TOTAL DIRECT EXPENSES:	**10,000**	**-**	**3,398**	**6,602**	**34%**	**5,769**
INDIRECT EXPENSES:						
SALARY EXPENSE (0.43 FTE) **	41,479	5,217	40,184	1,295	97%	(2,162)
BENEFITS EXPENSE	12,046	894	10,985	1,061	91%	57
OTHER INDIRECT EXPENSE	14,807	739	10,832	3,975	73%	2,741
TOTAL INDIRECT EXPENSES:	**68,332**	**6,850**	**62,001**	**6,330**	**91%**	**636**
TOTAL ALL EXPENSES:	**78,332**	**6,850**	**65,399**	**12,933**	**83%**	**6,405**
NET INCOME (LOSS):	**(61,045)**	**(5,381)**	**(49,252)**	**(11,793)**	**81%**	**6,706**

**Budget reallocations apply to this line item. For details, see FY26 Budget Reallocations memo(s) included in the Board of Governors meeting materials.

Washington State Bar Association

Statement of Activities

For the Period from August 01, 2026 to August 31, 2026

92% OF YEAR COMPLETE

LIMITED PRACTICE OFFICERS

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
INVESTIGATION FEES	1,000	200	1,300	(300)	130%	383
MCLE LATE FEES	3,000	-	5,475	(2,475)	183%	2,725
LPO EXAMINATION FEES	18,000	-	11,800	6,200	66%	(4,700)
LPO LICENSE FEES	158,000	12,364	137,545	20,455	87%	(7,288)
LPO LATE LICENSE FEES	2,000	-	3,840	(1,840)	192%	2,007
LPO LICENSE FEES - REINSTATES	-	-	260	(260)		260
TOTAL REVENUE:	**182,000**	**12,564**	**160,220**	**21,780**	**88%**	**(6,613)**
DIRECT EXPENSES:						
FACILITY, PARKING, FOOD	9,500	-	2,696	6,804	28%	6,012
EXAM WRITING	15,000	4,200	8,400	6,600	56%	5,350
LPO BOARD	4,000	-	430	3,570	11%	3,237
LPO OUTREACH	500	-	-	500	0%	458
PRINTING & COPYING	200	-	65	135	32%	119
SUPPLIES	100	-	-	100	0%	92
SOFTWARE HOSTING	3,404	382	3,831	(427)	113%	(710)
TOTAL DIRECT EXPENSES:	**32,704**	**4,582**	**15,421**	**17,283**	**47%**	**14,558**
INDIRECT EXPENSES:						
SALARY EXPENSE (0.58 FTE) **	56,369	6,849	54,409	1,960	97%	(2,738)
BENEFITS EXPENSE	16,315	1,246	15,072	1,242	92%	(117)
OTHER INDIRECT EXPENSE	19,972	1,006	14,757	5,215	74%	3,550
TOTAL INDIRECT EXPENSES:	**92,656**	**9,101**	**84,239**	**8,417**	**91%**	**695**
TOTAL ALL EXPENSES:	**125,360**	**13,683**	**99,660**	**25,700**	**79%**	**15,253**
NET INCOME (LOSS):	**56,640**	**(1,119)**	**60,560**	**(3,920)**	**107%**	**8,640**

**Budget reallocations apply to this line item. For details, see FY26 Budget Reallocations memo(s) included in the Board of Governors meeting materials.

Washington State Bar Association

Statement of Activities

For the Period from August 01, 2026 to August 31, 2026

92% OF YEAR COMPLETE

LEGISLATIVE

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
STAFF TRAVEL/PARKING	2,500	-	157	2,343	6%	2,134
STAFF MEMBERSHIP DUES	215	-	-	215	0%	197
JUD RECOMMEND COMMITTEE	3,250	-	1,096	2,154	34%	1,884
SUBSCRIPTIONS	2,000	-	1,990	10	99%	(157)
TELEPHONE	575	50	546	29	95%	(19)
CONTRACT LOBBYIST	12,500	-	12,500	-	100%	(1,042)
LEGISLATIVE REVIEW COMMITTEE	1,250	-	-	1,250	0%	1,146
BOG LEGISLATIVE COMMITTEE	300	-	-	300	0%	275
STAFF CONFERENCE & TRAINING	2,200	-	248	1,952	11%	1,769
TOTAL DIRECT EXPENSES:	**24,790**	**50**	**16,536**	**8,254**	**67%**	**6,188**
INDIRECT EXPENSES:						
SALARY EXPENSE (1.70 FTE)	164,492	13,811	139,436	25,056	85%	11,348
BENEFITS EXPENSE	47,770	4,276	44,464	3,306	93%	(674)
OTHER INDIRECT EXPENSE	58,539	2,946	43,201	15,338	74%	10,459
TOTAL INDIRECT EXPENSES:	**270,801**	**21,033**	**227,101**	**43,700**	**84%**	**21,133**
TOTAL ALL EXPENSES:	**295,591**	**21,082**	**243,638**	**51,953**	**82%**	**27,321**
NET INCOME (LOSS):	**(295,591)**	**(21,082)**	**(243,638)**	**(51,953)**	**82%**	**27,321**

Washington State Bar Association

Statement of Activities

For the Period from August 01, 2026 to August 31, 2026

92% OF YEAR COMPLETE

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
MANDATORY CONTINUING LEGAL EDUCATION						
REVENUE:						
ACTIVITY APPLICATION FEE	670,000	47,500	614,500	55,500	92%	333
ACTIVITY APPLICATION LATE FEE	250,000	14,850	230,250	19,750	92%	1,083
MCLE LATE FEES	232,000	(450)	287,125	(55,125)	124%	74,458
ANNUAL ACCREDITED SPONSOR FEES	36,250	-	35,750	500	99%	2,521
ATTENDANCE LATE FEES	120,000	9,700	108,850	11,150	91%	(1,150)
COMITY CERTIFICATES	30,000	250	29,650	350	99%	2,150
TOTAL REVENUE:	**1,338,250**	**71,850**	**1,306,125**	**32,125**	**98%**	**79,396**
DIRECT EXPENSES:						
DEPRECIATION	142,057	12,013	132,135	9,922	93%	(1,916)
STAFF MEMBERSHIP DUES	525	-	525	-	100%	(44)
MCLE BOARD EXPENSES	6,000	9	1,090	4,910	18%	4,410
STAFF TRAVEL/PARKING	50	-	-	50	0%	46
STAFF CONFERENCE & TRAINING	4,400	-	-	4,400	0%	4,033
TOTAL DIRECT EXPENSES:	**153,032**	**12,022**	**133,750**	**19,282**	**87%**	**6,529**
INDIRECT EXPENSES:						
SALARY EXPENSE (4.73 FTE)	407,360	29,809	377,902	29,458	93%	(4,489)
BENEFITS EXPENSE	124,032	10,675	120,471	3,561	97%	(6,775)
OTHER INDIRECT EXPENSE	162,876	8,201	120,242	42,634	74%	29,061
TOTAL INDIRECT EXPENSES:	**694,269**	**48,684**	**618,615**	**75,654**	**89%**	**17,798**
TOTAL ALL EXPENSES:	**847,301**	**60,706**	**752,365**	**94,936**	**89%**	**24,327**
NET INCOME (LOSS):	**490,949**	**11,144**	**553,760**	**(62,811)**	**113%**	**103,723**

**Budget reallocations apply to this line item. For details, see FY26 Budget Reallocations memo(s) included in the Board of Governors meeting materials.

Washington State Bar Association

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92% OF YEAR COMPLETE

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
MEMBER SERVICES & ENGAGEMENT TEAM						
(LLB-MINI-MSE-NME)						
REVENUE:						
ROYALTIES	10,800	1,200	10,800	-	100%	900
NME PRODUCT SALES	120,000	2,171	111,160	8,840	93%	1,160
DIGITAL VIDEO SALES	25,000	1,666	28,273	(3,273)	113%	5,356
SPONSORSHIPS	11,500	-	11,000	500	96%	458
SEMINAR REGISTRATIONS	12,000	-	8,332	3,668	69%	(2,668)
TRIAL ADVOCACY PROGRAM	12,000	-	13,805	(1,805)	115%	2,805
TOTAL REVENUE:	**191,300**	**5,037**	**183,370**	**7,930**	**96%**	**8,012**
DIRECT EXPENSES:						
STAFF TRAVEL/PARKING	3,500	100	1,718	1,782	49%	1,490
STAFF CONFERENCE & TRAINING	2,700	-	(25)	2,725	-1%	2,500
SMALL TOWN AND RURAL COMMITTEE	7,500	95	2,058	5,442	27%	4,817
PRINTING & COPYING	1,600	-	1,502	98	94%	(36)
DISABILITY ACCOMMODATIONS	2,000	-	-	2,000	0%	1,833
HONORARIUM	1,500	-	-	1,500	0%	1,375
SUBSCRIPTIONS	400	-	398	2	99%	(31)
NEW MEMBER LIAISON SECTION PROGRAM	1,300	-	565	735	43%	627
SMALL TOWN AND RURAL COMMITTEE OUTREACH AND ACTIVITIES	70,000	701	62,705	7,295	90%	1,461
ON24 OVERAGE CHARGE	4,500	-	4,422	78	98%	(297)
MEMBER ENGAGEMENT COUNCIL	500	-	137	363	27%	322
NEW MEMBER OUTREACH EVENTS	5,000	-	1,973	3,027	39%	2,611
SPEAKERS & PROGRAM DEVELOP	100	-	-	100	0%	92
WASHINGTON NEW MEMBERS COMMITTEE	24,000	4,657	16,859	7,141	70%	5,141
TRIAL ADVOCACY EXPENSES	3,200	-	2,473	727	77%	460
LAW LIBRARY DESKBOOK ACCESS	1,000	-	-	1,000	0%	917
LAW SCHOOL OUTREACH	500	-	66	434	13%	393
RECEPTION/FORUM EXPENSE	1,000	-	17	983	2%	899
STAFF MEMBERSHIP DUES	1,020	-	195	825	19%	740
LIBRARY MATERIALS/RESOURCES	4,000	11	368	3,632	9%	3,298
SPEAKERS & PROGRAM DEVELOPMENT	500	-	-	500	0%	458
AWARDS	1,000	-	72	928	7%	845
TOTAL DIRECT EXPENSES:	**136,820**	**5,564**	**95,504**	**41,316**	**70%**	**29,914**
INDIRECT EXPENSES:						
SALARY EXPENSE (4.73 FTE)	341,638	29,407	325,558	16,080	95%	(12,390)
BENEFITS EXPENSE	117,073	10,609	114,954	2,119	98%	(7,637)
OTHER INDIRECT EXPENSE	162,876	8,201	120,242	42,635	74%	29,062
TOTAL INDIRECT EXPENSES:	**621,588**	**48,216**	**560,754**	**60,834**	**90%**	**9,035**
TOTAL ALL EXPENSES:	**758,408**	**53,780**	**656,258**	**102,149**	**87%**	**38,949**
NET INCOME (LOSS):	**(567,108)**	**(48,743)**	**(472,888)**	**(94,219)**	**83%**	**46,960**

Washington State Bar Association

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For the Period from August 01, 2026 to August 31, 2026

92% OF YEAR COMPLETE

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
OFFICE OF THE EXECUTIVE DIRECTOR						
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
LEADERSHIP TRAINING	20,000	69	16,032	3,968	80%	2,301
WASHINGTON LEADERSHIP INSTITUTE	100,000	-	100,000	-	100%	(8,333)
ED TRAVEL & OUTREACH	6,000	-	3,687	2,313	61%	1,813
STAFF TRAVEL/PARKING	2,000	198	2,178	(178)	109%	(345)
STAFF CONFERENCE & TRAINING	13,300	1,668	14,969	(1,669)	113%	(2,778)
STAFF MEMBERSHIP DUES	1,335	-	1,120	215	84%	104
TOTAL DIRECT EXPENSES:	**142,635**	**1,935**	**137,987**	**4,648**	**97%**	**(7,238)**
INDIRECT EXPENSES:						
SALARY EXPENSE (4.23 FTE)	643,856	53,750	606,562	37,294	94%	(16,361)
BENEFITS EXPENSE	142,505	13,373	145,167	(2,663)	102%	(14,538)
OTHER INDIRECT EXPENSE	145,659	7,340	107,626	38,033	74%	25,895
TOTAL INDIRECT EXPENSES:	**932,020**	**74,463**	**859,355**	**72,665**	**92%**	**(5,004)**
TOTAL ALL EXPENSES:	**1,074,655**	**76,398**	**997,342**	**77,313**	**93%**	**(12,242)**
NET INCOME (LOSS):	**(1,074,655)**	**(76,398)**	**(997,342)**	**(77,313)**	**93%**	**(12,242)**

Washington State Bar Association

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92% OF YEAR COMPLETE

OFFICE OF GENERAL COUNSEL

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
RECOVERY OF DISCIPLINE COSTS	-	-	1,000	(1,000)		1,000
TOTAL REVENUE:	**-**	**-**	**1,000**	**(1,000)**		**-**
DIRECT EXPENSES:						
STAFF TRAVEL/PARKING	3,500	-	2,669	831	76%	539
STAFF MEMBERSHIP DUES	2,500	-	2,004	497	80%	288
COURT RULES COMMITTEE	1,000	-	-	1,000	0%	917
CUSTODIANSHIPS	5,000	-	301	4,699	6%	4,282
WILLS	1,000	-	-	1,000	0%	917
LITIGATION EXPENSES	1,000	-	-	1,000	0%	917
DISABILITY ACCOMMODATIONS	2,500	-	495	2,005	20%	1,797
STAFF CONFERENCE & TRAINING	10,250	-	5,705	4,545	56%	3,691
TOTAL DIRECT EXPENSES:	**26,750**	**-**	**11,173**	**15,577**	**42%**	**13,348**
INDIRECT EXPENSES:						
SALARY EXPENSE (6.12 FTE)	718,300	75,034	656,692	61,607	91%	1,749
BENEFITS EXPENSE	187,732	17,012	179,488	8,244	96%	(7,401)
OTHER INDIRECT EXPENSE	210,741	10,627	155,823	54,918	74%	37,356
TOTAL INDIRECT EXPENSES:	**1,116,772**	**102,673**	**992,003**	**124,769**	**89%**	**31,705**
TOTAL ALL EXPENSES:	**1,143,522**	**102,673**	**1,003,177**	**140,346**	**88%**	**45,052**
NET INCOME (LOSS):	**(1,143,522)**	**(102,673)**	**(1,002,177)**	**(141,346)**	**88%**	**46,052**

Washington State Bar Association

Statement of Activities

For the Period from August 01, 2026 to August 31, 2026

92% OF YEAR COMPLETE

OFFICE OF GENERAL COUNSEL - DISCIPLINARY BOARD

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSE:						
STAFF MEMBERSHIP DUES	100	-	-	100	0%	92
DISCIPLINARY BOARD EXPENSES	3,000	-	127	2,873	4%	2,623
CHIEF HEARING OFFICER	41,200	3,333	36,663	4,537	89%	1,104
COURT REPORTERS	33,100	8,871	46,181	(13,081)	140%	(15,839)
HEARING OFFICER EXPENSES	4,000	-	366	3,634	9%	3,301
HEARING OFFICER TRAINING	1,000	-	1,298	(298)	130%	(381)
APPOINTED COUNSEL	50,645	4,235	46,445	4,200	92%	(20)
DISCIPLINARY SELECTION PANEL	1,000	-	-	1,000	0%	917
STAFF CONFERENCE & TRAINING	2,200	2,135	2,135	65	97%	(118)
TOTAL DIRECT EXPENSES:	**136,245**	**18,574**	**133,214**	**3,031**	**98%**	**(8,323)**
INDIRECT EXPENSES:						
SALARY EXPENSE (1.30 FTE)	128,774	11,279	122,820	5,954	95%	(4,777)
BENEFITS EXPENSE	37,003	3,371	36,459	544	99%	(2,539)
OTHER INDIRECT EXPENSE	44,765	2,259	33,125	11,640	74%	7,909
TOTAL INDIRECT EXPENSES:	**210,543**	**16,909**	**192,405**	**18,138**	**91%**	**593**
TOTAL ALL EXPENSES:	**346,788**	**35,483**	**325,618**	**21,169**	**94%**	**(7,730)**
NET INCOME (LOSS):	**(346,788)**	**(35,483)**	**(325,618)**	**(21,169)**	**94%**	**(7,730)**

Washington State Bar Association

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92% OF YEAR COMPLETE

PRACTICE OF LAW BOARD

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
PRACTICE OF LAW BOARD	16,000	-	1,758	14,242	11%	12,909
STAFF TRAVEL/PARKING	200	-	196	4	98%	(13)
TOTAL DIRECT EXPENSES:	**16,200**	**-**	**1,954**	**14,246**	**12%**	**12,896**
INDIRECT EXPENSES:						
SALARY EXPENSE (0.55 FTE) **	63,145	7,029	60,552	2,593	96%	(2,669)
BENEFITS EXPENSE	16,771	1,322	15,642	1,129	93%	(269)
OTHER INDIRECT EXPENSE	18,939	958	14,044	4,896	74%	3,317
TOTAL INDIRECT EXPENSES:	**98,855**	**9,309**	**90,237**	**8,618**	**91%**	**380**
TOTAL ALL EXPENSES:	**115,055**	**9,309**	**92,191**	**22,864**	**80%**	**13,276**
NET INCOME (LOSS):	**(115,055)**	**(9,309)**	**(92,191)**	**(22,864)**	**80%**	**13,276**

**Budget reallocations apply to this line item. For details, see FY26 Budget Reallocations memo(s) included in the Board of Governors meeting materials.

Washington State Bar Association

Statement of Activities

For the Period from August 01, 2026 to August 31, 2026

92% OF YEAR COMPLETE

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
PUBLIC SERVICE PROGRAMS						
REVENUE:						
DONATIONS & GRANTS	132,635	-	132,639	(4)	100%	11,057
TOTAL REVENUE:	**132,635**	**-**	**132,639**	**(4)**	**100%**	**11,057**
DIRECT EXPENSES:						
DONATIONS/SPONSORSHIPS/GRANTS **	45,000	50	(5,128)	50,128	-11%	46,378
STAFF TRAVEL/PARKING **	500	44	110	390	22%	349
PRO BONO & PUBLIC SERVICE COMMITTEE	3,500	-	2,851	649	81%	358
STAFF CONFERENCE & TRAINING **	700	-	669	31	96%	(28)
PRO BONO PROMOTION **	500	-	232	268	46%	227
TOTAL DIRECT EXPENSES:	**50,200**	**94**	**(1,267)**	**51,467**	**-3%**	**47,284**
INDIRECT EXPENSES:						
SALARY EXPENSE (2.10 FTE) **	187,614	15,544	159,889	27,725	85%	12,091
BENEFITS EXPENSE	50,197	5,055	52,004	(1,807)	104%	(5,990)
OTHER INDIRECT EXPENSE	72,313	3,634	50,376	21,937	70%	15,911
TOTAL INDIRECT EXPENSES:	**310,124**	**24,233**	**262,268**	**47,856**	**85%**	**22,012**
TOTAL ALL EXPENSES:	**360,324**	**24,327**	**261,001**	**99,323**	**72%**	**69,296**
NET INCOME (LOSS):	**(227,689)**	**(24,327)**	**(128,362)**	**(99,327)**	**56%**	**80,353**

**Budget reallocations apply to this line item. For details, see FY26 Budget Reallocations memo(s) included in the Board of Governors meeting materials.

Washington State Bar Association

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92% OF YEAR COMPLETE

PUBLICATION & DESIGN SERVICES

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
SUBSCRIPTIONS	200	-	-	200	0%	183
IMAGE LIBRARY	4,800	-	4,756	44	99%	(356)
TOTAL DIRECT EXPENSES:	**5,000**	**-**	**4,756**	**244**	**95%**	**(173)**
INDIRECT EXPENSES:						
SALARY EXPENSE (0.89 FTE)	70,644	6,000	66,008	4,636	93%	(1,251)
BENEFITS EXPENSE	22,914	2,067	22,415	499	98%	(1,410)
OTHER INDIRECT EXPENSE	30,647	1,548	22,693	7,954	74%	5,401
TOTAL INDIRECT EXPENSES:	**124,205**	**9,615**	**111,115**	**13,090**	**89%**	**2,739**
TOTAL ALL EXPENSES:	**129,205**	**9,615**	**115,871**	**13,334**	**90%**	**2,567**
NET INCOME (LOSS):	**(129,205)**	**(9,615)**	**(115,871)**	**(13,334)**	**90%**	**2,567**

Washington State Bar Association

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92% OF YEAR COMPLETE

REGULATORY SERVICES FTE

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
STAFF MEMBERSHIP DUES	490	-	490	-	100%	(41)
STAFF CONFERENCE & TRAINING	11,500	-	834	10,666	7%	9,707
STAFF TRAVEL/PARKING	600	(17)	218	382	36%	332
TOTAL DIRECT EXPENSES:	**12,590**	**(17)**	**1,542**	**11,048**	**12%**	**10,039**
INDIRECT EXPENSES:						
SALARY EXPENSE (2.00 FTE) **	288,255	23,772	257,563	30,692	89%	6,671
BENEFITS EXPENSE	68,347	5,909	64,701	3,646	95%	(2,050)
OTHER INDIRECT EXPENSE	68,870	3,463	50,780	18,089	74%	12,350
TOTAL INDIRECT EXPENSES:	**425,472**	**33,144**	**373,044**	**52,427**	**88%**	**16,971**
TOTAL ALL EXPENSES:	**438,062**	**33,127**	**374,587**	**63,475**	**86%**	**27,011**
NET INCOME (LOSS):	**(438,062)**	**(33,127)**	**(374,587)**	**(63,475)**	**86%**	**26,970**

**Budget reallocations apply to this line item. For details, see FY26 Budget Reallocations memo(s) included in the Board of Governors meeting materials.

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For the Period from August 01, 2026 to August 31, 2026

92% OF YEAR COMPLETE

REGULATORY REFORM

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
CONSULTING SERVICES	25,000	-	8,828	16,172	35%	14,089
OUTREACH EXPENSES	10,000	-	-	10,000	0%	9,167
MEETING EXPENSE	2,000	-	-	2,000	0%	1,833
SOFTWARE HOSTING	20,000	-	-	20,000	0%	18,333
TOTAL DIRECT EXPENSES:	**57,000**	**-**	**8,828**	**48,172**	**15%**	**-**
INDIRECT EXPENSES:						
SALARY EXPENSE (0.85 FTE) **	110,346	9,475	105,100	5,246	95%	(3,950)
BENEFITS EXPENSE	27,639	2,504	26,960	679	98%	(1,624)
OTHER INDIRECT EXPENSE	29,270	1,472	21,579	7,690	74%	5,251
TOTAL INDIRECT EXPENSES:	**167,255**	**13,450**	**153,639**	**13,615**	**92%**	**(323)**
TOTAL ALL EXPENSES:	**224,255**	**13,450**	**162,467**	**61,787**	**72%**	**(323)**
NET INCOME (LOSS):	**(224,255)**	**(13,450)**	**(162,467)**	**(61,787)**	**72%**	**43,099**

**Budget reallocations apply to this line item. For details, see FY26 Budget Reallocations memo(s) included in the Board of Governors meeting materials.

Washington State Bar Association

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92% OF YEAR COMPLETE

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
SECTIONS ADMINISTRATION						
REVENUE:						
REIMBURSEMENTS FROM SECTIONS	275,000	994	396,778	(121,778)	144%	144,695
TOTAL REVENUE:	**275,000**	**994**	**396,778**	**(121,778)**	**144%**	**144,695**
DIRECT EXPENSES:						
STAFF TRAVEL/PARKING	1,900	-	336	1,564	18%	1,406
SECTION/COMMITTEE CHAIR MTGS	500	-	148	352	30%	311
TOTAL DIRECT EXPENSES:	**2,400**	**-**	**484**	**1,916**	**20%**	**1,716**
INDIRECT EXPENSES:						
SALARY EXPENSE (2.53 FTE)	174,309	14,794	164,087	10,222	94%	(4,303)
BENEFITS EXPENSE	61,514	5,550	60,188	1,326	98%	(3,800)
OTHER INDIRECT EXPENSE	87,120	4,394	64,424	22,696	74%	15,436
TOTAL INDIRECT EXPENSES:	**322,943**	**24,738**	**288,699**	**34,244**	**89%**	**7,332**
TOTAL ALL EXPENSES:	**325,343**	**24,738**	**289,183**	**36,160**	**89%**	**9,048**
NET INCOME (LOSS):	**(50,343)**	**(23,744)**	**107,595**	**(157,938)**	**-214%**	**153,743**

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92% OF YEAR COMPLETE

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
SECTIONS OPERATIONS						
REVENUE:						
SECTION DUES	451,143	1,630	639,693	(188,550)	142%	226,145
SEMINAR PROFIT SHARE	157,850	6,360	7,858	149,992	5%	(136,838)
PUBLICATIONS REVENUE	1,250	-	710	540	57%	(436)
OTHER	43,073	8,964	41,899	1,174	97%	2,416
TOTAL REVENUE:	**653,316**	**16,954**	**690,160**	**(36,844)**	**106%**	**91,287**
DIRECT EXPENSES:						
DIRECT EXPENSES OF SECTION ACTIVITIES	810,582	11,273	373,438	437,144	46%	369,595
REIMBURSEMENT TO WSBA FOR INDIRECT EXPENSES	280,540	994	396,778	(116,238)	141%	(139,617)
TOTAL DIRECT EXPENSES:	**1,091,122**	**12,267**	**770,216**	**320,906**	**71%**	**229,979**
NET INCOME (LOSS):	**(437,806)**	**4,687**	**(80,056)**	**(357,750)**	**18%**	**321,266**

Washington State Bar Association

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92% OF YEAR COMPLETE

TECHNOLOGY

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
CONSULTING SERVICES	1,019,797	41,669	671,014	348,783	66%	263,799
STAFF TRAVEL/PARKING	1,000	-	301	699	30%	616
STAFF MEMBERSHIP DUES	410	-	-	410	0%	376
TELEPHONE	90,000	6,782	89,963	37	100%	(7,463)
COMPUTER HARDWARE	65,000	14,996	61,105	3,895	94%	(1,522)
COMPUTER SOFTWARE	518,000	487	298,782	219,218	58%	176,052
HARDWARE SERVICE & WARRANTIES	50,000	1,967	18,347	31,653	37%	27,487
SOFTWARE MAINTENANCE & LICENSING	470,000	5,397	434,777	35,223	93%	(3,943)
THIRD PARTY SERVICES	177,600	258	119,085	58,515	67%	43,715
CLOUD INFRASTRUCTURE	130,000	5,647	53,425	76,575	41%	65,742
STAFF CONFERENCE & TRAINING	6,000	-	-	6,000	0%	5,500
TRANSFER TO INDIRECT EXPENSES	(2,527,807)	(77,203)	(1,746,799)	(781,008)	69%	(570,357)
TOTAL DIRECT EXPENSES:	-	-	-	-		-
INDIRECT EXPENSES:						
SALARY EXPENSE (5.00 FTE)	629,276	50,299	627,477	1,799	100%	(50,641)
BENEFITS EXPENSE	158,341	13,934	163,911	(5,569)	104%	(18,764)
CAPITAL LABOR & OVERHEAD	-	-	(23,920)	23,920		(23,920)
OTHER INDIRECT EXPENSE	172,174	8,666	127,064	45,109	74%	30,762
TOTAL INDIRECT EXPENSES:	**959,791**	**72,899**	**894,533**	**65,259**	**93%**	**(62,563)**
TOTAL ALL EXPENSES:	**959,791**	**72,899**	**894,533**	**65,259**	**93%**	**(62,563)**
NET INCOME (LOSS):	**(959,791)**	**(72,899)**	**(894,533)**	**(65,259)**	**93%**	**(14,724)**

Washington State Bar Association

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VOLUNTEER ENGAGEMENT

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
POSTAGE	600	-	-	600	0%	550
STAFF MEMBERSHIP DUES	385	-	424	(39)	110%	(71)
STAFF CONFERENCE & TRAINING	4,500	-	2,953	1,547	66%	1,172
SUBSCRIPTIONS	816	-	744	72	91%	4
VOLUNTEER RECOGNITION	2,000	-	2,030	(30)	102%	(197)
REGULATORY SCHOOL	10,000	-	5,967	4,033	60%	3,200
ABA DELEGATES	18,000	5,273	12,149	5,851	67%	4,351
TOTAL DIRECT EXPENSES:	**36,301**	**5,273**	**24,268**	**12,033**	**67%**	**9,008**
INDIRECT EXPENSES:						
SALARY EXPENSE (1.70 FTE)	149,220	12,548	136,895	12,325	92%	(110)
BENEFITS EXPENSE	45,777	4,098	44,525	1,252	97%	(2,563)
OTHER INDIRECT EXPENSE	58,539	2,943	43,159	15,380	74%	10,502
TOTAL INDIRECT EXPENSES:	**253,536**	**19,589**	**224,579**	**28,957**	**89%**	**7,829**
TOTAL ALL EXPENSES:	**289,837**	**24,862**	**248,846**	**40,990**	**86%**	**7,829**
NET INCOME (LOSS):	**(289,837)**	**(24,862)**	**(248,846)**	**(40,990)**	**86%**	**16,837**

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92% OF YEAR COMPLETE

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
INDIRECT EXPENSES:						
SALARIES	14,130,725	1,160,588	12,909,986	1,220,739	91%	43,178
TEMPORARY SALARIES	212,850	53,645	238,026	(25,176)	112%	(42,914)
CAPITAL LABOR & OVERHEAD	-	-	(23,920)	23,920		23,920
ALLOWANCE FOR OPEN POSITIONS	(200,000)	-	-	(200,000)	0%	(183,333)
EMPLOYEE ASSISTANCE PLAN	4,800	2,400	4,800	-	100%	(400)
EMPLOYEE SERVICE AWARDS	2,260	410	1,668	592	74%	404
FICA (EMPLOYER PORTION)	1,067,890	89,845	962,737	105,153	90%	16,162
L&I INSURANCE	65,406	-	44,196	21,210	68%	15,760
WA STATE FAMILY MEDICAL LEAVE (EMPLOYER PO	38,961	3,854	39,334	(373)	101%	(3,620)
MEDICAL (EMPLOYER PORTION)	1,959,293	190,470	2,044,331	(85,038)	104%	(248,312)
RETIREMENT (EMPLOYER PORTION)	778,534	64,587	710,649	67,885	91%	3,007
TRANSPORTATION ALLOWANCE	25,944	376	27,669	(1,725)	107%	(3,887)
UNEMPLOYMENT INSURANCE	73,419	6,561	77,053	(3,634)	105%	(9,752)
TOTAL SALARY & BENEFITS EXPENSE:	**18,160,082**	**1,572,736**	**17,036,531**	**1,123,551**	**94%**	**(389,789)**
WORKPLACE BENEFITS	60,150	3,216	23,327	36,823	39%	31,811
HUMAN RESOURCES POOLED EXP	115,700	4,983	74,122	41,578	64%	31,936
MEETING SUPPORT EXPENSES	9,950	1,243	8,239	1,711	83%	882
RENT	923,055	73,553	866,748	56,307	94%	(20,614)
PERSONAL PROP TAXES-WSBA	6,500	514	5,971	529	92%	(13)
FURNITURE, MAINT, LH IMP	48,450	829	26,779	21,671	55%	17,633
SAFETY & SECURITY	10,420	379	2,057	8,363	20%	7,495
OFFICE SUPPLIES & EQUIPMENT	19,635	2,891	14,820	4,815	75%	3,178
FURN, LH IMP, & OFFICE EQUIP DEPRECIATION	224,084	18,030	203,320	20,765	91%	2,091
COMPUTER HARDWARE DEPRECIATION	47,971	5,563	50,908	(2,937)	106%	(6,934)
COMPUTER SOFTWARE DEPRECIATION	36,319	2,605	34,217	2,102	94%	(925)
INSURANCE	273,491	23,824	245,535	27,956	90%	5,165
WORK HOME FURNITURE & EQUIP	10,500	409	3,043	7,457	29%	6,582
PROFESSIONAL FEES-AUDIT	43,500	-	41,695	1,805	96%	(1,820)
PROFESSIONAL FEES-LEGAL	250,000	24,490	73,016	176,984	29%	156,150
ONLINE LEGAL RESEARCH	89,000	6,511	77,780	11,220	87%	3,803
ACCOMODATIONS FUND	6,500	188	188	6,313	3%	5,771
TRANSLATION SERVICES	25,000	1,199	16,293	8,707	65%	6,624
TELEPHONE & INTERNET	33,600	2,660	29,500	4,100	88%	1,300
POSTAGE - GENERAL	12,000	405	6,899	5,101	57%	4,101
RECORDS MANAGEMENT	7,500	-	-	7,500	0%	6,875
BANK FEES	27,000	(8,021)	7,376	19,624	27%	17,374
PRODUCTION MAINTENANCE & SUPPLIES	13,250	513	10,400	2,850	78%	1,746
COMPUTER POOLED EXPENSES	2,527,807	77,152	1,746,127	781,680	69%	571,030
TOTAL OTHER INDIRECT EXPENSES:	**4,821,383**	**243,134**	**3,568,359**	**1,253,023**	**74%**	**851,241**
TOTAL INDIRECT EXPENSES:	**22,981,465**	**1,815,871**	**20,604,890**	**2,376,575**	**90%**	**461,452**

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SUMMARY PAGE	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE
ACCESS TO JUSTICE	(366,948)	(35,677)	(284,521)	(82,427)
ADMISSIONS/BAR EXAM	(70,382)	(102,829)	531,696	(602,078)
ADVANCEMENT FTE	(322,209)	(25,196)	(289,564)	(32,645)
BAR NEWS	(184,871)	39,454	(110,058)	(74,814)
BENCH BAR PRESS	-	1,175	1,100	(1,100)
BOARD OF GOVERNORS	(659,550)	(32,408)	(554,473)	(105,077)
CONFERENCE & BROADCAST SERVICES	(83,138)	(6,555)	(75,310)	(7,828)
CHARACTER & FITNESS BOARD	(183,031)	(12,693)	(161,151)	(21,880)
CLE - PRODUCTS	651,708	6,608	575,909	75,799
CLE - SEMINARS	(521,923)	(84,853)	(521,551)	(372)
CLIENT PROTECTION FUND	244,100	(27,898)	674,906	(430,806)
COMMUNICATIONS	(927,116)	(96,482)	(876,034)	(51,081)
COMMUNICATIONS FTE	(257,458)	(20,539)	(232,076)	(25,382)
DESKBOOKS	(261,267)	(7,246)	(189,091)	(72,176)
DISCIPLINE	(6,708,684)	(527,521)	(5,781,446)	(927,238)
DIVERSITY	(234,146)	(26,744)	(170,061)	(64,085)
ENTITY REGULATION	(67,555)	(10,340)	(89,807)	22,252
FACILITIES & OPERATIONS	(749,267)	(59,803)	(690,082)	(59,185)
FINANCE	(630,173)	(24,335)	(377,586)	(252,587)
FOUNDATION	(194,625)	(15,805)	(168,312)	(26,314)
HUMAN RESOURCES	(540,066)	(53,959)	(610,447)	70,381
LAW CLERK PROGRAM	(20,825)	(13,863)	67,423	(88,248)
LEGISLATIVE	(295,591)	(21,082)	(243,638)	(51,953)
LEGAL LUNCHBOX	(34,025)	(2,971)	(20,742)	(13,283)
LICENSE FEES	17,652,266	1,445,000	16,309,449	1,342,817
LICENSING AND MEMBERSHIP	(336,145)	5,068	(118,502)	(217,643)
LIMITED LICENSE LEGAL TECHNICIAN	(61,045)	(5,381)	(49,252)	(11,793)
LIMITED PRACTICE OFFICERS	56,640	(1,119)	60,560	(3,920)
MANDATORY CLE ADMINISTRATION	490,949	11,144	553,760	(62,811)
MEMBER WELLNESS PROGRAM	(247,030)	(10,425)	(195,524)	(51,506)
MINI CLE	(134,341)	(10,412)	(119,991)	(14,350)
MEMBER SERVICES & ENGAGEMENT	(418,764)	(28,408)	(356,434)	(62,330)
NEW MEMBER EDUCATION	20,022	(6,952)	24,279	(4,257)
OFFICE OF GENERAL COUNSEL	(1,143,522)	(102,673)	(1,002,177)	(141,346)
OFFICE OF THE EXECUTIVE DIRECTOR	(1,074,655)	(76,398)	(997,342)	(77,313)
OGC-DISCIPLINARY BOARD	(346,788)	(35,483)	(325,618)	(21,169)
PRACTICE OF LAW BOARD	(115,055)	(9,309)	(92,191)	(22,864)
PRACTICE MANAGEMENT ASSISTANCE	(186,220)	859	(137,829)	(48,391)
PROFESSIONAL RESPONSIBILITY PROGRAM	(224,777)	(18,329)	(196,762)	(28,015)
PUBLIC SERVICE PROGRAMS	(227,689)	(24,327)	(128,362)	(99,327)
PUBLICATION & DESIGN SERVICES	(129,205)	(9,615)	(115,871)	(13,334)
REGULATORY SERVICES FTE	(438,062)	(33,127)	(374,587)	(63,475)
REGULATORY REFORM	(224,255)	(13,450)	(162,467)	(61,787)
SECTIONS ADMINISTRATION	(50,343)	(23,744)	107,595	(157,938)
SECTIONS OPERATIONS	(437,806)	4,687	(80,056)	(357,750)
TECHNOLOGY	(959,791)	(72,899)	(894,533)	(65,259)
VOLUNTEER EDUCATION	(289,837)	(24,862)	(248,846)	(40,990)
INDIRECT EXPENSES	22,981,465	1,815,871	20,604,890	2,376,575
TOTAL OF ALL	**(21,738,972)**	**(1,614,155)**	**(22,469,274)**	**730,303**
NET INCOME (LOSS)	**(1,242,493)**	**(201,716)**	**1,864,384**	**(3,106,877)**

WASHINGTON STATE
BAR ASSOCIATION

WSBA MISSION

The Washington State Bar Association's mission is to serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice.

WSBA GUIDING PRINCIPLES

The WSBA will operate a well-managed association that supports its members and advances and promotes:

- **Access to the justice system.**
  Focus: Provide training and leverage community partnerships in order to enhance a culture of service for legal professionals to give back to their communities, with a particular focus on services to underserved low and moderate income people.
- **Diversity, equality, and cultural understanding throughout the legal community.**
  Focus: Work to understand the lay of the land of our legal community and provide tools to members and employers in order to enhance the retention of minority legal professionals in our community.
- **The public's understanding of the rule of law and its confidence in the legal system.**
  Focus: Educate youth and adult audiences about the importance of the three branches of government and how they work together.
- **A fair and impartial judiciary.**
- **The ethics, civility, professionalism, and competence of the Bar.**

MISSION FOCUS AREAS

Ensuring Competent and Qualified Legal Professionals

- Cradle to Grave
- Regulation and Assistance

Promoting the Role of Legal Professionals in Society

- Service
- Professionalism

PROGRAM CRITERIA

- Does the Program further either or both of WSBA's mission-focus areas?
- Does WSBA have the competency to operate the Program?
- As the mandatory bar, how is WSBA uniquely positioned to successfully operate the Program?
- Is statewide leadership required in order to achieve the mission of the Program?
- Does the Program's design optimize the expenditure of WSBA resources devoted to the Program, including the balance between volunteer and staff involvement, the number of people served, the cost per person, etc?

2016 – 2018 STRATEGIC GOALS

- **Equip members with skills for the changing profession**
- **Promote equitable conditions for members from historically marginalized or underrepresented backgrounds to enter, stay and thrive in the profession**
- **Explore and pursue regulatory innovation and advocate to enhance the public's access to legal services**

GR 12
REGULATION OF THE PRACTICE OF LAW

The Washington Supreme Court has inherent and plenary authority to regulate the practice of law in Washington. The legal profession serves clients, courts, and the public, and has special responsibilities for the quality of justice administered in our legal system. The Court ensures the integrity of the legal profession and protects the public by adopting rules for the regulation of the practice of law and actively supervising persons and entities acting under the Supreme Court's authority.

[Adopted effective September 1, 2017.]

GR 12.1
REGULATORY OBJECTIVES

Legal services providers must be regulated in the public interest. In regulating the practice of law in Washington, the Washington Supreme Court's objectives include: protection of the public; advancement of the administration of justice and the rule of law; meaningful access to justice and information about the law, legal issues, and the civil and criminal justice systems;

(a) transparency regarding the nature and scope of legal services To be provided, the credentials of those who provide them, and the availability of regulatory protections;

(b) delivery of affordable and accessible legal services;

(c) efficient, competent, and ethical delivery of legal services;

(d) protection of privileged and confidential information;

(e) independence of professional judgment;

(f) Accessible civil remedies for negligence and breach of other duties owed, disciplinary sanctions for misconduct, and advancement of appropriate preventive or wellness programs;

(g) Diversity and inclusion among legal services providers and freedom from discrimination for those receiving legal services and in the justice system.

[Adopted effective September 1, 2017.]

GR 12.2
WASHINGTON STATE BAR ASSOCIATION: PURPOSES, AUTHORIZED ACTIVITIES, AND PROHIBITED ACTIVITIES

In the exercise of its inherent and plenary authority to regulate the practice of law in Washington, the Supreme Court authorizes and supervises the Washington State Bar Association's activities. The Washington State Bar Association carries out the administrative responsibilities and functions expressly delegated to it by this rule and other Supreme Court rules and orders enacted or adopted to regulate the practice of law, including the purposes and authorized activities set forth below.

(a) Purposes: In General. In general, the Washington State Bar Association strives to:

(1) Promote independence of the judiciary and the legal profession.

(2) Promote an effective legal system, accessible to all.

(3) Provide services to its members and the public.

(4) Foster and maintain high standards of competence, professionalism, and ethics among its members.

(5) Foster collegiality among its members and goodwill between the legal profession and the public.

(6) Promote diversity and equality in the courts and the legal profession.

(7) Administer admission, regulation, and discipline of its members in a manner that protects the public and respects the rights of the applicant or member.

(8) Administer programs of legal education.

(9) Promote understanding of and respect for our legal system and the law.

(10) Operate a well-managed and financially sound association, with a positive work environment for its employees.

(11) Serve as a statewide voice to the public and to the branches of government on matters relating to these purposes and the activities of the association and the legal profession.

(b) Specific Activities Authorized. In pursuit of these purposes, the Washington State Bar Association may:

(1) Sponsor and maintain committees and sections, whose activities further these purposes;

(2) Support the judiciary in maintaining the integrity and fiscal stability of an independent and effective judicial system;

(3) Provide periodic reviews and recommendations concerning court rules and procedures;

(4) Administer examinations and review applicants' character and fitness to practice law;

(5) Inform and advise its members regarding their ethical obligations;

(6) Administer an effective system of discipline of its members, including receiving and investigating complaints of misconduct by legal professionals, taking and recommending appropriate punitive and remedial measures, and diverting less serious misconduct to alternatives outside the formal discipline system;

(7) Maintain a program, pursuant to court rule, requiring members to submit fee disputes to arbitration;

(8) Maintain a program for mediation of disputes between members and others;

(9) Maintain a program for legal professional practice assistance;

(10) Sponsor, conduct, and assist in producing programs and products of continuing legal education;

(11) Maintain a system for accrediting programs of continuing legal education;

(12) Conduct examinations of legal professionals' trust accounts;

(13) Maintain a fund for client protection in accordance with the Admission and Practice Rules;

(14) Maintain a program for the aid and rehabilitation of impaired members;

(15) Disseminate information about the organization's activities, interests, and positions;

(16) Monitor, report on, and advise public officials about matters of interest to the organization and the legal profession;

(17) Maintain a legislative presence to inform members of new and proposed laws and to inform public officials about the organization's positions and concerns;

(18) Encourage public service by members and support programs providing legal services to those in need;

(19) Maintain and foster programs of public information and education about the law and the legal system;

(20) Provide, sponsor, and participate in services to its members;

(21) Hire and retain employees to facilitate and support its mission, purposes, and activities, including in the organization's discretion, authorizing collective bargaining;

(22) Establish the amount of all license, application, investigation, and other related fees, as well as charges for services provided by the Washington State Bar Association, and collect, allocate, invest, and disburse funds so that its mission, purposes, and activities may be effectively and efficiently discharged. The amount of any license fee is subject to review by the Supreme Court for reasonableness and may be modified by order of the Court if the Court determines that it is not reasonable;

(23) Administer Supreme-Court-created boards in accordance with General Rule 12.3.

(c) Activities Not Authorized. The Washington State Bar Association will not:

(1)) Take positions on issues concerning the politics or social positions of foreign nations;

(2)) Take positions on political or social issues which do not relate to or affect the practice of law or the administration of justice; or

(3) Support or oppose, in an election, candidates for public office.

[Adopted effective July 17, 1987; amended effective December 10, 1993; September 1, 1997; September 1, 2007; September 1, 2013; September 1, 2017.]

GR 12.3
WASHINGTON STATE BAR ASSOCIATION ADMINISTRATION OF SUPREME COURT-CREATED BOARDS AND COMMITTEES

The Supreme Court has delegated to the Washington State Bar Association the authority and responsibility to administer certain boards and committees established by court rule or order. This delegation of authority includes providing and managing staff, overseeing the boards and committees to monitor their compliance with the rules and orders that authorize and regulate them, paying expenses reasonably and necessarily incurred pursuant to a budget approved by the Board of Governors, performing other functions and taking other actions as provided in court rule or order or delegated by the Supreme Court, or taking other actions as are necessary and proper to enable the board or committee to carry out its duties or functions.

[Adopted effective September 1, 2007; amended effective September 1, 2017.]

GR 12.4
WASHINGTON STATE BAR ASSOCIATION ACCESS TO RECORDS

(a) Policy and Purpose. It is the policy of the Washington State Bar Association to facilitate access to Bar records. A presumption of public access exists for Bar records, but public access to Bar records is not absolute and shall be consistent with reasonable expectations of personal privacy, restrictions in statutes, restrictions in court rules, or as provided in court orders or protective orders issued under court rules. Access shall not unduly burden the business of the Bar.

(b) Scope. This rule governs the right of public access to Bar records. This rule applies to the Washington State Bar Association and its subgroups operated by the Bar including the Board of Governors, committees, task forces, commissions, boards, offices, councils, divisions, sections, and departments. This rule also applies to boards and committees under GR 12.3 administered by the Bar. A person or entity entrusted by the
Bar with the storage and maintenance of Bar records is not subject to this rule and may not respond to a request for access to Bar records, absent express written authority from the Bar or separate authority in rule or statute to grant access to the documents.

(c) Definitions.

(1)) "Access" means the ability to view or obtain a copy of a Bar record.

(2)) "Bar record" means any writing containing information relating to the conduct of any Bar function prepared, owned, used, or retained by the Bar regardless of physical form or characteristics. Bar records include only those records in the possession of the Bar and its staff or stored under Bar ownership and control in facilities or servers. Records solely in the possession of hearing officers, non-Bar staff members of boards, committees, task forces, commissions, sections, councils, or divisions that were prepared by the hearing officers or the members and in their sole possession, including private notes and working papers, are not Bar records and are not subject to public access under this rule. Nothing in this rule requires the Bar to create a record that is not currently in possession of the Bar at the time of the request.

(3) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation in paper, digital, or other format.

(d) Bar Records--Right of Access.

(1) The Bar shall make available for inspection and copying all Bar records, unless the record falls within the specific exemptions of this rule, or any other state statute (including the Public Records Act, chapter 42.56 RCW) or federal statute or rule as they would be applied to a public agency, or is made confidential by the Rules of Professional Conduct, the Rules for Enforcement of Lawyer Conduct, the Admission to Practice Rules and associated regulations, the Rules for Enforcement of Limited Practice Officer Conduct, General Rule 25, court orders or protective orders issued under those rules, or any other state or federal statute or rule. To the extent required to prevent an unreasonable invasion of personal privacy interests or threat to safety or by the above-referenced rules, statutes, or orders, the Bar shall delete identifying details in a manner consistent with those rules, statutes, or orders when it makes available or publishes any Bar record; however, in each case, the justification for the deletion shall be explained in writing.

(2) In addition to exemptions referenced above, the following categories of Bar records are exempt from public access except as may expressly be made public by court rule:

(A) Records of the personnel committee, and personal information in Bar records for employees, appointees, members, or volunteers of the Bar to the extent that disclosure would violate their right to privacy, including home contact information (unless such information is their address of record), Social Security numbers, driver's license numbers, identification or security photographs held in Bar records, and personal data including ethnicity, race, disability status, gender, and sexual orientation. Membership class and status, bar number, dates of admission or licensing, addresses of record, and business telephone
numbers, facsimile numbers, and electronic mail addresses (unless there has been a request that electronic mail addresses not be made public) shall not be exempt, provided that any such information shall be exempt if the Executive Director approves the confidentiality of that information for reasons of personal security or other compelling reason, which approval must be reviewed annually.

(B) Specific information and records regarding

(i) internal policies, guidelines, procedures, or techniques, the disclosure of which would reasonably be expected to compromise the conduct of disciplinary or regulatory functions, investigations, or examinations;

(ii) application, investigation, and hearing or proceeding records relating to lawyer, Limited Practice Officer, or Limited License Legal Technician admissions, licensing, or discipline, or that relate to the work of ELC 2.5 hearing officers, the Board of Bar Examiners, the Character and Fitness Board, the Law Clerk
Board, the Limited Practice Board, the MCLE Board, the Limited License Legal Technician Board, the Practice of Law Board, or the Disciplinary Board in conducting investigations, hearings or proceedings; and

(iii) the work of the Judicial Recommendation Committee and the Hearing Officer selection panel, unless such records are expressly categorized as public information by court rule.

(C) Valuable formulae, designs, drawings, computer source code or object code, and research data created or obtained by the Bar.

(D) Information regarding the infrastructure, integrity, and security of computer and telecommunication networks, databases, and systems.

(E) Applications for licensure by the Bar and annual licensing forms and related records, including applications for license fee hardship waivers and any decision or determinations on the hardship waiver applications.

(F) Requests by members for ethics opinions to the extent that they contain information identifying the member or a party to the inquiry.

Information covered by exemptions will be redacted from the specific records sought. Statistical information not descriptive of any readily identifiable person or persons may be disclosed.

(3) Persons Who Are Subjects of Records.

(A) Unless otherwise required or prohibited by law, the Bar has the option to give notice of any records request to any member or third party whose records would be included in the Bar's response.

(B) Any person who is named in a record, or to whom a record specifically pertains, may present information opposing the disclosure to the applicable decision maker.

(C) If the Bar decides to allow access to a requested record, a person who is named in that record, or to whom the records specifically pertains, has a right to initiate review or to participate as a party to any review initiated by a requester. The deadlines that apply to a requester apply as well to a person who is a subject of a record.

(e) Bar Records--Procedures for Access.

(1) General Procedures. The Bar Executive Director shall appoint a Bar staff member to serve as the public records officer to whom all records requests shall be submitted. Records requests must be in writing and delivered to the Bar public records officer, who shall respond to such requests within 30 days of receipt. The Washington State Bar Association must implement this rule and adopt and publish on its website the public records officer's work mailing address, telephone number, fax number, and e-mail address, and the procedures and fee schedules for accepting and responding to records requests by the effective date of this rule. The Bar shall acknowledge receipt of the request within 14 days of receipt, and shall communicate with the requester as necessary to clarify any ambiguities as to the records being requested. Records requests shall not be directed to other Bar staff or to volunteers serving on boards, committees, task forces, commissions, sections, councils, or divisions.

(2) Charging of Fees.

(A) A fee may not be charged to view Bar records.

(B) A fee may be charged for the photocopying or scanning of Bar records according to the fee schedule established by the Bar and published on its web site.

(C) A fee not to exceed $30 per hour may be charged for research services required to fulfill a request taking longer than one hour. The fee shall be assessed from the second hour onward.

(f) Extraordinary Requests Limited by Resource Constraints. If a particular request is of a magnitude or burden on resources that the Bar cannot fully comply within 30 days due to constraints on time, resources, and personnel, the Bar shall communicate this information to the requester along with a good faith estimate of the time needed to complete the Bar's response. The Bar must attempt to reach

agreement with the requester as to narrowing the request to a more manageable scope and as to a timeframe for the Bar's response, which may include a schedule of installment responses. If the Bar and requester are unable to reach agreement, the Bar shall respond to the extent practicable, clarify how and why the response differs from the request, and inform the requester that it has completed its response.

(g) Denials. Denials must be in writing and shall identify the applicable exemptions or other bases for denial as well as a written summary of the procedures under which the requesting party may seek further review.

(h) Review of Records Decisions.

(1) Internal Review. A person who objects to a record decision or other action by the Bar's public records officer may request review by the Bar's Executive Director.

(A) A record requester's petition for internal review must be submitted within 90 days of the Bar's public records officer's decision, on such form as the Bar shall designate and make available.

(B) The review proceeding is informal, summary, and on the record.

(C) The review proceeding shall be held within five working days. If that is not reasonably possible, then within five working days the review shall be scheduled for the earliest practical date.

(2) External Review. A person who objects to a records review decision by the Bar's Executive Director may request review by the Records Request Appeals Officer (RRAO) for the Bar.

(A) The requesting party's request for review of the Executive Director's decision must be deposited in the mail and postmarked or delivered to the Bar not later than 30 days after the issuance of the decision, and must be on such form as the Bar shall designate and make available.

(B)) The review will be informal and summary, but in the sole discretion of the RRAO may include the submission of briefs no more than 20 pages long and of oral arguments no more than 15 minutes long.

(C) Decisions of the RRAO are final unless, within 30 days of the issuance of the decision, a request for discretionary review of the decision is filed with the Supreme Court. If review is granted, review is conducted by the Chief Justice of the Washington Supreme Court or his or her designee in accordance with procedures established by the Supreme Court. A designee of the Chief Justice shall be a current or former elected judge. The review proceeding shall be on the record, without additional briefing or argument unless such is ordered by the Chief Justice or his or her designee.

(D) The RRAO shall be appointed by the Board of Governors. The Bar may reimburse the RRAO for all necessary and reasonable expenses incurred in the completion of these duties, and may provide compensation for the time necessary for these reviews at a level established by the Board of Governors.

(i) Monetary Awards Not Allowed. Attorney fees, costs, civil penalties, or fines may not be awarded under this rule.

(j) Effective Date of Rule.

(1) This rule goes into effect on July 1, 2014, and applies to records that are created on or after that date.

(2) Public access to records that are created before that date are to be analyzed according to other court rules, applicable statutes, and the common law balancing test; the Public Records Act, chapter 42.56 RCW, does not apply to such Bar records, but it may be used for nonbinding guidance.

[Adopted effective July 1, 2014; amended effective September 1, 2017.]

GR 12.5
IMMUNITY

All boards, committees, or other entities, and their members and personnel, and all personnel and employees of the Washington State Bar Association, acting on behalf of the Supreme Court under the Admission and Practice Rules, the Rules for Enforcement of Lawyer Conduct, or the disciplinary rules for limited practice officers and limited license legal technicians, shall enjoy quasi-judicial immunity if the Supreme Court would have immunity in performing the same functions.

[Adopted effective January 2, 2008; amended effective September 1, 2017.]

WASHINGTON STATE
BAR ASSOCIATION

2026-2027 WSBA BOARD OF GOVERNORS MEETING SCHEDULE

MEETING DATE	LOCATION	DESCRIPTION	EXECUTIVE COMMITTEE MEETING	MATERIALS DEADLINE
October 16-17, 2026	Clearwater Casino Resort Seattle, WA	Team Building Retreat	N/A	N/A
November 6-7, 2026	Courtyard Marriott Columbia Point Richland, WA	BOG Meeting	October 8, 2026	October 1, 2026
January 15-16, 2027	WSBA Conference Center Seattle, WA	BOG Meeting KCBA MLK Luncheon Jan. 15	December 17, 2026	December 8, 2026
March 19-20, 2027	TBD Olympia, WA	BOG Meeting	February 18, 2027	February 10, 2027
May 13-14, 2027	Enzian Inn Leavenworth, WA	BOG Meeting	April 22, 2027	April 13, 2024
July 7, 2027 July 8, 2027 July 9-10, 2027	Silver Reef Casino Resort, Ferndale, WA	New Governor Orientation BOG Planning Retreat BOG Meeting	June 17, 2027	June 8, 2027
September 24-25, 2027	Hotel Indigo Vancouver, WA	BOG Meeting	September 2, 2027	August 24, 2027

All proposed agenda items and materials must be submitted by the deadline stated above. Materials can be submitted through 1) a staff liaison, 2) staff supervisor or department director, All meeting materials will be published appx. three weeks prior to the meeting.

Materials should include: 1) a cover memo, 2) additional/supplemental materials, 3) be inclusive of all WSBA analyses, if relevant and, 4) be in final form suitable for publication. Click here for more information.

BASIC CHARACTERISTICS OF MOTIONS

From: ***The Complete Idiot's Guide to Robert's Rules***
The Guerilla Guide to Robert's Rules

MOTION	PURPOSE	INTERRUPT SPEAKER?	SECOND NEEDED?	DEBATABLE?	AMENDABLE?	VOTE NEEDED
1. Fix the time to which to adjourn	Sets the time for a continued meeting	No	Yes	No[1]	Yes	Majority
2. Adjourn	Closes the meeting	No	Yes	No	No	Majority
3. Recess	Establishes a brief break	No	Yes	No[2]	Yes	Majority
4. Raise a Question of Privilege	Asks urgent question regarding to rights	Yes	No	No	No	Rules by Chair
5. Call for orders of the day	Requires that the meeting follow the agenda	Yes	No	No	No	One member
6. Lay on the table	Puts the motion aside for later consideration	No	Yes	No	No	Majority
7. Previous question	Ends debate and moves directly to the vote	No	Yes	No	No	Two-thirds
8. Limit or extend limits of debate	Changes the debate limits	No	Yes	No	Yes	Two-thirds
9. Postpone to a certain time	Puts off the motion to a specific time	No	Yes	Yes	Yes	Majority[3]
10. Commit or refer	Refers the motion to a committee	No	Yes	Yes	Yes	Majority
11. Amend an amendment (secondary amendment)	Proposes a change to an amendments	No	Yes	Yes[4]	No	Majority
12. Amend a motion or resolution (primary amendment)	Proposes a change to a main motion	No	Yes	Yes[4]	Yes	Majority
13. Postpone indefinitely	Kills the motion	No	Yes	Yes	No	Majority
14. Main motion	Brings business before the assembly	No	Yes	Yes	Yes	Majority

1 Is debatable when another meeting is scheduled for the same or next day, or if the motion is made while no question Is pending

2 Unless no question is pending

3 Majority, unless it makes question a special order

4 If the motion it is being applied to is debatable

Discussion Protocols
Board of Governors Meetings

Philosophical Statement:

"We take serious our representational responsibilities and will try to inform ourselves on the subject matter before us by contact with constituents, stakeholders, WSBA staff and committees when possible and appropriate. In all deliberations and actions we will be courageous and keep in mind the need to represent and lead our membership and safeguard the public. In our actions, we will be mindful of both the call to action and the constraints placed upon the WSBA by GR 12 and other standards."

Governor's Commitments:

1. Tackle the problems presented; don't make up new ones.
2. Keep perspective on long-term goals.
3. Actively listen to understand the issues and perspective of others before making the final decision or lobbying for an absolute.
4. Respect the speaker, the input and the Board's decision.
5. Collect your thoughts and speak to the point – sparingly!
6. Foster interpersonal relationships between Board members outside Board events.
7. Listen and be courteous to speakers.
8. Speak only if you can shed light on the subject, don't be repetitive.
9. Consider, respect and trust committee work but exercise the Board's obligation to establish policy and insure that the committee work is consistent with that policy and the Board's responsibility to the WSBA's mission.
10. Seek the best decision through quality discussion and ample time (listen, don't make assumptions, avoid sidebars, speak frankly, allow time before and during meetings to discuss important matters).
11. Don't repeat points already made.
12. Everyone should have a chance to weigh in on discussion topics before persons are given a second opportunity.
13. No governor should commit the board to actions, opinions, or projects without consultation with the whole Board.
14. Use caution with e-mail: it can be a useful tool for debating, but e-mail is not confidential and does not easily involve all interests.
15. Maintain the strict confidentiality of executive session discussions and matters.

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BOARD OF GOVERNORS

WSBA VALUES

Through a collaborative process, the WSBA Board of Governors and Staff have identified these core values that shall be considered by the Board, Staff, and WSBA volunteers (collectively, the "WSBA Community") in all that we do.

To serve the public and our members and to promote justice, the WSBA Community values the following:

- Trust and respect between and among Board, Staff, Volunteers, Members, and the public
- Open and effective communication
- Individual responsibility, initiative, and creativity
- Teamwork and cooperation
- Ethical and moral principles
- Quality customer-service, with member and public focus
- Confidentiality, where required
- Diversity and inclusion
- Organizational history, knowledge, and context
- Open exchanges of information



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WSBA VALUES

Through a collaborative process, the WSBA Board of Governors and Staff have identified these core values that shall be considered by the Board, Staff, and WSBA volunteers (collectively, the "WSBA Community") in all that we do.

To serve the public and our members and to promote justice, the WSBA Community values the following:

- Trust and respect between and among Board, Staff, Volunteers, Members, and the public
- Open and effective communication
- Individual responsibility, initiative, and creativity
- Teamwork and cooperation
- Ethical and moral principles
- Quality customer-service, with member and public focus
- Confidentiality, where required
- Diversity and inclusion
- Organizational history, knowledge, and context
- Open exchanges of information

BOARD OF GOVERNORS

GUIDING COMMUNICATION PRINCIPLES

In each communication, I will assume the good intent of my fellow colleagues; earnestly and actively listen; encourage the expression of and seek to affirm the value of their differing perspectives, even where I may disagree; share my ideas and thoughts with compassion, clarity, and where appropriate confidentiality; and commit myself to the unwavering recognition, appreciation, and celebration of the humanity, skills, and talents that each of my fellow colleagues bring in the spirt and effort to work for the mission of the WSBA. Therefore, I commit myself to operating with the following norms:

- I will treat each person with courtesy and respect, valuing each individual.
- I will strive to be nonjudgmental, open-minded, and receptive to the ideas of others.
- I will assume the good intent of others.
- I will speak in ways that encourage others to speak.
- I will respect others' time, workload, and priorities.
- I will aspire to be honest and open in all communications.
- I will aim for clarity; be complete, yet concise.
- I will practice "active" listening and ask questions if I don't understand.
- I will use the appropriate communication method (face-to-face, email, phone, voicemail) for the message and situation.
- When dealing with material of a sensitive or confidential nature, I will seek and confirm that there is mutual agreement to the ground rules of confidentiality at the outset of the communication.
- I will avoid triangulation and go directly to the person with whom I need to communicate. (If there is a problem, I will go to the source for resolution rather than discussing it with or complaining to others.)
- I will focus on reaching understanding and finding solutions to problems.
- I will be mindful of information that affects, or might be of interest or value to, others, and pass it along; err on the side of over-communication.
- I will maintain a sense of perspective and respectful humor.

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BOARD OF GOVERNORS

Anthony David Gipe
President

phone: 206.386.4721
e-mail: adgipeWSBA@gmail.com

November 2014

BEST PRACTICES AND EXPECTATIONS

- **Attributes of the Board**
  - Competence
  - Respect
  - Trust
  - Commitment
  - Humor

- **Accountability by Individual Governors**
  - Assume Good Intent
  - Participation/Preparation
  - Communication
  - Relevancy and Reporting

- **Team of Professionals**
  - Foster an atmosphere of teamwork
    - Between Board Members
    - The Board with the Officers
    - The Board and Officers with the Staff
    - The Board, Officers, and Staff with the Volunteers
  - We all have common loyalty to the success of WSBA

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WASHINGTON STATE
BAR ASSOCIATION

TO: WSBA Board of Governors

CC: Terra Nevitt, Executive Director

FROM: Renata Garcia, Chief Regulatory Counsel

DATE: October 15, 2026

RE: **Request to Comment on Suggested Amendments to APR 8(d) Proposed by the Washington Association of Prosecuting Attorneys**

CONSENT: Chief Regulatory Counsel requests that the Board of Governors submit a comment to the Washington Supreme Court in support of the suggested amendments to APR 8(d) proposed by the Washington Association of Prosecuting Attorneys (WAPA).

The Washington Association of Prosecuting Attorneys (WAPA) has proposed amending rule 8(d) of the Admission and Practice Rules (APR) and submitted its proposal to the Washington Supreme Court. The suggested amendments would authorize lawyers licensed in another U.S. jurisdiction to practice law as a government lawyer in Washington while their applications for admission in Washington are pending review and approval.

The Court ordered that WAPA's proposed amendments be published for public comment on an expedited basis, with a comment deadline of 60 days from the date of the Court's order (which would mean a comment deadline of December 8, 2026). The attached order includes WAPA's proposed amendments and GR 9 coversheet detailing the purpose of, and rationale for, the proposed amendments.

Chief Regulatory Counsel asks the Board of Governors to submit a comment to the Washington Supreme Court in support of the suggested amendments to APR 8(d) as proposed by the WAPA. The content of the letter to be as follows:

On behalf of the WSBA Board of Governors, I write in support of the suggested amendments to APR 8(d) as proposed by the Washington Association of Prosecuting Attorneys (WAPA).

As stated by the proponent, the amendments to APR 8(d) mirror the requirements and procedure for temporary indigent representation under APR 8(c) while awaiting approval of an application for admission in Washington. This process, as we have experienced with the indigent representation rule, is efficient, has no additional cost to the applicant, and serves the purposes as described by the proponent. The public is protected in several ways: (1) the lawyer has already been through character and fitness and the admission process in another U.S. jurisdiction; (2) the WSBA will conduct an additional character and fitness review; and (3) the out-of-state lawyer is required to be associated with a Washington lawyer who will be the lawyer of record on the matter.

The Regulatory Services Department has been considering a similar, broader, proposal to allow all applicants who are active lawyers admitted in another U.S. jurisdiction to be able to practice law pending

admission in Washington. It's possible we may have a proposed amendment by next September's GR 9 deadline. Until then, the WAPA proposal is one step in that direction.

Therefore, the WSBA joins the WAPA in asking the Court to adopt the suggested amendments to APR 8(d).

Information for Fiscal Analysis

There is no application fee because the applicant will already have applied, or will apply, for general admission. Therefore, character and fitness costs are covered by the primary application fee. Based on historical applications for indigent representation under APR 8(c), we expect approximately a dozen applications under APR 8(d) annually. The work for these applications will be absorbed by existing staff and easily fits into existing technology.

Information for Equity Analysis

Although we expect a small number of applications annually, the impact on the government, particularly the prosecuting attorney offices, is substantial. It will help to relieve the burden of the high volume of work on these offices. In addition, it assists the lawyers who are relocating to Washington as they are able to work to support themselves and their families while awaiting admission in Washington.

WSBA RISK ANALYSIS: *This section is to be completed by the Office of General Counsel, with input from the proposing entity or individual.*

The risk analysis is available in confidential materials.

WSBA FISCAL ANALYSIS: *This section is to be completed by the Finance Department, with input from the proposing entity or individual.*

In addition to the information provided above, the fiscal impact of the authorization includes staff time used to draft materials for submission to the Board of Governors and, if approved, to the Washington Supreme Court, incorporate information into relevant records, and communicate the comments to relevant stakeholders. The staff time that would be allocated to this work is included in the overall duties of existing WSBA staff and does not require additional staff or allocation of resources from other internal sources.

WSBA EQUITY ANALYSIS: *This section is to be completed by the Equity and Justice Team, with input from the proposing entity or individual.*

The proposed action primarily signals WSBA support for APR amendments proposed by the WAPA. Given the WSBA is not the primary author of the proposed rule changes itself, this analysis focuses on whether support for the proposed change is relevant to the WSBA's Equity and Justice Plan and strategic goals related to access to justice.

The proposed amendment by the WAPA is intended to address a shortage of experienced prosecutors and government attorneys in Washington. The proposal by the WAPA acknowledges that rural populations, who already face greater barriers to accessing justice, are disparately impacted by this shortage. The action itself would apply broadly and therefore does not directly address these geographic disparities, but does create an expedited process that could theoretically benefit prosecutor's offices and government agencies in those areas. This could help strengthen some of WSBA's programs and intitiatives focused on recruiting and retaining legal professionals to serve rural areas, especially if there are expedited pathways to practice law for out-of-state legal professionals.

Overall, providing support for this proposal has the potential to help indirectly advance some of WSBA's goals and priorities related to advancing equity and access to justice in Washington.

Attachments

- Washington Supreme Court Order No. 25700-A-1709, dated October 9, 2026, with WAPA GR 9 Coversheet and Suggested Amendments to APR 8(d)

FILED
SUPREME COURT STATE OF
WASHINGTON
OCTOBER 9, 2026
BY SARAH R. PENDLETON
CLERK

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE SUGGESTED AMENDMENTS TO APR 8—NONMEMBER LAWYER LICENSES TO PRACTICE LAW	)	**O R D E R**
	)	NO. 25700-A-1709

The Washington Association of Prosecuting Attorneys, having recommended the suggested amendments to APR 8—Nonmember Lawyer Licenses to Practice Law, and the Court having approved the suggested amendments for publication on an expedited basis;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendments as attached are to be published expeditiously for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites.

(b) The purpose statement as required by GR 9(e) is published solely for the information of the Bench, Bar and other interested parties.

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than 60 days after the date of this order. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or

supreme@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 9th day of October, 2026.

For the Court



CHIEF JUSTICE

GR 9 Cover Sheet

A) Name of Proponent: Washington Association of Prosecuting Attorneys

B) Spokesperson: The Hon. Jason Walker, WSBA 44358, Grays Harbor Prosecuting Attorney, JWalker@GraysHarbor.us and Adams County Chief Deputy Prosecutor Robert A. Lehman, WSBA# 47783, RobertL@co.Adams.wa.gov.

C) Purpose: There is a prosecutor vacancy crisis throughout the United States.[1] This crisis has also affected Washington State.[2] The shortage is especially felt in rural counties.[3]

APR 8(c) already permits attorneys licensed in other states that are in good standing in those states and eligible for admission under APR 3 to be permitted to practice in Washington State for up to a year to render services in either a bar association or governmentally sponsored legal services organization or in a public defender's office or similar program providing legal services to indigent defendants. However, APR 8(c) does not provide for similarly situated lawyers to practice in a prosecutor's office or in other government agencies.

This proposal is intended to allow lawyers who are members of another state's Bar to practice up to a year in a government attorney's office that represents the State of Washington or a political subdivision thereof while they seek admission to the Washington Bar. Such offices are ideal places for attorneys to learn Washington law and practice because there are always supervisors in the form of the principal, such as the elected prosecutor or appointed city attorney, or in the case of the attorney general's office, a vast network of experienced attorneys.

A legal scholar has suggested this change as a way to address the shortage of prosecutors.[4] Similar changes have been adopted by other states, such as Hawaii.[5]

This proposed rule amendment would help reduce the shortage of experienced attorneys working in the public sector in Washington State and allow government attorney offices to better serve the public. The proposed language change mirrors, as much as practical, the language of APR 8(c). "Attorney" is used instead of "lawyer" in reference to the supervisor.

D) Hearing: A hearing is not recommended.

E) Expedited consideration: not requested.

[1] Adam M. Gershowitz, The Prosecutor Vacancy Crisis, 50 BYU L. Rev. 355 (2024) Available at: https://digitalcommons.law.byu.edu/lawreview/vol50/iss2/8

[2] Colin Rigley, No Rest for the Prosecution, Washington State Bar News, 2025. (https://wabarnews.org/2025/02/11/no-rest-for-the-prosecution/).

[3] *See e.g.* Don Gronning, Prosecutor Shortage Nationwide, The Miner Newspapers (2025) Available at https://www.pendoreillerivervalley.com/article/3682,prosecutor-shortage-nationwide.)

[4] Adam M. Gershowitz, Solving the Prosecutor Vacancy Crisis, William & Mary Law School Research Paper 09-508, 59-59 (2025) Available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=5731924&__cf_chl_f_tk=0DBbKLTQKWtNdUX4uOF68ccxnFtziXb4ki86n1oeeq8-1782756193-1.0.1.1-GRoD38pEy0Dz8P61yx74j3HMICwjkpvbFBZ.it3ttnw).

[5] Debra Cassens Weiss, Hawaii Welcomes Out-of-State Lawyers Who Want to Work as Public Defenders, Prosecutors Without State Licenses, ABA J. Aug. 4, 2025.

APR 8

(a)-(c) Unchanged

(d) **Exception for Government Representation**. A member in good standing of the bar of another state or territory of the United States or of the District of Columbia, who is eligible to apply for admission as a lawyer under APR 3 in this state, while employed by and representing the State of Washington or a political subdivision thereof, and only in that capacity, may, upon application and approval, practice law and appear as a lawyer before the courts of this state in any matter, litigation, or administrative proceeding, subject to the following conditions and limitations:

(1) Application to practice under this rule shall be made to the Bar, and the applicant shall be subject to the Rules for Enforcement of Lawyer Conduct and to the Rules of Professional Conduct.

(2) In any such matter, litigation, or administrative proceeding, the applicant shall be associated with an active attorney member of the Bar, who shall be the attorney of record and responsible for the conduct of the matter, litigation, or administrative proceeding.

(3) The applicant shall either apply for and take the first available lawyer bar examination after the date the applicant was granted authorization to practice under this rule, or already have filed an application for admission by motion or Uniform Bar Exam (UBE) score transfer.

(4) The applicant's authorization to practice under this rule (i) may be terminated by the Supreme Court at any time with our without cause, or (ii) shall be terminated automatically for failure to take or pass the required lawyer bar examination, or (iii) shall be terminated for failure to become an active lawyer member of the Bar within 60 days of the date the lawyer bar examination results are made public, or (iv) shall be terminated automatically upon denial of the application for admission, or (v) in any event, shall be terminated within 1 year from the original date the applicant was authorized to practice law in this state under this rule.

(e)-(g) Unchanged

WASHINGTON STATE BAR ASSOCIATION

IMPORTANT:
Please refer to the
BOG Action Item Guide
when completing this template.

TO: WSBA Board of Governors
CC: Terra Nevitt, Executive Director
FROM: Mark Fucile, Chair of the Committee on Professional Ethics
Sara Ayoubi, Member of the Committee on Professional Ethics
DATE: October 21, 2026
RE: Supplemental Memo - Technical Correction to the Updated Committee on Professional Ethics Charter

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Action: The Committee on Professional Ethics (CPE) respectfully requests Board of Governors (BOG) approval of the updated CPE Charter revising the name of the Limited Practice Board from LPO Board in the original version, Section c(4).

Background

This agenda item is on the Consent Calendar. On October 21, 2026, the CPE received feedback from the Limited Practice Board that in Section c(4) of the charter, the name of the Limited Practice Board should be changed from LPO Board to Limited Practice Board. This change has been made, and a red-line and clean version has been provided in the materials. No substantive changes were made to the charter.

Sincerely,

Mark Fucile, Chair of the Committee on Professional Ethics
Sara Ayoubi, Member of the Committee on Professional Ethics

WASHINGTON STATE
BAR ASSOCIATION

CHARTER (Draft)
Committee on Professional Ethics

Adopted as the Committee on Professional Ethics Rules of Procedure July 26, 2013. Amended XXXX XX, XXXX

Purpose

The Committee on Professional Ethics ("Committee") (a) provides guidance to the members of the Bar on legal ethics issues in the form of Advisory Opinions; (b) considers and proposes to the WSBA Board of Governors appropriate amendments to the Washington Rules of Professional Conduct; (c) considers and reports to the Board of Governors on amendments and proposed amendments to the American Bar Association's Model Rules of Professional Conduct; and (d) in the Committee's discretion, conducts periodic outreach to the members of the Bar on these subjects.

Objectives and Scope of Work

a) Advisory Opinions

i. Source of Issues. The Committee may issue Advisory Opinions on significant legal ethics issues. Members of the Committee, as coordinated by the Chair, are expected to research and identify legal ethics issues of relevance to the WSBA membership and bring them to the attention of the Committee. The Committee identifies issues on which it will express its opinion. In identifying issues, the Committee may consider inquiries and suggestions submitted by members of the Bar, by Bar Sections, by lawyer professional organizations, by the Board of Governors, and by Bar staff, and it may pursue issues on the Committee's own initiative. The Committee's selection of issues may be guided by the breadth of relevance of an issue to members of the Bar, the significance of the issue and its potential effects on members of the Bar and the public, the likelihood of recurrence of an ethics issue, and the existence or absence of prior guidance on the issue (including whether that guidance is consistent). The Committee may consider the diversity of law practices in Washington state, including differences in geography, practice types, client bases, and levels of experience and sophistication. The Committee will generally avoid known instances of pending litigation, disciplinary proceedings, or other disputes.

ii. Form and Basis for Advisory Opinions. Each Advisory Opinion will set forth the operative facts and the basis for the decision, citing appropriate sections of the Rules of Professional Conduct and any other pertinent sources of authority. To the extent possible, information that would disclose the identity of an inquirer or other interested party will be omitted. The Committee will apply the Washington Rules of Professional Conduct as the standard in formulating opinions pertaining to legal ethics. In rendering Advisory Opinions, the Committee also may consider court rules, statutes, regulations, court decisions, and other applicable authorities and sources of law.

iii. Preparation of Advisory Opinions. The Chair has discretion to assign issues to individual Committee members or subcommittees for evaluation and/or preparation of draft Advisory Opinions. The Committee may solicit input from an inquiring or interested party, or from individuals or groups who have relevant experience with the issue under consideration or who are likely to be significantly affected by an Advisory Opinion adopted by the Committee. The Chair has discretion to designate a draft Advisory Opinion as "proposed" for purposes of

soliciting feedback from members of the Bar for a reasonable period of time. That feedback will be submitted to the Committee for consideration, prior to the Committee's final decision on designating the Advisory Opinion as adopted. At the Chair's discretion following consultation with the Committee, proposed opinions may also be posted on the WSBA website for public comment.

iv. Effect of Advisory Opinions. All Advisory Opinions adopted by the Committee will be kept on file by the Washington State Bar Association. They will be made available to any inquirer, and will be published on the Bar's website or through one or more other forms of electronic communication generally available to the members of the Bar. Advisory Opinions are provided for the education of the Bar and reflect the opinion of the Committee only. Advisory Opinions are provided pursuant to the authorization granted by the Board of Governors but are not individually approved by the Board of Governors and do not reflect the official position of the Bar Association.

v. Validity of Prior Advisory Opinions. A later Advisory Opinion supersedes earlier Advisory Opinions with which it is in conflict. The Committee may withdraw or amend prior Advisory Opinions in its discretion.

b) Amendments to the Rules of Professional Conduct

i. The Committee reports to the Board of Governors its opinion on any amendment to the ABA Model Rules of Professional Conduct. The Committee may, on its own initiative or at the request of the Board of Governors or the Supreme Court, report to the Board of Governors its opinion regarding suggested or proposed amendments to the Washington Rules of Professional Conduct. When considering suggested or proposed amendments, the Committee may solicit input from individuals or groups who have relevant experience with the amendments under consideration or who are likely to be significantly affected by them.

c) Other Considerations

i. Adoption of Advisory Opinions and Other Issues. A proposed Advisory Opinion or other issue presented for consideration at a Committee meeting will be finalized upon the vote of a majority of the members of the Committee. When deemed necessary by the Chair, votes on Committee issues may be taken electronically. The Chair is a voting member of the Committee. A finalized advisory opinion is considered adopted, without action by the WSBA Board of Governors, and will be posted on the WSBA website after its inclusion in the public materials of a regularly scheduled Board of Governors meeting, following that meeting's adjournment.

ii. Disclosure of Committee Member Interest. When a Committee member knows that the interest of a client, or the Committee member's own personal or professional interest, may be materially affected by a Committee decision, the Committee member shall disclose that fact, but need not identify the client. The Chair has the discretion to take appropriate action, including removing that member from the Committee's consideration of the issue.

iii. Responses to Inquiries. The Committee will acknowledge and respond to all inquiries from members of the Bar concerning legal ethics issues, including telephonic inquiries referred to the Committee by Professional Responsibility Counsel. The Committee retains the discretion whether to provide analysis of or specific guidance on the issue raised.

iv. Coordination with ~~LPO~~ Limited Practice Board and the LLLT Board~~s~~. When the Committee is considering an amendment to the Rules of Professional Conduct or an advisory opinion that may implicate Limited Practice Officers or Limited License Legal Technicians, the Committee will provide notice to the ~~LPO~~ Limited Practice Board and~~/or~~ the LLLT Board~~s~~ and invite the

Boards to provide input to the CPE. The Committee may collaborate with the ~~LPO~~ Limited Practice Board and LLLT Board~~s~~ as appropriate.

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a) Meeting Schedule. The Chair will schedule meetings to occur no less frequently than every other month. The Committee will make reasonable allowances for members to attend by electronic means.

b) Open Meetings. Meetings of the Committee will be open, except where the Committee elects to proceed in an executive session. Public participation in the meeting's discussion will be permitted by permission granted by the Chair. Information that would disclose the identity of an individual inquirer will not be disclosed other than to members of the Committee and WSBA staff.

Committee Structure and Terms of Appointment

The Committee consists of nine members, including the Chair. During the annual application cycle each year, the Chair will review applications submitted to the Bar and, in consultation with the WSBA Staff Liaison and BOG Liaison, will nominate to the Board of Governors proposed Committee members. To be considered for appointment, applicants must meet the requisite requirements enumerated in the WSBA Bylaws and must demonstrate knowledge and experience with legal ethics and strong analytical and writing skills. When making nominations, the Chair will take into consideration whether the nominations advance and promote the diversity, equality, and cultural understanding of the Committee.

The term of appointment for membership on the Committee is three years. Terms of appointment are staggered to ensure continuity on the Committee, with three of the nine positions being appointed each year. Terms of office begin at the start of the fiscal year or when a successor has been appointed, whichever occurs later.

Nominations and Appointment

The Executive Director will designate WSBA staff liaison(s) to the Committee. Committee members will be appointed by the Board of Governors in accordance with the WSBA Bylaws.

Reporting

Pursuant to the WSBA Bylaws, the Committee will submit an annual report to the Executive Director and submit such other reports as requested by the Board of Governors or Executive Director.

WASHINGTON STATE
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b) Open Meetings. Meetings of the Committee will be open, except where the Committee elects to proceed in an executive session. Public participation in the meeting's discussion will be permitted by permission granted by the Chair. Information that would disclose the identity of an individual inquirer will not be disclosed other than to members of the Committee and WSBA staff.

Committee Structure and Terms of Appointment

The Committee consists of nine members, including the Chair. During the annual application cycle each year, the Chair will review applications submitted to the Bar and, in consultation with the WSBA Staff Liaison and BOG Liaison, will nominate to the Board of Governors proposed Committee members. To be considered for appointment, applicants must meet the requisite requirements enumerated in the WSBA Bylaws and must demonstrate knowledge and experience with legal ethics and strong analytical and writing skills. When making nominations, the Chair will take into consideration whether the nominations advance and promote the diversity, equality, and cultural understanding of the Committee.

The term of appointment for membership on the Committee is three years. Terms of appointment are staggered to ensure continuity on the Committee, with three of the nine positions being appointed each year. Terms of office begin at the start of the fiscal year or when a successor has been appointed, whichever occurs later.

Nominations and Appointment

The Executive Director will designate WSBA staff liaison(s) to the Committee. Committee members will be appointed by the Board of Governors in accordance with the WSBA Bylaws.

Reporting

Pursuant to the WSBA Bylaws, the Committee will submit an annual report to the Executive Director and submit such other reports as requested by the Board of Governors or Executive Director.

WASHINGTON STATE
BAR ASSOCIATION

TO: WSBA Board of Governors

FROM: WSBA Board of Governors Governance Committee

CC: Terra Nevitt, Executive Director
Cate Schur, Assistant General Counsel
Paris Eriksen, Manager of Volunteer Engagement

DATE: October 15, 2026

RE: Proposed Amendments to WSBA Bylaws, Article VI

FIRST READ: The Governance Committee submits proposed amendments to WSBA Bylaws, Article VI that would 1) streamline the timing of elections for the congressional district and at-large positions and 2) provide for vote tabulation by ranked choice voting.

Summary:

The current timing requirement by the WSBA Bylaws for elections for at-large BOG positions poses ongoing scheduling challenges. The BOG Governance Committee is proposing several changes to the WSBA Bylaws to streamline the timing and processes of Board of Governors elections and to reduce the cost of BOG elections. The amendments are designed to enhance clarity, efficiency, and inclusivity within WSBA's governance structure. By streamlining deadlines, refining review procedures, adopting modern voting methods, and expanding opportunities for candidates, we aim to foster a more transparent and equitable election experience for all members. We believe these recommendations will not only address current barriers but also strengthen the integrity and effectiveness of the Board of Governors moving forward.

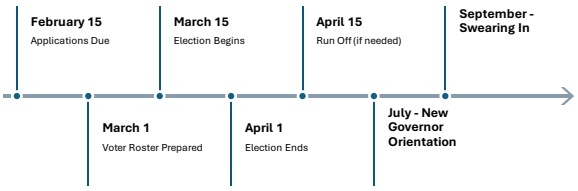
Background:

WSBA's Board of Governors is made up of eleven governors elected from each of Washington's congressional districts and three at-large positions. Two Member At-Large positions are designated for persons "who have a lived experience and knowledge of the needs of those members whose membership is or may be historically underrepresented in governance to the end that the BOG will be a more diverse and representative body." And one Member At-Large position is designated for persons "who qualify as New Members as defined by Article XII(B) of the [WSBA] Bylaws."

Currently, the Bylaws describe two separate election timelines depending on if the open position is for a congressional district seat or an at-large seat. Applications for at-large positions are considered by the Diversity, Equity, and Inclusion (DEI) Council and the Washington New Members Committee (WNMC),

who generally interview the applicants. The DEI Council and WNMC then forward to the Board of Governors the names of three or more nominees for inclusion on the ballot for each at-large position. If fewer than three nominees are forwarded to the Board, the Board may name additional candidates to be added to the ballot. The Board typically considers the at-large nominees and whether to add candidates at its regularly scheduled May Board meeting. Congressional district elections do not involve this additional step.

Congressional District



At-Large Positions



This election timeline for at-large positions can be challenging to administer. The BOG receives the nominations from the DEI Council and WNMC on May 1 and, if fewer than three nominees are forwarded, must determine whether to add nominees prior to the start of the election on May 15. This leaves only a two-week window each year in which to try to convene the Board and necessary staff to take up the matter.

Up until now, WSBA staff have made this timeline work. For the next election cycles, however, it seems likely the schedule for at-large positions will simply be unworkable. For instance, in 2027, May 1 falls on a Saturday. Board meetings are typically scheduled for Thursdays, Fridays, and Saturdays. Therefore, the earliest the Board could take up the matter would be May 6-8,[1] which does not leave sufficient time for candidates to campaign or for voters to receive information about the candidates before the May 15 start of the election.

Moreover, the election processes outlined in the Bylaws present several additional challenges for election timing, board meeting schedule, and budgeting. Specifically:

- The February 15 application deadline for the congressional district positions is early in the calendar year and overlaps with licensing which makes it a difficult time to recruit. Members receive frequent emails from WSBA during the relicensing period and it is easy for recruitment messages to be overlooked.
- All active Bar members, as of March 1 of each year, are eligible to vote in Board elections. WSBA staff, therefore, generate the voter roster March 1. Similarly, only active Bar members are eligible to apply for Board positions. March 1, however, falls after the February 15 application deadline for congressional district positions but before the April 15 at-large deadline. This means there may be situations where individuals are eligible to run in Board elections but not to vote in those same elections, or vice versa.

[1] And, in fact, the meeting is scheduled for May 13-14, leaving even less time between the Board meeting and the start of the elections.

- Requiring two separate voting periods each for congressional district and at-large positions requires preparation of two separate ballots. The WSBA pays per ballot, therefore, separating the voting periods by BOG position increases the cost of BOG elections.
- If more than two candidates are on a ballot and no candidate receives more than 50% of the vote, the Bylaws require a run-off election. Run-off elections further extend the election timeline and can cost up to $10,000 depending on the number of voters and positions on the ballot.

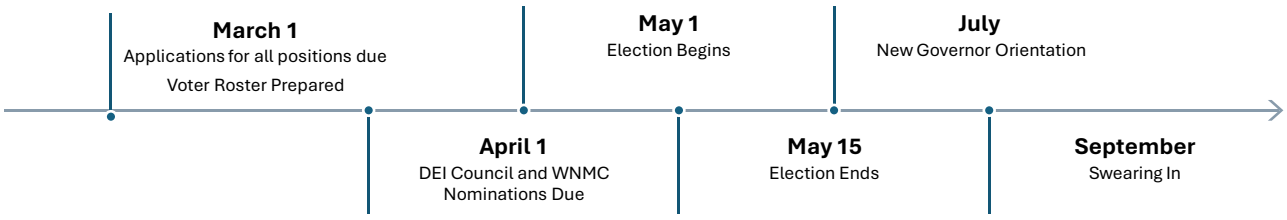
Proposed Amendments:

In order to address these issues, the following proposals would more closely align the election timelines for congressional district and at-large positions and condense the overall election timeframe, while also providing more time for WSBA entities to complete their roles in the election process. These adjustments are intended to maintain the current steps in the election process and entity roles while making the process itself more straightforward to administer.

The enclosed Bylaws markup would implement the following changes:

1. All applications for open Board of Governors positions—congressional district and at-large positions—would be due March 1. This deadline would coincide with when voter eligibility is determined.
2. The DEI Council and WNMC would forward nominees for their respective at-large positions by April 1 of each year.
3. The number of required nominees to be forwarded to the Board would be reduced from three to two. The Board would have the opportunity to add names to the at-large ballot if the DEI Council or WNMC forward fewer than two nominees.
4. Voting for all open Board positions—again, both congressional district and at-large positions—would open on May 1 and close on May 15 of each year.
5. Ranked choice voting, also known as instant run-off voting, would be used for BOG elections, eliminating the need to hold costly run-off elections.

The proposed election timeline would be as follows:



These proposals address the scheduling and timing issues in couple different ways. First, establishing a single deadline of March 1 for all Board of Governors applications promotes clarity and fairness in the application process. This deadline clearly separates the election process from relicensing and allows Board and staff to simultaneously recruit for all open positions. Further, synchronizing the application and voter

roster deadlines eliminates confusion regarding who may apply or vote in which elections, streamlines administrative procedures, and reduces the risk of errors or omissions.

Second, these proposals maintain the essential roles of the DEI Council and the WNMC in reviewing applications but give additional time to both these entities and the Board to consider at-large nominees. With applications for all positions due on March 1, the April 1 nominee submission deadline provides the DEI Council and WNMC one month in which to consider candidates, rather than the two weeks currently provided for in the Bylaws. This adjustment allows these entities additional time to conduct thorough reviews and interviews, ensuring that candidates are considered thoughtfully and equitably.

Likewise, moving the start of the voting period for all positions to May 1 provides more time for the WSBA Board to consider the nominees and add additional names from the pool of eligible and qualified candidates who applied to the ballot if required by the Bylaws. Where the current Bylaws give the Board approximately two weeks in which to schedule a Board meeting to complete these activities, the proposals provide one month. This timing also avoids overlap with other important annual board actions such as the election of the president-elect.

Third, the current Bylaws require the DEI Council and WNMC to forward at least three candidates to the Board for placement on the ballot. If fewer than three candidates are forwarded, the Board may add additional candidates to the ballot. The intent of this provision, therefore, appears to be incorporating the DEI Council and WNMC into the process to identify applicants who will represent the interests of new members and underrepresented members, while still ensuring the voters make the ultimate selection of their representative. In elections with only one candidate, that candidate is automatically declared the winner. Therefore, in instances where the DEI Council or WNMC forward fewer than three names for inclusion on the ballot, permitting the BOG to nominate additional at-large candidates ensures the choice of candidates is put to Bar members.

The proposals maintain this purpose but address scheduling issues by lowering the threshold for BOG action to two candidates. This streamlines elections in cases where fewer applicants may be available for nomination, while still upholding the integrity and transparency of the selection process. These changes support WSBA's commitment to diversity and representation within the Board.

Fourth, the Bylaws presently require a run-off election in circumstances where more than two candidates are on a ballot and no one receives more than 50% of the vote. Such run-off elections can add several additional weeks to the election timeline and cost up to $10,000. These proposals implement ranked choice voting (RCV), which eliminates the need for expensive, confusing, and time-consuming run-off elections.

In RCV systems, rather than voting for only one favorite candidate, voters rank candidates in order of their preference. As described by the U.S. Election Assistance Commission:

> In a ranked choice voting election, voters can select some or all of the candidates in order of preference, assigning their favorite candidate a 1, their second-favorite candidate a 2, and so on. The results of ranked choice voting elections are determined in rounds. In the first round, election officials count everyone's first choice only. If a candidate receives

> more than 50% of the votes, that candidate is declared the winner. If no candidate reaches a majority, the candidate with the fewest first-choice votes is eliminated. In the next round, each ballot with the eliminated candidate as its first-choice vote is reassigned to that voter's second-choice candidate. These 'rounds' continue until one candidate has more than 50% of the votes and is declared the winner.[2]

As noted above, RCV is sometimes referred to as instant runoff voting because it automatically calculates a runoff between the top candidates if none meets the required threshold of votes. RCV also allows members to express their preferences more fully, resulting in outcomes that better reflect the collective will of the membership. This approach reduces administrative costs and ensures a more equitable and representative election process.

Lastly, in addition to the savings from implementing RCV, consolidating the voting periods for all BOG positions is projected to reduce the overall cost of administering BOG elections. WSBA has worked with YesElections powered by Election America since 2019 and renewed the contract with the vendor, after an open RFP process, in 2025.The costs associated with a Board of Governors election are 1) election set-up fee, 2) election dissemination fee (based on number of voters) and 3) a run-off election if needed.

Changing to a single election period and RCV would result in a savings to the organization. The cost of administering BOG elections in the previous five years are displayed below:

Fiscal Year	*Actual Total Expense*
FY26 (October 1, 2025 – September 30, 2026)	$11,276[3]
FY25 (October 1, 2024 – September 30, 2025)	$16,298
FY24 (October 1, 2023 – September 30, 2024)	$12,545
FY23 (October 1, 2022 – September 30, 2023)	$18,400
FY22 (October 1, 2021 – September 30, 2022)	$15,900

If the proposed changes are implemented prior to the 2027 elections, the anticipated total cost for all open positions would be $10,858.40. The reduction in cost can be attributed largely to combining voting

[2] EAC, Alternative Voting Methods in the United States, 7 (Mar. 2023) (avail. at https://www.eac.gov/sites/default/files/electionofficials/Final_Alternative_Voting_Methods_in_the_United_States_508.pdf).

For another resource, *see* this primer published by the Center for Effective Government at the University of Chicago: Ranked choice voting "refers to an electoral system in which voters rank the candidates and the winner is chosen through a process of sequential elimination and vote transfers. If any candidate has a majority of top rankings, that's the winner. If not, the candidate with the fewest top rankings is eliminated from all ballots (so that voters who ranked that candidate first now rank another candidate first) and the process is repeated until one candidate does have a majority of the top rankings. This is the RCV winner."

[3] In FY26 WSBA had two congressional districts with single candidates (declared the winners), three with no applicants, and a single candidate for the at-large position (after a candidate withdrew) Consequently, ballots were prepared (at cost) but not disseminated to the membership. Rather, open positions were filled by BOG appointment pursuant to WSBA Bylaws, Art. VI.B.4.

periods for congressional and at-large positions and, as noted above, eliminating run-off elections. With a single voting period, only one ballot would need to be prepared and emailed to Bar members.

While the recommended timeline offers greater efficiency, clarity, and cost savings, it still maintains some of the differences in how congressional district and at-large candidates are identified and placed on the ballot. The application and review processes for each position remain distinct: congressional district applicants move directly to the ballot, whereas at-large applicants undergo entity review and potential Board action before ballot placement. Even with a unified deadline, these procedural variations mean that congressional district candidates may have more time to campaign than at-large candidates, due to the additional steps required for the latter. This recommendation aims to streamline the overall process while acknowledging and making transparent the ongoing differences in candidate requirements.

Stakeholder Feedback:

WSBA staff met with the Diversity, Equity, and Inclusion Council and the Washington New Members Committee (WNMC) to present the proposed bylaw and election process recommendations and gather feedback. Both groups saw benefits to the additional time to consider applications for the at-large positions. They also appreciated consolidating the congressional and at-large election timing because they believed it would encourage candidates to run for at-large positions who are truly dedicated to representing new and underrepresented members. With at-large position elections following after district elections under the present process, there was some perception that candidates view at-large positions as a 'second bite at the apple' if they are not elected to a congressional seat, rather than as a position meriting its own commitment. Neither group identified concerns with modifying the election process.

Conclusion:

The Governance Committee intends these proposed amendments to Article VI to modernize and strengthen the Board of Governors election process while preserving the important roles of the DEI Council, Washington New Members Committee, and Board of Governors. By aligning application and election deadlines, providing additional time for candidate review and Board consideration, simplifying administrative processes, and adopting ranked choice voting, the proposed changes create a more efficient, transparent, and sustainable election framework.

These amendments address existing scheduling and administrative challenges, reduce election-related costs, and improve the overall experience for both candidates and voters. At the same time, they maintain opportunities for meaningful stakeholder participation and help ensure that the Board continues to reflect the diversity and perspectives of the membership it serves.

Accordingly, the Governance Committee recommends that the Board of Governors approve the proposed amendments to Article VI of the WSBA Bylaws and move them forward for adoption consideration following the required first and second read process.

WSBA RISK ANALYSIS: *This section is to be completed by the Office of General Counsel, with input from the proposing entity or individual.*

Provided as confidential materials.

WSBA FISCAL ANALYSIS: *This section is to be completed by the Finance Department, with input from the proposing entity or individual.*

The fiscal impact of the proposed amendments to WSBA bylaws includes direct cost savings for the elimination of election run-offs and consolidation of voting periods described in the memo. The FY 2027 Budget for BOG Elections is set at $25,000 based on the current bylaws. If the proposed amendments are approved, it would reduce costs to just under $11,000, a savings of $14,000. Additionally, the fiscal impact includes staff time used to draft the bylaw changes, incorporate it into relevant records, and communicate changes to stakeholders. The staff time that would be allocated to this work is included in the overall duties of existing WSBA staff and does not require additional staff or allocation of resources from other internal sources.

WSBA EQUITY ANALYSIS: *This section is to be completed by the Office of General Counsel, with input from the proposing entity or individual.*

The purpose of the equity analysis is to understand 1) whether the proposed action centered equity in the development process and 2) whether the proposing entity demonstrated due diligence to ensure the action would not result in adverse impacts on populations that are underrepresented and marginalized in the profession.

With regard to process, it appears that the amendments were reasonably informed not just by the experiences of those involved in the elections process for various seats, but also by the experiences reported by WSBA members. Specifically, the amendments were developed with the purposes of eliminating procedural barriers to administering the elections in a way that is consistent, effective, fair, and conducive to meaningful engagement from members and volunteers.

With regard to impacts of the proposed amendments, this analysis considered two different elements of the proposal separately: the change in election timelines, and the implementation of a ranked-choice voting system. The shift in the election timeline creates greater clarity for Board candidates, volunteers, and WSBA voters, which could have a neutral to slight positive impact on overall engagement, turnout, and perceptions of procedural fairness. The shift to ranked-choice voting has the potential for a significantly positive impact on member engagement and voter turnout, the diversity and quality of Board candidates and leaders, while also promoting greater civility and inclusivity within legal professional culture. While there is little research on nonprofit or regulatory board elections, this conclusion is based on a comprehensive review of studies on ranked choice voting in local/state elections by the American Bar Association. Specifically, they find that

1. Ranked-choice voting reduces the voter drop-off that occurs when there are primary and run-off elections and is associated with greater turnout from younger voters.

2. Candidates in election races with ranked-choice voting tend to increase the breadth and depth of engagement with communities, which improves quality of representation and level of engagement with directly impacted communities, which in turn increases voter mobilization.
3. Compared to plurality voting, candidates in election races with ranked-choice voting use campaign tactics that are more civil towards other candidates, and frame campaign issues in ways that are more inclusive and positive.

In sum, the proposed amendments have the potential not only to improve efficiency and effectiveness of Board election processes, but may also have significant impacts on member engagement and the culture of the WSBA's leadership that can help advance a more inclusive and equitable legal profession.

VI. ELECTIONS

A. ELIGIBILITY FOR MEMBERSHIP ON BOARD OF GOVERNORS

[unchanged]

B. NOMINATIONS AND APPLICATIONS

1. Applications for the Board of Governors ~~elected from Congressional Districts~~ must be filed in the office of the Bar not later than 5:00 p.m., on the 1st~~15th~~ day of March~~February~~ of the year in which the election is to be held. If this deadline falls on a day on~~in~~ which the office of the Bar is closed, the deadline will be 5:00 p.m. of the following business day.

~~2. Applications and nominations for At Large Governor positions must be filed in the office of the Bar not later than 5:00 p.m. on the 15th day of April of the year in which the election or nomination is to be held.~~

2~~3~~. Applications for the position of President-elect must be filed by the deadline set forth in the notice published in the Bar's official publication and posted on the Bar's website. Notice must be given not less than 30 days before the filing deadline.

3~~4~~. In the event no application is made for a seat, the position will be treated, advertised, and filled by Board appointment until the next election cycle only, in which the position will be included in the election cycle for the remainder of the term.

4. No Bar member may be nominated or apply for more than one open position on a single ballot.

C. ELECTION OF GOVERNORS

[. . .]

2. Voting in BOG~~the E~~elections ~~of Governors from Congressional Districts~~ will be conducted in the following manner:

a. Eligibility to Vote. All Active members, as of March 1st of each year, are eligible to vote in the BOG election for their district and applicable at large governor positions, subject to the election schedule shown above. Active members residing in the State of Washington may only vote in the district in which they reside. Active members residing outside the State of Washington who engage in the practice of law in Washington may vote in the district of their primary Washington practice. Active members residing outside the State of Washington who do not engage in the practice of law in Washington may only vote in At-Large Governor elections.

b. Ballots. On May 1st~~March 15th~~ of each election year, the Executive Director will ensure delivery of ballots containing the names of all candidates ~~for Governor for each District~~ in which an election is to be held to each Active member eligible to vote in that election~~District~~. Elections will be conducted electronically using a secure process ("electronic voting"). Active members who are eligible to vote in an election may request a paper ballot to be used in place of the electronic ballot. Electronic ballots will be sent to active members eligible to vote in an election, and will include information about how to vote by electronic voting. Should any Active member eligible to vote fail to receive a ballot, or receive a defective ballot, the member may obtain a replacement ballot by furnishing proof of eligibility to the Executive Director, and upon returning the defective ballot if the member received a paper ballot.

c. Voting Procedure.

1) Ranked choice voting will be used in all elections for membership on the BOG. Voters will receive ballots that enable them to rank candidates in order of preference. Vote tabulation will proceed in rounds. Each ballot will count as one vote for the candidate

who is ranked highest by the voter and who has not been eliminated in a prior round. Vote tabulation will be conducted sequentially as follows:

(a) If only one qualified candidate appears on the ballot for a position, that candidate will be declared elected and tabulation shall be complete.

(b) In elections with more than one qualified candidate on the ballot for a position, the candidate receiving more than 50% of votes in a round of tabulation will be declared elected and tabulation shall be complete. If no candidate in a round of tabulation has more than 50% of votes, the candidate receiving the fewest votes shall be eliminated from the election. Each vote for the eliminated candidate shall be transferred to the next-highest-ranked candidate on each ballot who has not yet been eliminated in prior rounds. Rounds of vote tabulation will continue pursuant to this subsection until one candidate receives more than 50% of the votes.

2) Each Active member eligible to vote in the election may vote in one of the following ways. ~~Each member has only one vote.~~ Only one vote will be counted from any member who inadvertently votes both by paper ballot and by electronic means:

(a~~1~~) By paper ballot. Paper ballots will be available upon request. The member must submit the request by May 1st~~March 15th~~ and cause the envelope containing the ballot to be delivered to the office of the Bar by no later than 5:00 p.m. (PDT) on May 15th~~April 1st~~ of that election year. Alteration of or addition to the ballot, other than the marking of the member's choice, invalidates the ballot.

(b~~2~~) By electronic voting. Voters will be sent links to their ballots via email. Voting must be completed by no later than 5:00 p.m. (PDT) on May 15th~~April 1st~~ of that election year.

~~d. Voting System. In any election for membership on the BOG, if there is only one qualified candidate nominated, then that candidate will be declared elected. If there are only two candidates for a position, then the candidate receiving the highest number of votes will be declared elected. If there are more than two candidates, and if no candidate receives more than 50% of the total vote, the two candidates receiving the highest number of votes will participate in a run-off election. In the event of a tie for the second highest vote total, all candidates who are tied will participate in the run-off election along with the candidate who received the most votes.~~

~~If a run-off election is necessary, the Executive Director in consultation with the President will designate the date for delivering the ballots and the deadline for voting, which will be no later than 5:00 p.m. (PDT), 10 days after the date the ballots are delivered. The candidate receiving the highest number of votes will be declared elected.~~

[remainder unchanged aside from renumbering]

3. Eligibility Requirements: Election of At-Large Governors

~~At-Large Governors shall be elected by the Members as follows:~~

a. Member At Large Governors: After notice of the position has been adequately provided to all members, the Diversity, Equity and Inclusion (DEI) Council shall forward at least two~~three~~ candidates who have a lived experience and knowledge of the needs of those members whose membership is or may be historically underrepresented in governance to the end that the BOG will be a more diverse and representative body than the results

of the election of Governors based solely on Congressional Districts may allow. Diversity refers to meaningful representation of, and equal opportunities for, individuals who have a lived experience as a member from one or more historically underrepresented communities in the legal profession. Underrepresentation encompasses and is not limited to, race, disability, age, ethnicity, religion, sexual orientation, gender identity, and gender expression. The Executive Director shall then place all candidates forwarded by the DEI Council on the ballot to be elected by all eligible voting members. If the DEI Council forwards fewer~~less~~ than two~~three~~ candidates by April~~May~~ 1, the Executive Director shall notify the BOG, which may, at its option, select additional qualifying candidates ~~on its own~~ or declare the single candidate the winner.~~place only those candidates forwarded by the DEI Council on the ballot to be elected by all eligible voting members.~~ The BOG should select any additional candidates to include on the ballot first from the original candidate pool before considering applicants who did not apply for the position by the March 1 application deadline.

b. New Member At Large Governor: By April~~May~~ 1, the Washington New Members Committee shall forward at least two~~three~~ candidates to the BOG who qualify as New Members as defined by Article XII(B) of these Bylaws in the year of the election. The BOG shall then place all candidates forwarded by the Washington New Members Committee on the ballot to be elected by a vote of all New Member Members as defined in section XII(B) of these Bylaws. If the Washington New Members Committee forwards fewer~~less~~ than two~~three~~ candidates by April~~May~~ 1, the Executive Director shall notify the BOG, which may, at its option, select additional qualifying candidates ~~on its own~~ or declare the single candidate the winner.~~place only those candidates forwarded by the Washington~~

~~New Members Committee on the ballot to be elected by a vote of all New Member Members as defined in section XII(B) of these Bylaws.~~ The BOG should select any additional candidates to include on the ballot first from the original candidate pool before considering applicants who did not apply for the position by the March 1 application deadline.

~~4. Voting in the Election of Member At Large Governor positions will be conducted in the following manner:~~

~~a. Voting Procedure for the At Large Governor positions shall follow the~~ voting ~~procedures and systems~~ described above ~~with the exception of the dates of the election.~~

~~b. Election will begin on May 15.~~

~~c. Voting must be completed no later than 5:00 p.m. (PDT) on June 1 of that election year.~~

WASHINGTON STATE
BAR ASSOCIATION

TO: WSBA Board of Governors

CC: Terra Nevitt, Executive Director

FROM: WSBA Board of Governors Governance Committee

DATE: October 23, 2026

RE: Proposed Amendments to WSBA Bylaws, Art. XI.F & XI.L

SECOND READ: The Governance Committee proposes amendments to WSBA Bylaws, Art. XI.F and XI.L that would permit section executive committees to take action by email and would eliminate automatic section viability review.

The BOG Governance Committee has proposed two changes to the WSBA Bylaws to remove barriers WSBA sections face when trying to serve their members. The first change would permit section executive committees to take action by email, while the second change would remove the automatic viability review triggered when section membership falls below a certain threshold. These proposals came before the Board of Governors for first read on September 24, 2026.

The proposed amendments to Art. XI.F permit email voting on any matter provided no section executive member objects to the use of email. At the September 24, 2026 BOG meeting, members of the Board suggested including a timeframe within which objections must be made and email votes submitted. For the second read, the Governance Committee included language requiring objections and votes to be submitted within five days or an earlier deadline set by the section. The Governance Committee also reformatted the proposed amendments to clearly indicate that section action taken by email vote is effective at the time of the vote, not at the time it is recorded in the minutes.

Next, Art. XI.L currently requires that the BOG conduct a viability review of any section that has had fewer than 75 voting members for two years in a row. The Governance Committee has proposed eliminating this process. No changes have been made to the proposed amendments to Art. XI.L for the second reading.

BOG members who offered input at the September 24 meeting generally noted no objections to removing the automatic review process in the WSBA Bylaws, but favored implementing a process for a wellness review for sections which would likely conducted by the Member Engagement Council (MEC). Members of the Governance Committee and MEC will be meeting on October 21, 2026, to discuss such a process and will provide the BOG with an update at the November BOG meeting.

The Governance Committee looks forward to the BOG's consideration of the recommended amendments.

WSBA RISK ANALYSIS: *This section is to be completed by the Office of General Counsel, with input from the proposing entity or individual.*

Included in confidential Board materials

WSBA FISCAL ANALYSIS: *This section is to be completed by the Finance Department, with input from the proposing entity or individual.*

A fiscal analysis regarding the proposed amendments was included in the first read materials for the September 24-25, 2026 meeting. Upon review of the final proposed amendments, there is no change to the original analysis below.

The fiscal impact of the proposed bylaw amendments includes staff time used to draft the amendment language, incorporate it into relevant records, and communicate changes to stakeholders. The staff time that would be allocated to this work is included in the overall duties of existing WSBA staff and does not require additional staff or allocation of resources from other internal sources. Regarding the proposed amendment on section viability review, it should be emphasized that membership dues constitute the principal source of revenue for sections. A lower membership leads to fewer funds available to support annual section activities. Although this is not the sole determinant of a section's viability, it remains a crucial component. Effective financial management by section leadership is essential to ensure that the annual budget aligns with the level of funding available and a decline in membership may jeopardize the section's financial sustainability.

WSBA EQUITY ANALYSIS: *This section is to be completed by the Equity and Justice Team, with input from the proposing entity or individual.*

An equity analysis regarding the proposed amendments was included in the first read materials for the September 24-25, 2026 meeting. Upon review of the final proposed amendments, there is no change to the original analysis below.

The proposed change to allow action by email appears to address the challenge of executive committees being able to take action when they are unable to find a time to meet, discuss and vote. This seems like a positive change, welcomed by many section leaders. One suggestion as the Governance Committee continues to work on this proposed change is to ensure that the change does not unintentionally create barriers for members who may find it difficult to discuss an issue via email as opposed to a live discussion.

The proposed change to eliminate the automatic section viability review based solely on membership numbers acknowledges the false narrative that the measure of viability and success is based on the number of members. As Albert Einstein said, "Not everything that can be counted counts, and not everything that counts can be counted." We encourage the Governance Committee to continue to work on changing the Bylaws so that quantity is not valued over quality and propose language that requires a holistic approach to evaluation. The current draft changes provide that "the BOG may consider terminating a section when it appears that the section is no longer carrying on the work of the Bar." The Governance Committee should consider including more specific language on what it means to "carry out the work" so there are clear criteria and transparency.

Attachments

Proposed Amendments to WSBA Bylaws, Art. XI.F &L

XI. SECTIONS

[. . .]

F. SECTION EXECUTIVE COMMITTEE

[. . .]

2. ~~Due to the section executive committee's unique need to be able to act quickly to address issues that arise during a regular or special legislative session, between executive committee meetings during a legislative session, u~~Upon notice to all section executive committee members, the section executive committee may discuss and vote ~~on issues relating to the section's position on pending or proposed legislation~~to take action by email~~. However~~, provided that:

   a. if, within the earlier of five days or other deadline set forth in the initial notice, any section executive committee member objects to using an email process for any particular issue(s), the section executive committee instead will take up that issue at its next section executive committee meeting; and

   b. approval by email pursuant to this subsection is valid only when the number of votes received by the deadline specified in the initial notice equals or exceeds the quorum required to be present at a meeting authorizing this action, and the number of approvals equals or exceeds the number of votes that would be required to approve the matter at a meeting at which the total number of votes cast was the same as the number of votes cast by email.

   The section executive committee shall make a recordation of the vote by email, including (i) the text of the motion and (ii) the affirmative vote, negative vote, or abstention of each voting member into the minutes of the next executive committee meeting.

[. . .]

L. TERMINATING SECTIONS

1. The BOG may consider terminating a section when it appears the section is no longer carrying on the work of the Bar. ~~as defined in these Bylaws. The issue will be raised (a) on motion, (b) on petition, or (c) at a "viability review" as defined in these Bylaws.~~

~~2. A section that has less than 75 voting members for two consecutive years will be automatically placed on the BOG agenda for a "viability review." The BOG has the discretion to retain a section despite what might otherwise be considered to be a lack of viability when in the BOG's opinion the section is carrying on the work of the Bar as defined in these Bylaws, and the work is of value to the legal profession.~~

2~~3~~. Any section subject to ~~a motion, petition, or viability review pursuant to~~ paragraph (1) above will be given notice and an opportunity to be heard by the BOG. Notice must be sent by the Bar to the current section officers and/or executive committee and posted on the Bar website at least one BOG meeting prior to the meeting at which the BOG~~Board~~ plans to vote on the proposal.

3~~4~~. A section subject to potential termination may petition the BOG to be combined with another section, with that section's written approval, and will be given reasonable opportunity to present that petition to the BOG before the BOG votes on the section's termination.

4~~5~~. If a section is terminated pursuant to these Bylaws, section members will be allowed to transfer to another section of their choosing, without payment of additional fees, for that remainder of the section dues year.

5~~6~~. A section terminated pursuant to these Bylaws may apply for reactivation if they meet qualifications for establishing a new section.

67. Any funds remaining in the treasury of a section at the time of termination will be transferred to the Bar's general operating fund unless otherwise designated by the BOG. Funds in the treasury of combined sections will be combined.