



# **Board of Governors Meeting**

## **Public Session Materials**

**November 15-16, 2017  
WSBA Conference Center  
Seattle, Washington**

# 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

### Washington State Bar Association: Purposes

#### A. PURPOSES: IN GENERAL.

In general, the Washington State Bar Association strives to:

1. Promote independence of the judiciary and the bar;
2. Promote an effective legal system, accessible to all;
3. Provide services to its members;
4. Foster and maintain high standards of competence, professionalism, and ethics among its members;
5. Foster collegiality among its members and goodwill between the bar and the public;
6. Promote diversity and equality in the courts, the legal profession, and the bar;
7. Administer admissions to the bar 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 the branches of government on matters relating to these purposes and the activities of the association.

#### B. SPECIFIC ACTIVITIES AUTHORIZED.

In pursuit of these purposes, the Washington State Bar Association may:

1. Sponsor and maintain committees, sections, and divisions 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 lawyers regarding their ethical obligations;
6. Administer an effective system of discipline of its members, including receiving and investigating complaints of lawyer misconduct, 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 their clients and others;
9. Maintain a program for lawyer 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 audits of lawyers' trust accounts;
13. Maintain a lawyers' fund for client protection in accordance with the Admission to Practice Rules;
14. Maintain a program of the aid and rehabilitation of impaired members;
15. Disseminate information about bar activities, interests, and positions;
16. Monitor, report on, and advise public officials about matters of interest to the Bar;
17. Maintain a legislative presence to inform members of new and proposed laws and to inform public officials about bar 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 bar's discretion, authorizing collective bargaining;
22. Collect, allocate, invest, and disburse funds so that its mission, purposes, and activities may be effectively and efficiently discharged.

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.



**2017-2018  
WSBA BOARD OF GOVERNORS MEETING SCHEDULE**

<b>MEETING DATE</b>	<b>LOCATION</b>	<b>POTENTIAL ISSUES / SOCIAL FUNCTION</b>	<b>AGENDA DUE</b>	<b>BOARD BOOK MATERIAL DEADLINE*</b>	<b>EXECUTIVE COMMITTEE 2:00 pm–4:00 pm*</b>
November 15, 2017 ( <i>afternoon</i> ) November 16, 2017 ( <i>all day</i> )	WSBA Conference Center Seattle, WA	BOG Meeting	October 26, 2017	November 1, 2017	October 26, 2017
January 18-19, 2018	Bellwether Bellingham, WA	BOG Meeting	December 21, 2017	January 3, 2018	December 21, 2017
March 8, 2018 March 9, 2018	Red Lion Olympia, WA Temple of Justice	BOG Meeting BOG Meeting with Supreme Court	February 15, 2018	February 21, 2018	February 15, 2018
May 17-18, 2018	WSBA Conference Center Seattle, WA	BOG Meeting	April 26, 2018	May 2, 2018	April 26, 2018
July 26, 2018 July 27-28, 2018	Hilton Vancouver, WA	BOG Retreat BOG Meeting	June 28, 2018	July 11, 2018	June 28, 2018
September 27-28, 2018 September 27, 2018	WSBA Conference Center Seattle, WA TBD	BOG Meeting WSBA APEX Awards Banquet	September 6, 2018	September 12, 2018	September 6, 2018

\*The Board Book Material Deadline is the final due date for submission of materials for the respective Board meeting. However, you should notify the Executive Director's office in advance of possible meeting agenda item(s).

This information can be found online at: [www.wsba.org/About-WSBA/Governance/Board-Meeting-Schedule-Materials](http://www.wsba.org/About-WSBA/Governance/Board-Meeting-Schedule-Materials)

\*Unless otherwise noted.



# WSBA Board of Governors CONGRESSIONAL DISTRICT MAP



**Brad Furlong**  
President

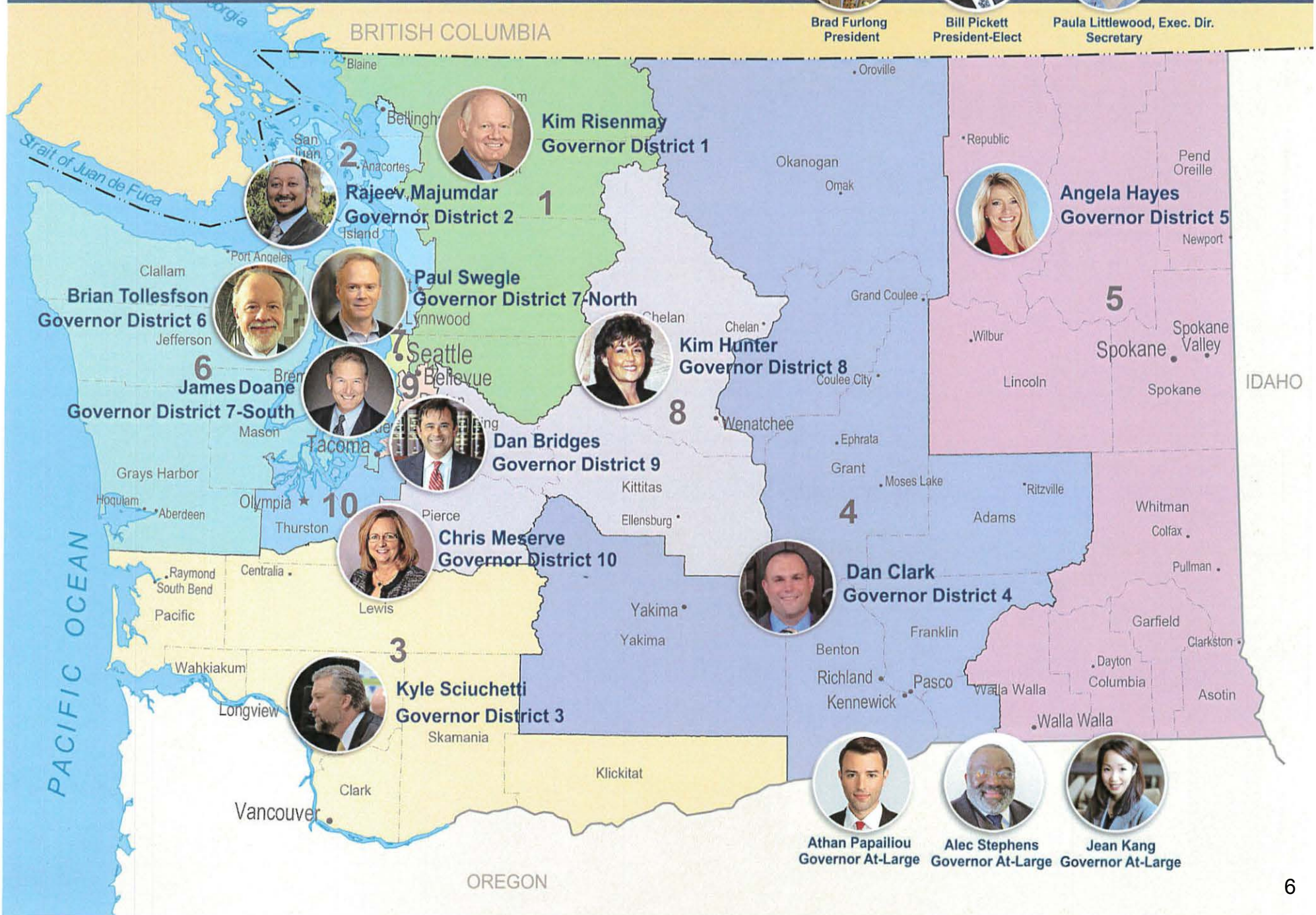


**Bill Pickett**  
President-Elect



**Paula Littlewood, Exec. Dir.**  
Secretary

2017-2018



## **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 <sup>1</sup>	Yes	Majority
2. Adjourn	Closes the meeting	No	Yes	No	No	Majority
3. Recess	Establishes a brief break	No	Yes	No <sup>2</sup>	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 <sup>3</sup>
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 <sup>4</sup>	No	Majority
12. Amend a motion or resolution (primary amendment)	Proposes a change to a main motion	No	Yes	Yes <sup>4</sup>	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.





## **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



## 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 spirit 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.



## BOARD OF GOVERNORS

Anthony David Gipe  
President

phone: 206.386.4721  
e-mail: [adgipeWSBA@gmail.com](mailto: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

### ❖ Work Hard and Have Fun Doing It

*Working Together to Champion Justice*

999 Third Avenue, Suite 3000 / Seattle, WA 98104 / fax: 206.340.8856



**Board of Governors Meeting  
WSBA Conference Center  
Seattle, WA  
November 15-16, 2017**

---

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

---

**PLEASE NOTE: ALL TIMES ARE APPROXIMATE AND SUBJECT TO CHANGE**

**WEDNESDAY, NOVEMBER 15, 2017**

**GENERAL INFORMATION** ..... 2

**1. AGENDA**..... 12

**2:00 P.M.**

**2. EXECUTIVE SESSION**

    a. Approval of September 28-29, 2017, Executive Session Minutes (**action**) ..... E-2

    b. President’s and Executive Director’s Reports

    c. Discipline Report – Doug Ende..... E-7

    d. Litigation Report – Sean Davis ..... E-18

    e. Meeting Evaluation Summary..... E-40

**OPERATIONAL**

**4:30 P.M.**

**3. ACCESS TO JUSTICE BOARD (ATJ) ORIENTATION FOR BOARD OF GOVERNORS – Geoff Revelle, ATJ Board Chair; Francis Adewale, ATJ Board Member; and Diana Singleton, ATJ Board Manager** ..... 17

    • *Additional Information*..... S-3

**THURSDAY, NOVEMBER 16, 2017**

**12:00 P.M. – LUNCH WITH LIAISONS AND WASHINGTON LEADERSHIP INSTITUTE**

- 1:30 P.M. – PUBLIC SESSION**
- **Introductions and Welcome**
  - **Report on Executive Session**
  - **Consideration of Consent Calendar \***

---

\* See Consent Calendar. Any items pulled from the Consent Calendar will be scheduled at the President’s discretion.

**MEMBER AND PUBLIC COMMENTS**

This time period is for guests to raise issues of interest.

**GENERATIVE DISCUSSION**

4. **ENTITY REGULATION – Doug Ende, Chief Disciplinary Counsel, and Paula Littlewood, Executive Director** ..... 25

**OPERATIONAL**

5. **FIRST READING/ACTION CALENDAR**

a. Legislative Matters

1. 2017 WSBA Legislative Priorities – Governor Chris Meserve, and Sara Niegowski, Chief Communications & Outreach Officer **(action)** ..... 61

2. 2017 WSBA Legislative Recommendation

- Suggested Amendment to Washington Business Corporation Act re Shareholder Meetings – Representative of Corporate Act Revision Committee; Sara Niegowski, Chief Communications & Outreach Officer; and Clark McIsaac, Outreach & Legislative Affairs Coordinator **(action)** ..... 63

b. Council on Public Defense (CPD) Proposed Performance Guidelines for Juvenile Offense Representation – Eileen Farley, CPD Chair, and Diana Singleton, ATJ Board Manager **(action)** ..... 66

- *Additional Information*..... S-84

c. Proposed Formation of Cannabis Law Section – Danica Noble, Formation Group Member, and Paris Eriksen, Sections Program Manager **(action)** ..... 68

- *Additional Information*..... S-136

d. Proposed Amendments to Indian Law Section Bylaws **(action)**..... 69

e. Mandatory Malpractice Insurance Task Force Roster **(action)** ..... 83

f. Additions to Civil Litigation Rules Drafting Task Force Roster **(action)** ..... 87

g. Washington State Bar Foundation Annual Report – James Armstrong, President, and Terra Nevitt, Director of Advancement/Chief Development Officer ..... 95

**GENERATIVE DISCUSSION**

6. **LIAISON AND AMBASSADOR RESPONSIBILITIES** ..... 98

**GOVERNOR ROUNDTABLE**

This time period is for Board members to raise new business and issues of interest.

**OPERATIONAL (continued)**

<b>7. CONSENT CALENDAR</b> .....	101
a. September 28-29, 2017, Public Session Minutes .....	102
b. October 3, 2017, Special Public Session Minutes .....	115
<b>8. INFORMATION</b>	
a. Executive Director’s Report .....	117
b. BOG Activity Reports.....	157
c. FY2017 Fourth Quarter Management Report .....	170
d. Washington Leadership Institute (WLI) Fellows Reports .....	178
e. WSBA Practice Sections Annual Report .....	200
f. Diversity and Inclusion Events .....	332
g. Financials	
1. August 31, 2017, Financial Statements .....	333
2. September 30, 2017, Investment Update .....	373
<b>9. PREVIEW OF JANUARY 18-19, 2018, MEETING</b> .....	374

## 2017-2018 Board of Governors Meeting Issues

### NOVEMBER (Seattle)

#### Standing Agenda Items:

- Financials
- FY2017 Fourth Quarter Management Report
- BOG 2017-2018 Legislative Committee Priorities
- WSBA Legislative Committee Recommendations
- Office of Disciplinary Counsel Report (Executive Session – quarterly)
- Outside Appointments (if any)
- Washington Leadership Institute (WLI) Fellows Report
- WSBA Practice Sections Annual Reports (information)
- WSBF Annual Report

### JANUARY (Bellingham)

#### Standing Agenda Items:

- ABA Midyear Meeting Sneak Preview
- Client Protection Fund (CFP) Board Annual Report
- Financials
- FY2017 Audited Financial Statements
- FY2018 First Quarter Management Report
- Legislative Report
- Office of Disciplinary Counsel Report (Executive Session – quarterly)
- Outside Appointments (if any)
- Third-Year Governors Candidate Recruitment Report

### MARCH (Olympia)

#### Standing Agenda Items:

- ABA Mid-Year Meeting Report
- Financials
- Legislative Report
- Outside Appointments (if any)
- Supreme Court Meeting

### May (Seattle)

#### Standing Agenda Items:

- BOG Election Interview Time Limits (Executive Session)
- Financials
- FY2018 Second Quarter Management Report
- Interview/Selection of WSBA At-Large Governor
- Interview/Selection of the WSBA President-elect
- Legislative Report/Wrap-up
- Office of Disciplinary Counsel Report (Executive Session – quarterly)
- Outside Appointments (if any)
- WSBA Awards Committee Recommendations (Executive Session)

**JULY (Vancouver)**

Standing Agenda Items:

- ATJ Board Report
- BOG Retreat
- Court Rules and Procedures Committee Report and Recommendations
- Financials
- Draft WSBA FY2019 Budget
- FY2018 Third Quarter Management Report
- Office of Disciplinary Counsel Report (Executive Session – quarterly)
- WSBA Committee and Board Chair Appointments
- WSBA Mission Performance and Review (MPR) Committee Update
- WSBA Treasurer Election

**SEPTEMBER (Seattle)**

Standing Agenda Items:

- 2019 Keller Deduction Schedule
- ABA Annual Meeting Report
- Chief Hearing Officer Annual Report
- Professionalism Annual Report
- Report on Executive Director Evaluation (Executive Session)
- Financials
- Final FY2019 Budget
- Legal Foundation of Washington and LAW Fund Report
- Washington Law School Deans
- WSBA Annual Awards Dinner
- WSBF Annual Meeting and Trustee Election

**Board of Governors – Action Timeline**

Description of Matter/Issue	First Reading	Scheduled for Board Action
Law Clerk Waiver Policies	Nov 13, 2015	TBD
WSBA Religious and Spiritual Practices Policy	July 22-23, 2016	TBD
Proposed WSBA Bylaw Amendment re Vacant Immediate Past-President Seat	Sept 28-29, 2017	Nov 15-16, 2017
Council on Public Defense (CPD) Proposed Performance Guidelines for Juvenile Offense Representation	Sept 28-29, 2017	Nov 15-16, 2017
Proposed Formation of Cannabis Law Section	Sept 28-29, 2017	Nov 15-16, 2017



# WASHINGTON STATE BAR ASSOCIATION

## MEMO

To: Board of Governors  
From: Diana Singleton  
Date: November 1, 2017  
Re: Access to Justice Board's Orientation for the Board of Governors

---

**DISCUSSION:** The Access to Justice (ATJ) Board will provide a brief overview of the Alliance for Equal Justice, the ATJ Board and its recent initiatives.

Enclosed please find the materials for the orientation which will be presented by Geoff Reville, ATJ Board Chair, Francis Adewale, ATJ Board Member, and Diana Singleton, ATJ Board Manager. The materials include:

### Main Materials:

- Supreme Court Order Reauthorizing the Access to Justice Board
- DRAFT Access to Justice Board's Two-Year Priorities

### Supplemental Materials:

- Hallmarks for an Effective Statewide Legal Services Delivery System
- State Plan for the Delivery of Legal Services to Low-Income People

MAR - 4 2016

Ronald R. Carpenter  
Clerk

# THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE REAUTHORIZATION OF  
THE ACCESS TO JUSTICE BOARD

## ORDER

NO. 25700-B-

567

WHEREAS, the Washington judicial system is founded upon the fundamental principle that the judicial system is accessible to all persons, which advancement is of fundamental interest to the members of the Washington State Bar Association.

WHEREAS, responding to the unmet legal needs of low and moderate income people in Washington State and others who suffer disparate access barriers, the increasing complexity of civil legal services delivery, the importance of civil equal justice to the proper functioning of our democracy, and the need for leadership and effective coordination of civil equal justice efforts in our state, the Supreme Court in May 1994 established an Access to Justice Board and directed that the Board operate for an initial two year period.

WHEREAS, the Access to Justice Board's initial accomplishments in the face of tremendous difficulty demonstrated the practical value of coordinated and focused leadership under the auspices of the Supreme Court and led the Court to reauthorize the Access to Justice Board for an extended five-year period;

WHEREAS, the Access to Justice Board is a national model that has proven its value in expanding, coordinating and promoting effective and economical civil legal services delivery for vulnerable low and moderate income people, has developed a track record of significant accomplishments that maximized effective use of limited resources to address the civil legal needs of an increasing poverty population, and has made great strides in enhancing access to the civil justice system in Washington State.

Now, therefore, it is hereby

ORDERED:

That the Access to Justice Board is hereby reauthorized and shall continue to be administered by the Washington State Bar Association, and is charged with responsibility to achieve equal access to the civil justice system for those facing economic and other significant barriers.

731/161

The Access to Justice Board shall consist of ten members nominated by the Board of Governors of the Washington State Bar Association and appointed by the Supreme Court. Members are appointed based on experience in and commitment to access to justice issues. Therefore, the Board of Governors shall broadly solicit and make nominations to the Supreme Court based on experience in and commitment to access to justice issues, consistent with the needs of the Access to Justice Board, including, for example, people affiliated with the following constituencies:

- Board for Judicial Administration
- Washington State Bar Association Board of Governors
- Statewide Staffed Legal Services Programs
- Volunteer Legal Services Community
- Other Members and Supporters of the Washington State Alliance for Equal Justice.

No less than one member of the Board shall be a person who is not an attorney.

The membership of the Board shall reflect ethnic, gender, geographic, and other diversity. Mid-term vacancies shall be filled in the same manner as original appointments, provided however, the solicitation for nominations may be abbreviated. The appointee for a mid-term vacancy shall fill the remainder of the vacated term and shall be eligible for reappointment up to two additional terms.

The Board shall designate one member as the Chair of the Board who shall serve a term of two years. An individual may continue to serve out their term as Chair and vote as a Board Member for up to one additional year notwithstanding the expiration of his or her term on the Board. In such event, the Board shall consist of eleven members until the end of such individual's term as Chair.

Appointments shall be for a three-year term. Board members shall be eligible for reappointment for one additional term.

The Access to Justice Board shall work to:

- Establish, coordinate and oversee a statewide, integrated, non-duplicative, civil legal services delivery system that is responsive to the needs of poor, vulnerable and moderate means individuals;
- Establish and evaluate the performance and effectiveness of the civil legal services delivery system against an objective set of standards and criteria;
- Promote adequate levels of public, private and volunteer support for Washington State's civil equal justice network;
- Serve as an effective clearinghouse and mechanism for communication and information dissemination;
- Promote, develop and implement policy initiatives and criteria which enhance the availability of resources for essential civil equal justice activities;
- Develop and implement new programs and innovative measures designed to expand access to justice in Washington State;
- Promote jurisprudential understanding of the law relating to the fundamental right of individuals to secure meaningful access to the civil justice system;
- Promote widespread understanding of civil equal justice among the members of the public through public legal education;
- Promote the responsiveness of the civil justice system to the needs of those who suffer disparate treatment or disproportionate access barriers; and
- Address existing and proposed laws, rules and regulations that may adversely affect meaningful access to the civil justice system.

The Access to Justice Board may adopt internal operational rules pertinent to these powers and duties.

The Access to Justice Board shall be funded and staffed by the Washington State Bar Association, which shall have authority to establish a budget and approve expenditures.

The Board shall file with the Supreme Court and the Board of Governors of the Washington State Bar Association an annual report outlining its work during the prior 12-month period.

DATED at Olympia, Washington this 4<sup>th</sup> day of March, 2016.

Johnson, J.

Curns, J.

Fairhurst, J.

Stephens, J.

Madsen, C. J.

Wiggins, J.

Comiter, J.

Gods Mill, J.

Jr., J.



## ACCESS TO JUSTICE BOARD TWO-YEAR PRIORITIES – 2017-2019

As communities across Washington experience increasing fear and anxiety about a changing political climate that is targeting those who have been historically marginalized, the Access to Justice Board prioritizes supporting the Alliance for Equal Justice’s collective effort to repudiate the devaluing and dehumanization of anyone seen as “other”, resisting the rollbacks of civil rights and other equity and justice progress, and realigning ourselves so we can strengthen solidarity among our organizations, agencies and communities.

**Promote racial equity both systemically and within the board practices, working toward a vision that race or color does not determine the availability and quality of services, fairness of outcomes, or opportunities for communities and individuals.**

- Engage in activities that create a shared awareness and understanding of what is needed to achieve race equity in our legal systems and society.
- Conduct a race equity self-audit to identify practices that impede diverse recruitment and retention in board members, staff, and volunteers, and develop strategies to eliminate those practices.
- Raise Board competency and capacity to advance race equity in our legal system and society through ongoing trainings and adoption of race equity tools. .
- Increase the visibility of activities and successes in advancing race equity that are supported by Alliance organizations and the greater legal community.
- Partner with the Race Equity and Justice Initiative by serving on the Steering Committee and working with other REJI members to implement Goal One in the 2018-2020 State Plan for the Delivery of Legal Services to Low-Income People and activate the Acknowledgements and Commitments.

**Create a more integrated legal aid network by breaking down silos and strengthening partnerships across civil, criminal, and juvenile justice systems, and community-based organizations.**

- Work with the Minority and Justice Commission, Gender and Justice Commission and the Interpreter Commission to determine how the Access to Justice Board and those entities can collaborate to eliminate bias and inequity in the justice system.
- Work with civil, criminal and juvenile system stakeholders to: identify the ways in which the systems intersect; explore how an individual's involvement with the criminal or juvenile justice system leads to co-occurring civil legal problems and vice versa; identify gaps and explore ways the stakeholders in the different systems can collaborate to increase access to justice; and facilitate the development of methods to close the gaps

in such a way that civil, criminal and juvenile justice systems respond in a coordinated and effective fashion.

- Strengthen partnerships with the Washington State Bar Association and its affiliated justice stakeholders like the Moderate Means Program, the Low Bono Section, the Practice of Law Board and the Limited License Legal Technician Board to leverage our mutual commitment to equity and justice.
- Promote non-partisan partnerships so as to resist the polarization and division that disproportionately harms communities who experience poverty and marginalization.

**Work with the Alliance for Equal Justice to oversee the implementation of the 2018-2020 State Plan for the Delivery of Legal Services to Low Income People.**

- Oversee the implementation and evaluation of the State Plan.

**Improve internal and external communications about access to justice issues, the work of the Board and the Alliance for Equal Justice.**

- Continue to implement the Board’s Communications Plan and ensure adequate staffing for Alliance communications.
- Continue to conduct two Board meetings outside of King County annually for the purpose of gaining a better understanding of the needs and work taking place in different areas of Washington and to share about the work of the Board.
- Host the biennial Access to Justice Conference in 2019.
- Continue to prioritize time during Board meetings to hear about equity and justice work being done across the state, particularly from smaller or newer organizations delivering legal services.

**Initiate and support efforts to ensure the effective and appropriate use of technology in the justice system and within the Alliance for Equal Justice in order to provide meaningful and equitable access to justice.**

- Update the Access to Justice Technology Principles and develop a communication and implementation plan for the updated principles.
- Support efforts like the development of technology for automated family law forms, ATJ Tech Fellows, and other work which promotes the intersection of technology and justice with a focus on under-resourced organizations and communities.

**Continue to support the Equal Justice Community Leadership Academy to ensure long-term sustainability and engagement.**

- Support JustLead Washington in its work to build long-term sustainability for the Leadership Academy, its efforts to build a network of equity and justice leaders, and its

development and delivery of leadership and race equity trainings for the Alliance for Equal Justice and other community partners.

- Develop a plan to improve engagement of Leadership Academy alumni in the work of the Board and Alliance for Equal Justice.

**Work in concert with the Office of Civil Legal Aid, the Civil Legal Aid Oversight Committee, the Equal Justice Coalition, the Washington State Bar Association and others to actively promote and secure full state funding to achieve greater access to civil legal aid and stimulate new and effective delivery innovations consistent with the Civil Access to Justice Reinvestment Plan.**



**WASHINGTON STATE**  
**BAR ASSOCIATION**

**TO:** Board of Governors  
**FROM:** Doug Ende, Chief Disciplinary Counsel  
Paula Littlewood, Executive Director  
**DATE:** November 8, 2017  
**RE:** Entity Regulation

---

**GENERATIVE DISCUSSION:** Entity Regulation

“Entity regulation” is a term used to describe an approach to the regulation of the practice of law where the regulatory framework applies to organizational entities, not just to individually licensed legal professionals. Regulation of entities providing legal services is an established approach in a number of jurisdictions internationally, including Australia, England and Wales, and some Canadian provinces.

Attached is a 2016 FAQ published by the National Organization of Bar Counsel (NOBC) that provides background on the history and implementation of entity regulation, as well as a 2017 FAQ published by NOBC that provides information on the related concept of proactive regulation, sometimes referred to as Proactive Management Based Regulation or PMBR.

We look forward to discussing these ideas with the Board of Governors.



# Entity Regulation

## Frequently Asked Questions

### What is Entity Regulation?

“Entity regulation,” “entity-based regulation,” and “law firm regulation” are terms used to describe programs that regulate law firms as well as the lawyers and perhaps the non-lawyers who work at a law firm.

### Are there various forms of Entity Regulation?

No. You either regulate entities or you don't. If you only regulate part of an entity then it is not entity regulation. However, entity regulation can be applied to a sub-set of entities. For example, in every State and Territory in Australia, entity regulation historically only applied to incorporated legal practices. Today in some jurisdictions (in New South Wales and Victoria, which are the two most populous jurisdictions in Australia) entity regulation applies to all legal practices.

### Are there variations in the manner in which jurisdictions use Entity Regulation?

There are, however, various ways in which entities may be regulated. Some jurisdictions that regulate law-practice entities may choose to use “proactive management based regulation” (defined below), as Australia has done; others may use frameworks that are neither particularly proactive nor focused on management. Some may require firms to evidence their compliance with entity regulation (discussed below); others may not. Others, such as New York and New Jersey, are simply authorized to discipline law firms as well as individual lawyers.

### What is “proactive management based regulation”?

The term “proactive management based regulation” (PMBR), coined by Professor Ted Schneyer, refers to programs designed to promote ethical law practice by assisting lawyers with proactive management. These programs generally have three features. First, they emphasize proactive initiatives as a complement to traditional, professional discipline. Second, they tend to focus on the responsibility of law firm management to implement policies, programs, and systems – in short, an “ethical infrastructure” -- that is designed to prevent misconduct and unsatisfactory service. Third, they strive to improve legal services and reduce problems by establishing information-sharing and collaborative relationships between regulators and service providers.

According to Professor Schneyer, the framework pioneered in NSW, Australia, is a prototype for PMBR because it gives content to the term “ethical infrastructure.” It does so by “identifying ten types of recurring problems that infrastructure should be designed to prevent and mitigate.”<sup>1</sup>

---

<sup>1</sup> Ted Schneyer, On Further Reflection: How “Professional Self-Regulation” Should Promote Compliance with Broad Ethical Duties of Law Firm Management, 53 Ariz. L. Rev. 577, 585 (2011).

PMBR departs from the traditional regulatory approach, which is chiefly reactive: conduct rules and standards are prescribed and lawyers are subject to discipline if their conduct fails to meet those prescribed norms. PMBR, in contrast, emphasizes efforts to be more proactive, such as by requiring continuing legal education, bridge-the-gap tutorials for new lawyers and self-assessments. PMBR emphasizes a greater dialogue between the regulator and the regulated, including the identification of risks, and programs to reduce such risks. (It is also consistent with the approach taken by malpractice carriers who have found it cost effective to focus on preventative efforts, rather than simply paying for mistakes after they happen.)

A law firm's ethical infrastructure can include a variety of measures. As Dr. Christine Parker explains, ethical infrastructure:

might include the appointment of an ethics partner and/or ethics committee; written policies on ethical conduct in general and conduct in specific areas such as conflicts of interest, billing, trust accounting, opinion letters, litigation tactics and so on; specified procedures for ensuring [that] ethical policies are not breached; [as well as] encourag[ing] the raising of ethical problems with colleagues and management; . . . monitoring . . . lawyer compliance with policies and procedures; and [providing] ethics education, training and discussion within the firm.

Many law firms *have some* elements of the ethical infrastructure Parker describes. For example, research indicates that most U.S. law firms have formal procedures for identifying conflicts of interest and periodically monitoring for compliance with those procedures.

Rather than reacting only after a complaint is filed, regulators in a PMBR regime would likely encourage and help firm leaders to detect and avoid problems in advance by focusing on management systems and processes designed to ensure ethical conduct. Importantly, however, PMBR generally allows firms to develop *their own* processes and management systems and engage in internal planning to achieve regulatory goals.

The regulatory goals of PMBR are typically drafted at a broad level of generality so they can be applied flexibly, in a manner appropriate to each firm's size and practice. Goals are stated in qualitative rather than quantitative terms.

### **Which jurisdictions presently use some form of Entity Regulation?**

Australia, Canada, England & Wales and Singapore presently use some form of entity regulation. For example, British Columbia and Nova Scotia are now authorized to regulate law firms as well as individual lawyers. Other provinces are aware of these developments.<sup>2</sup>

---

<sup>2</sup> See Nova Scotia Legal Profession Act SNS 2004, c 28, s 45(5). (authorizes findings of professional misconduct against law firms); The Legal Profession Act of British Columbia was amended in many sections to reference law firms in addition to lawyers pursuant to the Legal Profession Act, 2012 SBC 2012, c.16. [ See also Allan Fineblit, QC, "Regulating Firms" Communique (August 2012) at 3, online: The Law Society of Manitoba <<http://www.lawsociety.mb.ca/publications/communique>

Canada has also recently taken steps towards a PMBR-type of entity regulation with the development of a management tool to embed ethical practice within firms.<sup>3</sup> In 2012, the Canadian Bar Association (CBA) began a project to develop a tool that encourages law firms to implement more effective ethical infrastructure.” After considerable research and evaluation of existing regulatory programs, the CBA developed “The Ethical Practices Self-evaluation Tool.”<sup>4</sup> The Tool is not mandatory and is therefore unenforceable, but it is suggested for adoption as best practice.

Although PMBR is currently optional in Canada, it might soon become mandatory in at least one province<sup>5</sup>. In October 2013, Nova Scotia’s regulatory body approved an initiative to develop within 2.5 years, the requirement that all legal entities have a ‘management system for ethical legal practice’ (MSELP), a proactive, risk-focused, and principles-based regulatory regime. Nova Scotia is now in the midst of implementing that regime. Its work has lead it to propose that entity regulation should occur within a broader framework of legal services regulation<sup>6</sup>.

In November 2015, the Nova Scotia Barristers’ Society distributed for comment a draft self-assessment tool to advance the MSELP requirement. It would, in various forms, be used by all legal entities to review and improve their management systems.<sup>7</sup> Consultations have been completed with recommendations being made to the Society’s Council in the spring of 2016.

In England and Wales, the *Legal Services Act of 2007* requires all “alternative business structures” (ABSs) to be regulated as entities. (ABSs are law-practice entities that may be owned in whole or in part by non-lawyers). In 2011, in response to calls for a level playing field, the Solicitors Regulation Authority (SRA) extended entity regulation to encompass traditional law firms as well. Under these rules, all lawyers holding practice certificates must work in regulated entities (i.e., either traditional law firms, referred to as “recognised bodies”<sup>8</sup>, or ABSs, referred to

---

2012/LSM%20-%20August%202012.pdf/view>, stating “You likely have never given it much thought, but those of us who do regulation for a living sometimes wonder why we regulate lawyers and not law firms.”; Adam M Dodek, “Regulating Law Firms in Canada” (2012) 90:2 Canadian Bar Rev 383.

<sup>3</sup> See The Canadian Bar Association, The Ethical Practices Self-evaluation Tool, <http://www.cba.org/CBA/activities/code/ethical.aspx> ; A. Salyzyn, Regulating Law Practice as Entities: Is the Whole Greater than the Sum of Its Parts?, November 29, 2013, <http://www.slaw.ca/2013/11/29/regulatinglaw-practices-as-entities-is-the-whole-greater-than-the-sum-of-its-parts/> ; A.Salyzyn, What if We Didn’t Wait? Promoting Ethical Infrastructure in Canadian Law Firms, July 25, 2013, <http://www.slaw.ca/2013/07/25/whatif-we-didnt-wait-promoting-ethical-infrastructure-in-canadian-law-firms/>

<sup>4</sup> The Canadian Bar Association, The Ethical Practices Self-evaluation Tool, <http://www.cba.org/CBA/activities/code/ethical.aspx>

<sup>5</sup> Nova Scotia’s model of proactive regulation extends to both its oversight of legal entities (their management practices) and how it carries out all regulatory activities in accordance with the approved Regulatory Objectives. See <http://nsbs.org/nsbs-regulatory-objectives>

<sup>6</sup> See <http://nsbs.org/legal-services-regulation-policy-framework>

<sup>7</sup> See Nova Scotia Barristers’ Society, A Management System for Ethical Legal Practice (Nov. 10, 2015), <http://nsbs.org/draft-self-assessment-process-legal-entities> (includes links to the draft self-assessment tools) f; see generally NSBS, Legal Services Regulation Page, <http://nsbs.org/legal-services-regulation> <http://nsbs.org/transform-regulation> (main portal for the Nova Scotia reforms); Nova Scotia Barristers’ Society, Framework for legal services regulation Webpage, <http://nsbs.org/framework-legal-services-regulation> (main portal for changes designed to accomplish Triple P regulation); and ..

<sup>8</sup> Forms of recognized body include ‘recognised sole practitioners’.

as “licensed bodies”). Practice entities are subject to initial approval, which includes approval of all of the owner/managers and the appointment of compliance officers for both legal practice and finance and administration. Entity approval is one-off but entities are required to report on rule breaches; maintain appropriate systems; provide indemnity insurance cover appropriate for the work they do; and, act as a mechanism of communication with individual solicitors. Entities can be subject to fines and other disciplinary measures, interventions and winding up orders. Individual solicitors remain subject to the traditional requirements of initial approval, ongoing regulation and disciplinary sanctions.<sup>9</sup>

Entity regulation was also introduced in England and Wales for barristers from March 2015.<sup>10</sup> Previously the Bar Standards Board (BSB) only regulated individual barristers, whether self-employed or in-house. As at 30 June 2015, around 20 BSB regulated entities had been approved. At this stage entity regulation for barristers in England & Wales is optional.<sup>11</sup> For the moment the BSB will limit itself to regulating entities owned and managed by barristers and other legal professionals. It will also focus primarily on entities specializing in advocacy, litigation, and specialist legal advice.

In Singapore, the Legal Profession Act was amended in 2014<sup>12</sup> to modernize and streamline the regulatory framework for the legal profession in Singapore. The reforms were undertaken largely in response to recommendations by a high level committee of stakeholders in the legal industry in Singapore, including both local and foreign legal practitioners based in Singapore.<sup>13</sup> The reforms have resulted in an integrated licensing framework for all law practices in Singapore that draws together previously disparate functions (including the registration of foreign lawyers in Singapore) performed by separate bodies.

## **How do these jurisdictions use Entity Regulation?**

### **(a) Who oversees entity regulation?**

In New South Wales and Victoria in Australia entities are co-regulated by the professional association (e.g., The Law Society of New South Wales) and the legal services regulator (e.g., The Office of the Legal Services Commissioner (OLSC)). The Law Society is responsible for “registering law firms as entities” and the OLSC is responsible for regulating their conduct. The legal services regulator was created by the legislature. The Legal Services Commissioner reports to the State Attorney General.

---

<sup>9</sup> See Solicitors Regulation Authority, Firm Based Authorization <http://www.sra.org.uk/solicitors/firm-based-authorisation.page>.

<sup>10</sup> See Bar Standards Board, For prospective entities, <https://www.barstandardsboard.org.uk/regulatory-requirements/for-prospective-entities/>.

<sup>11</sup> Ibid.

<sup>12</sup> The Legal Profession Act and its accompanying subsidiary legislation can be accessed at: <https://www.mlaw.gov.sg/content/minlaw/en/legal-industry/relevant-legislation-and-notice.html>.

<sup>13</sup> The Committee to Review the Regulatory Framework of the Singapore Legal Services issued its Final Report in January 2014. The Final Report can be accessed at: <https://www.mlaw.gov.sg/content/dam/minlaw/corp/News/Final%20Report%20of%20the%20Committee%20to%20Review%20the%20Reg%20Framework%20of%20the%20Spore%20Legal%20Sector.pdf>.

Unlike the U.S., England and Wales have long had several legal professions. This complicates the allocation of authority to regulate law-practice entities. The oversight regulator for legal services in England and Wales, the Legal Services Board (LSB) approves regulatory regimes for alternative business structures proposed by the ‘front line regulators’ for different legal professions. The LSB has now authorized a number of regulators to regulate licensed bodies (ABS) operating in various legal areas, including the SRA, the Council for Licensed Conveyancers, the Chartered Institute of Legal Executives etc. It is important to note that there is an explicit difference between the entity authorization granted to a law firm by the SRA – which covers any area in which a solicitor may practice, and the authorization of an alternative business structure which is based on identified areas of practice set down in the license application. Although there is therefore a choice of regulatory regime open to different types of entities operating in the legal sector, this choice will be dictated by their area of practice. A traditional law firm, wanting to practice all areas of law will remain under the regulatory oversight of the SRA.

The Bar Standards Board (BSB) regulates entities owned and managed by barristers and other lawyers. For the time being, the BSB will not be licensing bodies that have non-lawyer owners or managers (ABSs). But the BSB hopes to regulate ABSs in the future, after filing a separate application to the LSB.

The Singapore Legal Profession Act creates the statutory office of the Director of Legal Services. The Director of Legal Services is supported by a new department in the Ministry of Law, known as the Legal Services Regulatory Authority (LSRA)<sup>14</sup>. Through the LSRA, the Director of Legal Services oversees and regulates local and foreign law practice entities that operate in Singapore, including the licensing of law licensing of law businesses and the regulation of business criteria.

### **(b) What specifically is regulated?**

In Australia the conduct of law-practice entities has been regulated for over a decade. Entities are required, inter alia, to implement and maintain “appropriate management systems” to meet ten management objectives.<sup>15</sup> The ten management objectives concern:

1. Negligence (providing for competent work practices).
2. Communication (providing for effective, timely and courteous communication).
3. Delay (providing for timely review, delivery, and follow up of legal services).
4. Liens/file transfers (providing for timely resolution of document/file transfers).
5. Cost disclosure/billing practices/termination of retainer (ensuring a shared

---

<sup>14</sup> The Legal Services Regulatory Authority’s (LSRA) website can be accessed at:  
<http://www.minlaw.gov.sg/content/minlaw/en/our-work/legal-services-regulatory-authority.html>.

<sup>15</sup> Office of the Legal Services Commissioner, Incorporated Legal Practices,  
[http://www.olsc.nsw.gov.au/olsc/lsc\\_incorp.html.c=y](http://www.olsc.nsw.gov.au/olsc/lsc_incorp.html.c=y)

understanding of retainer terms, appropriate documentation of the commencement and termination of retainers, and appropriate billing practices).

6. Conflict of interests (providing for timely identification and resolution of conflicts, including when acting for multiple parties in a matter or proceeding against previous clients; anticipating potential conflicts arising from relationships with third parties).

7. Records management (maintaining appropriate filing, archiving and document-retention policies to minimize the risk of loss or destruction of correspondence and documents; ensuring that legal requirements for protecting client files, property, and financial interests are met).

8. Undertakings (monitoring for timely compliance with notices, orders, rulings, directions, or other requirements of regulatory authorities such as the OLSC, courts, and cost assessors).

9. Supervision of practice and staff (providing for compliance with statutory conditions concerning licensing, practice certification, employment of persons; providing proper quality standards for work outputs and the job performance of legal, paralegal, and non-legal staff involved in the delivery of legal services).

10. Trust account requirements (providing for compliance with statutory trust account procedures and using proper accounting principles).<sup>16</sup>

The OLSC requires compliance with these objectives.

In England and Wales, law firms are required to comply with a range of duties set out in the SRA's Handbook. The Handbook identifies duties that apply to firms as well as solicitors and other individuals regulated by the SRA. It establishes a comprehensive ethical framework for law practice, including rules governing authorization, practice, management of accounts, indemnity insurance, training, etc. It also contains SRA Principles and the SRA Code of Conduct.<sup>17</sup> Although the Code applies to all authorized individuals and entities, some chapters are more clearly relevant to entities. Chapters 7-9, for example, govern issues relating to management of the legal business, publicity, and referrals. Each chapter of the Code identifies "outcomes" that are mandatory, as well as "indicative behaviors," which are intended as guidance on how outcomes might be achieved, but are not mandatory.

Among the key required 'outcomes' for entities are the following:

**O(7.1):** you have a clear and effective governance structure and reporting lines;

**O(7.2)** you have effective systems and controls in place to achieve and comply with all the *Principles*, rules and outcomes and other requirements of the Handbook, where applicable;

---

<sup>16</sup> Summary of the ten objectives. Office of the Legal Services Commissioner, *Appropriate Management Systems to Achieve Compliance*,

[http://www.olsc.nsw.gov.au/olsc/lsc\\_incorp/olsc\\_appropriate\\_management\\_systems.html](http://www.olsc.nsw.gov.au/olsc/lsc_incorp/olsc_appropriate_management_systems.html)

<sup>17</sup> Solicitors Regulation Authority, *SRA Handbook Welcome*,

<http://www.sra.org.uk/solicitors/handbook/welcome.page>

- O(7.3) you identify, monitor and manage risks to compliance with all the *Principles*, rules, outcomes, and other Handbook requirements (if applicable to you) and you take steps to address issues identified;
- O(7.4) you maintain systems and controls for monitoring the financial stability of your *firm* and risks to money and *assets* entrusted to you by *clients* and others, and you take steps to address issues identified;
- O(7.5) you comply with legislation applicable to your business, including anti-money-laundering and data protection legislation;
- O(7.6) you train individuals working in the *firm* to maintain a level of competence appropriate to their work and level of responsibility;
- O(7.7) you comply with the statutory requirements for the direction and supervision of *reserved legal activities* and *immigration work*;
- O(7.8) you have a system for supervising *clients'* matters, to include regular checking the quality of work by suitably competent and experienced people;
- O(7.9) you do not outsource *reserved legal activities* to a *person* who is not authorised to conduct such activities.<sup>18</sup>

Entities are expected to have a risk management system in place but the rules do not prescribe what this should be. They are also required to report material breaches of any mandatory outcomes.

In Nova Scotia the proposed framework for entity regulation, as noted above, envisages that all law firms will be required to implement and maintain an ethical infrastructure called a “Management System for Ethical Legal Practice”. That proposed infrastructure includes the following “elements”:

1. Developing competent practices;
2. Communicating in a manner which is effective, timely and civil;
3. Ensuring that confidentiality requirements are met;
4. Avoiding conflicts of interest;
5. Maintaining appropriate file and records management systems;
6. Managing the law firm/legal entity and staff appropriately;
7. Charging appropriate fees and making appropriate disbursements;
8. Ensuring that reliable trust account practices are in use;
9. Sustaining effective and respectful relationships with clients, colleagues, courts, regulators and the community; and
10. Working to improve the administration of justice and access to legal services.<sup>19</sup>

Like the NSW and England & Wales’ entity regulation models, Nova Scotia’s model envisages firms and entities appointing a lawyer-manager to be responsible for reporting on compliance with their management systems. The consultation process may lead to some fine-tuning of the originally proposed elements.

In respect of entity regulation in Singapore, the Director of Legal Services through the LSRA:

<sup>18</sup> Summary of the outcomes. Solicitors Regulation Authority, SRA Code of Conduct 2011, <http://www.sra.org.uk/solicitors/handbook/code/content.page>

<sup>19</sup> Nova Scotia Barristers’ Society, Management Systems for Ethical Legal Practice (MSELP), <http://nsbs.org/management-systems-ethical-legal-practice-mselp>.



1. Licenses law practices in Singapore (including Singapore law practices, foreign law practices, Qualifying Foreign Law Practices, Joint Law Ventures and Formal Alliances<sup>20</sup>); and
2. Regulates the business criteria applicable to law practices. This includes approvals for the naming of law practices, foreign ownership of Singapore law practices, non-lawyer ownership of law practices and other criteria applicable to business collaborations between local and foreign law practices in Singapore.

Under LSRA’s integrated licensing regime, law practices in Singapore submit applications to the LSRA through a newly developed IT portal, the LSRA e-Services portal<sup>21</sup>.

### **Who is responsible for implementing entity regulation?**

In New South Wales (and Victoria) the responsibility for establishing and implementing “appropriate management systems” rests with a person nominated by each firm to serve as a “principal”. Each principal of a law practice is responsible for ensuring that reasonable steps are taken to ensure that (a) all legal practitioner associates of the law practice comply with their obligations under the legislation and rules and their other professional obligations; and that the legal services provided by the law practice are provided in accordance with the legislation. A failure to uphold that responsibility can constitute unsatisfactory professional misconduct.<sup>22</sup>

In England & Wales, the *Legal Services Act of 2007* requires that a Head of Legal Practice (HOLP) and Head of Finance and Administration (HOFA) be appointed in each ABS. The SRA decided that all practices, including those that are not ABSs, must appoint someone to these positions. The SRA calls these appointees Compliance Officers for Legal Practice (COLP) and Compliance Officers for Finance and Administration (COFA), respectively. The SRA’s Authorization Rules for Legal Services Bodies and Licensable Bodies identifies the eligibility requirements for these roles.<sup>23</sup> A designated COLP or COFA must be an individual and a firm manager (e.g., a partner) or employee must consent to their designation; must have sufficient seniority and responsibility to fulfil their role; and must not be disqualified from being a Head of Legal Practice or Head of Finance and Administration.

COLPs are responsible for identifying and limiting ethical risks and fostering compliance at their firm, and also serve as the SRA’s point of contact at the firm. More specifically, a COLP is responsible for ensuring that the firm complies with statutory duties set out in the SRA’s Handbook, for recording any failure(s) to comply, and for informing the SRA of such

<sup>20</sup> Further information on each type of license or registration can be found at the Ministry of Law’s website: <https://www.mlaw.gov.sg/content/minlaw/en/legal-industry/licensing-or-registration-of-law-practice-entities0/types-of-license-or-registration.html>.

<sup>21</sup> The LSRA e-Services portal can be accessed at: <https://www.mlaw.gov.sg/eservices/lra/lra-home/>.

<sup>22</sup> *Section 34 Legal Profession Uniform Law 2015 (NSW)*.

<sup>23</sup> See Solicitors Regulation Authority, COLPs and COFAs, <http://www.sra.org.uk/solicitors/colp-cofa.page>

noncompliance. A COLP must also report material failures to the SRA as soon as reasonably practical.<sup>24</sup>

COFAs are responsible for their firm's overall financial management. They must take steps to ensure that the firm, including its employees and managers, complies with duties imposed under the SRA Accounts Rules. They must keep a record of any failure to comply and make the record available to the SRA.<sup>25</sup> Like COLPs they must report material failures to the SRA as soon as reasonably practical.

COLPs and COFAs must be "fit and proper" to undertake their role/s.<sup>26</sup> Fitness is assessed by criteria identified in the SRA Suitability Test (2011) and in light of any relevant information. The assessment is made upon initial SRA approval. If a COLP or COFA is assessed as unfit, the SRA may withdraw the initial approval. Although the COLP is the SRA's principal point of contact in a firm, he or she is not intended to have *sole* responsibility for firm compliance. The entire management, and to some extent all regulated individuals, may be held responsible for a firm's misconduct.

This regime is supplemented by a risk framework that has identified the firms which are likely to pose the greatest risk to the SRA's regulatory objectives. These firms are subject to "regulatory management" which involves the designation of an SRA staff member to monitor them, provide advice, supervise, and if necessary oversee interventions and closure of law firms. Law firms that are not regarded as 'risky' are subject to 'thematic supervision', which allows the regulator to alert them through regular risk bulletins to issues of concern (e.g. new money laundering risks).

The forthcoming regime for entity regulation of barristers in England & Wales will be similar to the regime for solicitors. That is, every entity regulated by the BSB must also have a Head of Legal Practice (HOLP) and Head of Finance & Administration (HOFA). In a single-person practice, of course, the same individual can fill both roles.

In Singapore, the Director of Legal Services is responsible for implementing entity regulation. The Legal Services Regulatory Authority is the vehicle established for implementation.

### **Exclusive? Or parallel to individual license regulation?**

Entity regulation supplements but does not replace the traditional model of individual lawyer regulation. Both lawyers and entities must adhere to the code of conduct and are subject to discipline.

Entity discipline in Nova Scotia and British Columbia also runs parallel to lawyer discipline – both law firms and lawyers can be disciplined. In Canada, the CBA's Self-Assessment Tool,

---

<sup>24</sup> See Solicitors Regulation Authority, Responsibilities of COLPs and COFAs, <http://www.sra.org.uk/solicitors/colp-cofa/responsibilities-record-report.page>

<sup>25</sup> Ibid.

<sup>26</sup> See Solicitors Regulation Authority, What is a COLP and a COFA, <http://www.sra.org.uk/solicitors/colp-cofa/ethos-roles.page>

which as stated above is not mandatory or enforceable, is designed to parallel individual lawyer regulation.

The registration and regulation of Singapore lawyers on an individual basis is administered by the Supreme Court of Singapore, with the Law Society of Singapore. Foreign lawyers are registered by the Director of Legal Services, however, matters pertaining to their professional conduct and discipline fall under the same regime as Singapore lawyers.

### **Is there annual registration?**

There is no annual registration in Australia.

In England and Wales, lawyers must renew their licenses annually. Entities are only required to have initial authorization but they must nonetheless submit certain details on an annual or more frequent basis (e.g. insurance details, diversity statistics etc.). New entities established under the SRA's regulatory umbrella must become either recognized bodies (traditional law firms) or licensed bodies (ABSs) through an "authorization" process. Authorization is necessary before commencing a practice and any changes in the composition of a recognized body's management or in the nature of a licensed body's business are also subject to prior approval.<sup>27</sup>

In Singapore, all law practices offering legal services and joint ventures or alliances between a Singapore law practice and a foreign law practice must be licensed. Obtaining a license is generally a one-off application process, except for foreign law practices awarded licenses under the Qualifying Foreign Law Practices ("QFLP") scheme<sup>28</sup>, which are issued term licenses, renewable every five years. For lawyers, the validity period of registration of a foreign lawyer could range from 12 to 36 months depending on the registration category, and such foreign lawyers are required to renew their certificates of registration with the LSRA. For Singapore lawyers practicing Singapore law, their practicing certificates are renewable with the Singapore Supreme Court on an annual basis.

### **Funding sources, fiscal impact?**

Information about funding sources and the fiscal impact of entity regulation can be obtained by contacting individual regulators.

### **Which jurisdictions are in the process of establishing entity regulation (i.e. more than just considering it as a regulatory option)?**

**British Columbia:** When the Legal Profession Act was amended in 2012, the Law Society was authorized to regulate "law firms" in addition to its authority to regulate lawyers. Once British Columbia's entity regulation regime is implemented, it will run in parallel to lawyer regulation. "Law firm" is defined as "a legal entity or combination of legal entities carrying on the practice of law." The Law Firm Regulation Task Force has been created and ordered to recommend a framework for the regulation of law firms.

**Ontario:** The Law Society of Upper Canada (Ontario) has some authority to regulate firms but has not exercised this authority and does not actively regulate firms. Additional legislative authority would be required to implement entity regulation more broadly. A Task Force on Compliance-Based Entity Regulation was established in June 2015 to study and make recommendations on options for professional regulation that focus on objectives for entities, or

---

<sup>27</sup> The Law Society of England and Wales, Setting up a Practice: Regulatory Requirements, <https://www.lawsociety.org.uk/support-services/advice/practice-notes/setting-up-a-practice-regulatory-requirements/>

<sup>28</sup> The QFLP license allows a foreign law practice to practice in permitted areas of Singapore law, in addition to offering foreign law services.

organizations, through which lawyers and paralegals provide legal services. In January 2016, the Law Society published a Consultation Paper which sets out a series of issues and related questions about both compliance based regulation and entity regulation for consideration and comment. Issues discussed include the principles for a practice management system, the practice arrangements to which compliance based entity regulation may apply, the roles and responsibilities of a designated practitioner and registration of the entity. As part of the consultation process, the Law Society.

Nova Scotia: The Nova Scotia Barristers' Society's Strategic Direction to Transform Regulation in the Public Interest continues to evolve and has now been recast as a legal services regulation initiative, with a broader scope than the original focus on entity regulation<sup>29</sup>. The Society's Council made a number of policy decisions to advance this direction in November 2015.<sup>30</sup> Regular updates are posted on the Legal Services Regulation webpage, in the free emailed newsletter, and in blog posts.<sup>31</sup>

Its work on entity regulation is focusing on the proactive pieces that will support this new approach. Key is the development of the various elements that will be part of the new 'Management System for Ethical legal Practice' that will be administered through a questionnaire that will be answered by all legal entities. The Society has developed a definition of 'legal entity' as follows: '*A lawyer or a group that carries out work that is supervised by a lawyer whether the work is done by a lawyer or a non-lawyer, including but not limited to law firms, in-house counsel and department/team, government lawyer and department/team, and Legal Aid*'. Further information on the NSBS work may be found at: <http://nsbs.org/legal-services-regulation>.<sup>32</sup>

Alberta, Saskatchewan and Manitoba. The Prairie Law Societies (Alberta, Saskatchewan and Manitoba) have issued a collaborative report for their membership that educates the membership on the concept of entity regulation.<sup>33</sup>

### **Which U.S. jurisdictions could at present implement entity regulation?**

---

<sup>29</sup> See <http://nsbs.org/framework-legal-services-regulation>

<sup>30</sup> See Nova Scotia Barristers' Society, Society news, <http://nsbs.org/news> (includes links to stories about adoption of the Legal Services Regulation Policy Framework and the Draft Self-Assessment tool).

<sup>31</sup> Nova Scotia Barristers' Society, Legal Services Regulation, <http://nsbs.org/legal-services-regulation>; Nova Scotia Barristers' Society, Nova Scotia Barristers' Society, Legal Services Regulation Update, <http://nsbs.org/legal-services-regulation-update>; Nova Scotia Barristers' Society, LSR Steering Committee BLOG: Proportionate regulation according to risk, <http://nsbs.org/lsr-steering-committee-blog-proportionate-regulation-according-risk>.

<sup>32</sup> The Society's authority to regulate law firms is found in Part III of the Act. Section 27 of the Legal Profession Act 2004 ("the Act") provides that in Part III and Part IV unless otherwise indicated, "member of the Society" includes a law firm. Pursuant to section 28 of the Act, Council has broad powers to make Regulations that include, inter alia, establishing or adopting ethical standards for members of the Society and establishing or adopting professional standards for the practice of an area of law.

<sup>33</sup> "Innovating Regulation, A Collaboration of the Prairie Law Societies" found at [http://www.lawsociety.sk.ca/media/127107/INNOVATING\\_REGULATION.pdf](http://www.lawsociety.sk.ca/media/127107/INNOVATING_REGULATION.pdf).

Two states have already laid the groundwork for entity regulation by requiring law firms to make “reasonable efforts” to ensure that their lawyers conform to the disciplinary rules.

New Jersey. In 1984, the New Jersey Supreme Court adopted the Model Rules of Professional Responsibility, but modified Model Rule 5.1 to clarify that it applies to “all lawyers engaged in the practice of law” and not just to partners in a partnership. Although the New Jersey Supreme Court has asserted its authority to discipline law firms since 1984, it was not until 1997 that the court exercised that authority. See In re Jacoby & Meyers, 147 *N.J.* 374 (1997), where the Supreme Court reprimanded a law firm for failing to use an approved New Jersey trust account for settlements received in connection with New Jersey legal matters. Then, in 1998, the court reprimanded another law firm for improperly soliciting clients by parking a rented recreational vehicle, covered with law firm ads, at the site of an apartment building gas line explosion. See In re Ravich, Koster, Tobin, Gleckna, Reitman & Greenstein, 155 *N.J.* 357, 715 *A.2d* 216 (1998). See also In re Bolden & Coker, P.C., 178 *N.J.* 324 (2004), reprimanding a Pennsylvania law firm for unauthorized practice of law in New Jersey. More recently, the Supreme Court reprimanded a law firm for violating Rule 5.1(a) by not ensuring that an attorney employed by the firm, but not admitted in New Jersey, took the bar exam before practicing there. In re Sills Cummis Zuckerman Radin Tischman Epstein & Gross, 192 *N.J.* 222, 927 *A.2d* 1249 (2007).

New York. New York has also extended to law firms the duty to ensure their lawyers’ compliance with the disciplinary rules. In 1996, in response to a recommendation by the Association of the Bar of the City of New York, the state courts widened their disciplinary jurisdiction to include law firms. The four Appellate Divisions of the New York Supreme Court, which regulate law practice in the state, amended their disciplinary rules to provide that “[a] law firm shall make reasonable efforts to ensure that all lawyers in the firm conform to the disciplinary rules.”<sup>34</sup>

Two New York law firms have been publicly disciplined since amendments to the state’s disciplinary rules took effect. In 2004, a law firm was publicly censured for engaging in “conduct that adversely reflected on the fitness of the firm’s lawyers to practice” as well as “conduct prejudicial to the administration of justice.” The conduct in question was pressuring immigration clients and their family members who came to the firm’s office to pay additional fees on the spot and yelling at those who could not or would not pay. See In re Law Firm of Wilens & Baker, 9 *AD3d* 213 (N.Y. App. Div. 2004). And in 2014, another firm was publicly censured for repeatedly pursuing collection matters without verifying the identity of the debtor and the validity of the debts. See In re Cohen & Slamowitz, LLP, 116 *AD3d* 13 (2014)

Which U.S. jurisdictions are implementing forms of PMBR?

Colorado. In Colorado, a committee finished proposed Colorado regulatory objectives in November 2015. These regulatory objectives emphasize proactive programs that reduce risk and

---

<sup>34</sup> In 2009, the New York courts changed their ethics code to a Model Rules format. New York’s Rule 5.1(a) now provides that “A law firm shall make reasonable efforts to ensure that all lawyers in the firm conform to these rules.” More broadly, New York Rule of Professional Conduct 8.4 provides, *inter alia*, “RULE 8.4 that “A lawyer or law firm shall not: (a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another...”

increase consumer confidence. The committee started working on PMBR in December. The committee has drafted principles and has ten working groups developing self-assessment forms for Colorado. The committee has decided the PMBR process will be a volunteer pilot project that has incentives for compliance, including continuing legal education credit, potential certification for creating an ethical infrastructure through self-assessment and verification, and potential financial incentives including a premium reduction on malpractice insurance. In the interim, Colorado Attorney Regulation Counsel has finalized a new website that will allow a portal and dashboard for self-assessments and recordkeeping; and intends to refine a training program for practice monitors to help small entities or solos establish and verify their ethical infrastructure.

Illinois. The Illinois ARDC is studying the concept of entity regulation and PMBR along the same lines in Nova Scotia. The ARDC is looking particularly at aspects of entity regulation concerning the designation of an attorney (or attorneys) in each law firm or practice entity who would be administratively responsible for its ethical infrastructure. It is also considering how to engage designated attorneys in entity assessments and educational efforts both to improve the delivery of services to clients and reduce client grievances. To inform their study the ARDC is also analyzing data on Illinois lawyers and firms. Apparently, the experience in New South Wales has met with interest among Illinois bar leaders.

Most U.S. jurisdictions have adopted ABA Model Rule 5.1 with little change.<sup>35</sup> As a result, most U.S. regulators have the power to achieve a measure of PMBR-like regulation without changing existing rules. For example, a regulator might inquire on a lawyer's annual bar dues statement whether the lawyer has responsibilities under Rule 5.1. If the answer is yes, the regulator could ask whether the lawyer is in compliance with the rule. The regulator could also provide a link to online resources that would include educational materials and a self-assessment tool.<sup>36</sup>

### **What are the advantages of entity regulation?**

First, entity regulation encourages regulators to devote resources to (1) improving the management and culture of the firm as a whole and (2) preventing client and public harm, rather than focusing on individual conduct and discipline after-the-fact. Putting more emphasis on entity regulation, might well encourage those who control a legal practice to develop management training, supervision, and quality control systems.

Second, entity regulation, especially when combined with PMBR, can improve the relationship between the regulator and the regulated because the regulator focuses on helping to improve the

---

<sup>35</sup> See ABA CPR Policy Implementation Committee, *Variations of the ABA Model Rules of Professional Conduct: Rule 5.1: Responsibilities Of Partners, Managers, And Supervisory Lawyers* (Updated Oct. 21, 2014), [http://www.americanbar.org/content/dam/aba/administrative/professional\\_responsibility/mrpc\\_5\\_1.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/administrative/professional_responsibility/mrpc_5_1.authcheckdam.pdf)

<sup>36</sup> Colorado is considering adding these questions to its bar dues statement. See Laurel S. Terry, *The Power of Lawyer Regulators to Increase Client & Public Protection through Adoption of a Proactive Regulation System*, 20(3) *Lewis & Clark L. Rev.* \_\_\_\_ (2016)(forthcoming); Laurel S. Terry, *Globalization and the ABA Commission on Ethics 20/20: Reflections on Missed Opportunities and the Road Not Taken*, 43 *Hofstra L. Rev.* 95, 128, n. 142 (2014)(suggesting this idea).

practice as a whole and reduce complaints, while shifting the regulatory focus away from discipline alone.

Third, entity regulation could remove the potential unfairness of holding one lawyer in a firm responsible for system failures where others in the firm, or the firm itself could just as well be made accountable.

Fourth, entity regulation overcomes a common problem in processing complaints, namely, identifying the lawyer(s) to whom the alleged misconduct is (and is not) attributable. Entity regulation will allow a complaint to be made against the firm as a whole and clients would be relieved of the obligation to name specific individual(s).

Fifth, entity regulation means that everyone in the law firm (whether they are lawyers or non-lawyers) have a stake in whether the firm is in compliance since law firm discipline directly or indirectly affects all firm lawyers.

Finally, entity regulation reduces the number of complaints made against law-practice entities and improves practice management. In 2008, a research study by Dr. Christine Parker of the University of Melbourne Law School in conjunction with the NSW regulator assessed the impact of ethical infrastructure and the self-assessment process in NSW in order to determine whether the process is effective and whether the process is leading to “better conduct” by firms required to self-assess.<sup>37</sup> The Parker/OLSC study found that client complaints decreased by two-thirds after implementation of the mandatory “appropriate management systems” requirement for New South Wales’ ILPs and that after self-assessment, ILPs had one-third the rate of complaints of non-ILPs.<sup>38</sup>

Moreover, in another recent research study conducted on incorporated legal practices in NSW, by Professor Susan Saab Fortney of Hofstra University, New York, in conjunction with the NSW regulator, revealed that a majority of law firms (71%) who completed the self-assessment process had revised their firm systems, policies, and procedures and 47% had actually adopted new systems, policies, and procedures.<sup>39</sup> Forty-two percent (42%) of firms indicated that they “strengthened firm management” following the completion of the first self-assessment.

### **What are the disadvantages of entity regulation?**

Some may argue that the greatest challenge for entity regulation is that the concept is not well understood within the bar, and that a change in mindset from the lawyer’s traditional view of professional self-regulation is probably needed. Judging by the experience in Australia, the

---

<sup>37</sup> C.E. Parker, T. Gordon, S. Mark, 2010, Regulating law firms ethics management: an empirical assessment of an innovation in regulation of the legal profession in New South Wales, *Journal of Law and Society* [P], vol. 37, issue 3, Blackwell Publishing, UK, pp. 466-500.

<sup>38</sup> Laurel S. Terry, *Transnational Legal Practice (International) [2010-2012]*, 47 *Int’l L.* 485 (2013 at 496); [http://www.personal.psu.edu/faculty/1/s/1st3/Transnational\\_Legal\\_Practice\\_2010-2012\\_International.pdf](http://www.personal.psu.edu/faculty/1/s/1st3/Transnational_Legal_Practice_2010-2012_International.pdf).

<sup>39</sup> Susan Fortney & Tahlia Gordon, *Adopting Law Firm Management Systems to Survive and Thrive: A Study of the Australian Approach to Management-Based Regulation*, 10 *ST. THOMAS L. J.* 152 (2012).



traditional view can be overcome with an effective education program that explains the purpose, and benefits of entity regulation.

Entity regulation requires firms to focus on ethical issues at the entity level, not just the individual lawyer level. Changing the focus is not easy, but it can benefit firms with multiple practice groups by enabling them to streamline their educational programs and ensure uniformity across practice groups.

Entity regulation requires planning and takes time from busy regulators and firms alike. Effective planning for entity regulation requires regulators to consult with the profession. But this may produce surprising benefits as discussions between regulators and the firms they regulate can create closer relationships and mutual understanding.

## **PART 2**

### **How have jurisdictions actively studying Entity Regulation gone about it? By creating a task force or other body?**

In considering entity regulation, jurisdictions have chiefly relied on consultation with the profession. For example, the Costs Lawyers Standards Board<sup>40</sup> (CLSB) in Manchester, England, last year sought the views of costs lawyers about how it might regulate costs-lawyer-led entities, in addition to its current system of regulating individual practitioners. After consultation, CLSB is seeking to confine itself to the regulation of costs law *entities*, with sole practitioners and in-house Costs Lawyers continuing to be regulated through their individual practicing certificates.<sup>41</sup>

The Law Society of Scotland has also been considering entity regulation. In 2014 the Society released two consultation papers – one on entity regulation and the other on principles and outcomes-focused regulation. In 2016, the Society released a second consultation paper on entity regulation in order to further explore what entity regulation might mean for the profession, the issues it may raise, and what charging models should be considered.<sup>42</sup>

### **What U.S. organizations are studying/considering Entity Regulation?**

The U.S. organizations studying entity regulation include the ABA Center for Professional Responsibility, the ABA Commission on the Future of Legal Services, the Conference of Chief Justices, the International Legal Regulators Conference, Illinois ARDC and Colorado Attorney Regulation Counsel. A number of these organizations are in communication with, or gathering information about, the entities mentioned in this FAQ.

---

<sup>40</sup> The Costs Lawyers Standards Board is the Approved Regulator of Costs Lawyers. Costs Lawyers are legal costs experts who, inter alia, advises on the charging and recovery of legal fees and disbursements and undertakes costs budgeting.

<sup>41</sup> CLSB, Entity Regulation & Revised Principle 3.6, <http://clsb.info/policy-outcomes/consultations/entity-regulation/>

<sup>42</sup> The Law Society of Scotland, Regulation in the 21<sup>st</sup> Century, <http://www.lawscot.org.uk/members/regulation-and-standards/regulation-consultations/>

## **PART 3**

### **Resources**

#### **ABA Center for Professional Responsibility resources:**

##### **Law review articles:**

Susan Saab Fortney, *The Role of Ethics Audits in Improving Management Systems and Practices: An Empirical examination of Management-Based Regulation of Law*, 4 St. Mary's J. Legal Mal. & Ethics 112 (2014).

Ted Schneyer, *The Case for Proactive Management-Based Regulation to Improve Professional Self-Regulation for U.S. Lawyers*, 42 Hofstra L. REV. 233 (2013).

Ted Schneyer, *On Further Reflection: How “Professional Self-Regulation” Should Promote Compliance with Broad Ethical Duties of Law Firm Management*, 53 ARIZ. L. REV. 577, 585 (2011).

Laurel S. Terry, *Globalization and the ABA Commission on Ethics 20/20: Reflections on Missed Opportunities and the Road Not Taken*, 43 Hofstra L. Rev. 95, 128, n. 142 (2014)(suggesting the idea of using Rule 5.1 to achieve PMBR even in the absence of entity regulation).

Laurel S. Terry, Steve Mark, Tahlia Gordon, *Adopting Regulatory Objectives for the Legal Profession*, 80 Fordham L. Rev. 2685 (2012). This article provides a thorough treatment of regulatory objectives in a number of jurisdictions. It includes a discussion of the different methods by which lawyers are regulated (e.g., legislation, court rules, law society bylaws); legislative history, and an analysis and comparison of the regulatory objectives in a number of jurisdictions. The regulatory objectives from a number of jurisdictions are included as appendices.

Laurel S. Terry, *Why Your Jurisdiction Should Consider Jumping On The Regulatory Objectives Bandwagon*, 22(1) Prof. L. 28 (Dec. 2013). This article is a 15 page version of the Terry/Mark/Gordon 2012 regulatory objectives article. It is targeted to state supreme courts and lawyer regulators in the United States.

Laurel S. Terry, Steve Mark, Tahlia Gordon, *Trends and Challenges in Lawyer Regulation: The Impact of Globalization and Technology*, 80 Fordham L. Rev. 2661 (2012). This “Trends” article uses a “who-what-when-where-why-and-how” structure as a means to discuss global lawyer regulation developments around the world. Although many jurisdictions combine these developments, it offers a means to analyze the issues separately and compare regulatory approaches in different countries.

Laurel S. Terry, *Trends in Global and Canadian Lawyer Regulation*, 76 Saskatchewan L. Rev. 145 (2013). This article uses the structure developed in the 2012 Terry/Mark/Gordon “Trends” article to analyze Canadian lawyer regulation developments.

See also <http://tinyurl.com/laurelterryslides> (includes links to presentation slides, organized by topic) and [http://works.bepress.com/laurel\\_terry/](http://works.bepress.com/laurel_terry/) (contains links to articles on a number of issues related to globalization and the legal profession, including foreign lawyer mobility provisions, a comparative analysis of UPL/lawyer monopoly provisions in countries, interest in the legal profession by antitrust authorities, EU regulation of lawyers (the most recent analysis is found in the Bologna Process articles), trade agreements’ application to legal services, FATF and “gatekeeper” issues, and transnational legal practice year-in-review articles, among other topics).

### **(1) Adam Dodek, “Regulating Law Firms in Canada” (2011) 90 Can Bar Rev 383**

In Canada, the regulatory focus of law societies has always focused on the people who provide legal services rather than on the vehicles through which legal services may be provided. The traditional model of the delivery of legal services then was the sole lawyer in private practice. This model has survived for over two centuries. However, law firms of all sizes are now omnipresent in the Canadian legal profession. While law firms are ever present in the practice of law, they are peripheral in the regulation of lawyers in Canada. At the very least, this discrepancy presents a question that should be addressed: should law firms be regulated?

Law Societies should regulate law firms. They should do so primarily on the basis of ensuring public confidence in self-regulation and respect for the Rule of Law and only secondarily out of concerns regarding public protection. The proper question is not why should law firms be regulated but why do they largely escape Law Society regulation? It is widely recognized that law firms have their own culture. It is contested whether this culture strengthens or weakens ethical conduct of the firm’s constituent lawyers. Resolution of this issue is not necessary for the purposes of my argument. Once it is acknowledged that the law firm is an independent actor exerting significant influence on the practice of law, the burden of justifying why it should be regulated necessarily shifts.

The absence of law firm regulation creates a problem of legitimacy for Law Societies mandated to regulate the practice of law in the public interest. This regulatory gap also raises Rule of Law concerns and may threaten public confidence if the public believes that the most powerful groups of lawyers escape regulation. Bar leaders in Canada have ratcheted up the expectations of self-regulation through the strength of their rhetoric and their actions against perceived incursions of self-regulation. As a result, lawyers in Canada have set the bar for what self-regulation is supposed to accomplish at a very high level. Consequently, the failure to regulate law firms may threaten self-regulation of the legal profession in Canada.

This paper presents an argument and a blueprint for law firm regulation. It has five parts in addition to this introduction. In Part I, the author details why Canadian law societies should regulate law firms. Part II undertakes a “regulatory audit” of how Law Societies in Canada currently regulate law firms. He then turns to comparative experience in Part III by examining how law firms are regulated in three comparable jurisdictions: the United States, Australia and the United Kingdom. Then in Part IV, the author presents a suggested template for law firm regulation. Finally, Part V provides a brief conclusion.

**(2) Amy Salyzyn, "What if We Didn't Wait? Canadian Law Societies and the Promotion of Effective Ethical Infrastructure in Canadian Legal Practices" (2015) 92 Can Bar Rev 507**

Canadian law societies primarily regulate lawyer behaviour by responding to complaints made against individual lawyers. Although this complaints-based regime is necessary, in particular to address cases of lawyer misfeasance or extreme incompetence, it is limited in its ability to target a significant determinant of ethical lawyer conduct: the presence of institutional policies, procedures, structures and workplace culture within a law practice that help lawyers fulfill their ethical duties. Given the importance of these formal and informal measures — referred to collectively as “ethical infrastructure” — this article explores whether and how law societies might become more active in promoting effective ethical infrastructures within Canadian law practices.

Ensuring effective ethical infrastructures within law practices seems self-evidentially good: we want lawyers to work in environments that facilitate compliance with their ethical duties. It is less obvious, however, that it would be a good thing for law societies to regulate the ethical infrastructures of Canadian legal practices. Decisions about a practice’s ethical infrastructure, like what policies and procedures to put in place, are typically thought to fall to private ordering and the decisions of law firm managers (influenced by insurer and client demands) rather than to the domain of public regulators like law societies. Indeed, many Canadian lawyers are likely to be suspicious of proposals to add an additional layer of regulator involvement in their practices.

What justifies regulatory intervention in this area? The case presented in this article for expanded law society involvement in the ethical infrastructures of Canadian law practices is three-fold: (1) there are reasons to believe that these infrastructures could, as a general matter, be improved; (2) this improvement would, in turn, lead to improved outcomes in relation to lawyers’ ethical duties; and (3) current law society regulatory efforts are not optimally situated to assist with this improvement. Stated otherwise, law societies should become more involved in the ethical infrastructures of Canadian law practices because neither the market nor current regulatory efforts are effectively addressing this important aspect of law practice.

## **Proactive Regulation** **Frequently Asked Questions**

### **1. What is proactive regulation?**

“Proactive regulation” is a term used to describe approaches and programs that try to ***prevent*** lawyer regulatory and service problems from occurring, rather than dealing with alleged misconduct after complaints are filed. Proactive regulation is based on the premise that sometimes “an ounce of prevention is worth a pound of cure.”

### **2. If a jurisdiction uses proactive regulation, does that mean that it cannot discipline lawyers?**

No. While proactive regulation tries to prevent problems from occurring in the first place, it does not preclude a jurisdiction from disciplining a lawyer. A jurisdiction can have both a proactive regulation system and a lawyer discipline system.

### **3. Are there various forms of proactive regulation?**

Yes. Most U.S. jurisdictions use some kinds of proactive regulation. For example, most U.S. jurisdictions have mandatory Continuing Legal Education (CLE) requirements. CLE requirements have been adopted with the goal of having lawyers keep up-to-date and thus avoid problems. Other examples of proactive regulation include the following:

- Ethics hotlines;
- Law practice management assistance;
- Assistance for impaired lawyers;
- Bridge the gap, mentoring, professionalism or other programs for newly admitted attorneys;
- Practice standards for specific subject matter or practice areas;
- Monitoring discipline data to determine topics for future proactive regulation;
- Using registration data or discipline data to determine type of outreach for particular kinds of lawyers;
- Emailed newsletters that contain proactive tips; and
- Emails to lawyers who switch registration status to solo or small firms given the higher rate of client complaints against solo and small firm lawyers.

Appendix B to this Proactive Regulation FAQ identifies jurisdictions that use each of these methods.<sup>1</sup>

---

<sup>1</sup> Please let us know if we haven't listed your jurisdiction and we should. If you have additional measures that aren't included that you think should be included, please let us know. You can reach the NOBC Proactive Regulation Committee by contacting its Chair, Jim Coyle, at [j.coyle@csc.state.co.us](mailto:j.coyle@csc.state.co.us).

Jurisdictions may adopt a few, many, or all of these proactive measures, and perhaps others as well. They may also vary in the extent to which they rely on, and commit resources to, proactive as opposed to the traditional, “reactive” tools -- disciplinary enforcement and malpractice liability. Some, such as the jurisdictions described later, have committed to consider, regularly and systemically, what proactive measures they might use when approaching a given issue.

#### **4. Have some jurisdictions made a systemic commitment to use a proactive regulatory approach?**

While most, if not all, jurisdictions use at least some proactive regulation tools, there is growing interest in jurisdictions around the world in approaching proactive regulation in a more comprehensive and systemic manner. For example, the regulator for the legal profession in Nova Scotia, Canada uses a “Triple P” regulatory approach – that is, its approach to regulation will be *proactive*, principled, and proportionate. See Nova Scotia Barristers’ Society, Framework Chart, <https://perma.cc/74AX-BTNT>. Several other Canadian provinces are considering whether to make a commitment to have a systemic and comprehensive approach to proactive lawyer regulation.<sup>2</sup>

In 2016, the Colorado Supreme Court adopted a preamble to its *Rules Governing the Practice of Law*. The new preamble sets forth regulatory objectives and includes proactive regulation among these objectives. See <https://perma.cc/H5HB-VYNW>. On January 25, 2017, Illinois issued a [press release](#) announcing that it was “the first state in the nation to adopt a Proactive Management Based Regulation (PMBR).” Among other things, Illinois adopted a rule that requires a lawyer to conduct a self-assessment of the operation of his or her law practice every two years if that lawyer does not have malpractice insurance.<sup>3</sup> The press release noted that the changes were based upon a multi-year study of PMBR initiatives in other countries and in the United States, and after consultation with key Illinois stakeholders, including many bar association and lawyer groups. Other U.S. jurisdictions, such as New Mexico, are considering the adoption of statements that express their commitment to a systemic approach to proactive regulation.

#### **5. What are the benefits of adopting a systemic commitment to proactive regulation?**

---

<sup>2</sup> For a summary of the Canadian developments, see Laurel S. Terry, *The Power of Lawyer Regulators to Increase Client & Public Protection Through Adoption of a Proactive Regulation System*, 20 LEWIS & CLARK L. REV. 717 (2016). To find more recent developments, you can consult the Canadian portals, which are linked from the webpage of the Colorado Proactive Management Based Regulation subcommittee. See <https://perma.cc/RW6K-PTZQ>. As the Proactive Regulation law review article and the documents on these portals reveal, several Canadian provinces are combining their efforts to develop a more proactive regulatory system with efforts to develop or implement a system of entity regulation. This combination is often referred to as PMBR (Proactive Management Based Regulation). For additional information on PMBR and the combination of proactive and entity-based regulation, see the NOBC’s Entity Regulation FAQ document available at <http://www.nobc.org/index.php/jurisdiction-info/global-resources/entity-regulation>. For links to the Canadian web

<sup>3</sup> See Illinois Supreme Court Rules, Rule 756 on Registration and Fees, at Rule 768(e), available at [http://www.illinoiscourts.gov/SupremeCourt/Rules/Art\\_VII/artVII.htm#Rule756](http://www.illinoiscourts.gov/SupremeCourt/Rules/Art_VII/artVII.htm#Rule756).

Some have argued that there is a benefit to having a jurisdiction make a systemic commitment to proactive regulation, rather than adopting, on ad hoc basis, proactive regulation tools. For example, in her *Proactive Regulation* law review article, Professor Laurel Terry from Penn State's Dickinson Law argued that a jurisdiction that has a comprehensive and systemic commitment to proactive regulation might find cost effective ways to prevent problems from occurring rather than responding after they occur. She offered the example of Colorado, which sends an email to all lawyers who move from a government legal position or large firm practice to a solo or small firm practice. The email summarizes the many resources that the Colorado regulator has available, including personal consultations. The email costs Colorado very little money up front, but in the long run, it should help avoid problems and save the state – and more importantly, clients – both money and aggravation. While a jurisdiction could certainly use an email tool like this without having adopted a comprehensive and systemic approach to proactive lawyer regulation, having such a commitment makes it more likely that a regulator will regularly take a moment to stop and reflect and consider whether it could be doing something additional, on a proactive basis, that would prevent problems, rather than simply responding to problems after they occur.

Darrel Pink, the Executive Director of the Nova Scotia Barristers' Society, has explained as follows the usefulness of having made a systemic commitment to proactive regulation: 'Our goal is to change the nature of the conversation between the Society, as regulator, and the profession. We will do this by actively engaging with lawyers and law firms about matters that we know, from experience, raise substantial risk of complaints, claims against our insurance program or other regulatory interventions, such as from trust account oversight. This engagement is a clear example of proactive regulation aimed at addressing issues before they escalate to the level where coercive action is required'. The Nova Scotia Barristers' Society has begun to use its proactive approach across the board, including, for example, when it approaches professional responsibility and credentialing issues.<sup>4</sup>

Arguably, proactive approaches protect the public more than reactive systems. In her article, *Promoting Public Protection through an "Attorney Integrity" System*, Professor Susan Fortney of Texas A&M University School of Law explains that an attorney regulation system that relies heavily on a complaint-driven process of prosecuting alleged misconduct after it occurs provides little direct relief to the client or other persons who have been injured by the lawyer's misconduct.<sup>5</sup> Rather than waiting for misconduct to occur, she asserts that a proactive system of "attorney" integrity, rather than "attorney discipline," helps improve ethical conduct and the quality of legal services, while reducing the number of complaints.<sup>6</sup> In the long run, she suggests that such a move can save regulators money and enable regulators to focus more on those complaints that are filed, while enhancing both client and lawyer satisfaction.<sup>7</sup>

## **6. Do jurisdictions that have entity regulation necessarily use proactive regulation?**

---

<sup>4</sup> See Terry, *supra* note 2, at 89.

<sup>5</sup> Susan Saab Fortney, *Promoting Public Protection through an Attorney Integrity" System: Lessons from the Australian Experience with Proactive Regulation of Lawyers*, 23 PROFESSIONAL LAWYER, 16 (2015), available at [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2906525](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2906525).

<sup>6</sup> *Id.* at 7.

<sup>7</sup> *Id.* at 7-8.



No. It is possible for a jurisdiction to regulate entities, but not to have adopted a proactive regulation approach. For example, regulators in both New York and New Jersey have the authority to discipline law firms, as well as individual lawyers. But neither New York nor New Jersey has, as yet, adopted a comprehensive proactive regulation system. Both states have proactive programs and measures, but neither uses a systematic approach, such as Triple P regulation being developed in Nova Scotia.

**7. Do jurisdictions need to adopt entity regulation in order to make a commitment to proactive regulation?**

No. Even if a jurisdiction has not adopted entity regulation, it is possible for that jurisdiction to decide that it wants to regulate proactively, in order to prevent problems before they occur. For example, a U.S. jurisdiction that has not adopted entity regulation could decide to use a Triple P approach to regulation – that is, to regulate in a manner that is proactive, principled, and proportionate.<sup>8</sup> It is common for U.S. regulators to have goals (or principles) such as client protection and public protection that they are trying to advance. It is also common for U.S. regulators to try to regulate in a manner that is appropriate and fair (i.e., proportionate). A jurisdiction could decide that even in the absence of entity regulation, proactive regulation would advance its regulatory goals (or principles) and that it would be appropriate to do so.

**8. If a jurisdiction wants to use proactive regulation, what tools are available?**

A jurisdiction that wants to regulate proactively has a number of tools available to it. It could adopt one or more of the tools found in the bulleted list in Question 3 above. It could send an email to lawyers who switch job settings, as Colorado has done. It could subscribe to the free *Legal Services Regulation Update e-newsletter*<sup>9</sup> circulated by the Nova Scotia Barristers' Society to see what new steps Nova Scotia is taking with respect to proactive regulation. It could also talk to other jurisdictions interested in proactive regulation to find out what tools they are using. (See one of the next FAQ for ways in which jurisdictions interested in this topic can connect with each other).

One tool that has received significant attention in recent years is a self-assessment form. The first jurisdiction to use this tool was New South Wales, Australia, which required that a representative from an Incorporated Legal Practice (ILP) complete the self-assessment form.

---

<sup>8</sup> Although the terms “principled” and “proportionate” are not commonly used in U.S. lawyer regulatory circles, the ideas they represent are common in the United States. For example, when the U.S. Supreme Court evaluates the constitutionality of restrictions on lawyers’ commercial speech that is not false or misleading, it uses the 3-part Central Hudson test. For speech that is not false or misleading, the test asks: 1) whether the asserted governmental interest is substantial; 2) whether the regulation directly advances the governmental interest asserted; and 3) whether the restriction is more extensive than is necessary to serve that interest. *See Central Hudson Gas & Electric Corp. v. Public Service Commission*, 447 U.S. 557 (1980). In *Michigan v. Environmental Protection Agency*, \_\_\_ U.S. \_\_\_, 135 S. Ct. 702 (2015), the Supreme Court struck down a regulation because the agency in question failed to do a cost-benefit analysis which was required in order to decide whether the regulation was “appropriate and necessary,” as required by the statute. Both of these cases reflect ideas that are similar to a “proportionality” requirement.

<sup>9</sup> This newsletter can be found at <http://nsbs.org/legal-services-regulation-update>. Anyone may sign up to receive a copy.

The self-assessment form, which was developed by the New South Wales Office of the Legal Services Commissioner in consultation with stakeholders, asked firms to evaluate whether they had systems in place designed to prevent ten of the most common problems. The form addressed potential problems such as handling matters on which the firm was not competent, fee disputes, missed deadlines, conflicts of interest, and ensuring staff confidentiality regarding client matters. One of the reasons why the self-assessment tool has received so much attention is because of a study conducted by Professor Christine Parker with the cooperation of Steve Mark and Tahlia Gordon from the New South Wales Office of the Legal Services Commissioner. This academic study found that New South Wales ILP firms that used this tool significantly reduced the number of client complaints filed against them and had a significantly lower number of complaints than non-ILP law firms that did not use the self-assessment form.<sup>10</sup>

Subsequent to the publication of the study about the results in New South Wales, the Canadian Bar Association developed a voluntary self-assessment form that focused on a firm's 'ethical infrastructure'. Colorado has also made a self-assessment form available, and Nova Scotia will be evaluating in Spring 2017 the results of its self-assessment pilot project in which it had 50 firms test two different self-assessment forms, one of which was designed for solo practitioners and smaller law firms and the other of which was designed for larger law firms. (In Nova Scotia, the draft self-assessment form is called the "draft MSELP Self-Assessment Tool;" MSELP is the acronym that refers to the need for firms to have a Management System for Ethical Legal Practice. See <http://nsbs.libguides.com/mseelpresources>.) Similar instruments are in active development in Ontario, the Prairie law societies and British Columbia in Canada.

Professor Fortney conducted a second empirical study of the New South Wales regulatory regime that required the adoption of appropriate management systems and the self-assessment process discussed above.<sup>11</sup> Using data from interviews and surveys, she evaluated the relationship between self-assessment and ethical norms, systems, conduct and culture in firms, and how the self-assessment process could be improved. On the effects of the self-assessment process, Professor Fortney found that almost three quarters of the respondents who completed the self-assessment revised their law firm policies as a result of going through the self-assessment process. Her study also found that close to half of the respondents had adopted new systems, policies, and procedures as a result of the self-assessment procedure. She concluded that:

"Quite simply, these findings point to the positive impact that the self-assessment process has in encouraging firms to examine and improve the firms' management systems, training, and ethical infrastructure. Interestingly, with respect to most steps

---

<sup>10</sup> See Christine Parker, Tahlia Gordon & Steve Mark, *Regulating Law Firm Ethics Management: An Empirical Assessment of an Innovation in Regulation of the Legal Profession in New South Wales*, 37 J.L. & SOC'Y 466, 485–488, 493 (showing that on average, the complaint rate (average number of complaints per practitioner per years) for ILPs after self-assessment was two-thirds lower than the complaint rate before self-assessment).

<sup>11</sup> See Susan Fortney & Tahlia Gordon, *Adopting Law Firm Management System to Survive and Thrive: A Study of the Australian Approach to Management-Based Regulation*, 10 U. ST. THOMAS L.J. 152 (2012); available at [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2205301](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2205301).

taken by the firms, there was no significant difference related to firm size and steps taken.”<sup>12</sup>

Professor Fortney’s article included the table that is reproduced below that shows the impact of the self-assessment process:

**Table 1**  
**Steps Taken by Firms in connection with the First**  
**Completion of the Self-Assessment Process**

Reviewed firm policies/procedures relating to the delivery of legal services	84%
Revised firm systems, policies, or procedures	71%
Adopted new systems, policies, or procedures	47%
Strengthened firm management	42%
Devoted more attention to ethics initiatives	29%
Implemented more training for firm personnel	27%
Sought guidance from the Legal Services Commissioner/another person/organization	13%
Hired consultant to assist in developing policies and procedures	6%

One additional finding that is noteworthy but is not included in Table 1 is Professor Fortney’s finding that a majority of lawyers who used the self-assessment process were satisfied with it, including those lawyers who had been skeptical at the outset. The article notes that “sixty-two percent of the respondents reported that they agreed or strongly agreed with the following statement: the self-assessment process ‘was a learning exercise that enabled our firm to improve client service.’”

Professor Laurel Terry has recognized that virtually all U.S. jurisdictions currently have tools available to them that would allow them to deploy the self-assessment tools that have been used in Australia and Canada. Virtually all U.S. jurisdictions have adopted a version of Rule of Professional Conduct 5.1(a) that is substantially similar to the ABA Model Rule of Professional Conduct:

**Rule 5.1 Responsibilities of Partners, Managers, and Supervisory Lawyers**

(a) A partner in a law firm, and a lawyer who individually or together with other lawyers possesses comparable managerial authority in a law firm, shall make reasonable efforts to ensure that the firm has in effect measures giving reasonable assurance that all lawyers in the firm conform to the Rules of Professional Conduct.

---

<sup>12</sup> Susan Saab Fortney, *Promoting Public Protection through an “Attorney Integrity” System: Lessons from the Australian Experience with Proactive Regulation System*, 23 PROF. LAW. 16 (2015) (available at [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2906525](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2906525) (shorter article that includes Table 1 and summarizes the results of the study).

Professor Terry has argued that jurisdictions should add two questions to each lawyer's annual bar dues statement. The first question would ask the lawyer if he or she was subject to Rule 5.1(a).<sup>13</sup> The second question would apply to those lawyers who answered "yes" to the first question and would ask them if they were in compliance with Rule 5.1(a). The bar dues statement would include a URL for a website that would have resources available and that could include one of the already-existing self-assessment forms. (The Appendix to Professor Terry's article includes examples from the New South Wales, Canadian Bar Association, Colorado, and Nova Scotia self-assessment forms).

Professor Fortney has identified a number of steps that can be taken to encourage or push lawyers to devote time to seriously examining and improving firm practices and controls. In suggesting that interested parties consider how to integrate management-based principles into current regulatory approaches, she urged regulators to adopt and expand the use of diversion programs to deal with minor misconduct and practice management concerns.<sup>14</sup> Recognizing the role that professional liability insurers play in promoting risk management, she recommended that lawyers' professional liability insurers require completion of an audit or practice review as a condition of obtaining insurance or a lower premium.<sup>15</sup> Finally, to address concerns related to the discovery of the results of the self-assessments or practice reviews, she also proposed that jurisdictions recognize a self-evaluation privilege<sup>16</sup>.

Professor Amy Salyzyn, who helped develop the Canadian Bar Association's Self-Assessment tool, has also recommended that malpractice carriers consider what sorts of incentives they could offer to lawyers or firms that completed the self-assessment form.<sup>17</sup> She has endorsed the proactive approaches currently being used or under development in Canada, arguing that the current approach focuses more on public interest than the prior regulatory approaches.<sup>18</sup>

As these brief examples show, there are a number of tools that might be available to jurisdictions that would like to use proactive regulation. While lawyer professional misconduct undoubtedly will still occur, proactive regulation tools, well-deployed, can educate lawyers, and reduce the number of client complaints, while improving lawyer and client satisfaction.

## **9. How can jurisdictions that are interested in considering proactive regulation connect with one another?**

---

<sup>13</sup> If a jurisdiction had concerns that a lawyer would not know whether he or she was a lawyer who "possesses comparable managerial authority in a law firm," that jurisdiction could limit the first question to asking whether the respondent was a partner or shareholder in his or her law firm.

<sup>14</sup> Susan Saab Fortney, *The Role of Ethics Audits in Improving Management Systems and Practices: An Empirical Examination of Management-Based Regulation of Law*, 4 ST. MARY'S J. LEGAL MAL. & ETHICS 112, 131-37 (2014), available at [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2375219](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2375219)

<sup>15</sup> *Id.* at 138-41,

<sup>16</sup> *Id.* at 141-46.

<sup>17</sup> See Amy Salyzyn, *What if We Didn't Wait?: Canadian Law Societies and the Promotion of Effective Ethical Infrastructure in Law Practices*, 92 Canadian Bar Review 507, 543-44, 544 n.126 (2015) (endorsing the \$100 Risk Management Credit" offered by LawPro, which is Ontario's mandatory malpractice carrier, to lawyers who participate in qualifying programs, but recommending a larger discount than the current amount);

<sup>18</sup> Amy Salyzyn, *From Colleague to Cop to Coach: Contemporary Regulation of Lawyer Competence*, 94 Canadian Bar Review \_\_ (2017) (forthcoming).

There are several ways that jurisdictions that are interested in proactive regulation can connect with one another. The members of the NOBC Proactive Regulation Committee are listed on the relevant NOBC Global Resources webpage – all committee members are willing to speak to jurisdictions interested in this topic. See <https://www.nobc.org/index.php/jurisdiction-info/global-resources>.

You can also see who the attendees were at the 1<sup>st</sup> and 2<sup>nd</sup> Proactive Management Based Regulation Workshops that were held immediately following the 2015 and 2016 National Conferences on Professional Responsibility. The minutes from those sessions, including the attendees, are available as links from the Colorado PMBR Webpage, <https://perma.cc/RW6K-PTZQ>.

**10. Do some jurisdictions use terms other than “proactive regulation” to describe the concepts discussed in this FAQ document?**

As noted above, jurisdictions around the world have expressed interest in using a more systematic and comprehensive approach to proactive regulation in which they focus on trying to prevent lawyer misconduct, rather than waiting until after problems arise. To date, however, jurisdictions have used different terminology to express this idea. For example, the Prairie Provinces in Canada issued a consultation that used the term “compliance” based regulation. This term included the concept of proactive regulation. Some jurisdictions may use the term “risk-based” regulation in a way that includes proactive regulation.

Some of the participants from the 1<sup>st</sup> and 2<sup>nd</sup> Proactive Workshops recognized the potential confusion that arises when jurisdictions use different terminology. Some of the Workshop attendees have formed an *ad hoc* group that is trying to develop common language to discuss the recent developments, including the concepts in this FAQ. If common terminology is developed, this terminology will be included in future versions of this FAQ, on the NOBC’s Global Resources webpage, and on the Colorado PMBR webpage. (The minutes from that *ad hoc* terminology meeting currently are available on the Colorado page at this URL: <https://perma.cc/4PVL-963U>.)

Although the terminology may vary, it *is* possible to determine whether different individuals or jurisdictions are talking about the same concept, even though the words they use differ. One way to do so is to use the “who-what-when-where-why-and-how” structure that Steve Mark, Tahlia Gordon, and Laurel Terry used in their article entitled *Trends in Global Lawyer Regulation*.<sup>19</sup> As they noted in that article, a number of the recent global lawyer regulatory developments, such as the 2007 UK Legal Services Act, have adopted regulatory reforms that combine a number of these “who-what-when-where-why-and-how” factors. But it is possible for a jurisdiction to disaggregate these variables and change one of them without changing all of them. Proactive regulation deals with the issue of ‘when’ regulation occurs. As

---

<sup>19</sup> See Laurel S. Terry, Steve Mark, Tahlia Gordon, *Trends and Challenges in Lawyer Regulation: The Impact of Globalization and Technology*, 80 FORDHAM L. REV. 2661 (2012), [http://www.personal.psu.edu/faculty/l/s/lst3/TerryMarkGordon\\_Trends\\_Lawyer\\_Regulation.pdf](http://www.personal.psu.edu/faculty/l/s/lst3/TerryMarkGordon_Trends_Lawyer_Regulation.pdf).

noted earlier, proactive regulation is regulation that focuses on the time period *before* problems arise, rather than the time period *after* problems arise.

A number of jurisdictions either have adopted – or have proposed – reforms that combine changes to both the “what” and the “when” variables. These reforms have changed the focus of “when” regulation occurs so that it includes the time period before problems arise. But some of the recent changes, such as those in U.K. and Nova Scotia, have combined the ‘when’ reforms with reforms to ‘What’ is regulated. They have made law firms, as well as individual lawyers, subject to regulation. As is addressed in greater detail in the next Question 11 and in the separate NOBC Entity Regulation FAQ document, one reason why they have done that is because a number of people believe that proactive regulation will be most effective when combined with entity regulation – in other words, that it is useful to combine reforms to both “when” regulation occurs and “what” is regulated.

Although proactive regulation and entity regulation can be combined, it is possible for a jurisdiction to separate the “when regulation occurs” variable and the “what is regulated” variable. A jurisdiction might make reforms in one of these areas without making reforms in the other area. As the New York and New Jersey examples show, it is possible to have entity regulation without proactive regulation. (See a prior FAQ in this document regarding this point). It is also possible to have proactive regulation without entity regulation, as Colorado’s letter to lawyers changing law firms and Professor Terry’s Rule 5.1(a)-bar dues suggestion show. (See a prior FAQ).

### **11. What is “proactive management based regulation (PMBR)” and how does it differ from proactive regulation?**

As noted in Question 10, at the moment, terms such as PMBR may be used differently by different jurisdictions. This is why the Ad Hoc Terminology group is working to develop a set of terms that may be used consistently. In general, however, the term “proactive management-based regulation” (PMBR), is generally said to have been coined by Professor Ted Schneyer, refers to programs designed to promote ethical law practice by assisting lawyers with proactive management.<sup>20</sup>

These programs generally have three features. First, they emphasize proactive initiatives as a complement to traditional, professional discipline. Second, they tend to focus on the responsibility of law firm management to implement policies, programs, and systems – in short, an “ethical infrastructure” -- that is designed to prevent misconduct and unsatisfactory service. Third, they strive to improve legal services and reduce problems by establishing information-sharing and collaborative relationships between regulators and service providers. The NOBC’s Entity Regulation FAQ document, which is regularly updated, provides information about PMBR and jurisdictions that have combined changes to what is regulated and changes to when regulation occurs.

### **12. What are the potential arguments against proactive regulation (and the responses)?**

---

<sup>20</sup> See Ted Schneyer, *The Case for Proactive Management-Based Regulation to Improve Professional Self-Regulation for U.S. Lawyers*, 42 HOFSTRA L. REV. 233 (2013).

Before a regulator contemplates a change, it is worth considering some of the potential resistance that he or she might encounter. Here are some of the potential arguments against proactive regulation and some potential responses.

***12.1 \* Leaders of regulatory bodies don't have the power to affect the type of change discussed, nor should they.***

**Response:** Proactive regulation does not mean that the leaders of regulatory bodies have to act unilaterally. But they should recognize their potential influence and understand that it might be easier to implement a proactive system than they realize.

***12.2 \*It is difficult to measure whether proactive regulation is effective; measurement is important to an organization that needs budget allocations and accountability.***

**Response:** It is true that well-established metrics for measuring reactive, discipline-based systems exist. (These metrics include things such as the number of cases filed, time to disposition, and the results of discipline). Organizations that adopt proactive measure or an overall proactive approach undoubtedly will want to think about metrics they can use to measure their efforts and effectiveness. The metrics might be quite different and might include factors such as website visits, download counts, and changes in practice (such as those demonstrated in the qualitative and quantitative studies that have been conducted in Australia). But the fact that new metrics may be needed should not discourage a jurisdiction from adopting more proactive regulation. Jurisdiction may, however, find it useful to work with one another to develop appropriate metrics and accountability factors. Depending on the type of proactive measure, some metrics currently can be used. For example, a regulator could monitor the success of diversion measures for law practice management concerns. Specifically, the regulator could track severity and frequency of disciplinary charges filed against lawyers who completed a diversion program.

***12.3 \* Some individuals might resist the idea of proactive regulation because of a view that the jurisdiction is not "ready" to develop a system of entity regulation in which law firms are regulated along with individual lawyers (entity regulation).***

**Response:** As this FAQ has demonstrated, it is possible for a jurisdiction to adopt proactive regulation without entity regulation (and entity regulation without proactive regulation). Thus, even if a jurisdiction is unwilling to adopt entity regulation, it could decide to adopt additional proactive measures or decide to make a systemic commitment to always consider what proactive measures might be appropriate. A reluctance to adopt entity regulation should **not** be a reason to avoid proactive regulation.

***12.4 \* Some individuals might oppose proactive regulation because of a belief that the regulatory body does not have funds available to implement proactive regulation.***

**Response:** Cost should not be a barrier to proactive regulation. First of all, changing one's mindset—in and of itself—is priceless, but does not have a price tag attached. A regulator

that had a proactive mindset might discover a range of low-cost ways in which it could implement its vision. Second, if proactive regulation prevents problems, it may reduce regulatory costs rather than increase them. It is true that some jurisdictions, such as the Nova Scotia Barristers' Society, have committed resources to restructuring the regulatory system. But it is possible for a jurisdiction to begin more modestly and adopt proactive measures and a proactive mindset in which the jurisdiction begins by looking for low cost but potentially very effective proactive measures such as the email that Colorado sends to lawyers who change practice settings. One goal of this NOBC Proactive Regulation FAQ document is to encourage regulators to share ideas and experiences with one another.

*12.5 \* Some might oppose proactive regulation out of the belief that it will be too burdensome for lawyers or too intrusive into law firm practices.*

**Response:** It is certainly possible to design a proactive regulatory system to which this criticism would apply. A regulator who adopts a proactive approach will undoubtedly want to consider the issue of “proportionality” and make sure the burdens being imposed are appropriate. (This is why Nova Scotia has a Triple P regulatory system – it is committed to regulation that is proactive, principles, and proportionate.)

There are several additional steps that regulators could take to address this concern, beyond a sensitivity to proportionality that should always be present. For example, when PMBR regulation was adopted in New South Wales, Australia, the regulators were on record as stating that they were trying to change their relationship with lawyers. They wanted to be seen as a partner who could provide lawyers with assistance and help, rather than simply as an “enforcer” who showed up after problems arose. The regulators in several Canadian jurisdictions are also attempting to offer services to lawyers proactively and to have lawyers recognize that the regulators, like the lawyers, would prefer to avoid problems and want to work with the lawyers proactively to prevent problems from occurring. They are trying to change the relationship so that they are recognized as partners who can help lawyers (which helps clients).

Another response to the concern about burden or intrusiveness might focus on the concept of risk-based regulation. Many jurisdictions that are pursuing more proactive approaches to lawyer regulation are pursuing a more risk-based approach to lawyer regulation. A risk-based approach means that resources are targeted to the areas where they are most likely to be needed. Colorado, for example, does not send its law practice management resource email to lawyers who leave government practice and join an extremely large law firm. Illinois' new Rule 756(e) that requires a self-assessment every two years from lawyers who do not carry malpractice insurance. Unlike lawyers who carry insurance, uninsured lawyers may not obtain practice management advice from malpractice carriers. Moreover, injured persons may be more at risk when lawyers do not carry malpractice insurance if the uninsured lawyers do not possess nonexempt assets to pay damages in the event of a malpractice claim. A number of jurisdictions outside the U.S. have made a commitment to a risk-based approach to regulation. Among other reasons, a risk-based approach can be a more effective way for an organization to deploy limited resources.)



**12.6 \*Some might oppose proactive regulation, arguing that there is a conflict of interest between the regulator’s discipline mission and a proactive regulation approach.**

**Response:** In the view of the authors of this FAQ, there isn’t an inherent conflict between trying to prevent problems before they occur (e.g., by helping lawyers establish separate accounts for client and lawyer funds and setting up an office system regarding the operation of those funds) and disciplining lawyers after-the-fact if they engage in improper behavior (e.g., by commingling or stealing client funds). The goal of both proactive measures and a reactive discipline systems is to further a jurisdiction’s regulatory objectives of client and public protection. Both proactive and “reactive” methods can advance those goals. Regulators considering proactive regulation, however, should, however, be sensitive to these concerns when designing their systems.

**13. Is there anything else that might be helpful to read?**

The authors of this Proactive Regulation FAQ decided not to repeat in this document the same information about jurisdictional developments that appears in the NOBC Entity Regulation FAQ document. The authors also chose not to repeat in this document the information summarizing the *process* that has been used by jurisdictions that have made or are considering these changes and the recommendations in that document for jurisdictions that want to consider changes. Thus, individuals and jurisdictions who are interested in proactive regulation likely will find it helpful to read the NOBC’s Entity Regulation FAQ document, which is found on the NOBC’s Global Resources webpage. See <https://www.nobc.org/index.php/jurisdiction-info/global-resources/entity-regulation>. Some of the potential critiques of proactive regulation (and the responses to those critiques) are included in the Proactive Regulation law review article cited in note 1. Thus, useful resources for those who want to pursue this topic include the NOBC’s Entity Regulation FAQ and the Proactive Regulation 4-page blog post and the longer law review article. Regulators and others interested can also consult a 2016 article written by Professor Fortney, *Designing and Improving a Systems of Proactive Management-Based Regulation to Help Lawyers and Protect the Public*.<sup>21</sup> Drawing on data that she obtained in her empirical study of lawyers who completed the self-assessment process, the article discusses respondents concerns and outlines recommendations for persons interested in improving and designing PMBR systems.<sup>22</sup>

In addition to these resources, Appendix A to this document lists a number of additional websites, articles, and other resources. Appendix B identifies a variety of proactive measures and identifies jurisdictions that are using these measures. We encourage you to contribute to Appendix B by providing examples of proactive regulation in your jurisdiction. Please send that information to the NOBC Proactive Regulation Committee Chair Jim Coyle at [j.coyle@esc.state.co.us](mailto:j.coyle@esc.state.co.us).

---

<sup>21</sup> Susan Saab Fortney, *Designing and Improving a Systems of Proactive Management-Based Regulation to Help Lawyers and Protect the Public*, JOURNAL OF THE PROFESSIONAL LAWYER (2016), available at [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2812906](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2812906).

<sup>22</sup> *Id.* See also Terry, *Proactive Regulation*, *supra* note 1, at 788-797 ( Appendix 4 contains examples of the self-assessment forms from New South Wales, Australia, the Canadian Bar Association, Nova Scotia, and Colorado).

## Appendix A

### Webpages:

ABA Center for Professional Responsibility webpage (forthcoming)

NOBC Global Resources Webpage, See <https://www.nobc.org/index.php/jurisdiction-info/global-resources>

Nova Scotia Barristers' Society, MSLEP Webpage, <http://nsbs.org/management-systems-ethical-legal-practice-mselp>

Colorado PMBR Subcommittee Webpage, <http://www.coloradosupremecourt.us/AboutUs/PMBRMinutes.asp> (in addition to links to Colorado and U.S. materials, this webpage includes links to the relevant portals of all of the Canadian provinces)

### Law review and other articles focusing on proactive regulation:

Laurel S. Terry, *The Power of Lawyer Regulators to Increase Client & Public Protection Through Adoption of a Proactive Regulation System*, 20 LEWIS & CLARK L. REV. 717 (2016) (traditional law review article about proactive regulation that includes a discussion of developments around the world through May 2016; the appendices include examples from the various lawyer self-assessment forms that have been developed)

Laurel S. Terry, *When it Comes to Lawyers, Is an Ounce of Prevention Worth a Pound of Cure?*, JOTWELL (July 13, 2016) (4 page blog post about proactive regulation and recent developments), <http://tinyurl.com/Terry-proactive-Jot>

### Law review and other articles focusing on PMBR:

Susan Saab Fortney, *Designing and Improving a Systems of Proactive Management-Based Regulation to Help Lawyers and Protect the Public*, JOURNAL OF THE PROFESSIONAL LAWYER (2016) available at [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2812906](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2812906)

Susan Saab Fortney, *Promoting Public Protection through an "Attorney Integrity" System: Lessons from the Australian Experience with Proactive Regulation System*, 23 PROF. LAW. 16 (2015) available at [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2906525](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2906525)

Susan Saab Fortney, *The Role of Ethics Audits in Improving Management Systems and Practices: An Empirical Examination of Management-Based Regulation of Law*, 4 ST. MARY'S J. LEGAL MAL. & ETHICS 112 (2014) available at [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2375219](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2375219) (after examining study findings and recommendations related to the effects of the self-assessment process, the article examines how features of management-based regulation may be integrated into lawyer regulation in the U.S. and how regulators, insurers, and bar leaders can create incentives encouraging lawyers and firms to examine and improve their management systems and practice controls).

Susan Fortney & Tahlia Gordon, *Adopting Law Firm Management System to Survive and Thrive: A Study of the Australian Approach to Management-Based Regulation*, 10 U. ST. THOMAS L.J. 152 (2012), available at [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2205301](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2205301) (examining the results of a an empirical study on PMBR in New South Wales and recommending an agenda for regulators, insurers, professional associations and researchers).

Susan Saab Fortney, *Preventing Legal Malpractice and Disciplinary Complaints: Ethics Audits as a Risk-Management Too*, BUSINESS LAW TODAY, March 2015 (ethics column).

Ted Schneyer, *The Case for Proactive Management-Based Regulation to Improve Professional Self-Regulation for U.S. Lawyers*, 42 HOFSTRA L. REV. 233 (2013).

Ted Schneyer, *On Further Reflection: How “Professional Self-Regulation” Should Promote Compliance with Broad Ethical Duties of Law Firm Management*, 53 ARIZ. L. REV. 577 (2011).

#### **Law review and other articles with a broader focus:**

Amy Salyzyn, *From Colleague to Cop to Coach: Contemporary Regulation of Lawyer Competence*, 94 CANADIAN BAR REVIEW \_\_ (2017) (forthcoming) (Over the last several decades, Canadian law societies have significantly expanded their regulatory reach in relation to the post-entry competence of lawyers. In this article, a novel framework is proposed to trace the path to this current state of affairs: specifically, four different “waves” or models are identified. It is argued that the current approach represents a positive material regulatory shift towards focusing on the public interest as opposed to lawyer interests, which had dominated historically. At the same time, issues of transparency, expertise and costs remain of concern. The Hybrid Model approach embodied in new entity-based regulatory initiatives now under consideration is identified as one way to address these concerns. However, both the process used to implement such a model and the model’s ultimate content will be key determinants of its success in any given jurisdiction.)

Amy Salyzyn, *What if We Didn't Wait? Canadian Law Societies and the Promotion of Effective Ethical Infrastructure in Canadian Legal Practices*, 92 CAN. BAR. REV. 507 (2015). (This article explores whether and how law societies might become more active in promoting effective ethical infrastructures within Canadian law practices. The case presented in this article for expanded law society involvement in the ethical infrastructures of Canadian law practices is three-fold: (1) there are reasons to believe that these infrastructures could, as a general matter, be improved; (2) this improvement would, in turn, lead to improved outcomes in relation to lawyers’ ethical duties; and (3) current law society regulatory efforts are not optimally situated to assist with this improvement. Stated otherwise, law societies should become more involved in the ethical infrastructures of Canadian law practices because neither the market nor current regulatory efforts are effectively addressing this important aspect of law practice.)

Laurel S. Terry, *Globalization and the ABA Commission on Ethics 20/20: Reflections on Missed Opportunities and the Road Not Taken*, 43 HOFSTRA L. REV. 95, 128, n. 142 (2014)(suggesting the idea of using Rule 5.1 to achieve PMBR even in the absence of entity regulation).

Laurel S. Terry, *Why Your Jurisdiction Should Consider Jumping On The Regulatory Objectives Bandwagon*, 22(1) PROF. LAW. 28 (Dec. 2013). (This article is a 15 page version of the Terry/Mark/Gordon 2012 regulatory objectives article. It is targeted to state supreme courts and lawyer regulators in the United States.)

Laurel S. Terry, Steve Mark, Tahlia Gordon, *Adopting Regulatory Objectives for the Legal Profession*, 80 FORDHAM L. REV. 2685 (2012). (This article provides a thorough treatment of regulatory objectives in a number of jurisdictions. It includes a discussion of the different methods by which lawyers are regulated (e.g., legislation, court rules, law society bylaws); legislative history, and an analysis and comparison of the regulatory objectives in a number of jurisdictions. The regulatory objectives from a number of jurisdictions are included as appendices.)

Laurel S. Terry, *Trends in Global and Canadian Lawyer Regulation*, 76 SASKATCHEWAN L. REV. 145 (2013). (This article uses the “who-what-when-where-why-and-how” structure developed in the 2012 Terry/Mark/Gordon “Trends” article to analyze Canadian lawyer regulation developments.)

Laurel S. Terry, Steve Mark, Tahlia Gordon, *Trends and Challenges in Lawyer Regulation: The Impact of Globalization and Technology*, 80 FORDHAM L. REV. 2661 (2012). (This “Trends” article uses a “who-what-when-where-why-and-how” structure as a means to discuss global lawyer regulation developments around the world. Although many jurisdictions combine these developments, it offers a means to analyze the issues separately and compare regulatory approaches in different countries.)

See also <http://tinyurl.com/laurelterryslides> (includes links to presentation slides, organized by topic) and [http://works.bepress.com/laurel\\_terry/](http://works.bepress.com/laurel_terry/) (contains links to articles on a number of issues related to globalization and the legal profession, including foreign lawyer mobility provisions, a comparative analysis of UPL/lawyer monopoly provisions in countries, interest in the legal profession by antitrust authorities, EU regulation of lawyers (the most recent analysis is found in the Bologna Process articles), trade agreements’ application to legal services, FATF and “gatekeeper” issues, and transnational legal practice year-in-review articles, among other topics).

**(1) Adam Dodek, “Regulating Law Firms in Canada” (2011) 90 CANADIAN BAR REVIEW 383 (arguing that Law Societies should regulate law firms. They should do so primarily on the basis of ensuring public confidence in self-regulation and respect for the Rule of Law and only secondarily out of concerns regarding public protection.)**

# WASHINGTON STATE BAR ASSOCIATION

## MEMO

**To:** WSBA Board of Governors

**From:** Chris Meserve, BOG Legislative Committee Chair, and Sara Niegowski, WSBA Chief Communications and Outreach Officer

**Date:** November 16, 2017

**Re:** 2018 WSBA Legislative Priorities

---

**ACTION:** Approve the 2018 WSBA Legislative Priorities for the upcoming legislative session.

### OVERVIEW:

The WSBA Legislative Affairs Office is pleased to propose the 2018 WSBA Legislative Priorities for consideration and approval by the Board of Governors (BOG).

### BACKGROUND:

The WSBA and its entities are allowed to engage in the legislative process if issues are related to the practice of law and/or the administration of justice (GR 12).

The 2018 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. These include supporting access to justice, increasing public understanding of Washington's justice system, and supporting a fair and impartial judiciary.

The majority of these legislative priorities remain unchanged from years past. Please note: This legislative session, one Bar-request bill—to enable corporations to hold virtual shareholders' meetings—has come forward from the Business Law Section, been approved by the Legislative Review Committee, and is before the Board for action.

## 2018 WSBA Legislative Priorities

- Support Bar-request legislative proposals initiated by WSBA Sections that are approved by the Board.
- Support non-Bar request legislative proposals approved by the Board under GR 12, 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 services through general-fund state dollars.
- 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 judiciary branch; and
  - Other items of significance to the practice of law and administration of justice.

# WASHINGTON STATE BAR ASSOCIATION

## MEMO

**To:** WSBA Board of Governors

**From:** Kyle Sciuchetti, WSBA Legislative Review Committee Chair; Sara Niegowski, WSBA Chief Communications & Outreach Officer; and Clark McIsaac, WSBA Outreach & Legislative Affairs Coordinator

**Date:** November 1, 2017

**Re:** 2018 WSBA Legislative Review Committee Recommendation

**ACTION:** Sponsor on proposal for 2018 Bar-request legislation as recommended by the WSBA Legislative Review Committee.

### OVERVIEW:

The WSBA Legislative Review Committee (Committee) recommends the Board of Governors (BOG) sponsor the following proposal for Bar-request legislation during the 2018 legislative session. The Committee voted unanimously to recommend this proposal to the BOG for consideration and approval.

**LEGISLATIVE PROPOSAL:** Concerning the Washington Business Corporation Act (WBCA).

- **Recommended Action:** Sponsor (Committee approved unanimously)
- **Date of Legislative Committee Review:** November 1, 2017
- **Section Representative:** Michael Hutchings, Corporate Act Revision Committee, WSBA Business Law Section
- **Returning or New Proposal:** New

### SUMMARY

The proposed amendments would revise relevant sections of the WBCA to enable Washington corporations to hold virtual shareholders' meetings and to generally update the statutory provisions governing shareholder participation by remote communication. The proposed amendments also include certain safeguards that are conditions to holding virtual shareholders' meetings, which are consistent with those adopted in other states allowing virtual shareholders' meetings.

The adoption and enactment of the proposed amendments to the WBCA is not expected to impose any costs on businesses or individuals to comply with the provisions.

### BACKGROUND FROM THE CORPORATE ACT REVISION COMMITTEE OF THE BUSINESS LAW SECTION

#### - *Current Statute*

Section 23B.07.010 of the WBCA requires a Washington corporation to hold a meeting of shareholders annually to elect directors (unless shareholders act to elect directors by consent in lieu of a meeting in accordance with Section 23B.07.040). If called by the board of directors or other persons authorized in the corporation's articles of incorporation or bylaws, or by shareholders holding the requisite voting

power, a Washington corporation may also be required from time to time to hold a special meeting of shareholders under Section 23B.07.020.

Sections 23B.07.010 and 07.020 currently provide that shareholders meetings “may be held in or out of this state *at the place* stated in or fixed in accordance with the bylaws” (emphasis added). It is generally understood among corporate law practitioners that this statutory language requires a physical assembly of shareholders at a specific geographic location for an annual or special meeting of shareholders. If a corporation’s articles of incorporation or bylaws so provide, Section 23B.07.080 allows shareholders to participate in any meeting of shareholders (annual or special) “by any means of communication by which all persons participating in the meeting can hear each other during the meeting.” A shareholder who participates remotely in this manner is deemed present in person at the meeting. Thus, the WBCA currently provides authority for a “hybrid” shareholders’ meeting – i.e., a meeting involving a physical assembly of shareholders at a specific geographic location where some shareholders participate by means of remote communication technologies such as telephone conferences or webcasts – on condition that shareholders participating remotely are able to hear each other during the meeting.

#### *- Need for Amendments*

Practitioners generally believe that the ability to allow shareholders to participate by means of communications equipment (e.g., telephone conference, webcast) under Section 23B.07.080 does not supplant the need to have a physical assembly of shareholders under Section 23B.07.010 and 07.020. In other words, the WBCA currently does not provide express authority for a so-called “virtual-only” meeting of shareholders, where shareholders participate *only* by means of remote communications technologies and there is no physical assembly of shareholders at all.

In the last two decades, advances in internet communications technologies have enhanced the feasibility of hosting shareholders’ meetings online. That has led to some demand in the corporate community – particularly among public companies which often have thousands of shareholders dispersed across the country or around the globe – for express authority and statutory certainty to conduct virtual-only shareholders’ meetings.

#### *- Thoughts on Virtual-Only Meetings*

Advocates of virtual-only meetings believe (1) virtual-only meetings are an efficient way to conduct shareholders’ meetings at lower cost than physical meetings, (2) the technology solutions that have been developed for virtual-only meetings allow for effective participation by shareholders (most importantly, the ability to vote online), and (3) virtual-only meeting will increase shareholder participation when compared to physical meetings because of improved access – shareholders who cannot attend in person due to location or other reasons can attend virtually and do not have to incur the time and costs of travel to a physical meeting).

That said, there are some critics of virtual-only meetings, particularly among large institutional investors that invest in public companies, who feel that virtual-only meetings deny them the opportunity to “look the board and management in the eye” at a physical meeting and express their views.

#### **SECTION DRAFT DEVELOPMENT**

The proposed amendments to the WBCA were drafted by the Corporate Act Revision Committee (CARC) of the Business Law Section of the WSBA. CARC is a committee of the WSBA’s Business Law Section with approximately 15 members consisting of corporate attorneys practicing at large and smaller local law



firms in the state, in-house counsel at Washington corporations, professors of law at both local law schools, and representatives of the Washington Secretary of State's office. CARC was instrumental in the development of the WBCA adopted in 1989. CARC is primarily responsible for ensuring that the Washington Business Corporation Act ("WBCA") remains up to date, and continuously considers the need for changes to the WBCA in light of developments in corporate and securities laws and practices, judicial decisions and regulatory actions.

The CARC vote to approve the proposed corporate act amendments was unanimous. The WSBA Business Law Section Executive Committee vote to approve the proposed corporate act amendments was also unanimous.

#### **STAKEHOLDER RESPONSE**

Stakeholders engaged in the review process include Washington Association for Justice, Business Law Section LLC/Partnership Committee, Secretary of State's Office (SoS), Department of Financial Institutions, Association of Washington Businesses, WSBA Litigation Section, and the law departments of several Washington public corporations (including Microsoft, Starbucks, Zillow, Weyerhaeuser, Costco, and RealNetworks). None of the aforementioned stakeholders expressed concerns. The SoS voiced support.

Prime sponsor Sen. Jamie Pedersen (D) 43<sup>rd</sup> District has been contacted regarding this bill.

MEMO

To: Board of Governors

From: Eileen Farley, Chair, Council on Public Defense (“CPD”)

Date: October 31, 2017

Re: Performance Guidelines for Juvenile Offense Representation

**ACTION:** Recommend to the Supreme Court that that the Court add the *Performance Guidelines for Juvenile Offense Representation* to Standard 14.1 “Qualifications of Attorneys”, which now requires attorneys providing defense services shall be familiar with the *Performance Guidelines for Criminal Defense Representation*.

**Update**

The Board of Governors considered the draft *Performance Guidelines for Juvenile Offense Representation* at its September 29, 2017, meeting. The Governors requested that the WSBA membership be given one final opportunity to provide comments on the draft Guidelines. A request for comments was distributed to the membership via Take Note and was posted on the WSBA website. One comment was received from a member who simply said “GREAT JOB WSBA! This is MY Bar Association!” The remainder of this memo includes the original request for action from the Council.

**What is Being Requested?**

At its July 21, 2017 the WSBA Council on Public Defense (“CPD”) unanimously adopted a resolution to send the Board of Governors the *Performance Guidelines for Juvenile Offense Representation*. After advisement regarding the Board’s process, the CPD voted on September 22, 2017, to ask the Board of Governors to submit the Guidelines to the Supreme Court with a recommendation that the Court include them in the Standards for Indigent Defense. Such a recommendation would be consistent with the Board’s 2012 recommendation that the adult *Performance Guidelines for Criminal Defense Representation* be included in the Standards. The judicial officers present at the September 22 meeting abstained from this vote or were absent.

The CPD’s request will be on the Board’s agenda for a “first reading” at the September 2017 meeting. Current CPD members will attend the meeting and be prepared to present information about the proposed *Guidelines* and answer questions.

**Why is the Council on Public Defense Making this Request?**

On July 10, 2014, then-Chief Justice Barbara Madsen advised the CPD that the Washington Supreme Court had discussed the need for performance guidelines for attorneys representing juveniles in offender

cases. Justice Madsen asked the CPD "...to develop a proposal for guidelines for consideration by the Washington State Bar Association Board of Governors." See Letter from Chief Justice Madsen to CPD Chair Jacqueline McMurtrie, dated July 10, 2014. On May 4, 2017, in response to an email from CPD emeritus member Professor Robert Boruchowitz advising the Supreme Court that work on the proposed *Guidelines* was almost completed, Chief Justice Mary Fairhurst thanked the CPD for its work and looked forward to receiving the proposed *Guidelines* and report.

In response to Justice Madsen's initial request the CPD devoted a great deal of time and effort to the development of performance guidelines appropriate to Washington State. Draft *Guidelines* were presented to the full CPD in March 2015. After discussion over a series of meetings, the CPD voted to send the *Guidelines* back to the committee for refinement. Over the next two years the committee met frequently to improve the proposed *Guidelines*.

The revised *Guidelines* draw upon Guidelines developed by the National Juvenile Defense Center. In addition, before asking the Board of Governors to approve the *Guidelines*, the CPD asked the Washington Defender Association, the Washington Association for Criminal Defense Lawyers, the WSBA Criminal Law section, WSBA Juvenile Law section, the Minority and Justice Commission, the Gender and Justice Commission, TeamChild, Northwest Immigrant Rights Project, the Youth Law Task Force, directors of public defense agencies, attorneys who contract with the Washington State Office of Public Defense to represent juveniles in offender matters, and the Washington Association of Counties to comment on the guidelines. All comments were provided to the full CPD. Copies of comments the CPD received are attached.

The *Guidelines*, which may be found in Supplemental Materials, were discussed at the June and July 2017 CPD meetings. At its July 21, 2017, meeting the CPD voted unanimously to send the Board of Governors the *Performance Guidelines for Juvenile Offense Representation*, as amended during the July meeting. At its September 22, 2017, meeting the CPD then voted to ask the Board of Governors to also submit the Guidelines to the Court for inclusion in the *Standards for Indigent Defense* consistent with the Board of Governors previous recommendation that the Standards include the adult *Performance Guidelines for Criminal Defense Representation*.

The proposed Guidelines before the Board of Governors are the result of significant work by the CPD. We look forward to presenting the proposed Guidelines at the September Board meeting.

# WASHINGTON STATE BAR ASSOCIATION

**TO:** Board of Governors  
**FROM:** Terra Nevitt, Director of Advancement and Chief Development Officer  
Paris Eriksen, Sections Program Manager  
**RE:** Proposal to form a Cannabis Law Section  
**DATE:** November 1, 2017

**ACTION:** Approve proposed formation of a Cannabis Law Section.

The formation of a Cannabis Law Section was discussed by the BOG for first reading at the September 28-29 BOG meeting. Since the BOG meeting, information and a request for feedback regarding the possible formation of a Cannabis Law Section was placed in WSBA Take Note and emailed to members November 1. Twelve (12) WSBA members provided feedback: 7 in support, 3 in opposition and, 2 unclear.

Background: WSBA staff has received a request from a group of WSBA members ("formation group") to form a Cannabis Law Section. The guidelines for forming a section are set forth in the WSBA Bylaws, Article XI (B)(1), which states:

*The BOG will consider the establishment of a new section on a petition and report endorsed by at least 150 Active members of the Bar. Any such petition must be filed with the Executive Director at least one BOG meeting prior to the meeting at which action on the proposal is contemplated and must substantially set forth:*

- a. The contemplated purpose of the section, which will be within the purposes of the Bar and not in substantial conflict with the purpose of any existing section or committee, the continuance of which is contemplated after the section is established;*
- b. Proposed bylaws of the section, which must contain a definition of its purpose;*
- c. The names of any proposed committees of the section;*
- d. A proposed budget of the section for the first two years of its operation;*
- e. A list of members of the Bar who have signed statements that they intend to apply for membership in the section;*
- f. A statement of the need for the proposed section.*

All requirements above have been met in a timely manner. We have also requested feedback from section leaders and received no feedback either in support of or in opposition to the formation of this section. The WSBA Regulatory Services Department has verified that the signatures provided by the formation group are from WSBA Active members.

The following may be found in Supplemental Materials:

- Cover memo from formation group, represented by Danica Noble.
- Statement of purpose
- Proposed section bylaws
- Two-year proposed budget
- Petition Letter & petition form
- Signatures (multiple pages, 156 verified signatures of endorsement)
- Email from Regulatory Services Department verifying signatures



# WASHINGTON STATE BAR ASSOCIATION

**TO:** Board of Governors  
**FROM:** Terra Nevitt, Director of Advancement and Chief Development Officer  
Paris Eriksen, Sections Program Manager  
**RE:** Indian Law Section bylaw amendments  
**DATE:** November 1, 2017

**ACTION:** Approve proposed amendments to the enclosed Indian Law Section bylaws, in alignment with recently amended Article XI of the Bar Bylaws.

Following the WSBA BOG meeting in September, the Indian Law Section has amended their section bylaws to align with Article XI. SECTIONS of the Bar Bylaws.

#### Background:

On January 26, the WSBA Board of Governors (BOG) approved proposed amendments to Article XI. SECTIONS of the Bar Bylaws. The amendments, which took effect upon BOG approval, were intended to provide minimum standards for section governance and standardize the nomination and election processes, while leaving room for flexibility in each section's operations.

#### Attachments:

Memo from Current Indian Law Section Chair  
Proposed Amendments to Indian Law Section bylaws – redline  
Proposed Amendments to Indian Law Section bylaws – clean





---

<b>Chair</b> Claire R. Newman	<b>Trustees</b> Rachel Saimons Rebecca Jackson Brooke Pinkham Mary Neil Lauren Rasmussen Maryanne Mohan Juliana Repp Lori Guevara Thomas Schlosser	<b>Newsletter Editor</b> Anthony Broadman
<b>Chair Elect</b> Brie Coyle Jones		<b>BOG Liaison</b> Angela Hayes
<b>Secretary/Treasurer</b> Ann Tweedy		
<b>Immediate Past Chair</b> Diana Bob		

---

November 1, 2017

Via Email

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

Re: Concerns related to WSBA governance of the Indian Law Section

Dear WSBA Board of Governors:

The Executive Committee of the Washington State Bar Association Indian Law Section (“ILS”) voted to approve the attached amended bylaws which conform to Article XI of the WSBA bylaws. ILS further provides this letter to apprise the Board of Governors (“Board”) of ILS’s concerns related to both the amended bylaws and to WSBA’s approach to governance of ILS.

The ILS is organized to support the practice of its members in the field of Indian law and is ultimately accountable to those same members. The Board’s failure to solicit participation from ILS in its decision to approve WSBA Bylaw, Article XI reflects a lack of interest in learning how WSBA can support section governance. While ILS appreciates WSBA’s effort to streamline its work, the unilateral manner in which Article XI was approved and the requirements imposed on ILS come at a cost to ILS governance and trust, and call into question whether the WSBA has ILS and its members’ best interests in mind.

First, participation by the WSBA liaison during live meetings of the Executive Committee does not serve ILS’s interests. To the contrary, some members have shared that the presence of the WSBA liaison at our meetings stifles open communication among Committee members. While the WSBA liaison provides invaluable assistance on issues such as WSBA policy and logistics, WSBA’s objective could be similarly fulfilled by maintaining regular communication with the liaison. Likewise, posting meeting minutes to the general public, as opposed to ILS members only, could in some circumstances compromise Executive Committee members’ decision-making process.

Second, holding ILS's election in tandem with the annual University of Washington Indian Law Symposium is a long-standing tradition of ILS. The Symposium provides an opportunity for members to meet and vet nominees for officer positions in person. The Executive Committee is disappointed that WSBA offered no accommodation for ILS's preferred election process. ILS agrees to move its election to the time of its own CLE between March and May on the condition that WSBA staff work collaboratively with ILS to open the electronic voting at the end of the CLE when ILS members will be gathered in person for the election, and to keep the election open as necessary to enable members to vote.

Finally, the Executive Committee expresses its underlying concern with the growing lack of trust between ILS and the Board of Governors. Over the past several years, WSBA has threatened to take away hard-earned funds from ILS, moved to ban traditional spiritual blessings at its CLE, imposed unnecessary oversight by WSBA staff, and now requires ILS to abandon its election customs. All of these decisions were made without the input of ILS or inquiry regarding the impact of these decisions on ILS. Ultimately, the Board's own effort to streamline section governance diminishes ILS's ownership in its governance. Instead of continuing with this damaging approach, WSBA should work to strike a more effective balance between its own priorities for section governance and the needs of individual sections. We recommend that the Board of Governors begin by asking how WSBA can help ILS improve the services that it provides to its members.

ILS appreciates the Board's consideration of these concerns and urges it to adopt a more collaborative approach to future decisions impacting ILS. Please contact Claire Newman, ILS Chair ([cnewman@kilpatricktownsend.com](mailto:cnewman@kilpatricktownsend.com)) to set up a time to speak with the Executive Committee about any questions you may have regarding the amended bylaws or concerns raised in this letter.

Best regards,

Executive Committee of the Indian Law Section

**INDIAN LAW SECTION**  
**of the**  
**Washington State Bar Association**

**BYLAWS**

(As last amended and approved by the WSBA Board of Governors on November-July 23, 2010, 2017)

**ARTICLE 1. Identification**

1.1 **Creation.** The Indian Law Section of the Washington State Bar Association (the "Section") is established pursuant to Article IX, Section 4 of the By-Laws of the Washington State Bar Association (the "Bar").

1.2 **Jurisdiction.** The jurisdiction of the Section shall be all aspects of Indian Law.

1.2 **Purpose.** The purpose of the Section shall be to seek the participation of all interested members of the Bar, and of county and local bar associations, in order to benefit such members, their clients and the general public:

- (a) By providing the opportunity for exchange of ideas in the area of Indian law; to further the development of this area of the law; to communicate useful information pertaining to Indian law to members of the Bar; and to improve the application of justice in this field, all in conformity with the By-laws of the Washington State Bar Association.
- (b) By initiating and implementing common projects.
- (c) By review of pending legislation and development of proposed statutory enactments to improve and to facilitate the administration of justice within the Section's area of interest.
- (d) By undertaking such other service as may be of benefit to the members, the legal profession and the public.

1.4 **Limitations.** These bBy-Laws have been adopted subject to the applicable Washington Rules of Court and the By-Laws of the Bar.

1.5 **Principal Office.** The Principal Office of the Section shall be maintained in the offices of the Bar.



1.6 **Fiscal Year.** The fiscal year of the Section shall coincide with that of the Bar.

## **ARTICLE 2. Membership**

2.1 **Enrollment.** Any Aactive member in good standing of the Bar ~~of the State of Washington~~ may be enrolled as a 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 ~~Washington State Bar Association~~. In accordance with the Bylaws of the ~~Washington State Bar Association~~, law students may be enrolled as non-voting members ("subscribers") of the Section. ~~Non-voting members-Subscribers~~ may not hold a section office.

2.2 **The Membership.** Members enrolled as provided in Section 2.1 shall constitute the mMembership of the Section.

2.3 **Dues.** Dues shall be in the amount determined by the executive committee and approved by the Bar's Board of Governors of \$15.00 per year and shall be paid annually in advance. Any person who shall have failed to pay the annual dues shall cease to be a member of the Section.

## **ARTICLE 3. Meetings of the Membership**

3.1 **Annual Meeting.** The annual meeting, of the Section shall be held in conjunction with the ~~annual Indian law symposium.~~ WSBA Indian Law Section CLE.

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

3.3 **Controlling Vote.** Action of the Section shall be by majority vote of the members present.

~~3.4 — **Agenda.** At the annual meeting the Membership shall elect the Officers and the Executive Committee.~~

~~3.5~~ 4 **Special Meetings.** Special mMeetings of the mMembership of the Section may be called by any oOfficer at such time and place as the oOfficers may determine.

## **ARTICLE 4. The Executive Committee**

4.1 **Powers and Duties.** The eExecutive cCommittee shall be vested with the powers and duties necessary for the administration of the affairs of the Section and perform duties assigned to it by the Board of Governors.

4.2 **Composition.** The Executive Committee shall be composed of the following person:

- (a) The oOfficers;
- (b) The Immediate Past Chair~~last-retiring-Chairperson~~; and
- (c) Nine members elected as At-Large to the eExecutive cCommittee.

4.3 **Controlling Vote.** ~~A majority Action~~ of the eExecutive cCommittee constitutes a quorum needed for action. Action of the executive committee shall be by majority vote once a quorum has been established. of the Executive Committee members present.

4.4 **Meetings.** The annual meeting of the eExecutive cCommittee shall be held in conjunction with the annual meeting of the Section. Special Meetings shall be held at the time and place as may be designated by the Chairperson or a majority of the eExecutive cCommittee. ~~A meeting is not essential to action by the Executive Committee provided response is elicited from all members of the Executive Committee.~~ The eExecutive cCommittee shall be expected to conduct a minimum of four meetings annually.

## **ARTICLE 5. Officers**

5.1 **Officers.** The oOfficers of the Section shall be the Chairperson, the Chairperson-eElect and the Secretary/-Treasurer.

5.2 **Chairperson.** The Chairperson shall preside at all meetings of the Section and of the eExecutive cCommittee. He/she shall formulate and present at each annual meeting of the Bar an annual report of the work of the Section for the then past year. He/she shall perform such other duties as usually pertain to his/her office or as may be delegated by the eExecutive cCommittee.

5.3 **Chairperson-eElect.** Upon the death, resignation, or during the disability of the Chairperson, or upon his/her refusal to act, the Chairperson-eElect shall perform the duties of the Chairperson for the remainder of the Chairperson's term except in the case of the Chairperson's disability, and then only during so much of the term as the disability continues.

5.4 **Secretary/-Treasurer.** The Secretary/-Treasurer will take minutes at each meeting of the Section and executive committee and provide them to the Bar for publication and record retention. The Secretary/Treasurer will work with the Bar to ensure that the Section complies with the Bar fiscal policies and procedures, work with the Bar to prepare the Section's annual budget, and review the Section's monthly financial statements for accuracy and comparison to budget. shall be the custodian of all books, papers, documents, and other property of the Section not officially kept at the State Bar Association office by the Section Administrator. The Secretary-Treasurer shall keep a true record of all accounts and proceedings of all meetings of the Section and of the Executive Committee whether assembled or acting under submission. In conjunction with the Chairperson and as authorized by the eExecutive cCommittee, he or/she shall attend generally to the business of the Section.

## **ARTICLE 6. Elections**

## 6.1 Elective Offices.

- (a) **Officers.** ~~At the initial meeting of the Section, T~~the Membership shall elect a ~~Chairperson, a~~ Chairperson-~~e~~Elect and a Secretary/~~T~~Treasurer; each to serve a one-year term. ~~Each year thereafter a Chairperson-Elect and a Secretary-Treasurer shall be elected to serve a one-year term.~~
- (b) **At-Large Members of the eExecutive cCommittee.** ~~At the initial meeting of the Section,, There shall be six-nine (69) At-Large members of the executive committee. Of the At-Large members, one third (1/3) of should be from Eastern Washington and two thirds (2/3) should be from Western Washington. shall be elected to the Executive Committee. Two (2) of those selected shall serve for a period of one (1) year, two (2) for a period of two (2) years and two (2) for a period of three (3) years. one third (1/3) of the Executive Committee members shall be from Eastern Washington and two thirds (2/3) of the Executive Committee members shall be from Western Washington. The length of terms for At-Large members those initially elected shall be three (3) years, determined by lot at the first meeting of the Executive Committee. Each year following the initial Section meeting, two (2) members of the Section shall be elected to the Executive Committee to replace those whose terms expire.~~
- (c) ~~**Future Membership of Executive Committee.** Beginning in 1989-1990, membership of the Executive Committee shall be increased from six (6) to nine (9) members ("Trustees"). The additional three (3) Trustees are to be elected at the Section's annual meeting in September 1990. one third (1/3) of these additional members shall be from Eastern Washington and two thirds (2/3) of these additional members shall be from Western Washington. The length of terms for the three (3) additional Trustees shall be for one (1), two (2) or three (3) year terms. Each year thereafter, three (3) members of the Section shall be elected to the Executive Committee to replace those Trustees whose terms expire.~~

6.2 **Chairperson.** The Chairperson-~~e~~Elect shall automatically succeed to the office of the Chairperson. If the office of Chairperson-~~e~~Elect becomes vacant, then a Chairperson shall be elected in the same manner as set forth in Section 6.1 above.

6.3 **Nominations.** The Chairperson shall annually appoint a ~~n~~Nominating ~~c~~Committee of not less than three (3) members of the Section not members of the ~~e~~Executive ~~c~~Committee, which committee shall make and report nominations ~~at the annual meeting of the Section for the offices of Chairperson-Elect, Secretary-Treasurer, and members of to the eExecutive cCommittee for the offices of Chair-elect, Secretary/Treasurer, and At-Large members of the executive committee~~ to succeed those whose terms will expire ~~that year, at the close of the meeting,~~ and to fill vacancies then existing for unexpired terms. ~~The executive~~

~~committee will approve a list of nominees for each open position. Other nominations for the same offices may be made from the floor.~~

6.4 **Voting.** ~~Nominations and~~All elections for open executive committee positions will be held between March and May each year. The Bar will administer the elections by electronic means and certify results, unless the Section develops its own equivalent electronic election process. In the event of a tie, the executive committee will implement a random tie-breaker of its choice, such as a coin toss, to determine the winner. ~~shall be by written ballot unless otherwise ordered by resolution duly adopted by the Section at the annual meeting at which the election is held.~~

6.5 **Term of Office.** ~~All executive committee positions will begin October 1 each year. The term of office shall begin with the adjournment of the annual meeting following election and shall end following the annual meeting at which a successor has been duly elected and qualified.~~

6.6 **Interim Appointments.** In the event of a vacancy during the interim between annual meetings, the ~~e~~Executive ~~c~~Committee shall appoint, by a majority vote, a successor to serve until the next annual election when an individual will be elected to serve the remained of the vacated term. ~~meeting and until his/her successor is duly qualified.~~

## **ARTICLE 7. Substantive Responsibilities**

7.1 **Committees.** The Chair~~person~~ may appoint committees to perform such duties and exercise such powers as the ~~e~~Executive ~~c~~Committee may direct.

7.2 **Budget Committee.** The duties of the ~~b~~Budget ~~c~~Committee are to prepare a proposed budget in consonance with the objectives of the Section for the expenditure of the Section funds.

~~7.3~~ **Legislative Committee.** ~~The duties and responsibilities of the Legislative Committee are:~~

- ~~(a) — To monitor pertinent state and federal legislative developments, including the activities associated with interim legislative studies or hearings, and significant activities of the Washington State Legislature;~~
- ~~(b) — To act as the authorized arm of the Section f or solicitation and receipt of proposals f or proactive legislative,\* to itself consider possible proactive legislation, and to formulate and recommend positions to the Executive Committee with regard to such proposed legislation; and~~
- ~~(c) — To report significant developments and the Committee's proposals and recommendations related thereto to the Executive Committee for possible action.; and to act as a Section liaison to the Washington State Bar~~

~~Association Legislative Committee and lobbyists, subject to the direction of this Section's Executive Committee.~~

~~The Legislative Committee's primary focus shall be upon legislative or other developments that would affect the substantive aspects of Indian law. The Section Chairperson may assign specific tasks to the Committee, within these general guidelines.~~

~~The Legislative Committee shall be composed of five (5) persons who shall be Section members. The Committee shall include at least one (1) practicing state government attorney; one (1) practicing Evergreen Legal Services Native American Project attorney or attorney representing a Tribe or Tribes in Western Washington, one (1) attorney in private practice and one (1) attorney representing a Tribe or Tribes in Eastern Washington. The Chairperson of the Section shall appoint the Chairperson of the Committee. The Chairperson of the Committee shall appoint the other Committee members. The term of office of each Committee member shall be three (3) years; provided, that the initial terms of two (2) of the Committee positions shall be one (1) and two (2) years respectively in order to permit staggered appointments to a limited degree. A term as Chairperson shall be one (1) year. A Committee year shall terminate upon the day of the annual business meeting of the Section. A member of the Committee whose term has expired shall continue to serve until his or her successor has been appointed.~~

#### **ARTICLE 8. Amendments**

These ~~b~~By-~~L~~aws may be amended at any annual meeting of the Section by a majority vote of the members of the Section present and voting, or at an executive committee meeting by a majority vote of the voting executive committee members once a quorum is established, provided that no amendment ~~so adopted~~ shall become effective until approved by the Board of Governors of the ~~Washington State Bar Association.~~

---

- Adopted 1988, as amended.

- Approved as amended by the WSBA Board of Governors on July 23, 2010. In accordance with the WSBA Bylaws, the approved

amendments are specific to Article 2.1, Membership, stating that law students may join the Section as non-voting members.

-Approved as amended by the WSBA Board of Governors on November , 2017 in accordance with WSBA Bylaws, in particular with regard to the timing of election, publication of meeting minutes, and tie-breaker.

**INDIAN LAW SECTION**  
**of the**  
**Washington State Bar Association**

**BYLAWS**

(As last amended and approved by the WSBA Board of Governors on November , 2017)

**ARTICLE 1. Identification**

1.1 **Creation.** The Indian Law Section of the Washington State Bar Association (the "Section") is established pursuant to the Bylaws of the Washington State Bar Association (the "Bar").

1.2 **Jurisdiction.** The jurisdiction of the Section shall be all aspects of Indian Law.

1.2 **Purpose.** The purpose of the Section shall be to seek the participation of all interested members of the Bar, and of county and local bar associations, in order to benefit such members, their clients and the general public:

- (a) By providing the opportunity for exchange of ideas in the area of Indian law; to further the development of this area of the law; to communicate useful information pertaining to Indian law to members of the Bar; and to improve the application of justice in this field, all in conformity with the Bylaws of the Bar.
- (b) By initiating and implementing common projects.
- (c) By review of pending legislation and development of proposed statutory enactments to improve and to facilitate the administration of justice within the Section's area of interest.
- (d) By undertaking such other service as may be of benefit to the members, the legal profession and the public.

1.4 **Limitations.** These bylaws have been adopted subject to the applicable Washington Rules of Court and the Bylaws of the Bar.

1.5 **Principal Office.** The principal office of the Section shall be maintained in the offices of the Bar.

1.6 **Fiscal Year**. The fiscal year of the Section shall coincide with that of the Bar.

## **ARTICLE 2. Membership**

2.1 **Enrollment**. Any Active member in good standing of the Bar may be enrolled as a 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 Bar. In accordance with the Bylaws of the Bar, law students may be enrolled as non-voting members (“subscribers”) of the Section. Subscribers may not hold a section office.

2.2 **The Membership**. Members enrolled as provided in Section 2.1 shall constitute the membership of the Section.

2.3 **Dues**. Dues shall be in the amount determined by the executive committee and approved by the Bar’s Board of Governors and shall be paid annually in advance. Dues for law students shall be a standard annual amount set by the Bar’s Board of Governors. Any person who shall have failed to pay the annual dues shall cease to be a member of the Section.

## **ARTICLE 3. Meetings of the Membership**

3.1 **Annual Meeting**. The annual meeting, of the Section shall be held in conjunction with the WSBA Indian Law Section CLE.

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

3.3 **Controlling Vote**. Action of the Section shall be by majority vote of the members present.

3.5 **Special Meetings**. Special meetings of the membership of the Section may be called by any officer at such time and place as the officers may determine.

## **ARTICLE 4. The Executive Committee**

4.1 **Powers and Duties**. The executive committee shall be vested with the powers and duties necessary for the administration of the affairs of the Section and perform duties assigned to it by the Board of Governors.

4.2 **Composition**. The executive committee shall be composed of the following person:

- (a) The officers;
- (b) The Immediate Past Chair; and
- (c) Nine members elected as At-Large members to the executive committee.

4.3 **Controlling Vote**. A majority of the executive committee constitutes a quorum needed for action. Action of the executive committee shall be by majority vote once a quorum has been established.

4.4 **Meetings**. The annual meeting of the executive committee shall be held in conjunction with the annual meeting of the Section. Special meetings shall be held at the time and place as may be designated by the Chair or a majority of the executive committee. The executive committee shall be expected to conduct a minimum of four meetings annually.

### **ARTICLE 5. Officers**

5.1 **Officers**. The officers of the Section shall be the Chair, the Chair-elect and the Secretary/Treasurer.

5.2 **Chair**. The Chair shall preside at all meetings of the Section and of the executive committee. He/she shall formulate and present at each annual meeting of the Bar an annual report of the work of the Section for the then past year. He/she shall perform such other duties as usually pertain to his/her office or as may be delegated by the executive committee.

5.3 **Chair-elect**. Upon the death, resignation, or during the disability of the Chair, or upon his/her refusal to act, the Chair-elect shall perform the duties of the Chair for the remainder of the Chair's term except in the case of the Chair's disability, and then only during so much of the term as the disability continues.

5.4 **Secretary/Treasurer**. The Secretary/Treasurer will take minutes at each meeting of the Section and executive committee and provide them to the Bar for publication and record retention. The Secretary-Treasurer will work with the Bar to ensure that the Section complies with Bar fiscal policies and procedures, work with the Bar to prepare the Section's annual budget, and review the Section's monthly financial statements for accuracy and comparison to budget. In conjunction with the Chair and as authorized by the executive committee, he or she shall attend generally to the business of the Section.

### **ARTICLE 6. Elections**

6.1 **Elective Offices**.

- (a) **Officers**. The membership shall elect a Chair-elect and a Secretary/Treasurer to serve a one-year term.



- (b) **At-Large Members of executive committee.** There shall be nine (9) At-Large members of the executive committee. Three (3) At-Large members are to be elected each year. Of the At-Large members, one third (1/3) of should be from Eastern Washington and two thirds (2/3) should be from Western Washington. The length of terms for At-large members shall be three (3) years.

6.2 **Chair.** The Chair-elect shall automatically succeed to the office of the Chair. If the office of Chair-elect becomes vacant, then a Chair shall be elected in the same manner as set forth in Section 6.1 above.

6.3 **Nominations.** The Chair shall annually appoint a nominating committee of not less than three (3) members of the Section not members of the executive committee, which committee shall make and report nominations to the executive committee for the offices of Chair-elect, Secretary/Treasurer, and At-Large members of the Executive Committee to succeed those whose terms will expire that year, and to fill vacancies then existing for unexpired terms. The executive committee will approve a list of nominees for each open position.

6.4 **Voting.** Nominations and elections for open executive committee positions will be held between March and May each year. The Bar 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 implement a random tie-breaker of its choice, such as a coin toss, to determine a winner.

6.5 **Term of Office.** All executive committee positions will begin October 1 each year.

6.6 **Interim Appointments.** In the event of a vacancy during the interim between annual meetings, the executive committee shall appoint, by majority vote, a successor to serve until the next annual election when an individual will be elected to serve the remainder of the vacated term.

## **ARTICLE 7. Substantive Responsibilities**

7.1 **Committees.** The Chair may appoint committees to perform such duties and exercise such powers as the executive committee may direct.

7.2 **Budget Committee.** The duties of the budget committee are to prepare a proposed budget in consonance with the objectives of the Section for the expenditure of the Section funds.

## **ARTICLE 8. Amendments**

These bylaws may be amended at any annual meeting of the Section by a majority vote of the members of the Section present and voting, or at an executive committee meeting by a majority vote of the voting executive committee members once a quorum is established, provided that no amendment shall become effective until approved by the Board of Governors of the Bar.

- 
- Adopted 1988, as amended.
  - Approved as amended by the WSBA Board of Governors on July 23, 2010. In accordance with the WSBA Bylaws, the approved amendments are specific to Article 2.1, Membership, stating that law students may join the Section as non-voting members.
  - Approved as amended by the WSBA Board of Governors on November , 2017 in accordance with WSBA Bylaws, in particular with regard to the timing of election, publication of meeting minutes, and tie-breaker.

# WASHINGTON STATE BAR ASSOCIATION

## MEMO

To: WSBA Board of Governors  
From: Brad E. Furlong, WSBA President  
Date: November 6, 2017  
Re: Mandatory Malpractice Insurance Task Force Roster

---

<b>ACTION:</b> Accept proposed Task Force Roster for the Mandatory Malpractice Insurance Task Force
---

At its September 28, 2017 meeting, the Board of Governors approved the formation of a Mandatory Malpractice Insurance Task Force and a Charter for that Task Force. Under Section IX(B)(2)(e) of the WSBA Bylaws, the President selects persons to be appointed to Bar entities such as task forces, with the BOG having the authority to accept or reject those appointments.

Pursuant to the Charter, the Task Force was designated to have the following membership:

- A WSBA member to serve as Chair;
- Three current or former members or officers of the BOG;
- Not fewer than ten at-large members of the WSBA, including
  - at least one lawyer member with substantial experience in insurance coverage law;
  - at least one lawyer member who is also an active member of the Oregon State Bar and who participates in Oregon's Professional Liability Fund;
  - at least one limited practice officer or limited license legal technician member;
- A full-time superior court, district court, municipal court, or court of appeals judge;
- An individual with professional experience in the insurance/risk management industry;
- Two community representatives who are not licensed to practice law.

Attached as Appendix 1 is a proposed roster for the Task Force. The Board is asked to approve these appointments.

# APPENDIX 1

**WASHINGTON STATE  
BAR ASSOCIATION**

**MANDATORY MALPRACTICE INSURANCE TASK FORCE**

<b>MEMBER/LIAISON</b>	<b>AFFILIATION</b>
<b>Hugh Spitzer</b> University of Washington School of Law Professor of Law Seattle, WA	Chair
<b>Gretchen Gale</b> Olympia, WA	Member
<b>P.J. Grabicki</b> Randall Danskin PS Spokane, WA	Member
<b>Evan McCauley</b> Jeffers, Danielson Sonn & Aylward PS Wenatchee, WA	Member
<b>Suzanne Pierce</b> Davis Rothwell Earle & Xochihua Seattle, WA	Member
<b>Brooke Pinkham</b> Seattle University School of Law Center for Indian Law and Policy Seattle, WA	Member
<b>Todd Startzel</b> Kirkpatrick & Startzel PS Spokane, WA	Member
<b>Annie Yu</b> Attorney General's Office, Corrections Division Olympia WA	Member
<b>John Bachofner</b> Jordan Ramis, PC Vancouver, WA	Member (Oregon Lawyer)



MEMBER/LIAISON	AFFILIATION
<b>Kara Masters</b> Masters Law Group Bainbridge Island, WA	Member (Insurance Experience)
<b>Christy Carpenter</b> Myllt.Com, A Legal Technician Firm, PLLC Tacoma, WA	Member (LPO/LLLT)
<b>Dan Bridges</b> McGaughey Bridges Dunlap PLLC Seattle, WA	Current/Former BOG Member
<b>Lucy Isaki</b> Seattle, WA	Current/Former BOG Member
<b>Mark Johnson</b> Johnson Flora Sprangers PLLC Seattle, WA	Current/Former BOG Member
<b>Stan Bastian</b> US District Court, Eastern District Yakima, WA	Judge
<b>Brad Ogura</b> Seattle, WA	Public Member
<b>Stephanie Wilson</b> Seattle University School of Law Reference Services Seattle, WA	Public Member
<b>Peter Moy</b> FCS Group Financial Planning and Analysis Redmond, WA	Insurance Industry Professional

# WASHINGTON STATE BAR ASSOCIATION

To: The President, President-elect, Immediate Past President, and  
The Board of Governors

From: Brad Furlong, WSBA President  
Paula C. Littlewood, WSBA Executive Director

Date: November 7, 2017

Re: Civil Litigation Rules Drafting Task Force

**ACTION:** Appoint Judge Rebecca Robertson and Judge Aimee Maurer to the Civil Litigation Rules Drafting Task Force.

At the November 18, 2016 Board of Governors meeting, the Board approved the formation of a Civil Litigation Rules Drafting Task Force and a Charter for that Task Force. Under Section IX(B)(2)(e) of the WSBA Bylaws, the President selects persons to be appointed to Bar entities such as task forces, with the BOG having the authority to accept or reject those appointments.

Pursuant to the Charter, the Task Force was designated to have the following membership:

- A WSBA member to serve as Chair;
- Not fewer than ten WSBA members, including at least one civil trial lawyer with substantial experience representing plaintiffs, at least one civil trial lawyer with substantial experience representing defendants, and at least one lawyer or judge who is a current or former member of the ATJ Board;
- A Superior Court judge and a District Court judge;
- A representative from the Association of County Clerks;
- A representative from the Washington Court of Appeals if available to serve;
- A representative of the federal judiciary if available to serve.

The Charter specifically permits “no fewer than ten WSBA members” in addition to the Chair and the specified judicial members. Task Force Chair Ken Masters is requesting that the BOG approve the appointment of District Court Judge Aimee Maurer and WSBA member Hozaifa Cassubhai to the Task Force.

At its January 2017 meeting, the BOG approved a proposed roster for the Task Force. At that time, the Association of County Clerks position was unfilled, and the judicial positions were still awaiting confirmation from the applicable judges’ associations or chief judges. In approving the proposed roster, the Board delegated to the President and Task Force Chair the authority to confirm those positions and report back to the Board with a full roster. The roster included Municipal Court Judge Rebecca Robertson, who was nominated by the District and Municipal Court Judges’ Association (DMCJA) in lieu of a District Court judge. At its May 18-19, 2017 meeting, the Board approved the roster.

Judge Robertson has been an invaluable member of the Task Force and will continue to serve. However, as the Task Force’s work has progressed, it has become clear that it would benefit from the perspective of a District Court judge. Many of the Escalating Cost of Civil Litigation Task Force (ECCL) recommendations adopted by the BOG also apply to the Civil Rules for Courts of Limited Jurisdiction (CRLJ). For instance, the BOG adopted the

recommendation that the district court rules be amended to include initial case schedules, mandatory early discovery conferences, pre-trial disclosures and principles of cooperation.

Chair Ken Masters and Superior Court Judge Ruhl reached out to the DMCJA to inquire if a District Court Judge would be available to participate in the Task Force. The DMCJA responded positively and has nominated Judge Aimee Maurer to the Task Force.

In addition, a vacancy on the Task Force was created when Adam Tabor resigned for personal reasons. Chair Ken Masters and Mediation Subcommittee Chair Averil Rothrock have recruited WSBA member Hozaiifa Cassubhai to replace Mr. Tabor. If approved, Mr. Cassubhai would join the subcommittee drafting proposed rules regarding mandatory alternative dispute resolution.

We request that the Board approve the appointments of Judge Aimee Maurer and WSBA member Hozaiifa Cassubhai to the Task Force. A roster is included here that reflects what the Task Force makeup will be if these appointments are approved.



**CIVIL LITIGATION RULES DRAFTING TASK FORCE**

NAME/ADDRESS	PHONE	E-MAIL
<i>Chair</i>		
<b>Kenneth W. Masters, Chair</b> Masters Law Group 241 Madison Ave N Bainbridge Island, WA 981110	206.780.5033	<a href="mailto:ken@appeal-law.com">ken@appeal-law.com</a>
<i>WSBA Members</i>		
<b>Stephanie Bloomfield</b> Gordon Thomas Honeywell PO Box 1157 Tacoma WA 98401-1157	253.620.6514	<a href="mailto:sbloomfield@gth-law.com">sbloomfield@gth-law.com</a>
<b>Jeffrey A. Damasiewicz</b> Attorney at Law 110 W Market St – Ste 106 Aberdeen WA 98520-6206	360.612.3991	<a href="mailto:jeff.damasiewicz@mail.com">jeff.damasiewicz@mail.com</a>
<b>Nicholas Gellert</b> Perkins Coie LLP 1201 3 <sup>rd</sup> Ave – Ste 4900 Seattle WA 98101-3099	206.359.8680	<a href="mailto:ngellert@perkinscoie.com">ngellert@perkinscoie.com</a>
<b>Rebecca R. Glasgow</b> Attorney General’s Office PO Box 40100 Olympia, WA 98504-0100	360.664.3027	<a href="mailto:rebeccag@atg.wa.gov">rebeccag@atg.wa.gov</a>
<b>Kim Gunning</b> Columbia Legal Services 101 Yesler Way, Suite 300 Seattle, Washington 98104	206.332.7144	<a href="mailto:Kim.Gunning@columbialegal.org">Kim.Gunning@columbialegal.org</a>
<b>Hillary Evans Graber</b> Kenyon Disend 11 Front Street South Issaquah, WA 98027	425.392.7090	<a href="mailto:Hillary@kenyondisend.com">Hillary@kenyondisend.com</a>
<b>Caryn Jorgensen</b> Mills Meyers Swartling 1000 2 <sup>nd</sup> Ave – Fl 30 Seattle WA 98104-1094	206.382.1000	<a href="mailto:cjorgensen@millsmeyers.com">cjorgensen@millsmeyers.com</a>
<b>Shannon Kilpatrick</b> Dawson Brown, PS 1000 2 <sup>nd</sup> Ave – Ste 1420 Seattle WA 98104-1033	206.262.1444	<a href="mailto:shannon@dawson-brown.com">shannon@dawson-brown.com</a>
<b>Jane Morrow</b> Otorowski Johnston Morrow & Golden 298 Winslow Way W Bainbridge Island, WA 98110-2510	206.842.1000	<a href="mailto:jm@medilaw.com">jm@medilaw.com</a>

**WASHINGTON STATE  
BAR ASSOCIATION**

<p><b>Averil B. Rothrock</b> Schwabe Williamson &amp; Wyatt PC 1420 5th Ave Ste 3400 Seattle, WA 98101-4010</p>	206.689.8121	<a href="mailto:arothrock@schwabe.com">arothrock@schwabe.com</a>
<p><b>Brad E. Smith</b> Ewing Anderson, P.S. 522 W Riverside Ave Ste 800 Spokane, WA 99201-0519</p>	509.838.4261	<a href="mailto:bsmith@ewinganderson.com">bsmith@ewinganderson.com</a>
<p><b>Michael C. Subit</b> Frank Freed Subit &amp; Thomas LLP 705 2nd Ave Ste 1200 Seattle, WA 98104-1798</p>	206.682.6711	<a href="mailto:msubit@frankfreed.com">msubit@frankfreed.com</a>
<p><b>Roger D. Wynne</b> Seattle City Attorney's Office 701 Fifth Ave Ste 2050 Seattle, WA 98104-7097</p>	206.233.2177	<a href="mailto:roger.wynne@seattle.gov">roger.wynne@seattle.gov</a>
<p><b>Hozaifa Y. Cassubhai</b> Spiro Harrison 500 Union Street, Suite 800 Seattle, WA 98101-4051</p>	206.899.1996	<a href="mailto:hcassubhai@spiroharrison.com">hcassubhai@spiroharrison.com</a>
<b>Judicial</b>		
<p><b>The Honorable John R. Ruhl</b> King County Superior Court KCC-SC-0203 516 Third Avenue – Rm C203 Seattle, WA 98104-2381</p>	206.477.1373	<a href="mailto:john.ruhl@kingcounty.gov">john.ruhl@kingcounty.gov</a>
<p><b>The Honorable Rebecca C. Robertson</b> Federal Way Municipal Court 33325 8<sup>th</sup> Ave S Federal Way WA 98003-6325</p>	253.835.3000	<a href="mailto:rebecca.robertson@cityoffederalway.com">rebecca.robertson@cityoffederalway.com</a>
<p><b>The Honorable Bradley A. Maxa</b> The Court of Appeals, Div. II 950 Broadway, Suite 300 Tacoma, WA 98402</p>	253.593.2975	<a href="mailto:J.B.Maxa@courts.wa.gov">J.B.Maxa@courts.wa.gov</a>
<p><b>The Honorable Paula L. McCandlis</b> U.S. District Court P.O. Box 4196 Bellingham, WA 98227</p>	360.306.7375	<a href="mailto:paula_mccandlis@wawd.uscourts.gov">paula_mccandlis@wawd.uscourts.gov</a>
<p><b>The Honorable Aimee Maurer</b> Spokane County District Court 1100 W. Mallon Avenue Spokane, WA 99260</p>	509.477.4770	

**WASHINGTON STATE**  
**BAR ASSOCIATION**

<b><i>Clerks' Association</i></b>		
<b>Ruth Gordon</b> Jefferson County Clerk P.O. Box 1220 Port Townsend, WA 98368	360.385.9128	<a href="mailto:rgordon@co.jefferson.wa.us">rgordon@co.jefferson.wa.us</a>
<b><i>BOG Liaison</i></b>		
<b>Dan Bridges</b> 3131 Western Ave., Suite 410 Seattle, WA 98121-1036	425.462.4000	<a href="mailto:DanBOG@mcbdlaw.com">DanBOG@mcbdlaw.com</a>
<b><i>Supreme Court Liaison</i></b>		
<b>Shannon Hinchliffe</b> Administrative Office of the Courts PO Box 41174 Olympia WA 98504-1170	360.357.2124	<a href="mailto:Shannon.Hinchliffe@courts.wa.gov">Shannon.Hinchliffe@courts.wa.gov</a>
<b><i>WSBA Staff Liaison</i></b>		
<b>Kevin Bank</b> Assistant General Counsel Washington State Bar Association 1325 Fourth Avenue, Suite 600 Seattle, WA 98101-2539	206.733.5909	<a href="mailto:kevinb@wsba.org">kevinb@wsba.org</a>



# WSBA

WASHINGTON STATE BAR ASSOCIATION

## **CIVIL LITIGATION RULES DRAFTING TASK FORCE**

(Adopted by the WSBA Board of Governors November 18, 2016)

### **CHARTER**

#### **Background**

The WSBA Board of Governors created the Task Force on the Escalating Cost of Civil Litigation (ECCL Task Force) in 2011 to assess the costs of civil litigation in Washington courts and develop recommendations to control costs, with the objective to make the civil justice system both affordable and accessible while preserving the paramount goal of justly resolving disputes. The ECCL Task Force charter directed the task force to focus on the types of litigation typically filed in our state's superior and district courts, to compare litigation costs in Washington with those in neighboring and similarly situated states and in federal courts, and to survey pertinent reports and recommendations from prominent organizations.

Seattle lawyer and former Board member Russ Aoki chaired the 17-member task force, which issued its final report June 15, 2015 ("Task Force on the Escalating Costs of Civil Litigation Final Report to the Board of Governors") and presented the report to the Board of Governors at its July 2015 meeting. The Board convened public discussions on each of the report's recommendations during its January, March, and April 2016 meetings. It also received numerous written comments from members and stakeholders. At the June 3, 2016, meeting, the Board held a first reading and took provisional votes on the twelve specific task force recommendations. The Board took final action on each task force recommendation at its July 22, 2016 meeting and issued a report ("Report of the Board of Governors of the Washington State Bar Association on the Recommendations of the Escalating Costs of Civil Litigation Task Force"), which was shared with the Supreme Court in August 2016.

Many of the Board-supported recommendations of the ECCL Task Force would require implementing amendments to the Superior Court Civil Rules and/or the Civil Rules for Courts of Limited Jurisdiction. Under WSBA Bylaws Section IX(B)(2), the Board creates and authorizes a drafting task force with the specific purposes set forth in this charter.

#### **Task Force Purpose**

- Review the recommendations of the Board of Governors addressing the ECCL Task Force Report and determine whether amendments to Washington's Civil Rules are needed to implement the recommendations.
- Prepare draft amendments to the Superior Court Civil Rules and/or the Civil Rules for Courts of Limited Jurisdiction (together with necessary and appropriate conforming amendments to other rules).

- Solicit and receive input from lawyers, judges, and other interested persons and entities, on the suggested amendments.
- After consideration of the input, present a set of suggested rule amendments to the Board of Governors.

### **Timeline**

- Submit a final set of draft rule amendments for first reading by the Board of Governors by no later than the Board's May 2018 meeting.
- Prepare a Board-approved set of suggested rule amendments for submission to the Supreme Court before the first available GR 9 deadline after the draft amendments are approved by the Board.
- The Task Force should provide updates to the Board of Governors every six months on its progress.

### **Membership**

This Task Force will consist of the following voting members:

- A WSBA member who shall serve as Chair;
- Not fewer than ten WSBA members knowledgeable about Washington's superior court and/or district court civil justice systems, including at least one civil trial lawyer with substantial experience representing plaintiffs, at least one civil trial lawyer with substantial experience representing defendants, and at least one lawyer or judge who is a current or former member of the Washington State Access to Justice Board;
- A superior court judge and a district court judge;
- A representative of the Washington State Association of County Clerks.

This Task Force may also include the following voting members, if available to serve:

- A representative from the Washington Court of Appeals;
- A representative of the federal judiciary.

In accordance with WSBA Bylaws Section IX(B)(2)(a)-(b), selection of persons to be appointed to the task force and the chair will be made by the President with approval of the Board of Governors.



WASHINGTON  
COURTS

# District and Municipal Court Judges' Association

**President**

JUDGE SCOTT K. AHLF  
Olympia Municipal Court  
900 Plum St SE  
PO Box 1967  
Olympia, WA 98507-1967  
(360) 753-8312

October 26, 2017

OCT 30 2017

**President-Elect**

JUDGE REBECCA C. ROBERTSON  
Federal Way Municipal Court  
33325 8th Ave S  
Federal Way, WA 98003-6325  
(253) 835-3000

Mr. Ken Masters  
Chair, Civil Litigation Rules Drafting Task Force  
Masters Law Group PLLC  
241 Madison Ave N  
Bainbridge Island, WA 98110-1811

**Vice-President**

JUDGE SAMUEL G. MEYER  
Thurston County District Court  
2000 Lakeridge Dr SW, Bldg 3  
PO Box 40947  
Olympia, WA 98504-0947  
(360) 786-5562

RE: DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION  
(DMCJA) REPRESENTATIVE TO THE WSBA CIVIL LITIGATION  
RULES DRAFTING TASK FORCE

**Secretary/Treasurer**

JUDGE MICHELLE K. GEHLSSEN  
Bothell Municipal Court  
10116 NE 183rd St  
Bothell, WA 98011-3416  
(425) 487-5587

Dear Mr. Masters:

**Past President**

JUDGE G. SCOTT MARINELLA  
Columbia County District Court  
535 Cameron St  
Dayton, WA 99328-1279  
(509) 382-4812

It is my pleasure to nominate Judge Aimee Maurer, Spokane County District Court, as a DMCJA representative to the Washington State Bar Association (WSBA) Civil Litigation Rules Drafting Task Force. Judge Maurer's term will begin immediately and run until the end of the project.

**Board of Governors**

JUDGE LINDA COBURN  
Edmonds Municipal Court  
(425) 771-0210

Thank you for the opportunity to make this nomination, and please let me know if you have any questions.

JUDGE MELANIE DANE  
Black Diamond Municipal Court  
(360) 886-7784

Sincerely,

JUDGE KAREN DONOHUE  
Seattle Municipal Court  
(206) 684-7903

Judge Scott K. Ahlf  
DMCJA President

JUDGE DOUGLAS J. FAIR  
Snohomish County District Court  
(425) 744-6804

cc: Judge Aimee Maurer  
Judge James Ruhl  
Ms. Paula C. Littlewood, WSBA Executive Director ✓  
Mr. Kevin Bank, WSBA Staff Liaison  
Ms. Sherry Lindner, WSBA Office of General Counsel  
Ms. Sharon Harvey, Administrative Office of the Courts

JUDGE MICHAEL FINKLE  
King County District Court  
(206) 477-2121

JUDGE MICHAEL J. LAMBO  
Kirkland Municipal Court  
(425) 587-3179

COMMISSIONER RICK LEO  
Snohomish County District Court  
(360) 435-7700

JUDGE SAMUEL G. MEYER  
Thurston County District Court  
(360) 786-5562

JUDGE DOUGLAS B. ROBINSON  
Whitman County Dist. Court  
(509) 397-5297

JUDGE DAMON G. SHADID  
Seattle Municipal Court  
(206) 684-8709

JUDGE CHARLES D. SHORT  
Okanogan County District Court  
(509) 477-7170

To: WSBA Board of Governors

From: James W. Armstrong, Jr., President

Date: November 2, 2017

Re: Foundation Annual Report of Activities for FY2017

---

The Washington State Bar Foundation mission is to provide financial support for the programs of the Washington State Bar Association that promote diversity within the legal profession and enhance the public's access to, and understanding of, the justice system. The Foundation is separately incorporated as a Washington state nonprofit, and is recognized as a public charity under section 501(c)(3) of the Internal Revenue Service Code.

The Foundation is a membership organization – the sitting members of the Board of Governors comprise the Foundation's membership. The Foundation Bylaws require the Foundation President to present an annual report to the Members within ninety (90) days after the close of the fiscal year, which ends September 30<sup>th</sup>. This report is an opportunity for the Foundation's members to learn about its activities, priorities and direction.

### **Foundation Highlights**

The Foundation focused FY17 on strengthening its connection to the WSBA programs it supports, developing consistent Foundation messaging, and forging stronger relationships with donors. These goals were accomplished by having a Foundation presence at existing program events whenever possible, which resulted in greater awareness of the Foundation and its role, and demonstrated good stewardship of resources (as independent, stand-alone events were not being produced).

The Foundation is also putting renewed effort into cultivating donor relationships through personal contact and directed communications, which in the long term should yield positive outcomes. Foundation staff and Trustees have met with several individual donors and/or firms in recent months.

New donor management software is enabling the Foundation to better track giving patterns and develop tailored approaches that provide enhanced opportunities for donors to invest in the programs that are of interest to them.

### **Fundraising Highlights**

- **2,916** Washington lawyers (7.5%) made a voluntary contribution to the Foundation on their license forms, indicating their support for WSBA's justice and diversity efforts. **(This represents the first increase in support over a previous year since the licensing donation option began.)**

- **100%** of the members of the WSBA Board of Governors and Foundation Trustees gave to the Foundation in FY17.
- For the first time in FY17, the Foundation took the lead in securing sponsors for the APEX Awards Dinner, resulting in **\$28,790** in sponsorships. Sponsorships were previously secured by WSBA, resulting in \$11,790 in FY15 sponsorships and \$365 in FY16 sponsorships.
- Donations and pledges (exclusive of sponsorships) to the Foundation for the FY17 APEX Awards Dinner totaled **\$5,735**. The total raised for the Foundation through this event in FY17 - \$35,925 - represents a 345% increase over the Foundation's FY16 fundraising (\$8,055) and almost 200% over FY15 (\$12,137) through donations alone.
- The Foundation increased its **grant seeking** activities, and has submitted a variety of applications directed to help reduce pressure on license fees for various WSBA-funded activities.

### Funding Achievements

- The Foundation awarded \$200,000 to WSBA for FY18 to support public service and diversity programs (representing a 14% increase over FY17), and an additional \$3,302 to bring the Justice & Diversity Opportunities Fund balance up to \$5,000.
- The **Moderate Means Program** completed its sixth year, during which it has referred over 3,500 family, housing and consumer law cases and engaged more than 758 attorneys in the program. Over 70% of participating attorneys are new and young lawyers, who benefit from the referrals, the opportunity to serve their communities, and also receive access to free public service seminars and training.
- More than 684 attorneys have been connected with training and service opportunities by taking the **WSBA Call to Duty Pledge**, and over 100 veterans have received free services from legal professionals at Day of Service events.
- WSBA **Diversity Programs** held its second **Experience Exchange** mentorship breakfast, at which 16 pairs of mentors and mentees met for episodic mentoring. A sponsor has been secured for the FY18 breakfast in Seattle.
- WSBA reached over 300 people through **Community Networking Events** held across the state. These Diversity & Inclusion events are designed to foster connections among WSBA staff, volunteers, members and local communities. They also provide an opportunity to forge relationships among new members and seasoned professionals, to deepen community connections, and highlight the work of local and minority bar associations. These informal gatherings provide invaluable opportunities for networking and the possibility for mentorship relationships to be developed.
- The Foundation administered scholarship fundraising for three WSBA sections:
  - **\$2,500** was awarded through the **WSBA Elder Law Section's Peter Greenfield Internship Fund**, which placed Seattle University law student Xaxira Velasco at Columbia Legal Services for the summer to support advocacy on behalf of low income seniors.
  - **\$5,000** was awarded through the **WSBA Taxation Section's LL.M. Scholarship Fund** to University of Washington law student Jane Pryjmak-D'Ambra



- **\$1,500** was awarded for three scholarships for law students and new lawyers to attend the annual **WSBA Environmental and Land Use Law Section 2017 Midyear Meeting and Conference**.

### **Conclusion and Look Ahead**

The Foundation enters FY18 with an energized Board of Trustees, a new strategic plan, robust WSBA programs to support, active practice sections and student and member volunteers, and a strong base of supporters excited about the WSBA's efforts to expand justice, public service and diversity. Continuing outreach to both our loyal and prospective donors and enhancing our communications to link the achievements of WSBA programs with the importance of Foundation gifts will continue to grow the Foundation's financial support of WSBA's public service and diversity goals.

# WASHINGTON STATE BAR ASSOCIATION

## Outreach and Engagement: Ambassador Best Practices

*We actively encourage the Board of Governors and staff to meet with members across the state, and the Outreach and Engagement team is here to support you! Please contact Legal Community Outreach Specialist Sanjay Walvekar, [sanjayw@wsba.org](mailto:sanjayw@wsba.org), for help coordinating membership visits. Sanjay is available to accompany ambassadors on visits. If for some reason he or another staff member doesn't attend the event, please close the loop afterward on any feedback we should be aware of and/or act on.*

---

### WSBA's outreach goals

- To form relationships by connecting Governors and staff with members statewide.
- To keep members informed about the WSBA's mission, benefits, service opportunities, recent decisions by the Board of Governors, and news and updates.
- To develop a leadership pipeline of engaged legal practitioners who want to serve their profession through WSBA volunteer opportunities.
- To solicit feedback from members to inform important Board decisions and recommendations.
- To create a two-way flow of understanding and information between the WSBA and its members that continually shapes WSBA's priorities, communication, work, and responsiveness.

### "Boots on the ground" approach

- Ambassadorship: In conjunction with the Outreach and Engagement office, the Board of Governors and WSBA staff are encouraged to regularly meet with members across the state via:
  - Attending an event: local, county, specialty, and minority bar association meetings; legal events where members are present; and WSBA committee and board meetings.
  - Hosting an event: as appropriate, Governors and staff can host engagement opportunities for members (e.g., a sponsored gathering on the eastside of the state to watch a real-time webcast of a WSBA diversity event happening in Seattle).

### Best practices and tips

- The Outreach and Engagement team is here to support you! Contact Legal Community Outreach Specialist Sanjay Walvekar, [sanjayw@wsba.org](mailto:sanjayw@wsba.org) or 206-733-5903.
- Keep Sanjay in the loop if you are planning an ambassador visit. He has an annual calendar of recurring local and county bar meetings as well as other member events across the state. By connecting with him, you can accompany Sanjay on an already planned trip to your targeted area/group or coordinate a separate visit. Sanjay wants to track all official WSBA ambassador visits to ensure we are outreaching to members across a wide swath of geographic and specialty areas (he will fill the gaps as needed).
- If you are not already part of the program, ask the event organizer for 5 to 10 minutes on the agenda to introduce yourself and provide a WSBA update.
- The Outreach and Engagement office will support ambassadors by preparing a timely "ambassador packet" that includes seasonal Bar highlights and accompanying flyers. Please use the Bar highlights as a guide when you talk with members.
- If for some reason Sanjay or another staff member doesn't attend the event, please close the loop afterward on any feedback we should be aware of and /or act on. Not sure where to go? Sanjay (once again!) is the best starting point.

## Outreach and Engagement: Highlights for Winter 2018

*We actively encourage the Board of Governors and staff to meet with members across the state, and the Outreach and Engagement team is here to support you! Please contact Legal Community Outreach Specialist Sanjay Walvekar, [sanjayw@wsba.org](mailto:sanjayw@wsba.org), for help coordinating membership visits. Sanjay is available to accompany ambassadors on visits. If for some reason he or another staff member doesn't attend the event, please close the loop afterward on any feedback we should be aware of and/or act on.*

---

### **Theme: Mission and overview**

- Mission: To serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice.
- We have about 40,000 members, 32,000 of those active.
- A 17-member Board of Governors determines the policies of the Bar and its annual budget.
- The Board meets six times a year, and you're welcome to come or watch the real-time broadcast online. Next up: Jan. 18-19 at the Bellwether in Bellingham; March 8 at the Red Lion in Olympia.

### **Theme: What's happening**

- It's license renewal time, with the paperwork, payment, and MCLE certification due to WSBA by Feb. 1. We launched an improved online renewal tool for all license types—it's fast and convenient, a one-stop-shop to join sections, report pro bono hours, and update member information.
- If you're experiencing financial challenges, you may qualify for a license-fee hardship exemption OR you can use the payment plan option to break the license fee into five monthly installments.
- The recently refreshed online legal directory now includes LLLTs and LPOs and has new search fields.
- We are also launching the new WSBA website—designed around members' feedback—which is much cleaner and easier to navigate with a streamlined search tool. We've done a lot of bug-scouring, but if you find any hiccups, please use the reporting tool on the new site, and we'll get them fixed.
- Lead the profession! Now is the time to consider running for the Board of Governors or joining a WSBA Committee—there are opportunities for every interest level and time availability. WSBA will collect nominations and applications for both starting in early January. Tell a friend!

### **Theme: In support of members**

- We have a robust Practice Management Discount Network with special offers on virtual-reception and document-management services, billing and editing software, ABA books, and more. (Reference handout.)
- Spotlight on Legal Lunchbox, offering 1.5 CLE credits FREE each month (18 CLE credits annually). Log in via computer, phone, or tablet at noon the last Tuesday of each month—[wsbacle.org](http://wsbacle.org).
- WSBA MEMBER BENEFIT FLYER AVAILABLE FROM SANJAY.

### **Theme: Your input is welcome and makes a difference**

- Mandatory Malpractice Insurance: The Board has formed a task force to explore and make a recommendation about whether lawyers should be required to have professional liability insurance.
- WSBA referendum process: The Board of Governors has formed a work group to review and make a recommendation about whether and how to amend the member referendum process.
- Both groups have a responsibility to solicit member feedback and base their recommendation on what they hear. Make your voice heard now via [questions@wsba.org](mailto:questions@wsba.org).
- ONE-PAGE FLYER WITH MORE INFORMATION AVAILABLE FROM SANJAY.

### Potential hot topics

Members may have questions about a Bar applicant who has been featured in the media (NPR, ABA Journal). As she relays her story, she has come back from serving time for felony drug charges to graduate magna cum laude from law school with a prestigious fellowship. WSBA is prohibited by Court rule and Court order in this case from publicly discussing any information in the record or the briefs. This Bar applicant has also publicly shared that the Character and Fitness Board recommended that the Court deny her request for admission at this time, and she has appealed to the Washington Supreme Court. Member questions seem to focus on two areas of misperception: The Bar is blocking this applicant's admission and the Bar is silencing members' voice by opposing an amicus brief.

#### The Bar's reply:

- We cannot comment on individual Character and Fitness Board cases because those matters are made confidential by court rule—and in this case, also by specific Court Order.
- The Washington Supreme Court adopted the Character and Fitness rules for the protection of the public. As the WSBA, we must implement and follow those rules as well as serve as the Character and Fitness Board's counsel in court.
- The confidentiality provisions in those rules are designed to ensure that the thousands of applicants seeking admission every year feel safe and confident in disclosing extremely private and personal information required for their applications.
- Appeals from the Character and Fitness Board go directly to the Washington Supreme Court. The Court has the ultimate authority to decide whether an applicant is admitted to practice law, in every case. The Character and Fitness Board has made a recommendation which the Court can agree with or not.
- The Character and Fitness rules do not contain a provision for filing an amicus brief.



**Board of Governors Meeting  
WSBA Conference Center  
Seattle, WA  
November 15-16, 2017**

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

**How the Consent Calendar Operates:** The items listed below are proposed for approval on the Consent Calendar. Following introductions in the Public Session, the President will ask the Board if they wish to discuss any matter on the Consent Calendar. If they do, the item will come off the Consent Calendar and be included for discussion under First Reading/Action Items on the regular agenda. If no discussion is requested, a Consent Calendar approval form will be circulated for each Governor's signature.

**Consent Calendar Approval**

- a. September 28-29, 2017, Public Session Minutes ..... 102
- b. October 3, 2017, Special Public Session Minutes ..... 115

**DRAFT – SUBJECT TO APPROVAL**

**MINUTES**

**Public Session  
Washington State Bar Association  
BOARD OF GOVERNORS**

**Seattle, WA  
September 28-29, 2017**

The Public Session of the Board of Governors of the Washington State Bar Association (WSBA) was called to order by President Brad Furlong on Thursday, September 28, 2017, at 1:15 p.m., at the WSBA Conference Center, Seattle, Washington. Governors in attendance were:

Keith M. Black  
Mario M. Cava  
Daniel D. Clark  
Ann Danieli  
James K. Doane  
Angela M. Hayes  
Andrea S. Jarmon (by phone)  
Jean Y. Kang  
Jill A. Karmy (by phone)  
Rajeev D. Majumdar  
Christina A. Meserve  
G. Kim Risenmay

Also in attendance were President-elect Bill Pickett, Immediate Past-President Bill Hyslop, Executive Director Paula Littlewood, General Counsel Sean Davis, Chief Regulatory Counsel Jean McElroy, Chief Disciplinary Counsel Doug Ende, Director of Human Resources Frances Dujon-Reynolds, Chief Operations Officer Ann Holmes, Director of Advancement/Chief Development Officer Terra Nevitt, and Executive Assistant Margaret Shane. Governors Bridges and Papailiou were not present for the meeting.

The following items were discussed on Thursday, September 28, 2017.

## **REPORT ON EXECUTIVE SESSION**

President Furlong reported that in Executive Session the Board approved the July 27-28, 2017, Executive Session Minutes, set the time limit for the At-Large (New and Young Lawyers) Governor candidates, heard the Executive Director's Report, acted on recommendations of the Judicial Recommendation Committee and the Client Protection Fund Board, and received the report on the Executive Director's annual evaluation.

## **CONSENT CALENDAR**

Governor Majumdar pulled the struck-through items from the Consent Calendar and they were taken up later during Public Session:

- a. July 27-28, 2017, Public Session Minutes
- b. 2018 Keller Deduction Schedule
- ~~c. Proposed Amendments to Article XI Sections re Legislative Activity~~
- d. Proposed Amendments to Antitrust, Consumer Protection, and Unfair Business Practices Section Bylaws and to Family Law Section Bylaws
- ~~e. Conforming Amendments to Indian Law Section Bylaws~~
- ~~f. Mandatory Continuing Legal Education (MCLE) Board Recommendation to Coordinate Fees~~
- g. Committee on Mission Performance and Review (CMPR) Report and Recommendations
- ~~h. Legislative Work Group Recommendations~~
- ~~i. Council on Public Defense re Rules for Appeal of Decisions of Court of Limited Jurisdiction (RALJ) 9.3~~
- ~~j. Discipline Advisory Round Table (DART) Annual Report and Suggested Amendments to Charter~~
- k. Updated WSBA Amicus Brief Policy

## **INTERVIEW AND SELECTION OF AT-LARGE (NEW AND YOUNG LAWYERS) GOVERNOR**

President Furlong explained the election process for the 2017-2018 At-Large (New and Young Lawyers) Governor to fill the remaining one year of former Governor Sean Davis' term that was vacated upon his resignation to become the WSBA General Counsel. He advised that the presentation order was determined by random draw: Jean Y. Kang first; Annie Yu second; and Russell Knight, third; each candidate will be out of the room for the other candidates' presentations; each candidate will have 10 minutes to address the Board and answer questions; all candidates will be excused for discussion and debate during Public Session; a vote by secret ballot will be taken by the Board; the President will cast a secret ballot to be used only in the event of a tie; and the results will be announced to the candidates outside the meeting room.

President Furlong appointed Executive Director Paula Littlewood, Chief Regulatory Counsel Jean McElroy, and Geoff Revelle as canvassers.

Each At-Large candidate in turn presented their vision to the Board and responded to questions from the Board. Following the interview process, with all candidates out of the room, discussion by the Board and guests ensued regarding the three candidates. President Furlong then proceeded with the secret ballot vote. Executive Director Littlewood provided President Furlong with the results of the election secret ballot vote and he announced Jean Y. Kang as the WSBA At-Large (New and Young Lawyers) Governor for the remaining 2017-2018 term. President Furlong and Executive Director Littlewood informed the candidates of the outcome of the vote. Ms. Kang was sworn in by The Honorable Susan K. Serko and took her place at the table. It was noted that Ms. Kang will be eligible to run in the 2018-2021 election for the At-Large (New and Young Lawyers) seat.

**WASHINGTON STATE BAR FOUNDATION (WSBF) ANNUAL MEETING – Judy Massong, WSBF President, and Terra Nevitt, Director of Advancement/Chief Development Officer**

WSBA President Furlong turned the gavel over to WSBF President Massong who called the meeting of the Foundation members to order. She referred the Board to the information contained in the meeting materials and explained that approval is being sought for the 2017-2018 slate of WSBF Trustees as recommended by the WSBF Board. She advised that the WSBF would be presenting a check to the WSBA in the amount of \$200,000 to be used for public service and diversity efforts, which she noted is a 14% increase over last year's gift. She reported that in the past year she had met with the Budget and Audit Committee to explore concerns the Board has had regarding the WSBF's ability to meet its full potential. She explained the WSBF's fundraising history to this point and emphasized that it takes time to develop a donor base and that the donor base has risen to 8,000 in a short period of time. She advised that WSBF has increased trustees and donor engagement and that the APEX Awards Dinner was leveraged this year to raise approximately \$30,000 through sponsorships and donations. Discussion ensued regarding the desire to have WSBF Trustees present at this Board meeting to share their vision, and continued donor confusion about the role of the WSBF.



WSBF President Massong explained that James Armstrong, the current WSBF Vice-President, is anticipated to be the WSBF President next year, and that he has termed out at two three-year terms. He had planned to attend the meeting, but was called into court. The WSBF Bylaws allow for a one-year extension for officers. Governor Doane moved to extend the term for James Armstrong for one year. Motion passed unanimously. She then referred the Board to the slate of Trustees contained in the meeting materials, along with information on the candidates. Governor Doane moved to approve the slate. Motion passed unanimously. WSBF President Massong adjourned the meeting of the WSBF members and passed the gavel back to WSBA President Furlong.

**PROPOSED MANDATORY MALPRACTICE INSURANCE TASK FORCE CHARTER**

Governor Doane moved to approve the Charter as contained in the meeting materials. Motion passed 11-1.

**PROPOSED WSBA BYLAW AMENDMENT RE VACANT IMMEDIATE PAST-PRESIDENT SEAT – Sean Davis, General Counsel**

General Counsel Davis referred the Board to the information contained in the meeting materials and explained the proposed Bylaw amendment. Discussion ensued regarding accelerating the process for voting on the proposed Bylaw Amendment so the Immediate Past-President seat would not be vacant until the November 2017 Board meeting. General Counsel Davis explained that the five-day notice for a Special Meeting could be waived if a motion passed with a unanimous vote of the Board at this meeting. Governor Danieli moved to waive the five-day notice requirement. Motion passed unanimously. President Furlong advised that a Special Meeting via conference call will be held on Tuesday, October 3, 2017.

**ANNUAL DISCUSSION WITH DEANS OF WASHINGTON STATE LAW SCHOOLS – Annette Clark, Seattle University School of Law Dean; Jane Korn, Gonzaga University School of Law Dean; and Anita Krug, University of Washington School of Law Interim Dean**

Each of the three Deans shared current practices and priorities at their respective schools including mentorship, recruitment and scholarships, diversity, and education related to technology and business practices. In answer to an inquiry regarding what the Bar can do to

help connect law school graduates with marketplace employment, the Deans suggested building connections between law students and Bar members, and increasing mentoring in order to help law students gain experience in various practice area. In answer to whether there have been any developments in response to the IAALS Foundations for Practice Project that was presented at the September 2016 Board meeting, the Deans replied that legal writing and fundamental skills and values have been added to the course work, along with beefing up mentorship programs, experiential learning, and experimenting with the mix of in-class and long-distance learning. In response to whether tuition costs can be decreased, Dean Korn replied that tuition costs at Gonzaga have been the same for three years and mentioned that ABA regulations help drive tuition costs. She noted that discussions regarding what change is needed in law schools need to take place in order for costs to go down. Dean Clark noted that the real cost of legal education is dropping, but is not reflected in public tuition rates. It is a very competitive market with fewer applications, and so discounted tuition is offered by offering scholarships. She noted that, on average, Seattle University School of Law is significantly less expensive than six to seven years ago. Interim Dean Krug noted that the University of Washington School of Law's tuition is affected by the Washington Legislature since the school is part of public education. Tuition has been kept level for three years, but currently has a moderate increase. Since the school is dealing with fewer resources from the Legislature, fundraising for scholarships is a big component. In addition, experiential education is more expensive and rating services place a premium on how rich the various law schools are.

In answer to what the law schools are doing to prepare students for practice in the profession of the future, the Deans replied that they are paying attention to advances in technology and artificial intelligence, creating curiosity within their students and encouraging them to be life-long learners, developing incubator programs, developing collaborative relationships with the school of engineering and sciences, emphasizing skills training to meet changing client expectations, and focusing on an integration of law and business in order to help law students think more entrepreneurially.

The Deans concluded by inviting the Board to visit their respective law schools and experience today's law schools first hand, then give the Deans feedback regarding what the Board thinks the law schools can do to further help their students.

President Furlong announced that Dean Korn would be retiring as the Dean of Gonzaga University School of Law at the end of this year and thanked her for her service to the Law School and the profession. He then advised that there would be no Executive Session the following morning.

### **MEMBER AND PUBLIC COMMENTS**

Governor-elect Kim Hunter commended the Board for the Annual APEX Awards dinner the previous evening.

Member Nancy Hawkins suggested that the meeting agenda and materials be made available earlier as there is currently not enough time to consider items and discuss them before the Board meetings; a more detailed report be provided about Executive Session items; and that more detailed information be shared about the meeting with the Supreme Court the following week. She also stated that links to Minutes on the Board webpage were not working, and discussion regarding the legislative budget discussed at the July Board meeting was not included in the Minutes.

Governor-elect Alec Stephens commended President Furlong for setting the tone at the Annual APEX Awards Dinner regarding the importance of diversity, inclusion, and moving this association forward in these efforts.

### **ORIENTATION TO WSBA DIVERSITY AND INCLUSION PHILOSOPHY AND PLAN – Joy Williams, Diversity and Public Service Programs Manager, and Robin Nussbaum, Inclusion and Equity Specialist**

President Furlong stated that it is important to do these kinds of trainings in public in order for members to see what the Board is doing and to experience it as well, and emphasized the need for a safe and nonjudgmental environment. Manager Williams and Specialist Nussbaum reviewed the internal and external focus of their respective portfolios; the WSBA's history of

diversity and inclusion efforts; and WSBA's continued commitment to advancing diversity. They then explained the dimensions of diversity; social barriers; the inside-out approach; WSBA 2012 and 2015 research; explicit and implicit bias; stereotypes; inclusion and equity; institutional oppression/racism; and allyship.

Following this discussion, President Furlong turned the gavel over to President-elect Pickett and excused himself from the meeting temporarily.

**COUNCIL ON PUBLIC DEFENSE (CPD) PROPOSED PERFORMANCE GUIDELINES FOR JUVENILE OFFENSE REPRESENTATION – Eileen Farley, CPD Chair; Daryl Rodrigues, CPD Vice-Chair (on phone), Kimberly Ambrose, CPD Member; Terra Nevitt, Director of Advancement/Chief Development Officer; and Diana Singleton, Access to Justice (ATJ) Board Manager** (first reading)

Chair Farley explained the background of the proposed guidelines and noted that they would apply to anyone who represents juvenile clients. Vice-Chair Rodrigues advised that these proposed guidelines are a result of a great deal of work and a deep level of debate, and that they are focused on children since they have a different and disadvantaged position in the justice system. They emphasized that these proposed guidelines are not mandated, but are suggestions for best practices. Discussion ensued regarding confidentiality when counsel advocates for necessary resources, and concerns regarding funding sources, especially in rural areas. Chair Farley noted that the CPD is asking that the proposed guidelines go to the Supreme Court for inclusion in the Court Rules and, if the same process is followed as for the adult guidelines, they would be incorporated in Standard 14.1 Qualifications of Attorneys.

Executive Director Littlewood requested guidance from the Board regarding this agenda item for the November Board meeting. It was suggested it be put on the agenda for Action rather than Consent, and that the proposed guidelines be disseminated to the WSBA members for feedback. Executive Director Littlewood advised that the proposed guidelines would be distributed through *Take Note* between this meeting and the November Board meeting and in Governors' district reports. She reminded the Board that the cutoff date for submission of suggested rule changes to the Washington Supreme Court is October 15, and advised Chair

Farley that the Court could be asked to take these proposed guidelines out of cycle when they are forwarded to the Court. President-elect Pickett returned the gavel to President Furlong.

**COUNCIL ON PUBLIC DEFENSE (CPD) RE RULES FOR APPEAL OF DECISIONS OF COURT OF LIMITED JURISDICTION (RALJ) 9.3 - Eileen Farley, CPD Chair; Daryl Rodrigues, CPD Vice-Chair (on phone), Kimberly Ambrose, CPD Member; Nicholas Allen, CPD Member (on phone); Terra Nevitt, Director of Advancement/Chief Development Officer; and Diana Singleton, Access to Justice (ATJ) Board Manager**

Governor Majumdar explained that he pulled this item from Consent because if a matter requires Board approval, WSBA members should have the opportunity for input; then stated that in his view the proposed letter should not require BOG approval and should be signed by the CPD. Chair Farley noted that the deadline for submission to the Washington Supreme Court is October 15, so the CPD could send the letter and the BOG endorse it later. President Furlong reminded the Board that it is the Board's policy for the many WSBA entities to speak through the Board in order to ensure coordination. He noted that this item is not controversial, and the Washington Supreme Court will not adopt it without adequate opportunity for public and member comments. Executive Director Littlewood advised that she and the Chair could both sign the letter to the Court, and explained that the Court Rules and Legislative Committee policy is designed to help coordinate its entities' actions. She reminded the Board that the draft letter contained in the meeting materials clearly states that WSBA is not taking a stand, but that the Board is approving the CPD sending the letter to the Court. Discussion ensued regarding input from the Rules Committee and the judges. Vice-Chair Rodrigues explained that the nature of this rule is that when the court determines what fees a defendant should be required to pay on appeal there be a particular individual analysis of the defendant's ability to pay, which is already established by case law in this state. Governor Majumdar moved to put this item on the November 2017 Board meeting agenda for Action so the membership has time to comment. Motion died for lack of a second. Governor Danieli moved to approve sending the letter to the Washington Supreme Court Rules Committee signed by both Executive Director Littlewood and Chair Farley. Motion passed unanimously.

**FINAL WSBA FY2018 BUDGET – Governor Jill Karmy, Treasurer (by phone); Governor Kim Risenmay, Treasurer-elect; Ann Holmes, Chief Operations Officer; and Mark Hayes, Controller**

Treasurer-elect Risenmay referred the Board to the Final FY2018 Budget contained in the meeting materials, which reflects the cost of Board-directed programs, services, and operations, as unanimously recommended by the Budget and Audit Committee. He explained several minor adjustments made to the draft FY2018 Budget reviewed by the Board at its July 2017 meeting; then emphasized that the proposed Budget will maintain reserves at the \$2 million minimum. He then reviewed WSBA's five budgets: the General Fund; Capital Budget; Continuing Legal Education Fund; Client Protection Fund; and Sections Fund.

A question was raised regarding the lack of funding in the Budget for an independent look at the Washington Bar Exam regarding bias. Chief Regulatory Counsel McElroy explained that a separate WSBA study would not be done; rather, WSBA will be looking at the New York State bar exam study that is in process and due to be finished in the next two to three years. It includes 123 law schools and tens of thousands of takers. She advised that this approach, which will result in more accurate results, was presented to the Deans of the three Washington law schools and the representative of the Loren Miller Bar Association who originally presented the request for a study, and that positive feedback was received. Governor Cava moved to approve the FY2018 Budget as contained in the meeting materials. Motion passed unanimously.

Treasurer Risenmay advised that results of a salary survey had been recently received with the outcome that several staff salaries are below the Seattle market. He reminded the Board that it has been a long-standing policy that WSBA salaries be competitive, at around the 50th percentile for similar jobs in similar markets in Seattle. As a result, the Budget and Audit Committee may submit an amendment to the FY2018 Budget at the November Board meeting.

**PROPOSED FORMATION OF CANNABIS LAW SECTION – Joshua Ashby and Sativa Rasmussen, Formation Group Member, and Paris Eriksen, Sections Program Manager** (first reading)

Mr. Joshua Ashby and Ms. Sativa Rasmussen explained that formation of a Cannabis Law Section is being requested in order to fill the need for a centralized information repository location, and described the process used to gather signatures and submit information to the

Board for approval of the new Section. They emphasized that the Section would be a resource for members to understand what the current laws are in order to help them comply with the laws. Discussion ensued regarding the split between Federal law and Washington state law regarding cannabis; the types of activities expected at this Section's functions; and the importance of providing mentoring and support. Governor Majumdar requested that members be given an opportunity for comment and that this item be put on the November Board meeting agenda for Action.

#### **PROPOSED WSBA STATEMENT DENOUNCING RECENT ACTS OF VIOLENCE AND A REAFFIRMATION OF EQUITY AND INCLUSION PRINCIPLES**

President Furlong explained the background leading up to the proposed statement. Governor Cava moved to approve the statement as contained in the meeting materials. Discussion ensued regarding what to do with the statement once it is approved. Suggestions included posting it on the Board of Governors webpage; publishing it on *Take Note*; circulating it to the minority bar associations; doing a press release; promoting it through social media; and making the ABA delegates aware of it. In reply to an inquiry, General Counsel Davis stated that the proposed statement contained in the meeting materials complies with GR 12. Motion passed unanimously.

#### **FOLLOW-UP FROM JULY RETREAT RE 2017-2018 BOG PRIORITIES**

President Furlong referred the Board to the information contained in the meeting materials and reminded the Board that the topics developed at the July Board retreat on policy and organization priorities for this year included the court system; member engagement and ambassadorship; entity regulation; retention/diversity/inclusion and cultural competence; and member benefits. Discussion ensued regarding which of these five topics to focus on this fiscal year. It was decided to keep entity regulation as the generative discussion topic at the November Board meeting and decide next steps at the end of the discussion.

#### **ITEMS PULLED FROM THE CONSENT CALENDAR**

Proposed Amendments to Article XI Sections re Legislative Activity – Governor Majumdar explained that he pulled this item from the Consent Calendar because he was not sure if this

item was different from the “Legislative Work Group Recommendations” that were also contained on the Consent Calendar. Director Nevitt responded that they are two separate items and explained that the proposed amendment is intended to make it easier for Sections to effectively participate in the legislative process. Governor Meserve moved to approve the proposed amendments as contained in the meeting materials. Motion passed unanimously.

Conforming Amendments to Indian Law Section Bylaws – Governor Majumdar explained that he pulled this item from the Consent Calendar because it is requesting the Board impose the conforming section bylaws on the Indian Law Section at the same time the Section is working to draft its own amended section bylaws to present to the Board. Governor Cava moved to extend the time frame to the November Board meeting for the Indian Law Section to provide proposed amended section bylaws and to strike the recommendation to impose the conforming section bylaws that were requested at the July 2017 Board meeting. General Counsel Davis reminded the Board that imposition of the conforming section bylaws was requested by the Board at the July 2017 Board meeting and that the conforming section bylaws simply state the functionality that is currently in place. Governor Risenmay moved to amend the motion to state that if there is no proposed set of section bylaws from the Indian Law Section by the November Board meeting, that the conforming section bylaws contained in these materials be adopted at that time. Governor Risenmay’s motion to amend failed 1-9. Governor Cava’s original motion passed unanimously.

Mandatory Continuing Legal Education (MCLE) Board Recommendation to Coordinate Fees – Governor Majumdar explained that he pulled this item from Consent because he needs more information regarding how the Limited License Legal Technician (LLLT) fees and the Limited Practice Officer (LPO) fees are different from lawyers’ fees, and how they were handled the previous year. Chief Regulatory Counsel McElroy explained that the recommendation simply brings the sponsor fees on CLE accreditation fees in line with lawyer fees. Governor Doane moved to approve the recommendation to coordinate fees. Motion passed unanimously.



Legislative Work Group Recommendation – Governor Majumdar explained that he pulled this item from Consent in order to give Governor-elect Kyle Sciuchetti, who is the Chair of the WSBA Legislative Committee, an opportunity to speak. Governor-elect Sciuchetti explained his concerns regarding deadlines in the recommendations and requested the Board table this item until the November Board meeting so members who have reached out to him have time to comment on the proposed recommendations. Phil Brady, former Governor and Chair of the Work Group, explained the process used by the Work Group to obtain stakeholder input before making its recommendations, as well as the history of deliberations by the Work Group. He noted that concerns included overlapping and duplicative work, few requests for input in recent history, most of what was previously done by the WSBA Legislative Committee is now being done by the BOG Legislative Committee, inefficiency of current structure, and meetings required even when not needed. He advised that the Work Group felt its recommendations would result in a committee whose structure is more flexible, streamlined, and efficient, and able to provide more value when its input is needed. In answer to a query regarding review by the Committee on Mission Performance and Review, Chair Brady explained that the Work Group felt there would not be a need for the review since its recommendation was for the WSBA Legislative Committee to meet on an ad hoc basis rather than on a regular basis. Governor Cava explained the difference in the responsibilities of the BOG Legislative Committee and the WSBA Legislative Committee, and requested that the Board not redo the work of the Legislative Work Group.

Governor Cava moved to adopt the recommendation with the following amendments: make the WSBA Legislative Committee a standing committee of nine; to be reviewed by the Committee on Mission Performance and Review; and allow the Chair the opportunity to accept proposals outside the deadlines in consultation with the Legislative Affairs Manager, provided there is sufficient time to properly vet the bill. Discussion ensued regarding the current work of the Committee being focused on vetting legislation and the proposed deadlines being too tight. Executive Director Littlewood clarified that the deadlines have not changed and that the recommendation is simply codifying what is already in place; the main impetus for making the committee smaller is because of problems reaching a quorum; and the proposed changes are

because of the creation of the BOG Legislative Committee rather than because of GR 12. Further discussion ensued regarding sunseting the Committee; keeping the committee because of its usefulness in vetting legislation; and the Committee's role in reviewing how proposed bills affect other sections. Governor Cava's motion passed 9-3.

Discipline Advisory Round Table (DART) Annual Report and Suggested Amendments to Charter -  
Governor Majumdar explained that he pulled this item from Consent because he didn't understand the request for the suggested amendments. Executive Director Littlewood explained the current makeup of the roster and that the proposal before the Board is to amend the DART Charter to make the DART an ongoing entity that includes positions for Limited Licensed Legal Technician (LLLT) and Limited Practice Officer (LPO) representatives, sets term limits for appointed members, and provides current members with a one-year extension. She advised that DART was initiated following a 2006 ABA review of the discipline system, has been in existence for eight years, meets ad hoc, is a joint venture between the Bar and the Supreme Court, and enables all actors in the discipline system to convene and confer. She noted that the original charter was for two years, and that the charter has been renewed several times for two-year intervals. She observed that DART has addressed significant discipline-system issues over the past eight years. Governor Risenmay moved to approve the proposal as contained in the meeting materials. Motion passed unanimously.

#### ADJOURNMENT

There being no further business, the Public Session portion of the meeting was adjourned at 3:10 p.m. on Friday, September 29, 2017.

Respectfully submitted,

Paula C. Littlewood  
WSBA Executive Director & Secretary

**DRAFT – SUBJECT TO APPROVAL**

**MINUTES**

**Special Public Session via Conference Call  
Washington State Bar Association  
BOARD OF GOVERNORS**

**Seattle, WA  
October 3, 2017**

The Special Public Session via conference call of the Board of Governors of the Washington State Bar Association (WSBA) was called to order by President Brad Furlong on Tuesday, October 3, 2017, at 9:33 a.m., at the WSBA Conference Center, Seattle, Washington. Governors in attendance by phone were:

James K. Doane  
Angela M. Hayes  
Jean Y. Kang  
Christina A. Meserve  
G. Kim Risenmay  
Kyle D. Sciuchetti  
Alec Stephens  
Paul Swegle  
Brian Tollefson

Also in attendance by phone were President Brad Furlong, former Immediate Past-President Bill Hyslop, Executive Director Paula Littlewood, and Chief Regulatory Counsel Jean McElroy. Present in the room were General Counsel Sean Davis, Chief Operations Officer Ann Holmes, Director of Advancement/Chief Development Officer Terra Nevitt, and Executive Assistant Margaret Shane. Governors Dan Bridges, Dan Clark, Rajeev Majumdar, and Athan Papailiou were not present for the meeting.

President Furlong announced that Governor Tollefson had been sworn in that morning by The Honorable James R. Verellen and that notice had been sent to General Counsel Davis by Judge Verellen confirming the swearing in.

President Furlong then explained that the purpose of this special meeting was to take action on a proposed WSBA Bylaw amendment to address the vacant Immediate Past-President seat on the Board due to the early resignation of former President Robin Haynes. He informed the Board that Bill Hyslop was willing to continue his service as Immediate Past-President for an additional year. Governor Stephens moved to approve the proposed WSBA Bylaw amendment that would allow the most recent Immediate Past-President to remain in office for another term, if able and willing; otherwise, the President would appoint a person eligible to serve as an Officer to act as Immediate Past-President for the vacant term, subject to approval of the Board. Motion passed unanimously.

**ADJOURNMENT**

There being no further business, the Special Public Session meeting was adjourned at 9:40 a.m. on Tuesday, October 3, 2017.

Respectfully submitted,

Paula C. Littlewood  
WSBA Executive Director & Secretary

**EXECUTIVE DIRECTOR'S REPORT**

**November 8, 2017**

**Dialogue Begins with WSBA-CLE and Sections Regarding Responses to Changing Market Conditions**

October 26th kicked-off a presentation and discussion around the current fiscal models of collaboration between WSBA-CLE and Sections as well as market trends impacting CLE attendance. The goal of this important dialogue is to improve collaboration for the future. The topic of WSBA-CLE and how best to maximize the partnership with Sections has been a high priority and was a requested topic for future discussion at the conclusion of the Sections Policy Workgroup in September 2016. Following the October 26th meeting, dialogue will continue with the Section leaders through various opportunities to ask questions, share ideas, and provide input. Instruments for receiving the feedback will include a survey, pre-scheduled conference calls, and a second meeting to be held in January 2018. Following these discussions and based on the feedback received, WSBA staff anticipate briefing Budget and Audit in February of 2018 on potential revisions to WSBA Fiscal Policies regarding CLEs. Following Committee consideration, potential policy revisions could go before the BOG on first reading as early as March.

**Meeting with WSBA Officers and Washington Supreme Court**

The Officers and I had the traditional Fall meeting with the Supreme Court at the Temple of Justice on October 4th. General Counsel Sean Davis and Chief Disciplinary Counsel Doug Ende also joined us. Topics for discussion at the meeting included:

- Updates from President Brad Furlong, including progress being made on rule drafting for the coordinated discipline system; notifying the Court that, per the Court's request, a draft Court Order and/or draft suggested amendments to GR 12 would be forthcoming for the Court's consideration for implementing the BOG's Bylaw Amendment last September to add three members to the Board of Governors (two public members and one member to be either an LLLT or LPO); an update on the recent restructuring of the California State Bar and the Anti-Trust Policy recently adopted by the California Supreme Court; and a general update on the Communication and Outreach department and how WSBA is better positioned for outreach as well as engagement with members and the public.
- We also discussed with the Court the formation of the Mandatory Malpractice Insurance Task Force as well as the Referendum Bylaw Work Group.
- The final update was regarding the upcoming Generative Discussion on Entity Regulation at the November BOG meeting. The Court has previously seen a presentation on Entity Regulation.



### **Kudos to Shanthi Raghu, the 2018 President of the South Asian Bar Association of Washington (SABAW)!**

SABAW is an organization of South Asian legal professionals in Washington State dedicated to providing access to legal resources and support for issues relevant to the South Asian community. SABAW is also committed to identifying and advancing the areas where economic, social and political interests intersect with South Asian legal issues, and they work to provide opportunities for law students in Washington to get involved in these areas. SABAW serves as a liaison between South Asian legal professionals and the legal community at large and strives to provide its members with education, opportunities to expand their personal networks and resources, and a platform for community outreach and involvement. Education Programs Lead Shanthi Raghu will commence her term as President in January – congratulations, Shanthi!!

### **Volunteer engagement survey**

A volunteer engagement survey was sent in October to almost 1,200 section leaders, CLE faculty, desk book editors, program development teams, and non-regulatory committee members. The survey asks these volunteers to rate how well they understood their role, what contribution they think they made, and how much they felt valued, among other questions. The survey results will be used to continue improving the WSBA volunteer experience by understanding volunteers' experiences, and will be shared with the Board of Governors once they are compiled.

### **Updates in Process for WSBA Demographic Form**

About a decade ago WSBA began collecting demographic information from our membership. The questions and their careful wording were developed through a collaboration between WSBA and leaders of Minority Bar Associations (MBAs). We sought this information in order to better understand the demographic composition of our membership and assess trends. Initially, a member could volunteer this confidential information the first time the member received their license. Once submitted, there was no convenient way for members to update this information or choose to offer this information at a later date.

As we recognized the importance of collecting demographics information on our membership in order to assess the current status of legal professionals from varied backgrounds, we realized the need to ensure our process was accessible and encouraged reporting of this information more easily. We also recognized that, with the advancement of our diversity and inclusion efforts and social changes, some of the language we were using did not adequately represent the different identities that are present in the membership.

As such, over the last year and an half we have undertaken a process to update the demographic form. The first step in this process was to include the four confidential demographic questions – for the first time – on the 2017 re-licensing form. This meant that all members were prompted to respond to the voluntary demographics questions whether re-licensing on-line or through paper forms. The result was dramatic, with several thousand more people voluntarily providing the information. For example, we went from knowing the racial identity of 64% of members to 72%. More impressively, we went from knowing only 16% of our members' disability status to knowing 44%.

Importantly, though, adding these questions to the re-licensing process is not sufficient to address societal changes over the last decade in terms of the language and norms for describing various identities. Our questions need a refresh, so we have been working to revise and update them. As part of this process we reached out to all WSBA members, MBA leadership, and other stakeholders to ask for input, information, and recommendations for WSBA demographic collection. We also researched best practices and the methods of collection used by institutions like the American Bar Association (ABA) and the US Census Bureau. We had several goals in mind as we revised the questions: 1) obtain reliable, useable, analyzable data; 2) create questions that mirror our modern day understanding of identity; 3) create an inclusive experience for those voluntarily providing their demographics. We will again be reaching out to our stakeholders with proposed language to gather comments and feedback before finalizing any possible changes. We hope to have revised questions for the 2019 licensing process and will keep you updated as the new form is finalized.

**Executive Director Activity Report (attached)**

**WSBA Demographics Report (attached)**

**Correspondence and Other Informational Items (attached)**

**Summary of WSBA Outreach Visits (attached)**

**Media Contacts Report (attached)**

**Update on Various Court Rules (attached)**

# WASHINGTON STATE BAR ASSOCIATION

Office of the Executive Director  
Paula C. Littlewood, Executive Director

## ACTIVITY REPORT

Paula C. Littlewood

October 1, 2017 – November 16, 2017

### Current Service on Boards and Committees

Local: University of Washington School of Law Leadership Council, Executive Committee Member; University of Washington School of Law Public Interest Law Association Board of Advisors.

National: Institute for the Advancement of the American Legal System (IAALS) Board of Advisors.

International: International Institute of Law Association Chief Executives (IILACE), Secretary/Treasurer and Member of Program Committee.

### Meetings with Other WSBA and External Constituents

Legal Community Leaders	5
Meetings for Outside Boards	1
Other	4

### WSBA- and BOG-Related Meetings:

BOG Executive Committee Meeting	October 26
BOG Meeting	November 15-16
BOG Officers meeting with Supreme Court	October 4
BOG Personnel Committee Meeting	November 9
BOG President Weekly Calls	7
BOG Special Meeting	October 3
Discipline Advisory Round Table (DART) Conference Call	November 8
Referendum Review Work Group Meeting	2
WSBA Budget and Audit Committee Meeting	October 26
WSBA Supreme Court-Created Boards Chair Coordination Meeting	October 23
WSBA Committees Chairs & Liaisons Meeting – Welcome	October 23
WSBA Section Leaders Fall Meeting – Welcome	October 26
Other	5





**Staff-Related Meetings:**

Coffees with New Staff	4
Executive Management Team Meetings	6
New Hires Lunch	October 3
Outreach & Legislative Affairs Manager Interviews	5
Staff Advisory Forum for Employees (SAFE) Meeting	November 9
Weeklies with Communications & Outreach Department Core Team	3
Weeklies with Staff Direct Reports	13
WSBA Employee Service Awards	October 25
WSBA Management Culture and Norms Training	November 7
Other	10

**National/International-Related Meetings:**

Institute for the Advancement of the American Legal System (IAALS) Board Meeting in Denver (funded by host)	October 19-20
IAALS Educating Tomorrow's Lawyers Conference in Denver – Keynote Speaker (funded by host)	October 5-7
International Institute of Law Association Chief Executives (IILACE) Conference in London (self funded)	October 1-4
Northwest Bars Leadership Meeting in Salt Lake City	October 12

**Presentations**

Futures Presentation at WSBA Diversity Committee Meeting	November 15
Professionalism Presentation at Seattle University School of Law in Seattle	November 13

**WSBA Member\* Demographics Report 11/1/17 1:19:51 PM GMT-07:00**

By Years Licensed	
Under 6	8,661
6 to 10	5,716
11 to 15	5,416
16 to 20	4,452
21 to 25	4,131
26 to 30	3,181
31 to 35	2,965
36 to 40	2,565
41 and Over	2,744
<b>Total:</b>	<b>39,831</b>

By Firm Size	
Solo	5,650
Solo in Shared Office or	1,692
Government/ Public Secto	4,898
In House Counsel	2,795
2-5 Lawyers in Firm	4,823
6-10 Lawyers in Firm	2,036
11-20 Lawyers in Firm	1,459
21-35 Lawyers in Firm	935
36-50 Lawyers in Firm	679
51-100 Lawyers in Firm	714
100+ Lawyers in Firm	2,190

**Respondents 27,871**  
**No Response 11,960**  
**All Member Types 39,831**

By Ethnicity	
American Indian / Native American	246
Asian	1,395
Black/African descent	629
Caucasian/White	23,995
Multi Racial	787
Not Listed	138
Pacific Islander	54
Spanish/Hispanic/Latina/o	677
<b>Respondents</b>	<b>27,921</b>
<b>No Response</b>	<b>11,910</b>
<b>All Member Types</b>	<b>39,831</b>

By Gender	
FEMALE	11,970
MALE	17,376
<b>Respondents</b>	<b>29,346</b>
<b>No Response</b>	<b>10,485</b>
<b>All Member Types</b>	<b>39,831</b>

By Disabled Status	
N	17,173
Y	925

By LGBT	
N	17,006
Y	987

By Age	All	Active
21 to 30	2,078	2,011
31 to 40	9,105	8,206
41 to 50	9,566	7,923
51 to 60	8,719	6,939
61 to 70	7,783	5,938
71 to 80	2,030	1,377
Over 80	550	123
<b>Total:</b>	<b>39,831</b>	<b>32,517</b>

By Practice Area	
Administrative/regulator	2,197
Agricultural	215
Animal Law	107
Antitrust	287
Appellate	1,579
Aviation	145
Banking	444
Bankruptcy	1,074
Business/ Commercial	5,157
Civil Litigation	5,298
Civil Rights	1,012
Collections	587
Communications	215
Constitutional	605
Construction	1,323
Consumer	746
Contracts	4,098
Corporate	3,427
Criminal	3,936
Debtor-creditor	998
Disability	675
Dispute Resolution	1,347
Education	478
Elder	938
Employment	2,786
Entertainment	314
Environmental	1,311
Estate Planning/ Probate	3,531
Family	2,904
Foreclosure	551
Forfeiture	79
General	2,921
Government	2,738
Guardianships	899
Health	933
Housing	288
Human Rights	311
Immigration & Naturaliza	989
Indian	589
Insurance	1,731
Intellectual Property	2,196
International	891
Judicial Officer	377
Juvenile	894
Labor	1,118
Landlord/ Tenant	1,310
Land Use	808
Legal Ethics	281
Legal Research & Writing	686
Legislation	393
Litigation	4,479
Lobbying	168
Malpractice	779
Maritime	294
Military	365
Municipal	941
Non-profit/tax Exempt	574
Not Actively Practicing	1,717
Oil, Gas & Energy	202
Patent/ Trademark/ Copyr	1,271
Personal Injury	3,350
Real Property	2,473
Real Property/ Land Use	2,330
Securities	796
Sports	152
Subrogation	82
Tax	1,311
Torts	2,098
Traffic Offenses	726
Workers' Compensation	714

By Languages Spoken	
Afrikaans	6
Akan /twi	4
Albanian	2
American Sign Lanau	13
Amharic	15
Arabic	48
Armenian	6
Bengali	11
Bosnian	7
Bulgarian	13
Burmese	2
Cambodian	6
Cantonese	91
Cebuano	3
Chamorro	4
Chaozhou/chiu Chow	1
Chin	2
Croatian	18
Czech	7
Danish	19
Dari	2
Dutch	22
Eavotian	1
Farsi/persian	55
Fijian	1
Finnish	7
French	671
French Creole	2
Fukienese	3
Ga/kwa	2
German	415
Greek	27
Gujarati	13
Haitian Creole	1
Hebrew	37
Hindi	79
Hmong	1
Hungarian	13
Ibo	5
Icelandic	1
Ilocano	9
Indonesian	10
Italian	147
Japanese	202
Kannada/canares	3
Khmer	1
Konao/kikonao	1
Korean	221
Lao	6
Latvian	6
Lithuanian	4
Malay	3
Malavalam	8
Mandarin	313
Marathi	5
Monqolian	1
Navaio	1
Neqali	3
Norwegian	37
Not listed	26
Oromo	3
Other	23
Pashto	1
Persian	21
Polish	33
Portuquese	113
Portuquese Creole	1
Puniabi	52
Romanian	17
Russian	221
Samoa	8
Serbian	16
Serbo-croatian	7
Sign Lanauuae	23
Sinhalese	2
Slovak	2
Somali	1
Spanish	1,703
Spanish Creole	9
Swahili	3
Swedish	54
Taqaloq	61
Taishanese	2
Taiwanese	16
Tamil	8
Teluuu	3
Thai	14
Tiarinva	3
Tonqan	1
Turkish	8
Ukrainian	37
Urdu	32
Vietnamese	81
Yoruba	9
Yuaoslavian	1

\* Includes active attorneys, emeritus pro-bono, honorary, inactive attorneys, judicial, limited license legal technician (LLLT), and limited practice officer (LPO).

**WSBA Member\* Licensing Counts 11/1/17 1:16:40 PM GMT-07:00**

Member Type	In WA State	All	By District		By State and Province		By WA County		By Admit Yr		
				All	Active						
Attorney - Active	26,180	32,517	0	2,582	1,760	Alabama	23	Adams	16	1940	3
Attorney - Emeritus	109	114	1	2,867	2,408	Alaska	209	Asotin	28	1941	2
Attorney - Honorary	339	384	2	1,959	1,600	Alberta	8	Benton	395	1942	1
Attorney - Inactive	2,199	5,214	3	2,054	1,743	Arizona	318	Chelan	256	1944	1
Judicial	610	630	4	1,342	1,131	Arkansas	14	Clallam	153	1945	1
LLLT - Active	23	23	5	3,102	2,559	Armed Forces Americas	1	Clark	885	1946	2
LLLT - Inactive	1	1	6	3,198	2,704	Armed Forces Europe, Middle East	23	Columbia	8	1947	6
LPO - Active	770	779	7N	5,292	4,547	Armed Forces Pacific	20	Cowlitz	141	1948	8
LPO - Inactive	157	169	7S	7,026	5,844	British Columbia	89	Douglas	26	1949	19
	30,388	39,831	8	2,144	1,823	California	1,677	Ferry	14	1950	16
			9	4,756	4,051	Colorado	230	Franklin	53	1951	29
			10	2,777	2,347	Connecticut	54	Garfield	3	1952	27
				39,099	32,517	Delaware	5	Grant	132	1953	28
						District of Columbia	338	Grays Harbor	119	1954	29
						Florida	237	Island	141	1955	20
						Georgia	77	Jefferson	101	1956	42
						Guam	19	King	16,647	1957	34
						Hawaii	128	Kitsap	747	1958	42
						Idaho	408	Kittitas	83	1959	42
						Illinois	150	Klickitat	23	1960	33
						Indiana	32	Lewis	118	1961	30
						Iowa	32	Lincoln	14	1962	35
						Kansas	33	Mason	94	1963	35
						Kentucky	23	Okanogan	98	1964	43
						Louisiana	47	Pacific	28	1965	59
						Maine	11	Pend Oreille	21	1966	65
						Maryland	112	Pierce	2,310	1967	70
						Massachusetts	85	San Juan	78	1968	100
						Michigan	69	Skagit	286	1969	113
						Minnesota	97	San Juan	78	1970	121
						Mississippi	5	Skamania	17	1971	130
						Missouri	59	Snohomish	1,600	1972	201
						Montana	164	Spokane	1,943	1973	302
						Nebraska	17	Stevens	58	1974	289
						Nevada	134	Thurston	1,559	1975	362
						New Hampshire	10	Wahkiakum	10	1976	437
						New Jersey	65	Walla Walla	112	1977	433
						New Mexico	62	Whatcom	568	1978	490
						New York	233	Whitman	78	1979	531
						North Carolina	85	Yakima	458	1980	542
						North Dakota	9			1981	571
						Northern Mariana Islands	8			1982	547
						Nova Scotia	1			1983	589
						Ohio	67			1984	667
						Oklahoma	27			1985	470
						Ontario	13			1986	727
						Oregon	2,644			1987	632
						Pennsylvania	71			1988	599
						Puerto Rico	3			1989	637
						Quebec	1			1990	771
						Rhode Island	12			1991	766
						Saskatchewan	1			1992	763
						South Carolina	26			1993	801
						South Dakota	9			1994	822
						Tennessee	50			1995	837
						Texas	328			1996	770
						Trust Territories	1			1997	872
						Utah	160			1998	819
						Vermont	18			1999	858
						Virginia	280			2000	870
						Virgin Islands	1			2001	941
						Washington	30,388			2002	1,018
						West Virginia	7			2003	1,046
						Wisconsin	43			2004	1,058
						Wyoming	21			2005	1,076
										2006	1,109
										2007	1,188
										2008	1,100
										2009	1,011
										2010	1,094
										2011	1,075
										2012	1,112
										2013	1,256
										2014	1,385
										2015	1,663
										2016	1,335
										2017	1,229

Misc Counts		
All License Types **		40,081
All WSBA Members		39,831
Members in Washington		30,388
Members in western Washington		25,602
Members in King County		16,647
Members in eastern Washington		3,819
Active Attorneys in western Washington		22,109
Active Attorneys in King County		14,765
Active Attorneys in eastern Washington		3,190
New/Young Lawyers		7,407
MCLE Reporting Group 1		10,874
MCLE Reporting Group 2		11,320
MCLE Reporting Group 3		10,661
Foreign Law Consultant		20
House Counsel		220
Indigent Representative		10

By Section ***	All	Previous Year
Administrative Law	289	235
Alternative Dispute Resolution	393	389
Animal Law	127	115
Antitrust, Consumer Protection and Unfair Business Practice	222	211
Business Law	1,396	1,365
Civil Rights Law	216	143
Construction Law	537	519
Corporate Counsel	1,177	1,072
Creditor Debtor Rights	561	584
Criminal Law	551	495
Elder Law	724	690
Environmental and Land Use Law	849	855
Family Law	1,307	1,322
Health Law	425	386
Indian Law	347	333
Intellectual Property	999	961
International Practice	285	302
Juvenile Law	226	202
Labor and Employment Law	1,063	1,024
Legal Assistance to Military Personnel	109	106
Lesbian, Gay, Bisexual, Transgender (LGBT) Law	146	110
Litigation	1,200	1,235
Low Bono	140	126
Real Property Probate and Trust	2,420	2,346
Senior Lawyers	312	286
Solo and Small Practice	1,048	1,025
Taxation	680	649
World Peace Through Law	124	102

\* Per WSBA Bylaws 'Members' include active attorney, emeritus pro-bono, honorary, inactive attorney, judicial, limited license legal technician (LLLT), and limited practice officer (LPO) license types.

\*\* All license types include active attorney, emeritus pro-bono, foreign law consultant, honorary, house counsel, inactive attorney, indigent representative, judicial, LPO, and LLLT.

\*\*\* The values in the All column are reset to zero at the beginning of the WSBA fiscal year (Oct 1). The Previous Year column is the total from the last day of the fiscal year (Sep 30). WSBA staff with complimentary membership are not included in the counts.

2017 – 18

AMERICAN BAR ASSOCIATION

Center for Professional Responsibility  
Policy Implementation Committee

321 N. Clark Street  
Chicago, IL 60610  
Phone: (312) 988-5298  
Fax: (312) 988-5491  
[briana.billingslea@americanbar.org](mailto:briana.billingslea@americanbar.org)

John S. Gleason, CHAIR  
Burns, Figa & Will, P.C.  
Greenwood Village, CO

October 2, 2017

**MEMBERS**

Lawrence Bloom  
D.C. Office of Disciplinary Counsel  
Washington, DC

Kellie R. Early  
National Conference of Bar Examiners  
Madison, WI

Carla J. Freudenberg  
Regulation Counsel  
District of Columbia Bar  
Washington, DC

Linda A. Gosnell  
Lexington, KY

Helen Hierschbiel  
Executive Director  
Oregon State Bar  
Tigard, OR

Janet Green Marbley  
Lawyers' Fund for Client Protection  
Columbus, OH

Ronald C. Minkoff  
Frankfurt Karnit Klein & Selz  
New York, NY

Honorable Mary E. Fairhurst  
Chief Justice  
Washington State Supreme Court  
P.O. Box 40929  
Olympia, WA 98504-0929

**Re: Implementation of ABA Model Regulatory Objectives for the Provision of Legal Services**

Dear Chief Justice Fairhurst:

In August 2016, the ABA Commission on the Future of Legal Services released its final [Report and Recommendations](#). The Report presented the Commission's findings regarding the nature and extent of the access to justice crisis in the United States and identified a number of possible solutions. Among its recommendations, the Commission encouraged courts to consider the adoption of the [ABA Model Regulatory Objectives for the Provision of Legal Services](#).

**SPECIAL ADVISOR**

Mark I. Harrison  
Osborn Maledon, P.A.  
Phoenix, AZ

The ABA Model Regulatory Objectives were adopted by the ABA House of Delegates in February 2016, in response to a proposal from the Commission. The Commission cited several reasons for the proposal, including:

**STAFF**

Tracy L. Kepler  
Center Director  
Chicago, IL

Briana N. Billingslea  
Lead Senior Counsel  
Chicago, IL

- Offering guidance to an increasing number of U.S. jurisdictions that have adopted, or are considering the adoption of, regulatory objectives;
- Helping a jurisdiction's highest court, if it chooses, to oversee and possibly regulate the proliferation of nonlawyer providers in the marketplace;
- Assisting courts as they consider creating additional categories of legal services providers, such as legal document preparers and limited license legal technicians;
- Assisting regulatory bodies with the interpretation of legal services regulations; and
- Offering the public and regulated professionals transparent rationales for legal services regulations.

On February 3, 2016, the Conference of Chief Justices adopted a [Resolution](#) recognizing the value of regulatory objectives and recommending that the Conference's members consider them. That Resolution suggested that the ABA Model Regulatory Objectives could serve "as a means to help assess the state's existing regulatory framework and to help identify and implement regulations related to legal services beyond the traditional regulation of the legal profession."

While the House of Delegates was in the process of adopting the ABA Model Regulatory Objectives, the Supreme Court of Colorado adopted regulatory objectives that are similar to the ABA Model Regulatory Objectives in many ways. In June 2017, the Supreme Court of Washington adopted [Regulatory Objectives](#) based upon the ABA Model, effective September 1, 2017. Further, we have been informed that various other jurisdictions are also studying the ABA Model Regulatory Objectives.

We hope that you too will consider the ABA Model Regulatory Objectives, if you are not already doing so, and that your court will ultimately consider their adoption by means of a court rule, court order, or some other form that best fits the needs of your jurisdiction. The ABA Center for Professional Responsibility's Policy Implementation Committee and members of the Commission are available to provide any assistance you may need as you consider the adoption of the regulatory objectives.

Should you have any questions or want assistance, please do not hesitate to contact Policy Implementation Counsel Briana N. Billingslea, at [Briana.Billingslea@americanbar.org](mailto:Briana.Billingslea@americanbar.org) or at (312) 988-5298.

Respectfully,



John S. Gleason, Chair  
Center for Professional Responsibility  
Policy Implementation Committee



Judy Perry Martinez, Former Chair  
Commission on the Future of Legal Services

cc: State Bar Association President  
State Bar Association Executive Director  
State Bar Admissions Director  
ABA State Delegate  
Chief Disciplinary Counsel

# WASHINGTON STATE BAR ASSOCIATION

Office of the Executive Director  
Paula c. Littlewood, Executive Director

October 4, 2017

The Honorable Charles Johnson, Chair  
Washington State Supreme Court Rules Committee  
P.O. Box 40929  
Olympia, WA 98504-0929

Re: Suggested Amendments to RALJ 9.3

Dear Justice Johnson,

The Washington State Bar Association Council on Public Defense (“Council”) respectfully submits this letter urging the Court to adopt the suggested amendments to Rule for Appeal of Decisions of Courts of Limited Jurisdiction (“RALJ”) 9.3. These amendments are intended to align the RALJ cost provisions with other recent amendments to appellate cost provisions adopted by the Court. This comment by the Council on the suggested amendments has been approved as allowed by the Washington State Bar Association’s (“WSBA’s”) policy governing comments on legislation and court rules. The comments are solely those of the Council on Public Defense.

The Council is comprised of representatives of the public and private defense bar, current and former prosecutors, judicial officers, public officials, and at-large members, and has the charge of addressing issues affecting the quality of access to public defense services.

RALJ 9.3 governs the procedure for awarding costs for cases appealed from courts of limited jurisdiction. Currently, the rule provides that “the party that substantially prevails on appeal shall be awarded costs on appeal.” RALJ 9.3(a). Thus, courts are precluded from considering a defendant’s ability to pay before awarding costs to the substantially prevailing party. Consequently, persons who are indigent are often ordered to pay appellate costs despite lacking any current or likely future ability to pay.

Magda Baker of the Washington Defender Association (WDA) submitted suggested amendments to RALJ 9.3 providing that,

*The party that substantially prevails on a criminal appeal shall be awarded costs on appeal unless the superior court judge determines the criminal defendant does not have the current or likely future ability to pay such costs. Costs will be imposed against a party whose appeal is involuntarily dismissed unless that party is a criminal defendant and the superior court judge determines the*



*criminal defendant does not have the current or likely future ability to pay such costs. When the trial court has entered an order that a criminal defendant is indigent for purposes of appeal, that finding of indigency remains in effect unless the superior court judge determines by a preponderance of the evidence that the criminal defendant's financial circumstances have significantly improved since the last determination of indigency. The superior court judge may consider any evidence offered to determine the individual's current or future ability to pay. Costs will be awarded in a case dismissed by reason of a voluntary withdrawal of an appeal only if the superior court so directs at the time the order is entered permitting the voluntary withdrawal of the appeal.*

RALJ 9.3 (Suggested amendments in italics).

Under the suggested amendments, costs of appeal in civil cases would continue to be awarded to the substantially prevailing party without any consideration of ability to pay.

Given the Court's recent work on appellate costs, we believe it is appropriately situated to consider the suggested amendments to RALJ 9.3. This past year, the Court addressed appellate costs for appeals from the Superior Court when it adopted amendments to RAP 14.2. That rule, like the current version of RALJ 9.3, previously required the commissioner or clerk of the court to award appellate costs to the substantially prevailing party on review without consideration of the defendant's ability to pay. The amended language adopted by the Court largely mirrored the suggested language in RALJ 9.3 by requiring consideration of the defendant's ability to pay and the presumption of indigence throughout the appeal.

The Council believes these changes are necessary to increase access to justice within the courts, protect indigent defendants from unnecessary financial burdens, and promote the fair and proportional imposition of appellate costs.

Thank you in advance for your consideration of the CPD's request and the suggested changes to RALJ 9.3.

Sincerely,



Paula Littlewood  
Executive Director



Eileen Farley  
Council on Public Defense Chair

cc: President Brad Furlong, WSBA Board of Governors  
Nick Allen, Member, Council on Public Defense and LFO Subcommittee

**WASHINGTON STATE  
BAR ASSOCIATION**

Office of the Executive Director  
Paula C. Littlewood, Executive Director

October 9, 2017

The Honorable Mary E. Fairhurst  
Chief Justice, Washington Supreme Court  
Temple of Justice  
P.O. Box 40929  
Olympia, WA 98504-0929

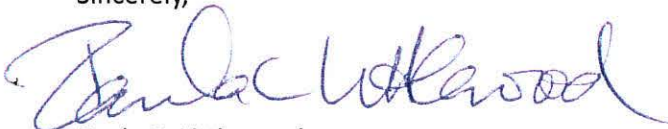
**RE: Suggested Rule Amendments approved at July WSBA Board of Governors Meeting**

Dear Chief Justice Fairhurst,

On July 27 and 28, 2017, the WSBA Board of Governors approved suggested rule amendments for submission to the Court. These suggested amendments were recommended and approved by the WSBA Court Rules and Procedures Committee. The suggested amendments would modify IRLJ 3.3 and RALJ 9.2. Enclosed please find the GR 9 cover sheets and text for the suggested amendments.

If you have any questions, please feel free to contact me, or direct them to Shannon Kilpatrick, Chair of the WSBA Court Rules and Procedures Committee, at [shannon@dawson-brown.com](mailto:shannon@dawson-brown.com) or (206) 262-1444.

Sincerely,



Paula C. Littlewood

Enclosures

cc: Hon. Charles Johnson, Chair, Washington Supreme Court Rules Committee  
Bradford E. Furlong, President, WSBA  
William D. Pickett, President-Elect, WSBA  
Shannon Kilpatrick, Chair, WSBA Court Rules and Procedures Committee  
Shannon Hinchcliffe, Administrative Officer for the Courts  
Kevin Bank, Staff Liaison, WSBA Court Rules and Procedures Committee





---

# GR 9 COVER SHEET

---

## Suggested Amendment to THE INFRACTION RULES FOR COURTS OF LIMITED JURISDICTION (IRLJ)

### Rule 3.3 – PROCEDURE AT CONTESTED HEARING

Submitted by the Board of Governors of the Washington State Bar Association

---

#### A. Name of Proponent:

Washington State Bar Association.

#### B. Spokespersons:

Bradford E. Furlong, President, Washington State Bar Association, 1325 4th Avenue, Suite 600, Seattle, WA 98101-2539

Shannon Kilpatrick, Chair, WSBA Court Rules and Procedures Committee, Washington State Bar Association, 1325 4<sup>th</sup> Ave., Ste. 600, Seattle, WA 98101-2539 (telephone 425-388-7365)

Kevin Bank, WSBA Assistant General Counsel, Washington State Bar Association, 1325 4th Avenue, Suite 600, Seattle, WA 98101-2539 (telephone 206-733-5909)

#### C. Purpose:

The purpose of the suggested amendment to IRLJ 3.3 is to codify in the IRLJ the currently accepted practice that a defendant need not personally appear at a contested infraction hearing when the defendant is represented by an attorney. The current practice is supported by Civil Rule 70.1(a), which permits an attorney “admitted to practice in this state” to “appear for a party by filing a notice of appearance.” The suggested amendment to the IRLJ seeks to clarify that absent special circumstances, when an attorney appears for a defendant, the defendant is not failing to appear.

The language in the suggested amendment is a culmination of a multi-year process that began in 2015. The initial language that was presented to the IRLJ Subcommittee and Committee for review was sent to stakeholders for input on the proposed change. In light of the feedback that was received, the IRLJ Subcommittee redrafted the language to what is included here. The redraft was done with the input of six infraction practitioners. Even though stakeholders had been involved in the redrafting process, the updated language then was re-circulated to stakeholders, including the Washington Association of Prosecuting Attorneys, Washington Defenders’ Association, a representative of the District Court Judge’s Association, and many individual infraction defense attorneys and prosecutors.

The only objections received from stakeholders were concerns that prosecutors would be forced to resort to serving a subpoena on the defendant if the prosecutor wanted to call the defendant as a witness and this could lead to delays. The suggested amendment addresses this concern by requiring a lawyer to expressly include a waiver of defendant’s presence in his/her notice of appearance. The prosecutor will then be on notice of the defendant’s absence and can opt to subpoena the defendant if the prosecutor needs the defendant’s presence.

The suggested amendment also expressly acknowledges that there are some scenarios where the defendant's presence may still be required, notwithstanding the waiver of presence. The last clause of the last sentence in the suggested amendment to IRLJ 3.3(b) provides that the defendant must still personally appear if "the defendant's presence is otherwise required by statute or these court rules." It was felt that this more general reference to other court rules and statutes was better than attempting to list all of the specific court rules and statutes that could require a defendant's presence. This way, the rule would not need to be amended any time the statutes or court rules were changed, deleted, or renumbered or other court rules and statutes were added that affected this proposed language.

The Board of Governors ("BOG") considered the proposed amendment to IRLJ 3.3(b) at its March 9, 2017 meeting and voted not to accept the proposed amendment as submitted, and instead to remand it to the Committee to consider making one change. The BOG suggested to substitute "these" with "the" in the last sentence of the proposed amended language.

The Committee met on May 15, 2017, and voted unanimously to adopt the BOG's recommended change.

The BOG met on July 28, 2017, and voted to accept the proposed amended language.

- D. **Hearing**: A hearing is not requested.
- E. **Expedited Consideration**: Expedited consideration is not requested.
- F. **Supporting Material**: Suggested rule amendment.

**SUGGESTED AMENDMENT**  
**INFRACTION RULES FOR COURTS OF LIMITED**  
**JURISDICTION (IRLJ)**  
**RULE 3.3 – PROCEDURE AT CONTESTED HEARING**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

RULE IRLJ 3.3 PROCEDURE AT CONTESTED HEARING

- (a) Generally. The court shall conduct the hearing for contesting the notice of infraction on the record in accordance with applicable law.
- (b) Representation by Lawyer. At a contested hearing, the plaintiff shall be represented by a lawyer representative of the prosecuting authority when prescribed by local court rule. The defendant may be represented by a lawyer. If the defendant is represented by a lawyer, and the lawyer has filed a notice of appearance, including a waiver of the defendant's presence, the defendant need not personally appear at the contested hearing unless the defendant's presence is otherwise required by statute or these the court rules.

**SUGGESTED AMENDMENT**  
**INFRACTION RULES FOR COURTS OF LIMITED**  
**JURISDICTION (IRLJ)**  
**RULE 3.3 – PROCEDURE AT CONTESTED HEARING**

1  
2 RULE IRLJ 3.3 PROCEDURE AT CONTESTED HEARING

3 (a) Generally. The court shall conduct the hearing for contesting the notice of infraction on the  
4 record in accordance with applicable law.

5 (b) Representation by Lawyer. At a contested hearing, the plaintiff shall be represented by a  
6 lawyer representative of the prosecuting authority when prescribed by local court rule. The  
7 defendant may be represented by a lawyer. If the defendant is represented by a lawyer, and  
8 the lawyer has filed a notice of appearance, including a waiver of the defendant's presence,  
9 the defendant need not personally appear at the contested hearing unless the defendant's  
10 presence is otherwise required by statute or the court rules.

---

# GR 9 COVER SHEET

---

**Suggested Amendment to  
THE RULES FOR APPEAL OF COURTS OF LIMITED JURISDICTION  
(RALJ)**

**Rule 9.2 – ENTRY OF DECISION AND ENFORCEMENT JUDGMENT**

**Submitted by the Board of Governors of the Washington State Bar Association**

---

**A. Name of Proponent:**

Washington State Bar Association.

**B. Spokespersons:**

Bradford E. Furlong, President, Washington State Bar Association, 1325 4th Avenue, Suite 600, Seattle, WA 98101-2539

Shannon Kilpatrick, Chair, WSBA Court Rules and Procedures Committee, Washington State Bar Association, 1325 4<sup>th</sup> Ave., Ste. 600, Seattle, WA 98101-2539 (telephone 425-388-7365)

Kevin Bank, WSBA Assistant General Counsel, Washington State Bar Association, 1325 4th Avenue, Suite 600, Seattle, WA 98101-2539 (telephone 206-733-5909)

**C. Purpose:**

To clarify in the RALJ how and when a mandate issues after cases are appealed to the Superior Court, and the procedure for notifying the court of limited jurisdiction of the issuance of the mandate. The proposed amendment to RALJ 9.2 is designed to provide better guidance to the Superior Court clerks about how mandates should be processed once the Superior Court issues its decision in a RALJ appeal.

The current language of RALJ 9.2 provides minimal guidance on how to process mandates, leading to inconsistency among jurisdictions and confusion among practitioners. If adopted, the proposed amendment will help standardize the RALJ appeal process to more closely mirror that of the Court of Appeals. The proposed language is taken almost verbatim from RAP 12.5 discussing the mandate process in the Court of Appeals. The proposed amendment will also provide more specific guidance to the Superior Court clerks in dealing with mandates in criminal cases.

The WSBA Court Rules and Procedures Committee contacted stakeholders, including the District and Municipal Court Judges' Association, Washington Association of Prosecuting Attorneys; Washington Defender Association, and the Washington State Municipal Attorneys. There was broad support for the proposed amendment among stakeholders and no opposition to the proposal.

The Board of Governors reviewed the proposed amendment to RALJ 9.2 in July 2017 and approved its submission to the Court.

- D. **Hearing**: A hearing is not requested.
- E. **Expedited Consideration**: Expedited consideration is not requested.
- F. **Supporting Material**: Suggested rule amendment.

**SUGGESTED AMENDMENT**  
**RULES FOR APPEAL OF DECISIONS OF COURTS OF LIMITED**  
**JURISDCITION (RALJ)**  
**RULE 9.2. ENTRY OF DECISION, ISSUANCE OF MANDATE, AND**  
**ENFORCEMENT OF JUDGEMENT**

1  
2 (a) [No Change]

3 (b) Mandate Defined. A "mandate" is the written notification by the clerk of the Superior  
4 Court to the trial court and to the parties of the Superior Court decision.

5 (c)(b) Transmittal of Superior Court Mandate. The clerk of the superior court shall  
6 transmit written notification of the superior court's decision issue the mandate to the court of  
7 limited jurisdiction and to each party not earlier than 30 days nor later than 60 days from  
8 after the filing of the decision in superior court, unless a party files a timely notice for  
9 discretionary review.

10 (d) Copies Provided in Criminal Case. When the appellate court remands a criminal case to  
11 the trial court, the clerk of the appellate court shall transmit a copy of the mandate to the  
12 presiding judge of the trial court, to trial counsel of record, and to the clerk of the trial court.

13 (e)(e) Entry of Decision in Court of Limited Jurisdiction. The court of limited jurisdiction  
14 shall comply with the mandate of the superior court and shall enter the judgment for  
15 enforcement in the court of limited jurisdiction.

16 (f)(4) Enforcement of Judgment in Court of Limited Jurisdiction. Except as otherwise  
17 provided in these rules, enforcement of a judgment following termination of appeal shall be  
18 in the court of limited jurisdiction.

19 (g)(e) Registration of Judgment in Superior Court. A judgment entered in the court of  
20 limited jurisdiction may be registered and enforced in the superior court as authorized  
21 by law.

**SUGGESTED AMENDMENT**

**RULES FOR APPEAL OF DECISIONS OF COURTS OF LIMITED JURISDCITION (RALJ)**

**RULE 9.2. ENTRY OF DECISION, ISSUANCE OF MANDATE, AND ENFORCEMENT OF JUDGEMENT**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**(a)** [No Change]

**(b) Mandate Defined.** A "mandate" is the written notification by the clerk of the Superior Court to the trial court and to the parties of the Superior Court decision.

**(c) Transmittal of Superior Court Mandate.** The clerk of the superior court shall issue the mandate to the court of limited jurisdiction and to each party not earlier than 30 days nor later than 60 days after the filing of the decision in superior court, unless a party files a timely notice for discretionary review.

**(d) Copies Provided in Criminal Case.** When the appellate court remands a criminal case to the trial court, the clerk of the appellate court shall transmit a copy of the mandate to the presiding judge of the trial court, to trial counsel of record, and to the clerk of the trial court.

**(e) Entry of Decision in Court of Limited Jurisdiction.** The court of limited jurisdiction shall comply with the mandate of the superior court and shall enter the judgment for enforcement in the court of limited jurisdiction.

**(f) Enforcement of Judgment in Court of Limited Jurisdiction.** Except as otherwise provided in these rules, enforcement of a judgment following termination of appeal shall be in the court of limited jurisdiction.

**(g) Registration of Judgment in Superior Court.** A judgment entered in the court of limited jurisdiction may be registered and enforced in the superior court as authorized by law.



Thurman W. Lowans  
14769 Silverdale Way NW  
Poulsbo, Washington 98370-8268  
360.731.1082  
[twlowans@gmail.com](mailto:twlowans@gmail.com)

November 4, 2017

NOV 06 2017

Paula Littlewood  
Executive Director  
Washington State Bar Association  
1325 Fourth Avenue, Suite 600  
Seattle, Washington 98101-2539

Re: Words Matter: Retire -vs- Resign

Dear Director Littlewood:

After 40+ years in our Profession, I have retired from the Bench and have no wish to return to the practice of law. I am writing to protest the limited options that I either become “inactive” at an annual cost of \$200, or resign. 42 years ago this month I was admitted the Bar of the State of Washington. After 19 years of practice in both the Navy JAG Corps and private practice, I served the next 22+ years as Commissioner on the Bench of the Kitsap County Superior Court. I formally retired from the Superior Court Bench, and yet I am unable to retire from my professional relationship with the Washington State Bar Association. Rather than retire with dignity, I must resign.

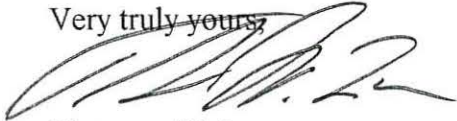
I no longer wish to practice, have no disability and do not wish to continue payment of \$200 per year to receive the Bar News. My only remaining option is Resignation, which is both disquieting and distasteful. “Disquieting” because it does not reflect the nature of my decision. I am not turning my back on an honorable profession to which I have dedicated over 4 decades of my Life. “Distasteful” because the vehicle of “Resignation” is the same option used by dishonorable attorneys who seek an “Out” in lieu of disbarment. The form for “Resignation” draws no distinction between one who has served honorably and one who had brought shame and dishonor upon our Profession.

At best, the term “Resignation” is a neutral term which includes concepts of voluntarily giving up, surrendering and passive submission. These are not positive attributes and most certainly do not reflect my decision to retire. Looking back at my professional work over the past 4 decades, I take pride in the impact I have had on the lives of literally tens of thousands of people, including not only litigants but also young attorneys, Judges and Commissioners in their professional growth at the Bar. My decision to retire from the Legal Profession is not one based on giving up, surrender or passive submission. Rather, I am beginning a new chapter in my Life, one with the perspective of honorable service as a member of an Honorable Profession.

November 4, 2017  
Page 2 of 2

It has been my distinct honor and privilege to have served as an attorney and counselor at law, and to have served as a Superior Court Commissioner. Rather than “Resignation”, Bar Associations in some States afford their members a more dignified and honorable option, that of “Retirement”. Words matter in our Profession. They must be chosen carefully as Words have both meaning and consequence. I would most strongly urge that such an option be afforded retiring members of the WSBA . The Bar Association sets the Rules through which one obtains the honor and privilege to practice Law. You need to do a much better job in fashioning options for retiring with dignity from our Profession. Create a different form to be used by those whose years have accumulated with honor while their hair has greyed, thinned and maybe even departed. Let us Retire with dignity.

Very truly yours,

A handwritten signature in black ink, appearing to read 'T. W. Lowans', written over the typed name.

Thurman W. Lowans

Court Commissioner, Retired  
Kitsap County Superior Court  
WSBA #6216

**WASHINGTON STATE  
BAR ASSOCIATION**

Office of the Executive Director

Paula C. Littlewood, Executive Director

November 8, 2017

Hon. Mary E. Fairhurst  
Washington Supreme Court  
PO Box 40929  
Olympia, WA 98501

Dear Chief Justice Fairhurst,

Pursuant to the Board of Governors' action in September 2016 to amend the WSBA Bylaws to add three members to the Board of Governors, and your email of January 2016 requesting draft language from the WSBA, I enclose here a draft order for the Court's consideration. Originally we had planned to send the Court both a draft order and draft suggested amendments to GR 12; however, after further analysis, we concluded that rule drafting would ideally follow entry of a court order implementing the 2016 Bylaw change, to permit the amendment to take effect expeditiously. Accordingly, we enclose a draft interim order to effectuate the Bylaws amendment upon entry, pending development, proposal, and adoption of an appropriate amendment to GR 12.

If I can provide additional information, please don't hesitate to contact me.

Sincerely,



Paula C. Littlewood

Enclosures

- Draft Interim Order
- 12-02-16 Letter to Chief Justice Madsen
- 01-26-17 Email to Paula Littlewood



# WASHINGTON STATE BAR ASSOCIATION

Proposed language of Interim Order:

The Washington Supreme Court has plenary authority over the practice of law in Washington. The Washington State Bar Association serves as an arm of the Court in regulating and administering licenses to practice law in Washington and effectuating other purposes and functions as set forth in General Rule (GR) 12 and 12.1-12.5. The Court's control over the WSBA extends to ancillary administrative functions as well, including the administration of the organization.

By prior order and rule of this Court, the WSBA has been directed to administer the regulation of the practice of law by Limited Practice Officers (LPOs) (in Admission and Practice Rule [APR] 12 and related rules) and Limited License Legal Technicians (LLLTs) (in APR 28 and related rules).

The Court is aware of and has reviewed amendments to the WSBA Bylaws adopted by the WSBA Board of Governors on September 30, 2016. Amendments to WSBA Bylaws Art. IV.A.1 and Art. VI.A.2.c. and d., and other provisions related to those articles, changed the size and makeup of the Board of Governors to include two community representative/public Governors and one Governor to be selected from among LPOs and LLLTs (made members of the WSBA by amendments to Art.III.A.1. and related provisions).

The Court recognizes that by adoption of these amendments of the WSBA Bylaws, the WSBA Board of Governors voted to change the size and specific makeup of the WSBA Board of Governors from that specified in the State Bar Act, specifically sections RCW 2.48.030 and .035. The Court finds that these changes in the size and makeup of the WSBA Board of Governors appear necessary to provide for the proper administration of the WSBA, for the consideration of the viewpoints of all members and of the public, and for the accomplishment of the Regulatory Objectives identified in GR 12.1 and the Purposes and Functions of the WSBA identified in GR 12.2.

Therefore, it is hereby ORDERED that the WSBA Bylaws Amendments as described above, increasing the size of the WSBA Board of Governors and changing the makeup as described in those Bylaws, are approved by this Court and shall be given full force and effect. Specifically, this Court approves an increase in the size of the WSBA Board of Governors to a maximum of 18 members, including the President, and that those members shall be elected as provided in the WSBA Bylaws as adopted on September 30, 2016.





# WSBA

## OFFICE OF THE EXECUTIVE DIRECTOR

Paula C. Littlewood  
Executive Director

direct line: 206-239-2120  
fax: 206-727-8316  
e-mail: paulal@wsba.org

December 2, 2016

Hon. Barbara A. Madsen  
Washington Supreme Court  
PO Box 40929  
Olympia, WA 98504-0929

Dear Chief Justice Madsen,

As we have previously reported to the Court, the WSBA Board of Governors adopted amendments to the WSBA Bylaws at the Board's meeting in September. A clean and a redline version of the new Bylaws as amended is included with this letter. The Board is continuing to receive feedback and consider possible amendments to Article XI regarding Sections, but the suggested amendments were tabled for further consideration at the Board's meeting in January. Therefore, the enclosed copies of the Bylaws do not include any amendments to Article XI.

One of the significant changes to the Bylaws has to do with the decision to include Limited License Legal Technicians (LLLTs) and Limited Practice Officers (LPOs) within the definition of "members" of the WSBA. Article III Membership reflects these changes.

Other significant changes are contained in the amendments to Article IV Governance, which creates three new at-large seats on the Board – one seat for either a LLLT or LPO member, and two seats for members of the public at large; these amendments then necessitated changes to Article VI Elections, to describe how these seats would be selected.

The change to add the three new at-large seats to the BOG puts the BOG above the size permitted under the State Bar Act by three seats. As is customary with other actions that are outside the State Bar Act, the Court would need to enter an order or adopt a court rule permitting a larger BOG than is permitted under the State Bar Act.

If it would be helpful, please let us know if we can provide draft language for such an order or rule. It would also be helpful to know, at the Court's earliest possible convenience, if such an order or court rule will be forthcoming. The new Bylaws are scheduled to go into effect on January 1, 2017.

Thank you for your attention to this matter. We appreciate the Court's time in considering these matters.

Sincerely,

Paula C. Littlewood

Enclosures: Redline and clean versions of WSBA Bylaws as amended

*Working Together to Champion Justice*

**From:** Fairhurst, Justice Mary [<mailto:Mary.Fairhurst@courts.wa.gov>]  
**Sent:** Thursday, January 26, 2017 11:53 AM  
**To:** Paula Littlewood  
**Cc:** Phillips, Cindy; Johnson, Justice Charles W.; Hinchcliffe, Shannon; Jennings, Cindy  
**Subject:** By law amendments

Hi! Yesterday, when J. Johnson brought it to me, I first became aware of your letter of December 2, 2016 addressed to CJ Madsen regarding the bylaws changes and the request for an order or rule change. It had been routed to Shannon Hinchcliffe on December 22, 2016 and from her to Justice Johnson on December 28, 2016. To my knowledge and a review of our admin en banc minutes, the court has taken no action on whether it would approve such change. It appears you are asking for court action and it would be helpful for you to submit your request and proposed language for an order or rule in writing. Our next en banc is February 9 and the cutoff date for materials is February 6. If you cannot meet this timeline (and again I regret I only learned of this yesterday), our next en banc is March 8 with a cutoff date for materials of March 6. Please let Cindy Phillips at 360 357-2054 know which en banc you would like the court to consider and she will add it to the schedule. I have given her your letter with redline bylaws and new bylaws. Thanks. Mary

Thanks. Mary

Mary E. Fairhurst  
Chief Justice  
360 357-2053  
[Mary.fairhurst@courts.wa.gov](mailto:Mary.fairhurst@courts.wa.gov)



October 23, 2017

President Bradford E. Furlong  
Washington State Bar Association  
1325 Fourth Ave., Ste. 600  
Seattle, WA 98101-2539

**President**

James J. Sandman

**Board of Directors**

John G. Levi  
Chicago, IL  
*Chairman*

Martha Minow  
Cambridge, MA  
*Vice Chair*

Robert J. Grey, Jr.  
Richmond, VA

Harry J. F. Korrell  
Seattle, WA

Victor B. Maddox  
Louisville, KY

Laurie Mikva  
Chicago, IL

Fr. Plus Pietrzyk, OP  
Zanesville, OH

Julie A. Reiskin  
Denver, CO

Gloria Valencia-Weber  
Albuquerque, NM

Dear President Furlong:

The Legal Services Corporation (LSC) is pleased to announce its intention to award grants and contracts to provide effective and economical delivery of high quality civil legal services to eligible low-income individuals in your state. Grants will be awarded in January 2018.

As part of LSC's FY 2018 grants process, a Request for Proposals (RFP) to deliver civil legal services in designated service areas was announced in the Federal Register on March 22, 2017 (82 FR 14753). This RFP was also announced in newspapers, bar journals, and on the Internet. In addition, in accordance with LSC's multi-year funding policy, recipients of 2-year or 3-year grants that began in calendar years 2016 or 2017 are required to file grant renewal applications to receive funding for calendar year 2018 grants.

LSC has received applications pursuant to the RFP or the grant renewal process for the provision of civil legal services to eligible low-income individuals in your state or jurisdiction. A listing of all potential recipients, by state and jurisdiction, is attached.

We are providing thirty days to give interested parties an opportunity to comment on the proposed grant. The Notice of Intent to award grants will be published in the Federal Register on or around October 31, 2017.

Please contact Reginald Haley, of LSC's Office of Program Performance, at 202.295.1545, or by e-mail at [haley@lsc.gov](mailto:haley@lsc.gov) if you have any questions about this matter.

Sincerely,

James J. Sandman  
President

Attachment

Name of Applicant Organization	State	Service Area	Estimated Annualized 2018 Funding
Alaska Legal Services Corporation	AK	AK-1	\$741,073
Alaska Legal Services Corporation	AK	NAK-1	\$556,121
Legal Services Alabama	AL	AL-4	\$6,072,761
Legal Aid of Arkansas	AR	AR-6	\$1,458,221
Center for Arkansas Legal Services	AR	AR-7	\$2,121,222
American Samoa Legal Aid	AS	AS-1	\$216,951
DNA-Peoples Legal Services	AZ	AZ-2	\$423,371
Community Legal Services	AZ	AZ-3	\$5,403,988
Southern Arizona Legal Aid	AZ	AZ-5	\$2,145,113
Community Legal Services	AZ	MAZ	\$205,629
DNA-Peoples Legal Services	AZ	NAZ-5	\$2,683,310
Southern Arizona Legal Aid	AZ	NAZ-6	\$655,456
California Indian Legal Services	CA	CA-1	\$20,695
Inland Counties Legal Services	CA	CA-12	\$5,227,831
Legal Aid Society of San Diego	CA	CA-14	\$2,997,072
Legal Aid Society of Orange County	CA	CA-19	\$3,861,757
Greater Bakersfield Legal Assistance	CA	CA-2	\$1,135,641
Central California Legal Services	CA	CA-26	\$3,226,959
Legal Services of Northern California	CA	CA-27	\$3,878,184
Bay Area Legal Aid	CA	CA-28	\$4,156,552
Legal Aid Foundation of Los Angeles	CA	CA-29	\$6,247,806
Neighborhood Legal Services of Los Angeles County	CA	CA-30	\$4,391,958
California Rural Legal Assistance	CA	CA-31	\$5,019,889
California Rural Legal Assistance	CA	MCA	\$2,525,354
California Indian Legal Services	CA	NCA-1	\$908,493
Colorado Legal Services	CO	CO-6	\$4,093,066
Colorado Legal Services	CO	MCO	\$209,157
Colorado Legal Services	CO	NCO-1	\$98,754
Statewide Legal Services of Connecticut	CT	CT-1	\$2,499,625
Pine Tree Legal Assistance	CT	NCT-1	\$16,099
Neighborhood Legal Services Program of DC	DC	DC-1	\$754,782
Legal Services Corporation of Delaware	DE	DE-1	\$761,226
Legal Aid Bureau	DE	MDE	\$12,961
Legal Services of North Florida	FL	FL-13	\$1,463,367
Three Rivers Legal Services	FL	FL-14	\$2,163,335
Community Legal Services of Mid-Florida	FL	FL-15	\$4,660,189
Bay Area Legal Services	FL	FL-16	\$3,430,322
Florida Rural Legal Services	FL	FL-17	\$3,918,976
Coast to Coast Legal Aid of South Florida	FL	FL-18	\$2,104,893
Legal Services of Greater Miami	FL	FL-5	\$3,623,941



Name of Applicant Organization	State	Service Area	Estimated Annualized 2018 Funding
Florida Rural Legal Services	FL	MFL	\$539,561
Atlanta Legal Aid Society	GA	GA-1	\$3,802,513
Georgia Legal Services Program	GA	GA-2	\$8,192,300
Georgia Legal Services Program	GA	MGA	\$268,109
Guam Legal Services Corporation	GU	GU-1	\$244,499
Legal Aid Society of Hawaii	HI	HI-1	\$1,284,668
Legal Aid Society of Hawaii	HI	NHI-1	\$235,552
Iowa Legal Aid	IA	IA-3	\$2,184,470
Iowa Legal Aid	IA	MIA	\$324,185
Idaho Legal Aid Services	ID	ID-1	\$1,374,816
Idaho Legal Aid Services	ID	MID	\$248,309
Idaho Legal Aid Services	ID	NID-1	\$66,807
Land of Lincoln Legal Assistance Foundation	IL	IL-3	\$2,551,787
Legal Assistance Foundation	IL	IL-6	\$5,874,008
Prairie State Legal Services	IL	IL-7	\$3,632,099
Legal Assistance Foundation	IL	MIL	\$249,804
Indiana Legal Services	IN	IN-5	\$6,461,021
Indiana Legal Services	IN	MIN	\$183,575
Kansas Legal Services	KS	KS-1	\$2,610,245
Legal Aid of the Bluegrass	KY	KY-10	\$1,439,798
Legal Aid Society	KY	KY-2	\$1,254,797
Appalachian Research and Defense Fund of Kentucky	KY	KY-5	\$1,593,861
Kentucky Legal Aid	KY	KY-9	\$1,104,495
Acadiana Legal Service Corporation	LA	LA-10	\$1,459,894
Acadiana Legal Service Corporation	LA	LA-11	\$1,535,486
Southeast Louisiana Legal Services Corporation	LA	LA-13	\$2,970,261
Community Legal Aid	MA	MA-10	\$1,463,593
Volunteer Lawyers Project of the Boston Bar Assoc.	MA	MA-11	\$2,005,092
South Coastal Counties Legal Services	MA	MA-12	\$838,353
Northeast Legal Aid	MA	MA-4	\$800,614
Legal Aid Bureau	MD	MD-1	\$3,973,616
Legal Aid Bureau	MD	MMD	\$49,208
Pine Tree Legal Assistance	ME	ME-1	\$1,168,230
Pine Tree Legal Assistance	ME	MMX-1	\$253,514
Pine Tree Legal Assistance	ME	NME-1	\$66,279
Michigan Advocacy Program	MI	MI-12	\$1,532,726
Lakeshore Legal Aid	MI	MI-13	\$4,265,840
Legal Services of Eastern Michigan	MI	MI-14	\$1,579,715
Legal Aid of Western Michigan	MI	MI-15	\$2,205,241

Name of Applicant Organization	State	Service Area	Estimated Annualized 2018 Funding
Legal Services of Northern Michigan	MI	MI-9	\$799,487
Michigan Advocacy Program	MI	MMI	\$317,148
Michigan Indian Legal Services	MI	NMI-1	\$169,276
Southern Minnesota Regional Legal Services	MN	MMN	\$280,032
Legal Aid Service of Northeastern Minnesota	MN	MN-1	\$439,608
Legal Services of Northwest Minnesota Corporation	MN	MN-4	\$319,678
Southern Minnesota Regional Legal Services	MN	MN-5	\$1,525,475
Central Minnesota Legal Services	MN	MN-6	\$1,604,909
Anishinabe Legal Services	MN	NMN-1	\$245,745
Legal Aid of Western Missouri	MO	MMO	\$193,905
Legal Aid of Western Missouri	MO	MO-3	\$1,913,195
Legal Services of Eastern Missouri	MO	MO-4	\$1,894,630
Mid-Missouri Legal Services Corporation	MO	MO-5	\$443,463
Legal Services of Southern Missouri	MO	MO-7	\$1,752,017
Micronesian Legal Services	MP	MP-1	\$1,226,169
Mississippi Center for Legal Services	MS	MS-10	\$2,525,075
North Mississippi Rural Legal Services	MS	MS-9	\$1,591,595
Mississippi Center for Legal Services	MS	NMS-1	\$85,478
Montana Legal Services Association	MT	MMT	\$105,592
Montana Legal Services Association	MT	MT-1	\$944,446
Montana Legal Services Association	MT	NMT-1	\$163,734
Legal Aid of North Carolina	NC	MNC	\$377,999
Legal Aid of North Carolina	NC	NC-5	\$11,003,144
Legal Aid of North Carolina	NC	NNC-1	\$224,422
Southern Minnesota Regional Legal Services	ND	MND	\$118,792
Legal Services of North Dakota	ND	ND-3	\$442,291
Legal Services of North Dakota	ND	NND-3	\$276,997
Legal Aid of Nebraska	NE	MNE	\$222,006
Legal Aid of Nebraska	NE	NE-4	\$1,328,345
Legal Aid of Nebraska	NE	NNE-1	\$33,990
Legal Advice & Referral Center	NH	NH-1	\$780,387
South Jersey Legal Services	NJ	MNJ	\$69,612
Legal Services of Northwest Jersey	NJ	NJ-15	\$404,393
Central Jersey Legal Services	NJ	NJ-17	\$1,140,290
Northeast New Jersey Legal Services Corporation	NJ	NJ-18	\$1,896,940
South Jersey Legal Services	NJ	NJ-20	\$2,241,706
Essex-Newark Legal Services Project	NJ	NJ-8	\$882,685
New Mexico Legal Aid	NM	MNM	\$95,692
DNA-Peoples Legal Services	NM	NM-1	\$177,469
New Mexico Legal Aid	NM	NM-5	\$2,701,602

Name of Applicant Organization	State	Service Area	Estimated Annualized 2018 Funding
DNA-Peoples Legal Services	NM	NNM-2	\$23,363
New Mexico Legal Aid	NM	NNM-4	\$477,790
Nevada Legal Services	NV	NNV-1	\$136,737
Nevada Legal Services	NV	NV-1	\$2,910,481
Legal Aid Society of Mid-New York	NY	MNY	\$243,284
Legal Services of the Hudson Valley	NY	NY-20	\$1,749,323
Legal Aid Society of Northeastern New York	NY	NY-21	\$1,274,588
Legal Aid Society of Mid-New York	NY	NY-22	\$1,641,366
Legal Assistance of Western New York	NY	NY-23	\$1,666,745
Neighborhood Legal Services	NY	NY-24	\$1,223,693
Nassau/Suffolk Law Services Committee	NY	NY-7	\$1,319,382
Legal Services NYC	NY	NY-9	\$11,772,176
Legal Aid of Western Ohio	OH	MOH	\$224,663
Legal Aid Society of Greater Cincinnati	OH	OH-18	\$1,620,098
Community Legal Aid Services	OH	OH-20	\$1,780,903
The Legal Aid Society of Cleveland	OH	OH-21	\$2,216,388
Legal Aid of Western Ohio	OH	OH-23	\$2,978,972
Ohio State Legal Services	OH	OH-24	\$3,358,791
Legal Aid Services of Oklahoma	OK	MOK	\$138,399
Oklahoma Indian Legal Services	OK	NOK-1	\$841,963
Legal Aid Services of Oklahoma	OK	OK-3	\$4,116,455
Legal Aid Services of Oregon	OR	MOR	\$443,163
Legal Aid Services of Oregon	OR	NOR-1	\$189,825
Legal Aid Services of Oregon	OR	OR-6	\$3,952,261
Philadelphia Legal Assistance Center	PA	MPA	\$177,851
Philadelphia Legal Assistance Center	PA	PA-1	\$2,650,729
Southwestern Pennsylvania Legal Services	PA	PA-11	\$416,614
Legal Aid of Southeastern Pennsylvania	PA	PA-23	\$1,302,652
North Penn Legal Services	PA	PA-24	\$1,877,867
MidPenn Legal Services	PA	PA-25	\$2,429,480
Northwestern Legal Services	PA	PA-26	\$652,434
Laurel Legal Services	PA	PA-5	\$593,479
Neighborhood Legal Services Association	PA	PA-8	\$1,372,284
Puerto Rico Legal Services	PR	MPR	\$53,561
Puerto Rico Legal Services	PR	PR-1	\$10,783,976
Community Law Office	PR	PR-2	\$241,905
Rhode Island Legal Services	RI	RI-1	\$986,794
South Carolina Legal Services	SC	MSC	\$128,776
South Carolina Legal Services	SC	SC-8	\$5,626,709
Dakota Plains Legal Services	SD	NSD-1	\$960,128

Name of Applicant Organization	State	Service Area	Estimated Annualized 2018 Funding
East River Legal Services	SD	SD-2	\$396,301
Dakota Plains Legal Services	SD	SD-4	\$400,598
LAS of Middle Tennessee and the Cumberlands	TN	TN-10	\$3,107,225
Memphis Area Legal Services	TN	TN-4	\$1,553,797
West Tennessee Legal Services	TN	TN-7	\$698,100
Legal Aid of East Tennessee	TN	TN-9	\$2,497,599
Texas RioGrande Legal Aid	TX	MSX-2	\$1,608,920
Texas RioGrande Legal Aid	TX	NTX-1	\$32,183
Lone Star Legal Aid	TX	TX-13	\$10,395,557
Legal Aid of NorthWest Texas	TX	TX-14	\$9,004,475
Texas RioGrande Legal Aid	TX	TX-15	\$10,707,097
Utah Legal Services	UT	MUT	\$76,980
Utah Legal Services	UT	NUT-1	\$84,598
Utah Legal Services	UT	UT-1	\$2,241,282
Central Virginia Legal Aid Society	VA	MVA	\$155,344
Southwest Virginia Legal Aid Society	VA	VA-15	\$716,279
Legal Aid Society of Eastern Virginia	VA	VA-16	\$1,296,346
Virginia Legal Aid Society	VA	VA-17	\$897,396
Central Virginia Legal Aid Society	VA	VA-18	\$1,185,499
Blue Ridge Legal Services	VA	VA-19	\$790,876
Legal Services of Northern Virginia	VA	VA-20	\$1,460,820
Legal Services of the Virgin Islands	VI	VI-1	\$161,119
Legal Services Law Line of Vermont	VT	VT-1	\$467,902
Northwest Justice Project	WA	MWA	\$585,992
Northwest Justice Project	WA	NWA-1	\$292,929
Northwest Justice Project	WA	WA-1	\$5,645,286
Legal Action of Wisconsin	WI	MWI	\$331,424
Wisconsin Judicare	WI	NWI-1	\$159,512
Wisconsin Judicare	WI	WI-2	\$897,777
Legal Action of Wisconsin	WI	WI-5	\$3,806,115
Legal Aid of West Virginia	WV	WV-5	\$2,235,497
Legal Aid of Wyoming	WY	NWY-1	\$177,694
Legal Aid of Wyoming	WY	WY-4	\$434,973

Mr. Bradford Furlong  
President  
Washington State Bar Association  
Furlong-Butler Attorneys  
825 Cleveland Ave  
Mount Vernon, Wa. 98273-4120

1 November, 2017.

Dear President Furlong:

I am currently a district court judge having served since 1982.

When I step down in the next few years I have noticed that if I wish to still contribute as a pro tem judge I would need to transfer back to active membership as the Bar no longer allows me to retain my judicial membership. To be a pro tem you need to either be a judicial member or active member.

However I have no intention of returning to active practice, setting up a trust account, malpractice insurance, etc.

I would suggest that the bar amend its classifications to allow me to retain my judicial membership with the understanding that I would not be practicing but would be required to comply with either the continuing judicial educational requirements or the bar's educational requirements and pay any appropriate fees.

Thank you for your consideration of this matter.

Sincerely,

  
Charles J. Delaurenti, II (#584)  
Judge  
King County District Court  
PO Box 792  
Renton, Wa. 98057-0792

**Summary of WSBA Outreach Visits**

**September 14, 2017 to November 1, 2017**

1.	9/15/17	Kent, WA	District 9 Governor Dan Bridges attended and spoke at the South King County Bar Association Board meeting.
2.	9/15/17	Seattle, WA	Communications Strategies Manager Jennifer Olegario recorded videos of Seattle University Law Incubator Program participants for the WSBA APEX Legal Innovation Award presentation.
3.	9/19/17	Seattle, WA	Legal Community Outreach Specialist Sanjay Walvekar visited the Washington Attorney General's Office in Seattle to record videos of Attorney General Bob Ferguson and Assistant Attorney General Mary Li for the WSBA APEX Angelo Petrus Award presentation.
4.	9/25/17	Seattle, WA	Legal Community Outreach Specialist Sanjay Walvekar and Executive Director Paula Littlewood visited Seattle University Law School, where Executive Director Littlewood and Chehalis attorney Allen Unzelman presented on professionalism to a Professional Responsibility class.
5.	9/26/17	Seattle, WA	Legal Community Outreach Specialist Sanjay Walvekar and Executive Director Paula Littlewood visited the University of Washington School of Law, where Executive Director Littlewood and Chehalis attorney Allen Unzelman presented on professionalism to a Professional Responsibility

			class.
6.	9/26/17	Seattle, WA	Legal Community Outreach Specialist Sanjay Walvekar, WSBA District 7N Governor Ann Danieli, and WSBA Chief Operations Officer Ann Holmes attended the King County Bar Association’s winter attorney admission ceremonies at the King County Superior Courthouse in Seattle.
7.	10/19/17	Port Townsend, WA	Legal Community Outreach Specialist Sanjay Walvekar and District 6 Governor Brian Tollefson visited with the Clallam and Jefferson County Bar Associations in Port Townsend.

# WASHINGTON STATE BAR ASSOCIATION

## MEMO

**To:** Board of Governors

**From:** Sara Niegowski, Chief Communications and Outreach Officer  
Jennifer Olegario, Communication Strategies Manager

**Date:** November 7, 2018

**Re:** Summary of Media Contacts, Sept. 16-Nov. 2, 2017

	Date	Reporter and Media Outlet	Inquiry
1.	10/4	Joe Utter, <i>Columbia Basin Herald</i>	Inquiry re: Resignation in Lieu of Discipline for John Crowley; story posted 10/5
2.	10/12	Josh Jacobs, <i>The Atlantic</i>	Inquiry re: people with felony records applying to state bars across the country; interview with Jean McElroy, story yet to be posted
3.	10/17	Austin Jenkins, KUOW 94.9 FM	Follow up story re: Tara Simmons; conducted interview with Jean McElroy; story has not aired
4.	10/25	Jill Bernstein and Paula McCandlis, KMRE-LP 102.3 FM, South Fork Law radio (Whatcom County)	Interview with Doug Ende about role of WSBA's Office of Disciplinary Counsel in the state's legal profession and Doug's view on justice and the legal profession in general; interview was broadcast live but has not been posted online yet
5.	11/2	Amy Clancy, KIRO-TV	Story aired on 11/2 re: Sam Marsh; from previous interviews over the last several months with Doug Ende



# WASHINGTON STATE BAR ASSOCIATION

To: The President, President-elect, Immediate Past-President, and Board of Governors  
 From: Kevin Bank, Assistant General Counsel  
 Date: November 2, 2017  
 Re: Court Rules Update

This is the regular report on the status of suggested court rules submitted by the Board of Governors and other entities to the Supreme Court. Any changes from the last report are indicated in **bold, shaded italicized text**.

SUGGESTED RULE AMENDMENTS SUBMITTED BY WSBA TO SUPREME COURT			
RULE	SUBJECT	BOG ACTION	COURT ACTION
<b>ELC 2.5, ELC 2.7, ELC 3.3, ELC 3.4, ELC 4.2, ELC 5.3, ELC 5.5, ELC 5.6, ELC 6.6, ELC 9.3, ELC 10.7, ELC 10.16, ELC Title 15, ELC 15.1</b>	Proposed amendments to ELC 2.5 – Hearing Officers, ELC 2.7 – Conflicts Review Officer, ELC 3.3 – Application to Stipulations, Disability Proceedings, Custodianships, and Diversion Contracts, ELC 3.4 – Release or Disclosure of Otherwise Confidential Information, ELC 4.2 – Filing; Orders, ELC 5.3 – Investigation of Grievance, ELC 5.5 – Investigatory Subpoenas, ELC 5.6 – Review of Objections to Inquires and Motions to Disclose, ELC 6.6 – Affidavit Supporting Diversion, ELC 9.3 – Resignation in Lieu of Discipline, ELC 10.7 – Amendment of Formal Complaint, ELC 10.16 – Decision of Hearing Officer, ELC Title 15 – Trust Account Examinations Overdraft Notification, and IOLTA, and ELC 15.1 – Random Examination of Books and Records.	7/22/16: Approved submission to Court.	12/7/16: The Court published for comment. Comment period ends 4/30/17.  <sup>1</sup> 6/1/17: The Court adopted ELC 2.5, ELC 2.7, ELC 4.2, ELC 5.3, ELC 5.5, ELC 5.6, ELC 9.3, ELC 10.7, ELC 10.16, ELC Title 15, and ELC 15.1.
<b>ELPOC 15.5</b>	Proposed amendments to ELPOC 15-5 – Declaration, Disciplinary Regulations Applicable to ELPOC Title 15.	11/2016: Approved submission to Court.	3/29/17: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than July 28, 2017.
<b>RPC 1.0A, RPC</b>	Proposed amendments to RPC 1.0A –	3/19/15:	3/29/17: The Court

<sup>1</sup> The Court has requested comment from DART on ELC 3.3, ELC 3.4, and ELC 6.6.



SUGGESTED RULE AMENDMENTS SUBMITTED BY WSBA TO SUPREME COURT			
RULE	SUBJECT	BOG ACTION	COURT ACTION
<b>1.10, RPC 1.11</b>	Terminology, RPC 1.10 – Imputation of Conflicts of Interest: General Rule, and RPC 1.11 – Special Conflicts of Interest for Former and Current Government Officers and Employees.	Approved submission to Court.	entered an order to publish the proposed amendments for comment, with comments to be submitted no later than July 28, 2017.
<b>RPC 1.6, RPC 7.3, RPC 8.4</b>	Proposed amendments to RPC 1.6 – Confidentiality of Information, RPC 7.3 – Solicitation of Clients, and RPC 8.4 – Misconduct.	3/19/15: Approved submission to Court.	6/1/17: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than April 30, 2018.



SUGGESTED RULE AMENDMENTS SUBMITTED BY OTHERS		
<b>New Rule GR 36</b>	The American Civil Liberties Union of WA recommended the proposed new General Rule 36 – Jury Selection.	11/2/16: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than April 30, 2017.
<b>RAP 10.4(a)(1)</b>	The Washington Association of Criminal Defense Lawyers recommended the proposed amendments to RAP 10.4(a)(1) – Preparation and Filing of Brief by Party.	3/29/17: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than July 28, 2017.
<b>CR 11(b)</b>	Ms. Ruth Laura Edlund recommended the proposed amendments to CR 11(b) – Signing, Drafting of Pleadings, Motions, and Legal Memoranda: Sanctions.	3/29/17: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than July 28, 2017.
<b>GR 35(e), RAP 9.2(c), RAP 9.5, RAP 10.2, RAP 11.3, RAP 15.2, RAP 15.4, RAP 17.3, RAP 17.7, RAP 18.13, RAP 18.13A, RAP Form 12, RAP Form 15A.</b>	The Court of Appeals’ Committee recommended the proposed amendments to GR 35(e) – Official Certified Superior Court Transcripts, RAP 9.2(c) – Verbatim Report of Proceedings, RAP 9.5 – Filing and Service of Report of Proceedings, RAP 10.2 – Time for Filing Briefs, RAP 11.3 – Date of Argument, RAP 15.2 – Determination of Indigency and Rights of Indigent Party, RAP 15.4 – Claim for Payment of Expense for Indigent Party, RAP 17.3 – Content of Motion, RAP 17.7 – Objection to Ruling – Review of Decision on Motion, RAP 18.13 – Accelerated Review of Dispositions in Juvenile Offense Proceedings, RAP 18.13A – Accelerated Review of Juvenile Dependency Disposition Orders, Orders Terminating Parental Rights, and Dependency Guardianship Orders, RAP Form 12 – Order of Indigency, and RAP Form 15A – Notice of Filing Verbatim Report of Proceedings (RAP 9.5).	3/29/17: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than July 28, 2017.
<b>New Rule ER 413</b>	The Columbia Legal Services, et al., recommended the proposed amendments to new rule ER 413 – Immigration Status.	6/1/17: The Court entered an order to publish the proposed amendments for comment, with



SUGGESTED RULE AMENDMENTS SUBMITTED BY OTHERS		
		comments to be submitted no later than September 15, 2017.
<b>RAP 3.4</b>	The Office of Public Defense recommended the proposed amendments to RPA 3.4 – Title of Case and Designation of parties.	6/1/17: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than April 30, 2018.
<b>JuCR 7.7; CrRLJ 4.2(G); CrRLJ 4.2(G)</b>	The Washington State Pattern Forms Committee recommended the proposed amendments to JuCR 7.7 – Statement on Plea of Guilty; CrRLJ 4.2(g) – Statement of Defendant on Plea of Guilty; and CrRLJ 4.2(g) – “DUI” Attachment.	6/28/17: The Court adopted the rules.  9/6/17: The Court adopted the amended rule to CrRLJ 4.2(g). <sup>i</sup>

<sup>i</sup> The June order, the Court adopted the “four” convictions language, and at the September En Banc, the Court adopted the “three” convictions language proposal.



**WASHINGTON STATE  
BAR ASSOCIATION**

Board of Governors

**ACTIVITY REPORT  
Alec Stephens, At-Large (B)  
October 1, 2017 – October 31, 2017**

**WSBA and BOG COMMITTEE MEETINGS:**

10-21-17	WSBA Diversity Committee—Newly Appointed Co-Chair. Participated in Diversity Committee Orientation Meeting—Day long retreat
10-26-17	BOG Budget & Audit Committee Meeting—Orientation Meeting

**SPECIALTY, COUNTY AND MINORITY BARS OUTREACH:**

10-20-17	Attended Asian Bar Association of Washington Annual Dinner
----------	--



**WASHINGTON STATE  
BAR ASSOCIATION**

Board of Governors

**ACTIVITY REPORT  
Bradford E. Furlong, President  
September 14, 2017 – October 31, 2017**

**LIAISON DUTIES:**

10/28/17	Washington Leadership Institute Retreat
----------	---

**WSBA and BOG COMMITTEE MEETINGS:**

09/14/17	Phone call with Russell A. Knight re At Large position
09/15/17	Board for Judicial Administration Meeting
09/19/17	President-ED Weekly Call
09/26/17	President-ED Weekly Call
09/28/17 – 09/29/17	BOG Meetings
10/02/17	Meeting with Paula & Mark Engle
10/03/17	President-ED Weekly Call
10/04/17	Supreme Court Meeting
10/11/17 – 10/12/17	NW Bar Leaders Meeting—Salt Lake City
10/13/17	Call with Angie Hayes
10/17/17	President-ED Weekly Call
10/19/17	Board for judicial Administration Meeting
10/23/17	Committee/Board Chairs and BOG and Staff Liaisons Meeting
10/23/17	Call with Paula, Terra Nevitt, Julianne Unite, Paris Eriksen re Annual Section Leaders Fall meeting



10/24/17	President-ED Weekly Call
10/26/17	Section Leaders Fall Meeting
10/26/17	Budget & Audit Meeting
10/26/17	Executive Committee Meeting
10/31/17	President-ED Weekly Call

**SPECIALTY, COUNTY AND MINORITY BARS OUTREACH:**

10/19/17	Washington Attorneys with Disabilities Annual event
10/19/17	Annual Law Firm Leaders Dinner hosted by Puget Sound Association of Legal Administrators
10/25/17	Washington Women Lawyers Event
10/26/17	Doug Ende re Mandatory Malpractice Insurance
10/26/17	NW Immigrant Rights Project

# WASHINGTON STATE BAR ASSOCIATION

Board of Governors

## ACTIVITY REPORT Brian Tollefson, Sixth District October 1, 2017 – October 21, 2017

### WSBA and BOG COMMITTEE MEETINGS:

Oct. 3	BOG Meeting (Attended via telephone)
--------	--------------------------------------

### SPECIALTY, COUNTY AND MINORITY BARS OUTREACH:

Oct. 6	Kitsap County Bar Association Monthly Lunch
Oct. 16	Robert J. Bryan Inns of Court Monthly Meeting
Oct. 17	Tacoma-Pierce County Bar Association Board of Trustees Monthly Meeting
Oct. 19	Outreach meeting in Port Townsend with Sanjay Walvekar and members of Clallam and Jefferson County Bar Associations





# WASHINGTON STATE BAR ASSOCIATION

Board of Governors

## ACTIVITY REPORT Christina Meserve, District 10 September 13, 2017 - October 14, 2017

### LIAISON DUTIES:

9/19/17	Low Bono Section Executive Committee Meeting (by phone)
10/17/17	Low Bono Section Executive Committee Meeting (by phone)
10/23/17	Committee and Board Chairs (by phone)

### WSBA and BOG COMMITTEE MEETINGS:

9/12/17	BOG Nominations Committee (by phone)
9/27-29/17	BOG Dinners and Meeting
10/3/17	Special BOG Meeting (by phone)
10/4/17	Coffee with Hyslop and Pickett

### SPECIALTY, COUNTY AND MINORITY BARS OUTREACH:

9/21/17	New Lawyer Swearing In (Thurston County)
10/10/17	Thurston County Bar Association Family Law Section Meeting
10/14/17	Washington Women Lawyers Annual Gala, Spokane



# WASHINGTON STATE BAR ASSOCIATION

Board of Governors

## ACTIVITY REPORT Dan Bridges, District 9 October 1, 2017 – November 16, 2017

### LIAISON DUTIES:

10/12/17	Attended Litigation Section meeting (phone)
10/25/17	Attended Editorial Board meeting
10/31/17	Met with Council on Public Defense Chair to introduce myself, obtain her input on their issues and concerns relative to their group, and discussed proposed Rules on criminal defense competence in juvenile matters

I have left a voicemail for the Construction Law Section leader to introduce myself. There have been no meetings for the Civil Litigation Rules Work Group or the Cardozo Society this cycle.

### WSBA and BOG COMMITTEE MEETINGS:

10/26/17	Attended Budget and Audit Committee Meeting
10/26/17	Attended Executive Committee Meeting
11/03/17	Attended 50-Year Member Tribute Luncheon (anticipated)
11/09/17	Attended Personnel Committee Meeting (anticipated)
11/09/17	Attended Limited License Legal Technician New Practice Area Meeting (anticipated)

### SPECIALTY, COUNTY AND MINORITY BARS OUTREACH:

09/22/17	Attended South Asian Bar Association Dinner
----------	---

I have not had any local bar meeting opportunities this cycle, but have taken and made a variety of calls to members and section members on matters.



# WASHINGTON STATE BAR ASSOCIATION

Board of Governors

## ACTIVITY REPORT Daniel D. Clark, District 4 September 27, 2017 – November 16, 2017

### LIAISON DUTIES:

10/9	4 <sup>th</sup> District WSBA Update Report
10/11-10/14	Various member correspondence re: proposed mandatory malpractice insurance
10/16	Meeting with President-Elect & Fellow Governor
10/17	Statistical Data Request Fulfillment for Judge Spanner from Benton County Superior Court re: Active Attorneys in Benton County
10/18	W4A Senior Lobby Tacoma
10/19	Washington State Senior Conference
10/22	Calls with various Governors & WSBA President
10/24	Meeting with member re: Current WSBA Concerns.
10/27	Correspondence with Adams County Bar President
10/27	Correspondence with Grant County Bar President

### WSBA and BOG COMMITTEE MEETINGS:

9/28	BOG Meeting
9/28	APEX Awards
9/29	BOG Meeting
10/4	Special Agenda Telephonic BOG Meeting (Bylaw Amendment)
10/23	WSBA Section Chair & Liaison Meeting Orientation
10/26	WSBA Budget and Audit Meeting
10/26	WSBA Executive Committee Meeting
11/3	WSBA Rule 6 Law Clerk Meeting



11/4	Superior Court Judicial Committee Meeting
11/6	WSBA New Governor Orientation
11/9	WSBA LLLT Meeting
11/15	BOG Meeting
11/16	BOG Meeting

**SPECIALTY, COUNTY AND MINORITY BARS OUTREACH:**

10/3	Okanogan Bar Association Meeting
10/6	Meeting with Yakima County Young/New Lawyer Representative
10/6	Yakima County Bar Swearing In of New Attorneys that passed the bar
10/7	Correspondence with former 4 <sup>th</sup> District Governor Moberg
10/17	Benton-Franklin Bar Association Meeting
10/20	Yakima County Bar Memorial Ceremony: Roger Garrison (65 year WSBA member)
10/20	Yakima County Oktober Fest Bar Celebration
10/21	Yakima County Veteran's Stand Down Volunteer Attorney Services Legal Event
10/25	WSBA Disability Bar Association Correspondence
10/27	Yakima County Bar Association Meeting
11/7	Okanogan Bar Association Meeting

# WASHINGTON STATE BAR ASSOCIATION

Board of Governors

**ACTIVITY REPORT**  
**Kim Risenmay, District 1**  
**September 1, 2017 – October 31, 2017**

**LIAISON DUTIES:**

9/13/	Attend Disciplinary Alternatives Roundtable Meeting
10/4	Attend Washington Supreme Court swearing-in ceremony in Olympia for new WSBA members
10/6	Attend Access to Justice Board Meeting
10/10	Attend Tax Section's quarterly meeting for its State and Local Tax Subcommittee

**WSBA and BOG COMMITTEE MEETINGS:**

9/11	Attend Personnel Committee Meeting
9/11	Attend Executive Committee Meeting
9/12	Attend Investment Subcommittee Meeting
9/12	Chair Budget & Audit Committee Meeting
9/27-29	Attend September BOG Meeting
9/28	Attend Apex Awards dinner and swearing-in of new WSBA Governors and Officers
10/2	Draft NW Lawyer article introducing myself as new WSBA Treasurer
10/3	Participate in Special BOG Meeting to amend WSBA Bylaws re filling vacancies in WSBA officer positions
10/4	Attend WSBA Officers meeting in Olympia with Washington Supreme Court
10/5	Final edit of Treasurer's Report for NW Lawyer
10/18	Chair introductory meeting for the Referendum Work Group
10/26	Chair Budget & Audit Committee Meeting
10/26	Attend WSBA Executive Committee Meeting



**SPECIALTY, COUNTY AND MINORITY BARS OUTREACH:**

9/21	Meet with potential candidate for new District 1 Governor's seat
10/13	Attend UW Law School's First Annual Law & Religion Symposium

**ACTIVITY REPORT**

**James K. Doane, District 7-South**  
**September 11, 2017 to November 3, 2017**

Sep 11, 2017	Personnel Committee Meeting
Sep 11, 2017	Executive Committee Meeting
Sep 12, 2017	Budget and Audit Committee and BOG nominations committee
Sep 13, 2017	Costco Scholarship Breakfast with Perkins Coie; coordinate scheduling separate event with Washington Initiative For Diversity at Davis Wright Tremaine
Sep 22, 2017	Attend South Asian Bar Association Gala
Sep 28, 2017	Attend Board of Governors Meeting and sponsor with Asian Bar Association of Washington at APEX dinner
Sep 29, 2017	Attend Board of Governors Meeting
Oct 2, 2017	Attend Seattle University Law School Red Mass and Reception
Oct 3, 2017	Board of Governors Special Meeting
Oct 9-12, 2017	Attend Retail Industry Leaders Association legal conference on future of the law etc.
Oct 14, 2017	Attend and Sponsor Filipino Lawyers of Washington Barrio Fiesta Dinner
Oct 20, 2017	Attend and Sponsor Asian Bar Association of Washington Gala dinner
Oct 24, 2017	Attend as Immediate Past Chair, Corporate Counsel Section Executive Committee Meeting and Quarterly Dinner and CLE
Oct 26, 2016	Attend Fall Section Leaders Conference, meet with WSBA staff to plan Awards Committee meetings, WSBA Budget & Audit Meeting, WSBA Executive Committee Meeting, and Northwest Immigrant's Rights annual event
Nov 1, 2017	Attend Minority Corporate Counsel Association Roadshow at Perkins Coie
Nov 2, 2017	Attend Washington State Bar Foundation Board of Trustees meeting as BOG governor and Foundation member and trustee
Nov 3, 2017	Attend WSBA 50 year tribute lunch and participate in awards ceremony



Nov 3, 2017	Attend meeting at WSBA office as governor, WSBA budget and audit committee member, and member and trustee of Washington State Bar Foundation with WSBA Treasurer and Governor Kim Risenmay, WSBA immediate past president Bill Hyslop (second term) and Foundation trustee and member, and Foundation President James Armstrong and Foundation Immediate Past President Judy Massong to discuss Foundation finances and its relationship to WSBA's budget and mission performance
Various	Continuing communication with members, staff, BOG, and other stakeholders about WSBA matters



**WASHINGTON STATE  
BAR ASSOCIATION**

Board of Governors

**ACTIVITY REPORT  
Kyle Sciuchetti, District 3  
September 2017 – November 2017**

**WSBA and BOG COMMITTEE MEETINGS:**

9/28-29/17	BOG Meeting at WSBA Conference Center in Seattle
10/23/17	WSBA Committee Chair Meeting in Seattle
11/1/17	WSBA Legislative Committee Meeting in Seattle
11/2/17	WSBF Trustee Orientation

**SPECIALTY, COUNTY AND MINORITY BARS OUTREACH:**

9/11/17	Clark County Bar Association meeting in Vancouver
---------	---



# WASHINGTON STATE BAR ASSOCIATION

## MEMO

To: Board of Governors  
From: Executive Management Team  
Date: November 8, 2017  
Re: Q4 FY 2017 Management Report

---

**INFORMATION:** Q4 FY 2017 Management Report

Attached are annotated FY2017 Operational Priorities, which score the organization's progress through Q4 in achieving FY2017 priorities that are linked to WSBA's Mission Focus area and Strategic Goals.

We will distribute the Organizational Context Chart at the meeting, which provides background information about WSBA from FY2004 through FY2017, including data and trends related to Members, Regulatory Functions, Engagement & Outreach, Member Benefits & Professional Development, Operations, and Milestones.



**MISSION FOCUS AREAS:**

**ENSURING COMPETENT AND QUALIFIED LEGAL PROFESSIONALS | PROMOTING THE ROLE OF LEGAL PROFESSIONALS IN SOCIETY**

	STRATEGIC GOAL*			REPORTING QUARTER				
	1	2	3	1	2	3	4	
<i>Regulation &amp; Licensing</i>								
<ul style="list-style-type: none"> <li>Plan for and begin implementation of coordinated admission and licensing systems for legal professionals</li> </ul>			X					<p><b>Q1:</b> Work has been ongoing since BOG approval of Bylaw changes and submission of suggested APR amendments to the Court; we are in the process of revising forms and conforming and consolidating processes.</p> <p><b>Q2:</b> Not reported in Q2.</p> <p><b>Q3:</b> With the Court's adoption of the APR amendments in June, we continue to identify and prioritize items for the September 1 effective date. We are reviewing and revising all related policies, procedures, and forms to merge LPO and LLLT licensing, MCLE and admissions processes into the relevant work groups and systems within RSD. Online annual license renewal, a new online member directory and coordinated bar cards are expected to be implemented for all license types this Fall.</p> <p><b>Q4:</b> This process is well underway and being implemented. Not all systems need to or can be integrated immediately, but we are coordinating as items move up in time priority and/or ability to accomplish. On track.</p>
<ul style="list-style-type: none"> <li>Research Online Admissions Program systems and identify viable options to be considered for adoption and use for all admission and readmission processes</li> </ul>	X		X					<p><b>Q1:</b> Not reported in Q1.</p> <p><b>Q2:</b> Conducted due diligence on software options.</p> <p><b>Q3:</b> Not reported in Q3.</p> <p><b>Q4:</b> After researching available outside options, and reviewing their functionality and cost, we expect to move forward with a system developed in house. On track.</p>
<ul style="list-style-type: none"> <li>Develop coordinated discipline system proposal</li> </ul>			X					<p><b>Q1:</b> Work has begun through internal meetings of staff involved in all aspects of discipline system to discuss and identify specific areas needing coordination and develop ideas for achieving coordination.</p> <p><b>Q2:</b> Not reported in Q2.</p> <p><b>Q3:</b> WSBA staff workgroup (ODC, RSD, and OGC) met biweekly throughout Q2 and Q3 to develop recommended model of coordinated discipline system. Concept and core recommendations were presented to the BOG, all affected regulatory boards, hearing officers, Disciplinary Advisory Round Table (DART), and Supreme Court. After modifications based on stakeholder and Court input, a revised model was presented to the Court and BOG in March. After an additional presentation to DART in May, a project report was submitted to the Court in June, requesting the Court's feedback. By letter on July 3, the Court advised that a majority had voted to approve, in concept, the proposed coordinated system so that intensive drafting could begin.</p> <p><b>Q4:</b> Intensive drafting by WSBA staff work group. On track.</p>



	STRATEGIC GOAL			REPORTING QUARTER				
	1	2	3	1	2	3	4	
<i>Member Benefits &amp; Professional Development</i>								
<ul style="list-style-type: none"> <li>Determine the appropriate mechanisms and tools for measuring and communicating ROI on WSBA programs and services</li> </ul>	X				In Process		In Process	<p><b>Q1:</b> Not reported in Q1.</p> <p><b>Q2:</b> An interdepartmental team is being formed to: (1) assess current ROI measurement across WSBA; (2) provide training and tools to key staff on how to measure and communicate ROI; and (3) implement an ongoing and systemic approach to measuring and communicating ROI. One team member will be attending the American Evaluation Association Summer Institute for further training on measuring program outcomes.</p> <p><b>Q3:</b> Not reported in Q3.</p> <p><b>Q4:</b> During Q3 and Q4, the interdepartmental team: (1) conducted a landscape analysis to understand current ROI activities, and (2) examined and piloted tools for measuring and communicating ROI, with anticipated FY18 application to WSBA member benefits. In FY18, the team will also explore the interplay of ROI activities and the WSBA Outreach Plan.</p>
<ul style="list-style-type: none"> <li>Analyze, adapt, and extend WSBA benefits for all legal professionals licensed by WSBA</li> </ul>	X				In Process		On Track	<p><b>Q1:</b> Not reported in Q1.</p> <p><b>Q2:</b> We examined all language related to WSBA services and benefits to ensure that it is inclusive of all members as appropriate. CLE, LOMAP, mentoring, new lawyer, and diversity and inclusion teams are considering and ensuring inclusion of all members as we develop events and programming for FY17 and beyond. As part of the process to align section bylaws with the WSBA Bylaws, we are also working to ensure inclusive language.</p> <p><b>Q3:</b> Not reported in Q3.</p> <p><b>Q4:</b> With APR amendments having taken effect on September 1, benefits and services are now being extended to all licensed legal professionals. Final Sections bylaws were adopted at September BOG meeting.</p>



	STRATEGIC GOAL			REPORTING QUARTER				
	1	2	3	1	2	3	4	
<b>Public Service &amp; Diversity/Inclusion</b>								
<ul style="list-style-type: none"> <li>Provide members with a menu of public service and pro bono opportunities with WSBA and with our partners across the state</li> </ul>	X	X	X					<p><b>Q1:</b> This quarter, we: (1) approved two new Qualified Legal Service Providers (QLSPs) increasing the opportunities for attorneys to earn credit through pro bono service; and (2) developed strategies for promoting public service opportunities across the state. In Q2 we will combine the two public service list serves and expand their purpose to promote public service and pro bono opportunities with partner organizations. In addition, we are planning a Moderate Means Program CLE in February 2017 in Yakima. This will serve as a promotion and recruitment event.</p> <p><b>Q2:</b> This quarter, we: (1) launched the new public service list serve, which (a) combines our former Call to Duty Pledge and Moderate Means Programs list serves, and (b) contemplates broader membership and purpose in order to better promote a menu of public service and pro bono partners across the state; (2) held a Moderate Means CLE Viewing Party in Yakima to promote that program; (3) developed materials to promote the emeritus program and our free public service CLEs for members engaged in public service and pro bono work through WSBA or our partners; and (4) held our first Call to Duty Day of Service of the year in Tacoma, with 40 volunteers participating to provide critical legal assistance to 17 veterans needing help in the area of family law.</p> <p><b>Q3:</b> This quarter, we: (1) held a Moderate Means Program CLE in Bellingham in partnership with the Diversity Program; (2) began planning for a September Day of Service; (3) established partnerships to host Days of Service in Snohomish and the Tri-Cities in FY18; (4) reviewed the public service education library to identify programming to add in FY18; (5) developed new potential partnerships with the WSBA Low Bono Section, Chelan-Douglas County Volunteer Attorney Services, the Northwest Justice Project, Kitsap Legal Services, and Perkins Coie; and (6) Created a Day of Service Manual.</p> <p><b>Q4:</b> This quarter, we: (1) planned and held the September Day of Service; (2) in partnership with the WSBA Communications and Outreach Department, developed a draft communication and outreach plan for FY18, to promote volunteering with Qualified Legal Service Providers; (3) began developing a program manual for the Moderate Means Program; (4) collaborated with the CLE team to develop the October Legal Lunchbox in celebration of Pro Bono Month; and (5) facilitated a retreat for the Moderate Means Program partners.</p>
<ul style="list-style-type: none"> <li>Institutionalize systems for reviewing policies, practices, procedures, and programs with a race equity lens</li> </ul>		X						<p><b>Q1:</b> Not reported in Q1.</p> <p><b>Q2:</b> The Race Equity Impact Analysis Tool has been finalized and rolled out to all employees. Departments are currently evaluating projects to which the tool will be applied.</p> <p><b>Q3:</b> Not reported in Q3.</p> <p><b>Q4:</b> Several departments have piloted the Race Equity Impact Analysis Tool and it has been useful in identifying areas in which to focus our equity efforts.</p>



	STRATEGIC GOAL			REPORTING QUARTER				
	1	2	3	1	2	3	4	
<b>Engagement &amp; Outreach</b>								
<ul style="list-style-type: none"> <li>Complete WSBA.org website redesign to improve user experience and value for key audiences (members, public, stakeholders)</li> </ul>	X	X	X					<p><b>Q1:</b> Website redesign continues to move forward, with design compositions and navigation finalized. Training and content migration to occur in Q2.</p> <p><b>Q2:</b> We finalized the site structure, including style guides, templates, taxonomy and main navigation; inventoried high-level content pages; and conducted a series of content editor trainings. Content migration, site build out, testing, debugging, and acceptance is scheduled to occur in Q3.</p> <p><b>Q3:</b> Not reported in Q3.</p> <p><b>Q4:</b> Redesigned website live in November.</p>
<ul style="list-style-type: none"> <li>Enhance collaboration with volunteers through standardized recruitment, training, engagement, and inclusion</li> </ul>	X	X						<p><b>Q1:</b> An interdepartmental team of employees that frequently work with volunteers began meeting last year to identify how the WSBA can adopt best practices to leverage resources, build capacity, manage expectations and improve engagement with volunteers. The team focused this quarter to: (1) develop of a volunteer survey, to be administered in Q2, to understand the challenges and rewards WSBA volunteers experience. In addition to providing meaningful guidance for our efforts to improve volunteer engagement, satisfaction, retention and recruitment, the survey will provide a baseline metric against which we can measure the success of our initiatives; and (2) pilot the use of a Volunteer Position Description Form that will standardize general expectations and duties of each position across the organization; as well as support recruiting, onboarding, and training. The tool will be piloted with a small group of committee liaisons in advance of the 2017 volunteer recruitment process.</p> <p><b>Q2:</b> Not reported in Q2.</p> <p><b>Q3:</b> Not reported in Q3.</p> <p><b>Q4:</b> The interdepartmental team met throughout the year to identify and carry out initiatives designed to enhance collaboration with volunteers. The team: (1) finalized the Volunteer Satisfaction Survey to be administered during the first quarter of FY18. We look forward to sharing the results with the Board of Governors and allowing the data to shape our efforts in the coming year. (2) Successfully piloted the Volunteer Position Description Form during the 2017 volunteer recruitment process with six different WSBA entities. We will be collecting feedback on the helpfulness of the tool and hope to expand the pilot during the 2018 recruiting cycle. (3) In recognition of National Volunteer Appreciation week in April, developed a volunteer appreciation email that was distributed to all of our volunteers, and collaborated with the Executive Director on an article acknowledging the work of our volunteers for the April/May issue of NWLawyer.</p>



	STRATEGIC GOAL			REPORTING QUARTER				
	1	2	3	1	2	3	4	
<ul style="list-style-type: none"> <li>Coordinate outreach to all local, minority and specialty bars that ensures ongoing/meaningful connections with WSBA during the year</li> </ul>	X	X	X					<p><b>Q1:</b> This quarter, WSBA engaged with the following minority and specialty bar associations: Loren Miller Bar Association, South Asian Bar Association of Washington, Washington State Veterans Bar Association, Washington Women Lawyers, QLaw – the LGBT Bar Association, the Middle Eastern Legal Association of Washington, and Washington Attorneys with Disabilities Association. In addition, WSBA continued to publish its twice-monthly WSBA Diversity Announcement to the diversity stakeholders list serve. Recruitment for the Legal Community Outreach Specialist is underway with anticipated hiring in Q2.</p> <p><b>Q2:</b> This quarter, WSBA: (1) engaged with the Cardozo Society, Vietnamese American Bar Association, Washington State Veterans Bar Association, Washington Women Lawyers (WWL), MAMAs, Northwest Indian Bar Association, Washington Attorneys with Disabilities, and Filipino Lawyers of Washington; (2) partnered with MAMAs and WWL on a mentorship mixer in January, attended by more than 60 members, and an associated audio broadcast; (3) collaborated with WWL, the Washington State Veterans Bar Association, and the Pierce County Minority Bar Association on community networking events in Bremerton, Tacoma, and Vancouver; (4) held a LLLT Town Hall to discuss the proposal to add estate and healthcare law as a second practice area; (5) continued to publish twice-monthly WSBA Diversity Announcements to the diversity stakeholders list serve; and (5) filled the Legal Community Outreach Specialist position.</p> <p><b>Q3:</b> This quarter, WSBA: (1) partnered with Washington Women Lawyers, the Washington State Veterans Bar Association, the Whatcom County Bar Association, and the Law, Diversity, and Justice Program at Western University for a Community Networking event in Bellingham WA; and (2) visited with leadership and membership of the following local and county bar associations: Spokane County Bar Association, Skagit County Bar Association, Yakima County Bar Association, and Benton-Franklin Counties Bar Association.</p> <p><b>Q4:</b> This quarter, WSBA: (1) partnered with Washington Women Lawyers, the Washington State Veterans Bar Association, the Latina/o Bar Association, the Spokane and Benton Franklin County Bar Associations, and Gonzaga Law School to hold Community Networking events in the Tri Cities and Spokane; (2) held a meeting open to all MBAs and a free Non-Profit Board Management training, members of Washington Women Lawyers, the Filipino Lawyers of Washington, the Veterans Bar Association, and the South Asian Bar Association were in attendance; (3) collaborated with Washington Attorneys with Disabilities to develop the CLE program, Disability and Aging: Overcoming Ableism in the Legal Profession, which will deliver in October; (4) co-sponsored Washington Women Lawyers’ bias awareness training; and (5) filmed legal community members in Seattle, Bellevue, Tacoma, and Maple Valley for the WSBA APEX Awards dinner.</p>



	STRATEGIC GOAL			REPORTING QUARTER				
	1	2	3	1	2	3	4	
<ul style="list-style-type: none"> <li>Improve connections with the public through focused engagement and communications efforts</li> </ul>			X		On Track		On Track	<p><b>Q1:</b> Not reported in Q1.</p> <p><b>Q2:</b> In March we launched a quarterly forum series called Decoding the Law, which provides opportunities to foster dialogue among members and the public around timely, important legal issues. The first program was a three-part series on the death penalty. The next program, anticipated for May, will address transgender bathroom rights. We are also developing a program on immigration.</p> <p><b>Q3:</b> Not reported in Q3.</p> <p><b>Q4: Decoding the Law:</b> we continued the Decoding the Law community forum series in June and August. We hosted “A legal primer on Transgender Rights and Legislation” to time with Pride Month in June; held a two-part series on immigration in August, which focused on personal and policy perspectives; and began developing the next forum entitled “Decoding the Law: Race Relations, Policing, and the Law”, which will be held on December 4. <b>APEX Awards Dinner:</b> Our annual awards dinner acknowledges the professional excellence of leaders in 10 categories, including the “Legal Innovation Award,” a new category this year.</p>
<b>Organization &amp; Infrastructure</b>								
<ul style="list-style-type: none"> <li>Engage in management discussion, training and development in order to foster an environment that promotes employee engagement and input</li> </ul>	X	X	X		On Track		On Track	<p><b>Q1:</b> Not reported in Q1.</p> <p><b>Q2:</b> Working collaboratively with staff and managers, we facilitated employee and manager focus groups to further understand how best to ensure leadership development and open communication in the workplace. WSBA managers developed and are implementing the following measures:</p> <ul style="list-style-type: none"> <li>Providing monthly updates on Exec Team and Ops Team discussion topics</li> <li>Developing a system to support the facilitation of career development conversations between employees and managers</li> <li>Developing a concept proposal tool and process that can be used as needed to bring clarity to idea development and input process as new programs and projects are developed</li> <li>Developing WSBA management training “Bootcamp” that will be presented to all managers and then integrated into new manager orientation and which will be a mechanism to standardize expectations for managers re WSBA management philosophy and practices for fostering a positive WSBA culture</li> </ul> <p><b>Q3:</b> Not reported in Q3.</p> <p><b>Q4:</b> Delivered WSBA Management Culture and Norms training to all WSBA Managers and have added this component to the new manager orientation process. HR has developed a tool to facilitate career development conversations between managers and employees. After gathering manager and employee feedback the tool is scheduled to be deployed to managers and employees in January 2018.</p>
<ul style="list-style-type: none"> <li>Implement paperless accounts payable system</li> </ul>					On Track		In Process	<p><b>Q3:</b> Examined WSBA expense policy, procedural, and internal control requirements; analyzed accounts payable system features, including ability for customization to automate WSBA requirements; negotiated and entered contract with PN3 vendor; finance team trained and currently working with vendor on system customization. On track for staff training and system rollout beginning in September.</p> <p><b>Q4:</b> System operational; rollout in November.</p>





	STRATEGIC GOAL			REPORTING QUARTER				
	1	2	3	1	2	3	4	
<ul style="list-style-type: none"> <li>Upgrade membership data management platform</li> </ul>	X	X	X					<p><b>Q1:</b> Not reported in Q1.</p> <p><b>Q2:</b> We analyzed and catalogued all changes required for implementation; installed and modified new software version (customization and encryption of sensitive data). The IT team received technical training. The project is on track to launch in Q4.</p> <p><b>Q3:</b> Not reported in Q3.</p> <p><b>Q4:</b> In consideration of WSBA's upcoming busy seasons (end of year CLE and license renewal), the Personify upgrade will occur in Spring 2018.</p>

# WASHINGTON LEADERSHIP INSTITUTE



## About WLI

The Washington Leadership Institute (“WLI”) is a leadership development program created in 2004 by the WSBA Board of Governors at the behest of then president Ronald H. Ward. It is a collaborative leadership program between the Washington State Bar Association and the University of Washington School of Law (UW Law). The program operates under the direction of a Board of Advisors and provides monthly training sessions to participants (“Fellows”). The sessions include topics such as the “nuts and bolts” of law practice, leadership styles, the judiciary, and the legislative process. A WSBA Leadership Institute Fellow is afforded numerous opportunities to personally interact with legal, judicial, and political leaders.

## Our Mission

The mission of the Washington Leadership Institute (WLI) is to recruit, train, & develop traditionally underrepresented attorneys for future leadership positions in the Washington State Bar Association and legal community. The program strives to recruit Fellows for each class who reflect the full diversity of our state, which includes race, ethnicity, gender, sexual orientation, disability, and geographic location.

## Program Benefits

The WLI provides the Fellows with numerous opportunities to personally interact with legal, judicial, and political leaders. The program offers a unique combination of benefits:

- The program is a no-cost endeavor for Fellows because all travel, lodging and meals, are covered
- No tuition fee
- CLE credits, enough to satisfy approximately 3 full years of MCLE requirements — at no cost
- Exposure to practice and industry leaders
- Training in the law, courts, and the Bar
- One-on-one interaction with judges
- Mentorship from well-known bar leaders

## Curriculum

There are three components to the WLI Leadership Institute:

- **SESSIONS:** The program is composed of eight educational sessions which run from January through August of each year. Fellows devote approximately 60 hours to the WLI CLE curriculum.
- **COMMUNITY SERVICE PROJECT:** Each class sets aside time to be involved with the preparation and execution of a WLI community service project. Fellows devote approximately 30 hours to the project.
- **ONE YEAR OF SERVICE:** Following graduation from the WLI, each Fellow is expected to serve on a WSBA or WSBA-related committee, section, minority, or specialty bar association

## Notable Guest Speakers

There have been over a hundred speakers who have given their time and expertise to the program. Below are just a few of the attorneys and public servants who have spoken and taught at the Institute:

- **JUSTICE MARY FAIRHURST**, Washington Supreme Court
- **JUDGE RICHARD JONES**, U.S. District Court
- **LUCY HELM**, General Counsel to Starbuck Coffee Company
- **ERIC LIU**, Author and speech writer for former President Bill Clinton
- **JUDGE RICARDO MARTINEZ**, U.S. District Court
- **FRED RIVERA**, Managing Partner, Perkins Coie Seattle Office
- **JEFFREY ROBINSON**, Schroeter Goldmark and Bender
- **KELLYE Y. TESTY**, Dean, University of Washington Law School



## Who Can Apply?

Attorneys who have been admitted to practice law in a U.S. jurisdiction for at least three years and not more than ten years are eligible to apply.

All applicants must:

- Be an active member of the WSBA
- Be nominated by his/her employer, or if self-employed, by a lawyer with at least 10 years of practice or a judge.
- Attend and participate in all eight sessions in order to graduate from the program.

## For More Information

### **DAWN BELL, WLI COORDINATOR**

University of Washington School of Law  
William H. Gates Hall  
Box 353020  
Seattle, WA 98195-3020  
206.543.2586  
belld3@uw.edu

## 2016 Fellows

Mubarak F. Abdur Raheem	Heather L. DeBlicek
Dua M. Abudiab	Raymond L. Delos Reyes
Mary C. Anderson	Mimi Hunter
Marsha J. Chien	Ailene M. Limric
Khalia Gibson Davis	Jenna J. Nand

## Advisory Board

### **WLI FOUNDER**

Ronald R. Ward

### **CO-CHAIRS**

Hon. Mary I. Yu

James Williams

### **OTHER BOARD MEMBERS**

WSBA President	Karen Lee
Jeffery Beaver	Hon. Lorraine Lee
Hon. Bobbe Bridge (Ret.)	Diankha L. Linear
Dean Annette Clark	Felix G. Luna
Hon. Mary Fairhurst	Hon. Ricardo S. Martinez
Hon. Steven González	Hon. Susan J. Owens
Nancy Isserlis	Frederick (Fred) B. Rivera
Zabrina Jenkins	Craig A. Sims
Dean Jane Korn	Dean Kellye Y. Testy
Victor Lara	Karen Denise Wilson



## UNIVERSITY OF WASHINGTON SCHOOL OF LAW

### **William H. Gates Hall**

Box 353020

Seattle, WA 98195-3020

Tel: 206.543.2586 \* Fax 206.616.1365

[www.law.uw.edu/Career/WLI/default.aspx](http://www.law.uw.edu/Career/WLI/default.aspx)

# THE SOCIAL MEDIA CAMPAIGN

# THE FIVE MINUTES VIDEO + TEASERS

## All Videos



**CT Mosque Shooter Inspires 12 Attorneys in WA to Combat Hate**  
Yesterday 350 views



**"I am more than what you see..."**  
August 7 498 views



**I am \_\_\_\_\_.**  
August 1 2.5K views



**Think you know what Islam is?**  
July 23 3.5K views



**When did being Muslim mean you are not human?**  
July 10 4.3K views



**We The People**  
July 4 1.8K views



## THE DIRECTORS

# THE FACEBOOK PAGE

Change The Narrative #FiveMinutes at a Time  
 shared Qasim Rashid's photo  
 21 hrs

Qasim Rashid  
 Yesterday at 5:15am

Respect. Pass it on.

Like Comment Share



Change The Narrative #FiveMinutes at a Time  
 August 6 at 10:11am

Did you know these facts about Islamophobia? #MuslimAlly #FiveMinutes #DidYouKnow

There are at least 31 groups in the US whose primary purpose is to generate prejudice against Islam and Muslims. These groups received \$128 million in funding between 2008 and 2011.

Between 2007 and 2013, Islam was featured in 1,000+ news stories more than any other religion. But the coverage was overwhelmingly negative.

A 2016 study showed the percentage of Islam and Muslims in the news had 3 times as many negative than positive mentions, insults, and condescension.

According to the FBI, there were 257 reported hate crimes against Muslims in 2014, a 47% increase over 2014.

More than half of US Muslims aged 18-29 say they have been treated with respect, hatred.

Offense never originated by law enforcement or privately financed over the past year.

42% of Muslims with children in US schools say their children were bullied because of their faith.

In 2011-12, 14 bills or resolutions aimed at curtailing both Islamic religious practices or vilifying Islam were introduced in 21 states and the US Congress.

Please share. It only takes five minutes to change the narrative.

five MINUTES

Like Comment Share

Change The Narrative #FiveMinutes at a Time  
 August 4 at 10:31pm

The Christian-Muslim Alliance was founded by a Christian, Paul Martin, with a deep passion for ending Islamophobia, especially that instigated by Christians. Paul is a former pastor, interfaith advocate, and social entrepreneur, with a rich background in ecumenism, non-profit leadership, and study in the philosophy of religion.

The primary objective of the alliance is advocating for education, understanding, and peace. Paul is doing his part to enhance and amplify the efforts. See More

**CHRISTIAN MUSLIM ALLIANCE™**

HOME - CHRISTIAN MUSLIM ALLIANCE

Paul Martin and a growing army of peacemakers are wanting to start a revolution and build a movement to end religious division, especially that between Christians and Muslims.

CHRISTIANMUSLIMALLIANCE.COM

Change The Narrative #FiveMinutes at a Time  
 August 3 at 6:37pm

#DidYouKnow Latino, Muslim, and American are not exclusive identities.  
<https://www.good.is/features/americas-only-latino-mosque>

What It's Like Being A Latino Muslim In America  
 'We are optimistic, and this is an opportunity to let people know who we are.'

GOOD IS

Like Comment Share

6



# THE POSTS



**Verónica Quiñónez** shared **Change The Narrative #FiveMinutes at a Time's** video  
12 hrs

Former Marine Ted Hakey Jr let hate drive him to do an unspeakable thing But Ted's story ends in forgiveness and friendship  
This is the final #FiveMinutes video featuring Zahir Mannan and Ted Hakey Jr. Listen to their message and take #FiveMinutes to change the narrative.



347 Views

**Change The Narrative #FiveMinutes at a Time** with Aneelah Atzall and 4 others  
15 hrs

Everyone has some sort of bias. The question is, is that bias turning into hate? Former



**Lauren Parris Watts** shared **Change The Narrative #FiveMinutes at a Time's** video  
August 7 at 9:03pm

Please take ONE MINUTE to watch my group's last campaign teaser before our final video scheduled to drop on Thursday. I'd also love a like/comment/share but my request has I simply that you watch #FiveMinutes



496 Views

**Change The Narrative #FiveMinutes at a Time** added a new video. I am more than what you see  
August 7 at 9:35pm

I am more than what you see. The #FiveMinutes Teaser 5 is here! Please continue to like and share the Change of Narrative page

Thank you to Zahir Mannan and Aneelah Atzall for being part of the final #FiveMinutes



**Asia Wright** shared **Change The Narrative #FiveMinutes at a Time's** video  
15 hrs

Everyone has some sort of bias. The question is, is that bias turning into hate? Former Marine Ted Hakey Jr let that hate drive him to do an unspeakable thing. But Ted's story ends in forgiveness and friendship. Watch and see my interview with Ted Hakey Jr and Zahir Mannan. This is our final video so please share and spread the motto, "Love for All, Hatred for None."



365 Views

**Change The Narrative #FiveMinutes at a Time** with Aneelah Atzall and 4 others  
17 hrs

Everyone has some sort of bias. The question is, is that bias turning into hate? Former Marine Ted Hakey Jr let that hate drive him to do an unspeakable thing.

See More

**Wright** shared **Change The Narrative #FiveMinutes at a Time's** video with Ayanna Eagan and 11 others  
7 hr

ian What You See" is the last teaser before we drop our final

that a 2016 study showed the portrayal of Islam and Muslims in Times was more negative than portrayals of cancer, alcohol. Changing this narrative starts with YOU on your own timeline and your group pages to spread the word



**Narrative #FiveMinutes at a Time** added a new video. I am more than what you see  
2 hr

I am what you see. The #FiveMinutes Teaser 5 is here! Please continue to like and share the Change of

**Justice** shared **Change The Narrative #FiveMinutes at a Time's** video  
10:34am

**Wright** This demonstrates how spending #FiveMinutes getting things can change your whole perception! Follow our campaign and others like it!

**The Narrative #FiveMinutes at a Time**  
10:11am

Meet Ted Hakey Jr and Zahir Mannan. Two courageous men fighting hate and supporting our campaign. You can hear their story on Where We Live this Monday at 9:00 am.



**From Terrorism To Shared Prayer: A Story Of Reconciliation And Religion**

A Connecticut man convicted of a hate crime is now working to combat stereotypes about Islam



**Matthew James Sanders** shared **Change The Narrative #FiveMinutes at a Time's** video with Ayanna Eagan and 9 others  
August 7 at 10:39am

Thankfully, I have always considered myself to be an open-minded and well-rounded person, and it was only after undertaking this unique project that I began to appreciate the plight of our fellow Muslim-American neighbors as well as the misperceptions that many of us have about their religious beliefs. It only takes #FiveMinutes to change your perception. Please take a moment to watch the fifth and final teaser in anticipation of the final #FiveMinutes video. #WLI #FiveMinutes



49 Views

**Change The Narrative #FiveMinutes at a Time** added a new video. I am more than what you see  
August 7 at 10:50am

I am more than what you see. The #FiveMinutes Teaser 5 is here! Please continue to like and share the Change of Narrative page

Thank you to Zahir Mannan and Aneelah Atzall for being part of the final #FiveMinutes video that you want and change the narrative #FiveMinutes at a Time

Like Comment Share



**Jean Kang** shared **Change The Narrative #FiveMinutes at a Time's** photo  
July 13 at 10:27am

Did you know these facts? Do your friends, family, and co-workers know these facts? If not, please share and change the narrative

## DID YOU KNOW?




- According to the FBI, 78% of terror attacks on American soil between 1995 and 2005 were committed by non-Muslims.
- In the 18 years after 9/11, nearly twice as many people were killed in the U.S. by acts of terrorism and anti-governmental insurrection by domestic identifying as Muslims.
- Muslims are statistically much more likely to be the victims of terrorism than the perpetrators. For example, between 2005-2012, there were 402 terrorist attacks in the US and 134 attacks in the U.S. and very few were fatal. In the same time period in Iraq, there were 22,000 terrorist attacks and 3,000 of them were fatal.
- Members of Muslim terrorist groups make up an estimated 20-25% of the total world population of around 1.5 billion Muslims.
- While the November 2015 Paris attacks left 130 people dead, roughly three times the number of French citizens died on that same day from cancer.
- The average American is just as likely to be crushed to death by a malfunctioning piece of furniture as they are to be killed by a terrorist.

Please share. It only takes #FiveMinutes to change the narrative.




**Verónica Quiñónez** shared **Change The Narrative #FiveMinutes at a Time's** video  
12 hrs

Former Marine Ted Hakey Jr let hate drive him to do an unspeakable thing But Ted's story ends in forgiveness and friendship  
This is the final #FiveMinutes video featuring Zahir Mannan and Ted Hakey Jr. Listen to their message and take #FiveMinutes to change the narrative.



357 Views

**Change The Narrative #FiveMinutes at a Time** with Aneelah Atzall and 4 others  
15 hrs

Everyone has some sort of bias. The question is, is that bias turning into hate? Former Marine Ted Hakey Jr let that hate drive him to do an unspeakable thing

See More

Like Comment Share



**Asia Wright** shared **Change The Narrative #FiveMinutes at a Time's** post  
July 23 at 12:26pm

Friends, please share the third video I made with Jean Kang, Verónica Quiñónez, Jacque Justice, Vicky Stade, Ayanna Eagan, Matthew James Sanders, Nam Nguyen, Sonya Goykhman, Sade Ada Boston and Lauren Parris Watts. The root of rising Anti-Muslim sentiment in our country is ignorance. Please spread the word and get people talking about being a Muslim ally. You don't have to convert and you don't have to like Islam, but at least know what misconceptions are not true and respect someone's religion

**Change The Narrative #FiveMinutes at a Time**  
July 23 at 12:07pm

Check out our third teaser video! Please share on your own pages to spread the word and educate others on Islam. Join us in the fight against anti-Muslim rhetoric.



**What Is Islam?**  
The WLI's third teaser video for the #FiveMinutes campaign. Learn more at <https://www.facebook.com/WLI2017FiveMinutes/>  
The WLI is sponsored by the Universit

Like Comment Share



# THE TWEETS



George Tzafel @GeorgeTzafel · Aug 7  
5 days have passed since a terrorist attack on a mosque in Minnesota, and still no comment from Donald or the White House.

5 Mins Campaign @5MinsCampaign · Aug 8  
Can a five minute video change negative perceptions of people who are Muslim? That's the goal of a social media campaign started in Seattle by a group of women.

5 Mins Campaign @5MinsCampaign · Aug 8  
Thanks for retweeting @7Jade17!

Jacqueline Justice @7Jade17 · public  
Thank you @5MinsCampaign for sharing the @5MinsCampaign story! #We2017 take #FiveMinutes and let's all kick ass together!

5 Mins Campaign @5MinsCampaign · Aug 8  
Thanks @7Jade17 & @5MinsCampaign for sharing our campaign! Our first video featuring you drops @10:17! #MuslimsOnly

5 Mins Campaign @5MinsCampaign · Aug 8  
Listen to our spot job (2:54 min). Thanks @7Jade17 for taking #FiveMinutes to learn about the campaign.

5 Mins Campaign @5MinsCampaign · Aug 8  
Can a five minute video change negative perceptions of people who are Muslim? That's the goal of a social media campaign started in Seattle by a group of women.

ChristianMuslims @christianmuslims · Aug 7  
Jesus didn't come to earth to be safe. He came to make others safe. #PrayerandLove

HOME - CHRISTIAN MUSLIM ALLIANCE  
Paul, Martin and a growing army of missionaries are working to start a revolution and build a movement to end religious division, especially that between Christians and Muslims. christianmuslimalliance.com

Imraan Siddiqi @ImraanSiddiqi · Aug 7  
Also known as #MuslimsOnly

@Wurleson @Wurleson  
11 white supremacy groups have asked to start a mosque in the US. Welcome to Trump's America.

5 Mins Campaign @5MinsCampaign · Aug 7  
7 min. More Than What You See - the 2017 feature before we drop our final video. Please retweet and share. Positive change starts with YOU.

5 Mins Campaign @5MinsCampaign · Aug 7  
7 min. More Than What You See. [borisjordan.com/12-visuals-480x-44](#)  
@EvangelicalMuslimsOnly #We2017

5 Mins Campaign @5MinsCampaign · Aug 8  
You go @KingIman! Congrats on the Glamour cover! "I want to show people there's not just one way of being Muslim." - Halima Aden

Qasim Rashid, Esq. @QasimRashid · 15h  
Heading out to the @MuslimYouthUSA national retreat with my bro @shulwan  
And yes I'm wearing my #MuslimsForPeace shirt at the airport

5 Mins Campaign @5MinsCampaign · 14h  
Former Marine @Hakeyer let that hate drive him to do an unspeakable thing. But Ted's story ends in forgiveness & friendship. #FiveMinutes

FBI: IED caused explosion at Birmingham mosque; Muslim groups...  
Someone apparently threw a bomb through the window of a suburban Birmingham mosque on Saturday as people were preparing for morning prayers.

5 Mins Campaign @5MinsCampaign · Aug 9  
So inspiring. Follow @MuslimGuard (@TheMuslimGuard) on Instagram. Photo by @KatieArnell on August 18, 2017.

ChristianMuslims @christianmuslims  
Today we do it. Let's show our love to Muslims for Ramadan. #MuslimsOnly #MuslimsOnly #MuslimsOnly

Muslim Girl @MuslimGirl · Aug 8  
7 Signs That Should Concern You More Than My Headscarf - right to life.com

5 Mins Campaign @5MinsCampaign · Aug 9  
Thanks for the shout out @BlackBeltPatriot. Follow us to find out when we drop our last two videos. #FiveMinutes [facebook.com/We2017TheM1s](#)

Nick Brown @NickBrown100  
Really proud of the 2018 Washington leadership institute goals for creating the project [twitter.com/5minscampaign](#)

5 Mins Campaign @5MinsCampaign · Aug 9  
Muslims! With patience & an open mind a "hater" can make a change of heart. Check out this discussion [facebook.com/5minscampaign](#)

Rachel Showery That is beautiful I love how that is very smart use of words all 🙏🙏🙏  
Like Reply

Rachel Showery So in closing I appreciate your generous heart and your articulate mind. I also think the discussion has been extremely effective for sure! I have changed my perspective and have increased my understanding of this whole world. So peace and God bless you.  
Like Reply

Zahar Alwan Raa for Showery Peace, exactly as all humans are responsible for every not religion. We have our quotes of the Quran that people use to justify genocide. Their personal or groups at agendas. Even blessed Jesus (pbuh) said "blessed of whom oppose." See khalid  
Like Reply

Zahar Alwan Raa for Showery Ashura's age is an age old topic of debate that no one really has agreed upon. #Muslims doesn't make it that! See More  
Like Reply

Zahar Alwan Raa for Showery We're grateful for this contribution with you and have felt and share your righteous anguish concern over the actions of some humans who might represent a religion to others. They need to be addressed and solved (at least kinship ally). There has been a grossness, violence and terrorable in your points I speak the fragrance of mercy, justice and truth's the bravery and honesty that's help change the narrative. Even the

Muslim Girl @MuslimGirl · Aug 9  
"Mostly interested to see Muslims actively engaging in protests and fighting for their rights." - right to life.com

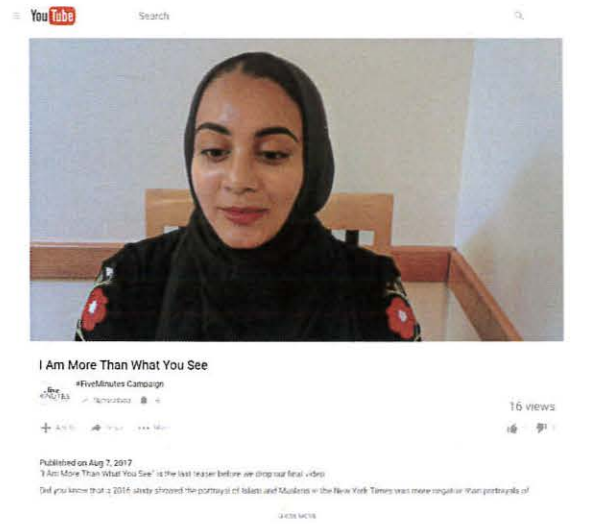
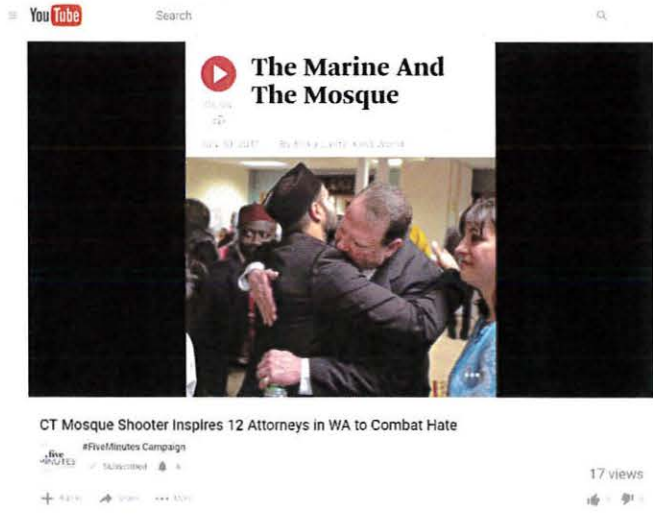
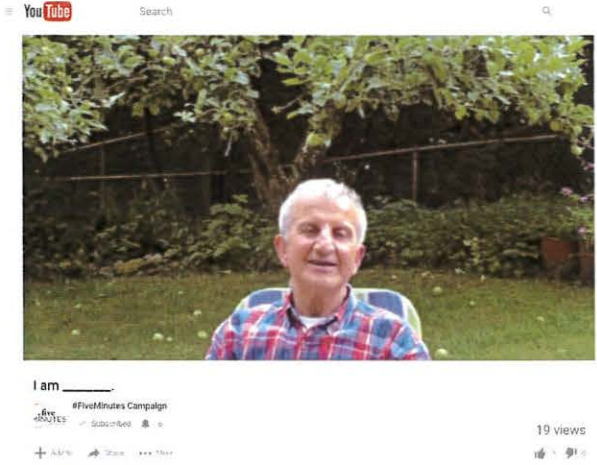
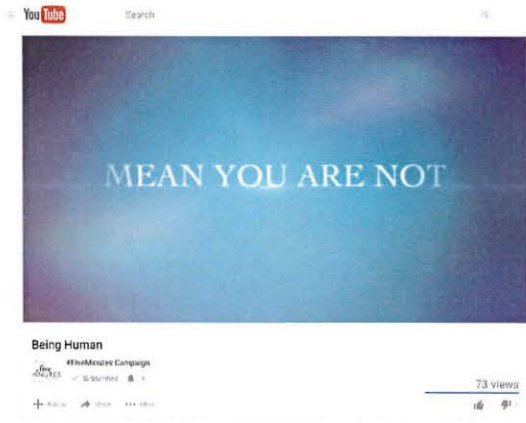




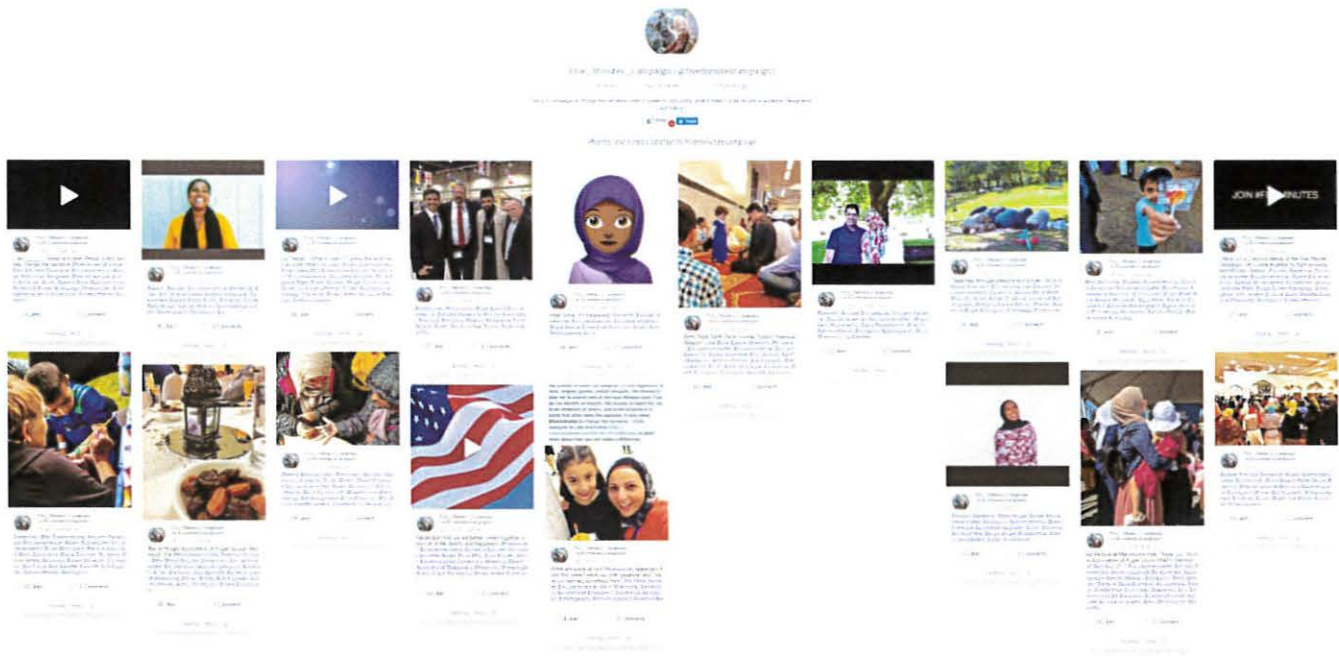
### #FiveMinutes Campaign

Welcome to the Washington Leadership Institute's 2017 follow-up #FiveMinutes page! This page is meant to provide insightful information on... [Show more](#)

#### Uploads



# THE YOUTUBE CHANNEL



Five\_Minutes\_Campai  
fiveminutescampaign 3w



34 0 Share

Five\_Minutes\_Campai  
fiveminutescampaign 3w



21 2 Share

Five\_Minutes\_Campai  
fiveminutescampaign 3w



16 0 Share



On Instagram



# THE RESPONSES

 Diana [redacted] like these kind of news stories!  
Like Reply 1 July 19 at 7:41pm

 Benjamin [redacted] Excellent  
Like Reply 2 July 4 at 4:21pm

52 shares

 Qasime [redacted] Allah bless u  
Like Reply 1 10 hrs

 Benjamin [redacted] This is beautiful  
Like Reply 3 July 4 at 4:22pm  
 Jacque Justice Thank you! Please share and helps us #ChangeTheNarrative!  
Like Reply 2 July 4 at 4:27pm

 Melania [redacted] LIKE MUSLIM PEOPLE  
Like Reply 1 July 12 at 4:16pm

 Shahzad [redacted] As Muslim lawyer & WLI Fellow I am overcome with feeling that indescribable in words - all I can say is thank you and that I am feel prouder than ever before to be a part of this bar and institute!  
Like Reply 6 July 13 at 10:25pm

 Allar [redacted] Lovely, this is a great video, we need so much more just like it.  
Like Reply 2 July 15 at 1:32am

 Darlene [redacted] No thanks  
Like Reply July 15 at 4:06pm

 Change The Narrative #FiveMinutes at a Time Thank you for your comment, Darlene! Could you please explain more as to your feelings on this video? Was there something in particular you didn't care for?  
Like Reply July 16 at 8:15pm

 Robbie [redacted] love this video! As an ESL teacher, I have Muslim students that are so happy to be here and are so gracious for our help in learning our language and learning our culture  
Like Reply 2 July 16 at 11:29am

1 Reply

 Cecil [redacted] I don't have issues with Muslims I do have issues with EVERYONE and ANYONE who believes that hate in any form is acceptable I do not hate Muslims I have very good friends that are Muslims I have been invited into their homes, have shared supper, an... See More  
Like Reply 1 July 16 at 8:39pm


 Tim [redacted] And these verses from the Quran are just fine, right? Those Bible verses are taken out of context. <http://www.jaisiyaram.com/> /10863-17-cruel-and-...





17 cruel and unbelievable Rules and Verses in the Quran and Islam - 13 Jun 12


JAI SIYARAM.COM | BY SWAMI BALENDU

Like Reply August 3 at 6:42pm

 Asia Wright [redacted] The point of the experiment was to check people's bias. It was not which religious text is better or which text has cruel and unbelievable passages. Do you agree with me that both have passages that do not reflect modern times or go against peace, love, and light?  
Like Reply 1 August 3 at 6:52pm Edited


 Jacque Justice Asia, that is how I interpreted it as well. We often perceive the Quran as being full of violence, yet the bible also contains many passages that, as you said do not reflect modern times, peace, love, and light. We should continue to challenge our biases by questioning when things might be taken out of context.  
Like Reply August 3 at 7:01pm Edited

 Ayanna Eagan There are over 600 pages in the Quran - this article only has 17 verses listed. I'm finding it hard to ignore the irony that one would say verses from the Holy Bible are easily misconstrued but then hold dearly to an assumption that they fully understand... See More  
Like Reply August 3 at 7:04pm


 Tim [redacted] Asia Wright I think that the Bible needs to be taken the way it was written with historical books that need to be taken historically, poetic books and the Gospels that should be taken as books of grace. But it should all be taken literally in the manner... See More  
Like Reply August 3 at 7:04pm

 Tim [redacted] Ayanna Eagan I was just pointing out that the Bible that has more than 600 pages had three verses in this article posed and yet none from the Quran. It is a biased article saying that what is in the Bible is "evil" and trying to make the Bible bad. While at the same time glorifying the Muslim faith.  
Like Reply August 3 at 7:07pm

 Asia Wright Tim [redacted] do not identify with any religion. I thought you knew that about me. I don't know what it has to do with anything. This campaign is part of a community service project. We focused on Islam due to the rise of hate crimes against people... See More  
Like Reply 2 August 4 at 7:58pm Edited

 Jacque Justice I don't think anyone is fighting for one religion over another. Rather, the goal is to bring to light the bias we see CURRENTLY against people of Muslim faith. This is not an implication that other faiths are not important, or have not faces persecution in the past. PRESENTLY, we have media, and politicians, creating hysteria over Muslims, which makes this a highly relevant topic.  
Like Reply August 3 at 7:20pm

 Jacque Justice Tim [redacted] but that's the point- people ASSUMED they were from the Quran. This highlights the perception people have of the Quran versus the Bible. In reality, both have positive/negative, can be taken out of context, and must be read with that context in order to grasp their true message  
Like Reply August 3 at 7:26pm

 Daniel [redacted] This all reminds me a bit of a Thomas Sowell quote: "When people get used to preferential treatment, equal treatment seems like discrimination." Something like asking people to give the Bible and the Quran the same benefit of the doubt and to treat Chr... See More  
Like Reply 1 August 7 at 7:38am Edited

# THE FACTS SHEETS

# DID YOU KNOW?



- There are at least 37 groups in the U.S. whose primary purpose is to **promote prejudice** against Islam and Muslims. These groups received **\$120 million** in funding between 2008 and 2011.
- Between 2007 and 2013, Islam was featured in primetime news more than any other religion - but the coverage was **overwhelmingly negative**.
- A 2016 study showed the portrayal of Islam and Muslims in the New York Times was more negative than portrayals of **cancer, alcohol, and cocaine**.
- According to the FBI, there were **257** reported hate crimes against Muslims in 2015, a 67% increase over 2014.
- More than half of U.S. Muslims ages 18-29 say they have been treated with suspicion, called

offensive names, singled out by law enforcement or physically threatened over the past year.

- 42% of Muslims with children in K-12 schools say their children were bullied because of their faith.
- In 2011-12, 78 bills or amendments aimed at interfering with Islamic religious practices or vilifying Islam were considered in 31 states and the U.S. Congress.

Please share. It only takes #fiveminutes to change the narrative.



# DID YOU KNOW?



- There are an estimated 1.2 billion Muslims worldwide, and there are 50 countries in the world with majority Muslim populations.
- Muslims have been in America since as early as the 17th century. There are now 6-7 million Muslims in America, as well as almost 2,000 mosques, Muslim schools, and Islamic centers.
- According to the U.S. Department of Defense, between 10,000 and 20,000 American Muslims serve honorably in the U.S. military.
- Islamic teachings promote life, liberty, equality and justice. Islamic values include respect for the earth, care and compassion for those less fortunate, the importance of seeking knowledge, honesty and

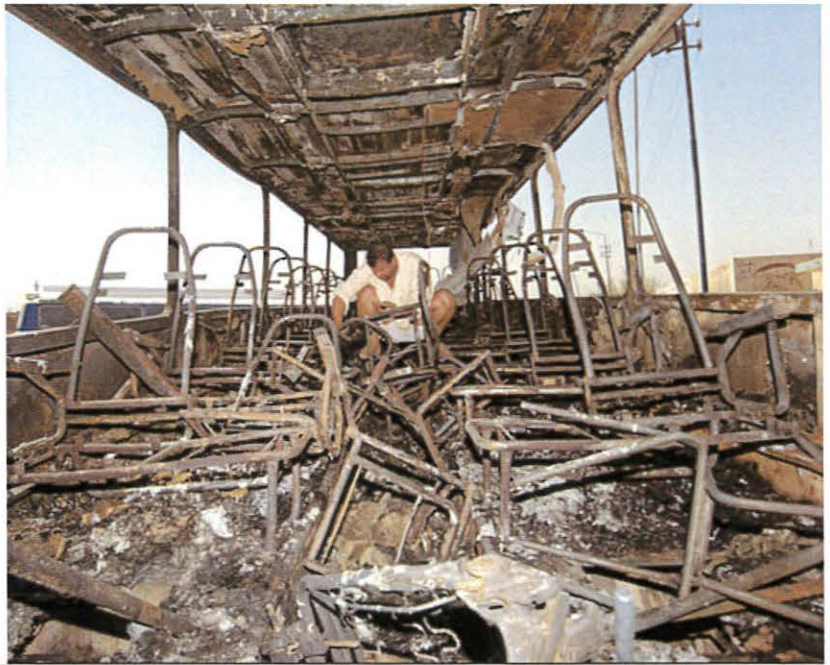
truthfulness, and striving continuously to improve oneself and the world.

- The term Sharia is used by Muslims to refer to the values, code of conduct, and religious commandments or sacred laws which provide them with guidance in various aspects of life.
- The vast majority of Muslims unequivocally condemn terrorism. Terrorism violates at least three Islamic principles: respect for life, right to due process, and individual responsibility.

Please share. It only takes #fiveminutes to change the narrative.



# DID YOU KNOW?



- According to the FBI, 94% of terror attacks on American soil between 1980 and 2005 were committed by non-Muslims.
- In the 14 years since 9/11, nearly twice as many people have been killed in the U.S. by white supremacists and anti-government radicals than by terrorists identifying as Muslims.
- Muslims are statistically much more likely to be the victims of terrorism than the perpetrators. For example, between 2004-2013, there were 400 terrorist attacks in the UK and 131 attacks in the U.S., and very few were lethal. In the same time period in Iraq, there were 12,000 terrorist attacks and 8,000 of them were lethal.
- Members of Muslim terrorist groups make up an estimated .00625% of the total world population of around 1.8 billion Muslims.
- While the November 2015 Paris attacks left 130 people dead, roughly three times that number of French citizens died on that same day from cancer.
- The average American is just as likely to be crushed to death by a television or piece of furniture as they are to be killed by a terrorist.

Please share. It only takes #fiveminutes to change the narrative.



# DID YOU KNOW?



- American Muslim women are the second highest educated religious group of women in the U.S., and are just as likely as American Muslim men to have a college degree or higher education.
- In many Muslim-majority countries women are involved at the highest levels of education, employment, and politics, with many female physicians, engineers, lawyers, and other professionals.
- For the majority of Muslim women, the decision to wear a veil, or hijab, in public is a matter of personal choice.
- Muslim women have served as heads of state in Bangladesh, Indonesia, Turkey, Kosovo, Mauritius, and Pakistan.
- A Muslim woman served as the Managing Director and Chief Operating Officer of the World Bank from 2010-2016. Forbes ranked her the 37th most powerful woman in the world in 2016.
- The wage gap between American Muslim men and women is nearly non-existent.

Please share. It only takes #fiveminutes to change the narrative.





# THE PRESS RELEASE



## Change the Narrative #FiveMinutes at a Time

Help Combat Anti-Muslim Rhetoric

Washington Leadership Institute, class of 2017

July 4, 2017

Seattle, WA – Negative and hateful rhetoric against Islam and Muslims is on a rise, with no end in sight. The portrayal of Muslims in main stream media is often riddled with inaccuracies, untruths, and negative connotations. An effort has been launched, through the #FiveMinutes campaign, to stop the hateful rhetoric and showcase the Muslim community for who they really are – people that make up, and contribute to, our community.

The Washington Leadership Institute ("WLI") is a collaboration between the Washington State Bar Association and the UW School of Law. WLI brings together a group of 12 diverse attorneys in their first three to ten years of practice, and helps prepare them for future leadership roles within our profession and the wider community. As part of the program, the group is responsible for identifying a community need and developing a service project to meet that need. This year, the WLI class of 2017 is on a mission to combat anti-Muslim rhetoric. Please join us in changing the narrative #FiveMinutes at a time.

For more information, and to learn about how you can engage in conversations about this meaningful topic and support our call to action, please visit our social media pages. We will be releasing videos, images, and written materials frequently.



@WLI2017FiveMinutes



@5MinsCampaign



@FiveMinutesCampaign



#FiveMinutes Campaign

Take #FiveMinutes to join the conversation.  
Email us at [FiveMinutesCampaign@gmail.com](mailto:FiveMinutesCampaign@gmail.com)

# THE ARTICLES

## Public Justice

# Changing the Narrative 5 Minutes at a Time

by the Washington Leadership Institute  
Class of 2017

The Washington Leadership Institute (WLI) is a collaboration between the Washington State Bar Association and the University of Washington School of Law. WLI brings together a group of 12 diverse attorneys in their first three to ten years of practice, and helps prepare them for future leadership roles within our profession and the wider community. As part of the program, the group is responsible for identifying a community need and developing a service project to meet that need. Just a few short months into the program, the WLI class of 2017, a group of relative strangers, were confronted with a heart-breaking reality that could not be denied.

Imagine having deep-seated roots in your homeland, roots that predate the formation of the country itself. Or imagine uprooting your whole life to pursue the promise that the future might be brighter for you and your family if you work hard and persevere. Now imagine being called a terrorist, an enemy of the state, and fearing for your safety while simply walking down your neighborhood street. Unfortunately, this is the scenario that many of our community members face, simply because of their religion. For many Muslims—whether they were born in the United States or moved here seeking a better life—the promise of life, liberty, and the

pursuit of happiness has become attenuated.

“Islam” and “Muslim” have become words that are feared. Research shows that news reports of Muslims are often centered around terrorism or presenting Muslims as threats to American culture and identity.<sup>1</sup> This slanted coverage has created a sense of fear and misunderstanding about Islam and Muslims. A recent Pew Research poll noted that 58 percent of respondents in the United States, Western Europe, and Russia described Muslims as “fanatical.”<sup>2</sup>

But the positive contributions of Muslims to American and world history are often overlooked. For example, few people know that five out of the past twelve Nobel Peace Prize winners have been Muslim.<sup>3</sup> As a result of this skewed perspective, Islamophobia is on a steady rise. The Southern Poverty Law Center noted that anti-Muslim hate was on the upswing toward the end of 2015.<sup>4</sup> Similarly, Huffington Post documented 385 cases of anti-Muslim rhetoric, bigotry, discrimination, and aggression in the United States in 2016.<sup>5</sup> Most people have heard about the latest terrorist attack or hate crime involving people identifying as Muslim, yet crimes against Muslims and other minority groups do not appear to strike the same generalized sense of fear of the perpetrators’ racial or religious affiliation. Official statistics show that all but a

small percentage of terrorist attacks in both the United States and Europe are carried out by non-Muslims.<sup>6</sup>

Even within the Northwest, there have been concerning incidents of hatred directed toward our Muslim neighbors. For example, the signage at the Redmond-based Muslim Association of Puget Sound was damaged twice in less than a month.<sup>7</sup> Recently, two men in Portland, Oregon, were killed, and another seriously injured, after they confronted a man spewing anti-Muslim rhetoric at two young women. Ignoring these types of stories of violence against the Muslim community, while disproportionately reporting stories of violence by those who identify as Muslims, only reinforces stereotypes and the negative perception of Muslims in this country. Our society is reluctant to engage in conversations about these sensitive issues and take part in honest dialogue with people who are different or unknown.

The narrative around the way that Muslims are discussed must change. To achieve that end, the WLI class of 2017 is undertaking a call to action to become informed and involved by raising awareness and helping to change this narrative. We have embarked on a journey to better inform ourselves about the issues impacting the Muslim community and, by spreading positive messages about Islam, to impact the way this group of Americans is perceived. Please join the WLI class of 2017 in changing the narrative. Join our campaign on social media and follow #FiveMinutes to learn more about how you can engage in conversations with your Muslim neighbors and support our call to action. It takes only five minutes to change your perspective.

The WLI class of 2017 is: Ayanna Eagan, Paul Firuz, Sonya Goykhman, Jacqueline Justice, Jean

King, Nam Nguyen, Lauren Parris, Veronica Quinonez, Matthew Sanders, Victoria Slade, Sade Smith, and Asia Wright

<sup>1</sup> Ahmed, S., & Matthes, J. (2017, 2016). Media representation of Muslims and Islam from 2000 to 2015: A meta-analysis. *International Communication Gazette* 79(3), 219-244.

<sup>2</sup> Michael Lipka & Michael Lipka, Muslims and Islam: Key findings in the U.S. and around the world Pew Research Center (2017), <http://pewresearch.org/fact-tank/2017/05/26/muslims-and-islam-key-findings-in-the-u-s-and-around-the-world> (last visited Jun 20, 2017).

<sup>3</sup> All Nobel Peace Prizes, Nobelprize.org (2017), [http://nobelprize.org/nobel\\_prizes/peace/laureates](http://nobelprize.org/nobel_prizes/peace/laureates) (last visited Jun 20, 2017).

<sup>4</sup> Southern Poverty Law Center, Southern Poverty Law Center (2017), <http://splcenter.org/hatewatch/2015/12/28/anti-muslim-hate-upswing-2015-closes-out> (last visited Jun 20, 2017).

<sup>5</sup> Here's Evidence Of The Islamophobia That Trump Brushed Off, Islamophobia (2017), <http://testkitchen.huffingtonpost.com/islamophobia/>.

<sup>6</sup> Less Than 2 Percent Of Terrorist Attacks In The E.U. Are Religiously Motivated, ThinkProgress (2017), <http://thinkprogress.org/less-than-2-percent-of-terrorist-attacks-in-the-e-u-are-religiously-motivated-ccc7d8ebdf6> (last visited Jun 20, 2017). See also Muslim-American Terrorism in 2013, Duke.edu (2017), [https://sites.duke.edu/tchs/files/2013/06/Kurzman\\_Muslim-American\\_Terrorism\\_in\\_2013.pdf](https://sites.duke.edu/tchs/files/2013/06/Kurzman_Muslim-American_Terrorism_in_2013.pdf) (last visited Jun 20, 2017).

<sup>7</sup> Press Release: MAPS Sign Vandalized Again, City of Redmond Washington (2017), <http://content.govdelivery.com/accounts/WAREDMOND/bulletins/17a7912> (last visited Jun 20, 2017).

## DRAFT OF UPCOMING NWLAWYER ARTICLE

Around a large conference table inside Perkins Coie's Seattle office in March 2017, 12 young attorneys part of the Washington Leadership Institute listened attentively as Aneelah Afzali, a local Muslim-American attorney spoke about media portrayal of Muslims. Ms. Afzali highlighted statistics and stories to illustrate her point and at the end of the presentation, issued a call to action, urging people to get to know Muslims and to challenge the portrayal of Islam in the media. We were inspired by this story, and Ms. Afzali is a phenomenal speaker, but there was not much time to revel in her presentation because we had a presentation of our own to give. We were tasked with proposing a community service event to the board of the Washington Leadership Institute. The Washington Leadership Institute is a joint program between the University of Washington School of Law and the Washington State Bar Association designed to develop diverse future leaders of the bar who are between 3 and 10 years of practice.

The stories Ms. Afzali told included the story of Ted Hakey, Jr., a former Marine who attacked a nearby mosque. Although no one was injured by his actions, this act shook the community. Following his actions, he had the opportunity to meet the people of the mosque. Following this interaction Mr. Hankey noted that had he taken five minutes to get to know the people who worshiped at the mosque, he never would have attacked the mosque. Thus, when our initial proposed community service project was soundly rejected because it was overly broad, they returned to the drawing board. On her return home, one of the fellows recalled the story of Mr. Hakey and proposed this as the start of our new project.

Touched by Mr. Hakey's change of heart and Ms. Afzali's call to action, we decided to launch a social media campaign aimed at encouraging people to spend five minutes engaging with the Muslim community and to spread facts and positive images of Muslims in our community. We devised a plan to put together a series of videos, fact sheets, and articles, in the hopes that our message would reach far and wide. We established a Facebook page, Twitter feed, Instagram account, and YouTube channel through which to share our message. Our Facebook page engaged more than 25,000 and our series of videos was viewed more than 12,000 times. We attended several community events at local mosques, interviewed community members including an interfaith Iftar during Ramadan and Eid-Fest, celebrating the end of Ramadan.

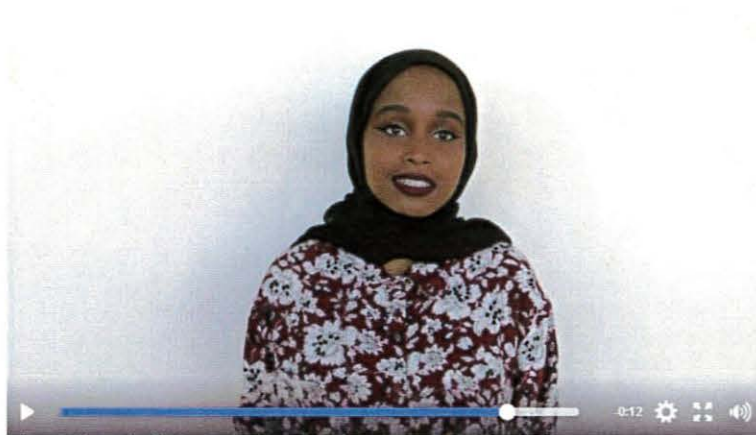
Although this campaign hit roadblocks as we stumbled to engage friends, colleagues, family members, and media outlets, we learned a lot working together. Through continued perseverance and creative outreach, we expanded our community and understand of Muslims in this country. Among the challenges was to push beyond our own echo chambers of social media and truly engage. We were successful in truly engaging in serious conversations with quite a few people, which made the experience a success. We even reached out to Ted Hakey and one of his friends from the mosque he attacked, and they were gracious enough to share their story in our final video. You can find our videos on our Facebook page, Change the Narrative #FiveMinutes at a Time, on Twitter @5 Mins Campaign, and on Instagram at Five\_Minutes\_Campaign. We encourage you to check out our efforts, spend five minutes engaging a new community, and support the Washington Leadership Institute.



Your Connection To Jazz, Blues and NPR News

## Seattle Attorneys Want Five Minutes To Change Negative Perceptions Of Muslims

By PAULA WISSEL



Screen shot from a #FiveMinutes campaign video on Facebook.

#FiveMinutes campaign

Can a five minute video change negative perceptions of people who are Muslim? That's the goal of a social media campaign started in Seattle by a group of attorneys.

Too often, stories about Muslims are centered around terrorism, says Seattle attorney Asia Wright. People rarely hear about Muslims' contributions to society or their everyday lives. One problem is a lot of Americans don't know anyone who is Muslim.

"Islam doesn't come into their lives, so they have these preconceived notions of what these people are supposed to be like. They have labels. They see them as other," Wright said.

She's part of a social media campaign called #FiveMinutes that seeks to change the narrative about people who are Muslim. Here is one of several five-minute videos produced by the campaign.

The campaign is a community service project started by Wright and a group of attorneys in this year's Washington Leadership Institute class. The Institute is a

collaboration between the Washington Bar Association and the University of Washington Law School.



Check out the second teaser of the Five Minutes campaign. Please share on your own timeline to spread this crucial question:  
When did being Muslim mean you are not human?

Troubled by rising fear and hate in America, twelve attorneys in Washington State came together to fight growing Anti-Muslim rhetoric. On July 4, they launched a campaign to change the narrative and portrayal of Muslims in the media five minutes at a time (inspiration for the "five minutes" to be revealed at the end of the month-long campaign). Armed with cell phone cameras, the attorneys filmed Muslim Americans living life in America. This is the second teaser to drop. Stay tuned for more teasers.

Share with your friends, family, and community. Be the change, five minutes at a time.

Wright says the idea of the campaign is to encourage people to tell their own stories. But the project hasn't exactly gone viral. And Wright said the reaction to a post on Reddit elicited a lot of negative feedback. Still, the hope is the videos will help spark a conversation and get people to reexamine their own biases.

Wright says the #FiveMinutes name came from the story of Ted Hakey, Jr.

The Connecticut man, enraged after watching news of a terrorist attack in Paris in November of 2015, took a gun and fired shots into a mosque next door. No one was injured.

The members of the mosque reached out to Hakey and told him they forgave him. Hakey was convicted of his crime, but he said the personal encounter changed him. He said he realized the Muslims who went to the mosque were just like him in many ways.

He said if he had only taken five minutes to know them he wouldn't have done what he did.

**TO:** Paula Littlewood  
**FROM:** Terra Nevitt, Director of Advancement and Chief Development Officer  
Paris Eriksen, Sections Program Manager  
**RE:** WSBA Sections Annual Report  
**DATE:** **November 1, 2017**

---

**Summary of WSBA Sections for FY16 (October 1, 2016 – September 30, 2017)**

Approximately one-quarter of all WSBA members belong to one or more of the WSBA’s 28 sections. The WSBA sections help to carry out the work of the Bar and meet the organization’s mission of serving the public and the members of the Bar. Each year, section executive committees and the WSBA staff work together to increase and improve the services and support available to section members. Sections generally rely on member dues, CLE registration revenue, and publication royalties to fund their activities. Section benefits and activities also directly connect to WSBA’s Strategic Goals for 2016-2018:

- *Equip members with skills for the changing profession:*
  - Section volunteers dedicate significant time and effort to producing high quality continuing legal education opportunities, newsletters and legal publications.
  - Section volunteers also develop resources for members transitioning to new areas of practice and/or learning new technologies.
  
- *Promote equitable conditions for members from historically underrepresented backgrounds to enter, stay and thrive in the profession:*
  - Sections provide a significant and valuable touch point for WSBA and its members.
  - Many sections sponsor grant and scholarship programs aimed at increasing access to justice and/or providing resources for new/young lawyers and law students.
  - A number of sections participate in mentorship activities to strengthen legal skills, increase knowledge, reduce barriers, and expand their networks of professional colleagues.
  
- *Explore and pursue regulatory innovation and advocate to enhance the public’s access to legal services:*
  - Section membership is available to all Active members of the WSBA, which now includes Limited Licensed Legal Technicians and Limited Practice Officers.
  - Many sections are active in the Washington state legislative process, commenting on or drafting legislation to help improve the rule of law in Washington.

**What’s New**

**Sections by the Numbers for FY17**

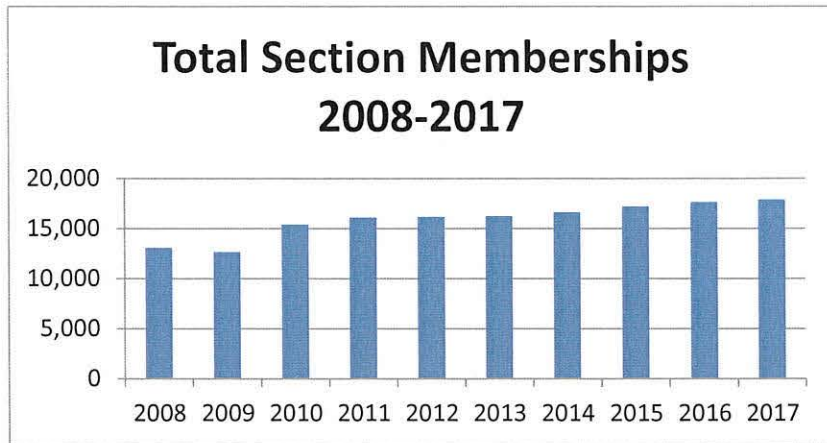
- **17,883** section memberships.<sup>i</sup> Increase of appx. 260 members from FY16
  
- **10,755** unique section members.<sup>ii</sup>
  
- **393** section executive committee members across all 28 sections.<sup>iii</sup>



- **63** section-sponsored educational programs: CLE seminars (27) and mini-CLEs (36).<sup>iv</sup>

- **\$117,420**  
approximate total amount distributed by sections for donations, grants and/or scholarships

- **\$40,026** average section fund balance as of August 31, 2017 (range: \$4,051-\$111,961).<sup>v</sup>



- **\$11,070** average FY17 budgeted expenditures across all sections, not including the per-member-charge (range: \$151.29 - \$48,025.08).<sup>vi</sup>
- **\$29** average dues amount to join a section in FY17 (range \$20-\$40). Law student rate is \$18.75
- **\$18.75** per member charge in FY17, collected by WSBA to staff and administer services to sections.

*Note: In addition to references provided, this information was gathered using sources including section annual reports, section financial statements, and WSBA calendars.*

**Sections Team: Internal Goals & Highlights**

The “Sections Team” is made up of three full-time WSBA staff dedicated to the support and success of the 28 WSBA Sections through close partnership with the section executive committees. In addition, several other staff members/departments throughout WSBA are called upon for section-related support at different times, including financial/accounting staff, CLE staff, legislative staff and communications staff.

*The Sections Team focuses its activities on achieving the following goals:*

- Support active and sustainable sections.
- Provide valuable benefits to members.
- Support a pipeline of future leaders.
- Facilitate collaboration between sections and other WSBA programs/efforts.

*Highlights in our work with sections during FY17 include:*

- Following the conclusion of the Sections Policy Workgroup in September 2016, the Sections Team shepherded the process to approve amendments to Article XI [Sections] of the Bar Bylaws, which were approved in January 2017. The bylaws, which took effect upon BOG approval, provide minimum standards for section governance and standardize the nomination and election processes, while leaving room for flexibility in each section’s operations. Following the Bar Bylaw amendments, the Sections Team created a bylaw alignment process intended to provide all section executive committees time and tools to align their individual section bylaws

# WASHINGTON STATE BAR ASSOCIATION

with the recently amended Bar Bylaws. This process included providing each section with an initial redline version of their current bylaws to address areas of minimal compliance, a worksheet to assist sections in identifying areas of their bylaws which were required and which allowed for flexibility in section governance. Additionally, a series of six 'drop-in' calls were held to provide section executive committee members an opportunity to ask questions. By end of fiscal year 2017, 27 out of 28 section bylaws had been successfully amended.

- Historically, the membership year for Sections has been October 1 through September 30 of the following year. Beginning FY18, the membership year will coincide with the calendar year January – December.
- Continued monthly publication of the 'Sections Bulletin.' The Bulletin is intended to provide section leaders with up-to-date information regarding WSBA matters; best practice tips; supplemental resources regarding leadership, diversity, and educational development; and to connect sections with existing and relevant WSBA programs.
- Provided individualized support to executive committees, including but not limited to: design and implementation of member surveys; preparation of materials for leadership retreats; event planning; and financial and data analysis.
- Continued support of WSBA's diversity and inclusion efforts with section leaders, including the provision of resources for creating inclusive environments, consultation to guide section leadership in their efforts to increase representation in all activities of section work, and presentations on the development and implementation of such tools.
- Completed a successful budgeting process, including review of budget histories and follow-up with sections before budgets were submitted to the Budget & Audit Committee.
- Worked closely with the Washington Young Lawyers Committee to host two "Open Sections Night" networking events in Spokane and Seattle, which provided an opportunity for new/young lawyers to mingle with section executive committee members and learn about section benefits.
- Engaged in ongoing collaboration with Legislative, Communications and Finance staff to update materials and processes related to sections.
- Maintained and updated the online "Section Leaders Toolbox," including new tools and resources to help section leaders implement their activities (e.g., workplan templates, meeting tools, membership data FAQ).

#### *Areas of focus for our work in FY18:*

- The primary focus of FY18 will be a discussion with section executive committee members regarding WSBA-CLE Collaborative Models, specifically how can WSBA and Sections can improve collaboration and effectively respond to market trends

#### **WSBA 2016-2017 Section Annual Reports (see full reports in Appendix)**

Per the WSBA Bylaws, each of the WSBA sections is required to submit an annual report on section activities and priorities to the WSBA Executive Director. Please refer to the Appendix to review each annual report in full.

---

<sup>i</sup> Membership Database, Sept. 2017

<sup>ii</sup> Membership Database, Oct. 2017

<sup>iii</sup> Hand count, Oct. 2017

<sup>iv</sup> CLE Team Master Calendar, October 2017

<sup>v</sup> Finance, Aug. 2017

<sup>vi</sup> FY17 Section budgets



## WSBA Sections

### WSBA SECTION ANNUAL REPORT – FY17

**Deadline: Friday, October 13, 2017**  
**Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)**

<b>Name of the Section:</b>	<i>Administrative Law Section</i>	
<b>Chair:</b>	<i>Stephen Manning</i>	
<b>Section Information:</b>  <i>*To be completed by WSBA*</i>	Membership Size:	289 (as of 9/1/17)
	Staff Lead:	Julianne Unite
	BOG Liaison:	Chris Meserve
	FY17 revenue: \$	\$13, 746.00 (as of 8/31/17)
	FY17 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$14,624.72 (as of 8/31/17)
<b>Purpose:</b>	<p>The purpose of the Administrative Law Section is to seek participation of all interested members of the Bar to benefit section members, their clients, and the general public by:</p> <ul style="list-style-type: none"> <li>• Exchanging ideas and sharing knowledge in administrative law, including the Washington Administrative Procedure Act, Public Records Act, and Open Public Meetings Act, through CLEs, publications, meetings, and other means of communication;</li> <li>• Initiating and implementing common projects;</li> <li>• Improving and facilitating the administration of justice in administrative law through the review of pending legislation and regulations, the development of proposed statutes, and the promotion of uniformity in legislation and administration; and</li> <li>• Providing other services that may benefit section members, the legal profession, and the public.</li> </ul>	

<p><b>2016-2017 Accomplishments and Work in Progress:</b></p>	<p>2016-2017 was a transitional year for the section. The section revised its bylaws to come into compliance with the Board of Governors' bylaws. As part of this bylaw revision, the section decided to move from its old nomination process occurring in the fall to an electronic process that occurred in the spring. The section awarded a \$5,000 scholarship to a law student practicing in the area of administrative law, produced two mini CLE's with receptions, chose a Homan Award recipient<sup>1</sup> and reviewed over 75 legislative bills. The section also had a transition mid-year with our newsletter chair, which decreased the number of newsletters the section had originally hoped for.</p>	
<p><b>Please quantify your section's current member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	<p><b>Quantity</b></p>	<p><b>Member Benefit</b></p>
	<p><b>\$5,000</b></p>	<p>Scholarships, donations, grants awarded</p>
		<p>Law school outreach events/benefits hosted</p>
	<p><b>Over 75</b></p>	<p>Legislative bills reviewed/drafted</p>
	<p><b>1</b></p>	<p>Newsletters produced</p>
	<p><b>2</b></p>	<p>Mini-CLEs produced</p>
		<p>Co-sponsored half/day to multi-day CLEs with WSBA</p>
	<p><b>2</b></p>	<p>Receptions/forums hosted</p>
	<p><b>1</b></p>	<p>Awards given</p>
	<p><b>2</b></p>	<p>New Lawyer Outreach events/benefits</p>
		<p>Other (please describe):</p>
<p><b>2017-2018 Goals &amp; Priorities (Top 5)</b></p>	<p><b>1</b></p>	<p><b>Host three mini CLEs</b></p>
	<p><b>2</b></p>	<p><b>Host one all-day CLE</b></p>

<sup>1</sup> A Homan Award recipient has been selected, but the recipient has not been announced yet. Traditionally, the Homan Award recipient has been announced at the section's annual meeting, which was made optional when the section revised its bylaws. The section will be announcing the 2016/2017 recipient at an upcoming CLE it is producing in the Fall.

	3	Publish three newsletters
	4	Select Homan Award Recipient
	5	Select recipients for public service and law student grants

**Please report how this section is addressing diversity:**

(Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)

The Administrative Law Section board strives to recruit members to the board from historically underrepresented backgrounds, LGBT attorneys, and attorneys from all over the state. We also added diversity as a consideration for our law student grant, encouraging law students from disproportionately underrepresented backgrounds to consider practicing administrative law and to become active in the section. The section's diversity and outreach chair reached out to minority bar associations with a message of inclusion and welcoming and wrote an article for the section's newsletter about diversity.

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

The section has a practice of hosting social receptions in coordination with mini-CLEs, so that members have the opportunity to meet while learning about the section. The section leaders have noticed that some of the most engaging and useful conversations about the section and the profession happen during these informal gatherings, likely improving civil and professional relationships among practitioners.

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

We try to recruit attorneys for the section board and committees who have been practicing for a broad range of years, including attorneys who are planning for retirement and attorneys who have just begun their careers. We encourage all board and committee members—including new attorneys—to serve in all leadership positions, including as section officers and committee chairs. We also encourage our law student grantees to meet the board members by attending our annual retreat, where they can learn more about leading a section and take on any level of responsibility that is appropriate, including joining a committee or contributing to the section newsletter

**Please describe your Executive Committee's relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*

We regularly communicate with our section liaison, Julianne Unite, who responds quickly and either has the information we need or can direct us to the person who can help. The quality of service has been great. We also interacted with Alison Phelan and Clark McIsaac regarding legislation that pertains to administrative law. Prior to her leaving, Alison did a great job keeping us informed of legislative developments that are of interest to section members.

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**



**WSBA SECTION ANNUAL REPORT – FY17**

**Deadline: Friday, October 13, 2017**  
**Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)**

<b>Name of the Section:</b>	<i>Alternative Dispute Resolution Section</i>	
<b>Chair:</b>	<i>Adrienne Keith Wills</i>	
<b>Section Information:</b>  <i>*To be completed by WSBA*</i>	Membership Size:	393 (as of 9/1/17)
	Staff Lead:	Julianne Unite
	BOG Liaison:	Keith Black
	FY17 revenue: \$	\$19,861.51 (as of 8/31/17)
	FY17 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$6,166.04 (as of 8/31/17)
<b>Purpose:</b>	Promoting informed use and best practices of alternative dispute resolution processes by: providing resources; educating members of the bar and the public, and addressing issues relating to the growth and development of alternative dispute resolution services in the State of Washington.	
<b>2016-2017 Accomplishments and Work in Progress:</b>	<p><b><u>Executive Committee</u></b>            The Executive Committee met for its annual retreat November 11-12, 2016. We began by reviewing our past accomplishments and project goals; that review formed the basis for discussion of what additional steps to take to advance projects that the Executive Committee agreed were still relevant and important. We also identified new projects to undertake. The “work product” of the retreat was an updated document that detailed active projects and which committee member(s) were involved with those projects. In March 2017, we held an extended Executive Committee meeting to provide a mid-year opportunity to do a “status check” on our projects for the year. Mid-year, a sub-committee of the Executive Committee convened to prepare proposed new bylaws, which were</p>	

then approved in July 2017.

#### **NW DR Conference Planning Committee**

Each year the WSBA ADR Section co-sponsors the Northwest Dispute Resolution Conference with the University of Washington School of Law. This year, the 23rd annual conference was held on March 23-24, 2017 on the UW Law School campus, and was attended by almost 400 attorneys and mediators. FY 17 Section Chair Adrienne Wills shared remarks at the evening reception in support of the Conference and the ADR Section.

As in prior years, members of the WSBA ADR Section provided leadership in planning and organizing this nationally recognized ADR conference. For example, Executive Committee member Sasha S. Philip is a Co-Chair of the planning committee, and four other Executive Committee members serve on the conference planning committee. In addition, several Executive Committee members were selected as presenters for the 2017 conference:

- Craig Beles presented a session entitled “Narrative Psychology and Mediation – “That’s My Story and I’m Stickin’ to It”
- Sasha S. Philip, Adrienne Keith Wills, and Melvyn Simburg presented a session entitled “Mediation Primer for New Lawyers”

Each year, the Section sponsors competitive scholarships to enable those with financial needs to attend the Conference at no cost.

#### **Professional Development Committee**

In November 2016, the Membership Committee merged with the Education Committee to form the Professional Development Committee. The Professional Development Committee co-sponsored an event on March 26, 2017, with the SU ADR Board for lawyers practicing in ADR and law students interested in ADR to network; the networking event was open to law students from any school. Additionally, the Committee discussed and recommended to the Executive Committee offering free membership to twenty law students on a first-come-first served basis, to which the Executive Committee agreed. Finally, the Committee began steps to create an ADR Inn of Court in Seattle. Plans for FY18 include co-sponsoring a membership event with the Low Bono Section, a membership event in Spokane, and putting on 1-2 webinars on current topics in ADR.

#### **Land Use & Environmental Mediation Committee**

This year the Land Use and Mediation Committee completed its Land Use Mediation Pilot Project and Report. The pilot project included five land use mediations and entrance and exit interviews with participants. The report summarizes the lessons learned from



these mediations. The committee also developed a new web site in conjunction with the WSBA. This website provides information on land use and environmental mediation for mediators, attorneys, land use professionals and the public. The committee also began work with the city of Bellevue planning department and the hearing examiner offices of Seattle and King County on pilot land use mediation programs. These programs are in development and will be implemented during the next bar year.

#### **Legislative Committee**

The Legislative Committee actively monitors bills and rules relating to the practice of ADR in Washington. During the budgetary session, there were no policy legislation held over from last year. There were several fiscal bills which the committee followed, and one that our Section endorsed which authorized the courts to increase filing fees for the benefit of local DRCs. The proposed legislation was not passed. In January, the committee published its research paper on family law mediation requirements in selected jurisdictions, found on our website at <http://wsba-adr.org/profiles/blogs/adr-section-research-paper-requirements-in-family-law-mediation>. The Committee continued its participation with the King County Bench-Bar Committee on early mediation in parenting related cases, chaired by Judge Pariesan, which complete proposed rules pending consideration by the King County Judiciary by its various committees. The committee has continued to examine related policy issues and potential legislation.

#### **Media & Communications Committee**

The Media & Communications Committee prepared and presented a slide show at the Executive Committee retreat in order to help Executive Committee members understand the means by which we can reach Section members and other ADR practitioners. The Media & Communications committee chair gathered information about how to use Bar technology to present a webcast mini-CLE. The Committee supported the web content migration of the Section's page on the Bar website. Finally, using the WSBA listserv, Adrienne Wills (Section Chair/Media & Communications Committee chair) sent regular updates to Section members regarding ADR events of interest.

#### **Law School Partnerships Committee/ECCL**

Much of the work of the Law School Partnership Committee shifted to the "Professional Development Committee" (activities detailed herein). Regarding the ECCL task force report, the recommendations from the taskforce include a mandatory mediation rule and the committee chair (Alan Alhadeff) is in contact with various stakeholders as part of an effort to create and

	implement a rule that is nuanced and sensible.	
<p><b>Please quantify your section's current member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	<b>Quantity</b>	<b>Member Benefit</b>
	\$4,500	Scholarships, donations, grants awarded
	1	Law school outreach events/benefits hosted [co-hosted]
	3	Legislative bills reviewed/drafted
	0	Newsletters produced
	0	Mini-CLEs produced
	2	Co-sponsored half/day to multi-day CLEs with WSBA
	2	Receptions/forums hosted [co-hosted]
	0	Awards given
	2	New Lawyer Outreach events/benefits
	1	Other (please describe): Co-sponsorship with KCBA of 2017 mediation week presentation
<p><b>2017-2018 Goals &amp; Priorities (Top 5)</b></p>	1	Support and promote the NW Dispute Resolution Conference
	2	Reach out to law students and newer lawyers to provide information and mentoring on incorporating alternative dispute resolution practices (ex. mediation and arbitration)
	3	Expand Executive Committee
	4	Connect with Section members and ADR practitioners state-wide (so, beyond Seattle/King County)
	5	Act to fulfill mission by providing resources; educating members of the bar and the public; and addressing issues relating to the growth and development of alternative dispute resolution services in the State of Washington
<p><b>Please report how this section is addressing diversity:</b>          (Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)</p>		

The ADR Executive Committee welcomes the participation of practitioners who bring a diverse perspective, whether it be based on age, gender, ethnicity, geography, or another factor. The majority of FY 2017 officers are women (Chair, Chair-Elect, Secretary).

As addressed later in the report, the Executive Committee continues to direct energy toward involving new/younger lawyers in the Section to foster age/practice experience diversity.

The Executive Committee has not consulted with the Diversity Specialist or used the WSBA tools, however outgoing Chair (Adrienne Wills, FY 2017) will communicate the availability of these to the incoming Chair (Courtney Kaylor, FY 2018).

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

The Section is working to create an Inn of Court chapter.

Section Chair Adrienne Wills wrote an article regarding the ADR-related recommendations from the "Escalating Costs of Civil Litigation" Task Force recommendations and spoke at an October 2016 panel event on the same topic.

Additionally, the work of the Section to further the skills of knowledge of all practitioners—ADR professionals and advocates—supports constructive resolution of disputes in a manner that promotes civility and respectful discourse.

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

We've made the Young Lawyer Liaison a full, voting member of our Executive Committee. It reflects the value that we place on the participation of that individual. As an Executive Committee, we frequently consider how we can reach out to support new/younger lawyers; this has been a formal topic of discussion at our annual retreat, is a part of the mission of our Professional Development Committee, and often comes up informally in Executive Committee meetings.

We consistently have numerous Executive Committee members attend the Open Sections night in an effort to connect with new and young lawyers.

Quite recently, we voted to approve a number of "free" members for law students, to encourage law student participation and to pave the way for law students to participate in Section happenings.

**Please describe your Executive Committee's relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*

The Section has been fortunate to receive excellent support from the WSBA Staff.

There have been no issues in our involvement with the Board of Governors; we have received positive feedback from our BOG liaison regarding our activities.

In response to an inquiry from Bar Staff, a sub-committee of ADR Executive Committee members met to discuss ways in which we could facilitate dialogue at the Fall 2016 Section Leaders meeting (the first such meeting to follow the conclusion of the Section Policy Workgroup's activity). Those members conducted telephone interviews with 5 section leaders and Paris Eriksen, and met with bar staff including Paula Littlewood and Robin Haynes. The preparatory discussions helped to shape the meeting, and encouraged Paula and Robin to be present for all or most of the section leaders' meeting. Upon debrief, the consensus was that the meeting was productive overall, despite tense moments. Our committee recommends building in stronger and more consistent lines of communication between section leaders and bar staff; our committee stands ready to provide additional support as requested.

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**



## WSBASections

### WSBA SECTION ANNUAL REPORT – FY17

**Deadline: Friday, October 13, 2017**  
**Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)**

<b>Name of the Section:</b>	<i>Animal Law Section</i>	
<b>Chair:</b>	<i>H. Wynnica Kerr</i>	
<b>Section Information:</b>  <i>*To be completed by WSBA*</i>	Membership Size:	127 (as of 9/1/17)
	Staff Lead:	Joe Terrenzio/ Julianne Unite
	BOG Liaison:	James Doane
	FY17 revenue: \$	\$3200.00 (as of 8/31/17)
	FY17 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$5374.43 (as of 8/31/17)
<b>Purpose:</b>	The purpose of the Section shall be to seek the participation of all interested members of the Bar and other interested non-Bar members.	
<b>2016-2017 Accomplishments and Work in Progress:</b>	<p><b>Extensive work by Kim Thornton Henning and other members of the By-Laws Committee to create new ALS ByLaws to comply with new mandatory WSBA ByLaws template, despite the conflict between new requirements and ALS needs. Numerous special Exec Comm telecons to discuss the new ByLaws drafts.</b></p> <p><b>Four Section meetings, including one in person annual meeting. Attracted 6 new ALS members through Member appreciation mini-CLEs.</b></p>	

<p><b>Please quantify your section's current member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	<b>Quantity</b>	<b>Member Benefit</b>
	\$500	Scholarships, donations, grants awarded
		Law school outreach events/benefits hosted
		Legislative bills reviewed/drafted
		Newsletters produced
	2	Mini-CLEs produced
		Co-sponsored half/day to multi-day CLEs with WSBA
	2	Receptions/forums hosted
		Awards given
	1	New Lawyer Outreach events/benefits
	2	Other (please describe): Two free mini-CLEs for members, which generated several new members.
<p><b>2017-2018 Goals &amp; Priorities (Top 5)</b></p>	1	<p><b>Unknown, incoming Chair, Adam Karp, has not established them. Please contact Adam Karp for next years' goals.</b></p>
	2	
	3	
	4	
	5	
<p><b>Please report how this section is addressing diversity:</b>  (Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)</p> <p>We conducted two outreach CLE programs in Tacoma, a more diverse area than Seattle. As a result, of the Animal Law in the Trump Era CLE, we have a new African American ALS member. Additional new diverse members are unknown since we don't ask about race or ethnicity..</p>		

--

**Please report how this section is addressing professionalism: ALS provides**

(Does the section’s work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

ALS takes positions on relevant ABA resolutions through an ALS member who is a ABA Animal Law Committee and TIPS Council.

<p><b>ALS members represent all stages of a legal career, from new graduates trying to make a living in animal law to senior lawyers doing pro bono animal law cases. Animal law is an emerging practice that attracts young lawyers. ALS benefits are designed to provide assistance to members at all levels, with emphasis on younger lawyers who dominate our membership.</b></p>			
---	--	--	--

**Please describe your Executive Committee’s relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*

- Joe Terrenzio was our go-to person at WSBA. He is no longer ALS section contact.
- James Doane has been a wonderful liaison, by keeping ALS informed of relevant development and has been a fair and positive liaison between the Section and numerous concerns and objections to WSBA rule changes.
- None at this time.

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**





## WSBA Sections

### WSBA SECTION ANNUAL REPORT – FY17

**Deadline: Friday, October 13, 2017**

**Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)**

<b>Name of the Section:</b>	<i>Antitrust, Consumer Protection and Unfair Business Practices Section</i>	
<b>Chair:</b>	<i>Christopher Wyant</i>	
<b>Section Information:</b> <i>As of September 30, 2017</i>  <i>*To be completed by WSBA*</i>	Membership Size:	202
	Staff Lead:	Julianne Unite
	BOG Liaison:	Keith Black
	FY17 revenue: \$	\$7,040.00
	FY17 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$1,122.5 (as of 9/1/17)
<b>Purpose:</b>		
<b>2016-2017 Accomplishments and Work in Progress:</b>	<p><b>Programming: Presentation by Attorney General Ferguson; Antitrust Day at UW; Consumer Law Panel for Students, organized CLE &amp; Networking Event (Gonzaga University Law School) scheduled for October 25; Another great Annual Antitrust Symposium</b></p> <p><b>Desk Book: continuing to develop update</b></p>	
<b>Please quantify your section's current member benefits:</b>	<b>Quantity</b>	<b>Member Benefit</b>
	\$	Scholarships, donations, grants awarded
	2	Law school outreach events/benefits hosted

<i>For example:</i> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	3	Legislative bills reviewed/drafted
	0	Newsletters produced
	1	Mini-CLEs produced
	2	Co-sponsored half/day to multi-day CLEs with WSBA
	1	Receptions/forums hosted
	0	Awards given
	1	New Lawyer Outreach events/benefits
		Other (please describe):
<b>2017-2018 Goals &amp; Priorities (Top 5)</b>	1	<b>Transform our annual single-day CLE into a series of mini-CLE's in order to reduce cost to members and increase attendance (currently have two of these scheduled for late-2017)</b>
	2	<b>Continue progress on Deskbook update</b>
	3	<b>Expand mini-CLE offerings to include greater range of content for both antitrust and consumer protection practitioners</b>
	4	<b>Expand outreach to law schools to generate pipeline of new Section members</b>
	5	<b>Provide value to members new and old</b>

**Please report how this section is addressing diversity:**  
 (Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)

Members of the executive team have attended numerous diversity and inclusion trainings in the last 12 months. In addition, we encourage a diverse range of law students to consider WSBA membership while they are in school through our outreach (UW Antitrust Law Day, Gonzaga Consumer Law Panel, Consumer Protection CLE and networking event at Gonzaga University Law School). We're also changing our CLE offering from a single all-day event, which carries a significant financial cost, to multiple free mini-CLE's to generate greater participation from Section and non-Section members.

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

**We host high-quality programming and maintain long-term relationships with judges, governmental enforcers, academics, and attorneys who practice in this area from inside and out of Washington. We believe the interaction at these programming events fosters professionalism by offering individuals to meet informally with those they may practice with or against in litigation.**

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

**Ruth Johnson is our young lawyer liaison. We encourage her participation and seek her input on our work and strategy.**

**There are also two events we put on at the law schools. First, Antitrust Day, co-sponsored by the ABA, has been recognized as the largest event of its kind in the country. It is widely attended and held at the University of Washington. Second, the Consumer Protection CLE is being held at Gonzaga University Law School. These events bring practitioners from private, in-house, and government to speak with students about careers in these areas. These are wonderful events that will continue.**

**Please describe your Executive Committee's relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*

**Our BOG liaison, Julianne Unite, has attended meetings by telephone this year.**

**WSBA staff has also been helpful and responsive in planning our mini-CLEs and in updating our By-Laws.**

**Our new liaison for assisting our section's Annual Antitrust Symposium was helpful and responsive throughout the process.**



**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**



**WSBA SECTION ANNUAL REPORT – FY17**

**Deadline: Friday, October 13, 2017**  
**Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)**

<b>Name of the Section:</b>	<i>Business Law Section</i>	
<b>Chair:</b>	<i>Andrew Ledbetter / Drew Steen</i>	
<b>Section Information:</b>  <i>*To be completed by WSBA*</i>	Membership Size:	1,398 (as of 9/1/17)
	Staff Lead:	Joe Terrenzio/ Julianne Unite
	BOG Liaison:	James Doane
	FY17 revenue: \$	\$35,725.00 (as of 8/31/17)
	FY17 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$48,025.08 (as of 8/31/17)
<b>Purpose:</b>	The purpose of the Section is to benefit the members of the Section and their clients: (a) by encouraging research and study, and the development of best practices, in the area of business law in the State of Washington, and sharing these efforts through continuing legal education where possible and appropriate; (b) by participating in the development of state legislation and regulations in order to improve and facilitate the administration of justice in the area of business law; and (c) by undertaking such other services relating to the area of business law as may be of benefit to members of the Section, members of the Bar and the greater public.	
<b>2016-2017 Accomplishments and Work in Progress:</b>	In the 2016-2017 year, the Business Law Section continued its tradition of strong legislative involvement, with the active review of dozens of proposed bills through the legislative session. The Section also hosted (or co-sponsored) two of its perennial programs to the legal community – the “Meet the Regulators” securities event and the Northwest Securities Institute. In addition, the Section has	

	devoted substantial time and attention to working with the WSBA on the various structural and other changes being implemented at that level.	
<p><b>Please quantify your section's current member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	<b>Quantity</b>	<b>Member Benefit</b>
	\$5,000	Scholarships, donations, grants awarded
		Law school outreach events/benefits hosted
	25	Legislative bills reviewed/drafted
	2	Newsletters produced
	1	Mini-CLEs produced
	1	Co-sponsored half/day to multi-day CLEs with WSBA
	1	Receptions/forums hosted
		Awards given
		New Lawyer Outreach events/benefits
		Other (please describe):
<p><b>2017-2018 Goals &amp; Priorities (Top 5)</b></p>	1	Continue the Section's strong tradition of legislative participation
	2	Complete the process of amending the Section bylaws and conforming to WSBA changes
	3	Revise the format for the Section's annual Midyear Meeting
	4	Revise programming offerings by coordinating better with the Corporate Counsel Section and reaching out to Members outside of King County
	5	Improve communications both to and from the Membership
<p><b>Please report how this section is addressing diversity:</b>          (Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist?)</p>		

How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)

Even as compared to other segments of the legal profession, the business law bar is historically lacking in diversity. The Section has tried to be cognizant of this in the constitution of our executive committee. Women and racial and ethnic minorities currently represent almost 25% of our executive committee, which seems like a good starting point in a historically homogeneous bar, if only a starting point. We have also sought out opportunities to participate in business law-tailored events in the community that focus on the inclusion and participation of underrepresented segments of the business law bar. For example, the Section has sponsored events in the past through the McMahon Fund that serve the dual purpose of addressing business issues and targetting underrepresented groups. As a Section, we continue to look for opportunities of this sort.

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

The Section's historical Midyear CLE has contained a segment relating to legal ethics and professionalism. And, although we are moving away from the format used in the past, we are still looking for a speaker at a replacement event that could potentially address similar issues. Further, we have a renewed energy around programming that is focused on building social relationships among our members, particularly in areas outside of Seattle. It is our belief that professionalism it is easier to promote when there are underlying social relationships and a sense of community.

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

The Section has a policy drafted into its bylaws of including a Young Lawyer Liaison in our

executive committee as a full voting member. We attend and participate in Open Sections nights to try to promote business law among new/young lawyers. Further, we have co-sponsored and participated in specific CLEs coordinated by the young lawyers' group that focus on business law issues in the practices of more junior lawyers. We firmly understand that the long-term health of our Section is dependent on succession planning and outreach to new and young lawyers.

**Please describe your Executive Committee's relationship with WSBA staff and the Board of Governors.**

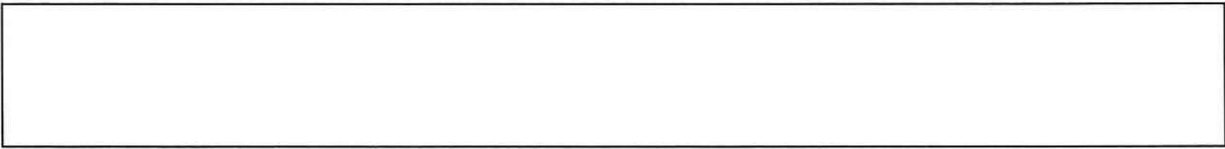
*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*

Just like all or most other Sections, the Business Law Section has struggled at times with some of the policies and policy changes implemented by the WSBA. Nevertheless, we have had excellent relationships on an individual level with the our WSBA liaisons, particularly Joe Terrenzio, who served in that role for much of the 2016-2017 year. We also have great appreciation for those Governors who have historically supported – and continue to support – our legislative function.

Our hope for continued improvement in the relationship between our Section and the WSBA would include a WSBA liaison with the time and ability to focus on our Section and an acknowledgement by the WSBA that a Section is substantially limited in the value it can provide to its members under the current financial arrangement with the WSBA. Our Section and executive committee currently have the energy and the drive to coordinate programming and events to foster a sense of community among business lawyers across the state. But, with 75% of our membership dues going directly to the WSBA, and an expectation that we operate on a balanced budget with the remaining 25%, our ability to achieve those goals depends on charging our members for advantages they thought they were acquiring with the payment of their membership dues. We look forward to continued productive dialogue with the WSBA on these topics and, more generally, the best way to serve the business lawyers of Washington.





**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**



**WSBA SECTION ANNUAL REPORT – FY17**

**Deadline: Friday, October 13, 2017**  
**Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)**

<b>Name of the Section:</b>	<i>Civil Rights Law Section</i>	
<b>Chair:</b>	<i>Kelli Schmidt (2016-2017), La Rond Baker (2017-2018)</i>	
<b>Section Information:</b>  <i>*To be completed by WSBA*</i>	Membership Size:	216 (as of 9/1/17)
	Staff Lead:	Julianne Unite
	BOG Liaison:	Bill Pickett
	FY17 revenue: \$	\$6,093.00 (as of 8/31/17)
	FY17 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$2,087.41 (as of 8/31/17)
<b>Purpose:</b>	<p>The mission of the Civil Rights Law Section (CRLS) is to educate and advocate for civil liberties and equal rights in the context of the legal issues of Washington State residents. The Section focuses on civil rights issues including forms of racial, ethnic, religious, gender, national origin and sexual-orientation discrimination, and persons with mental or physical disabilities, the socio-economically marginalized, and those experiencing homelessness. The section also focuses on issues involving civil liberties including freedom of speech, freedom from state-promulgated religion, and privacy rights. Lawyers who practice in any of these areas of law, or persons who are interested in public policy or these topics, are encouraged to join the Civil Rights Law Section.</p>	
<b>2016-2017 Accomplishments and Work in Progress:</b>	<ol style="list-style-type: none"> <li>1. Section Newsletter published on June 12, 2017, which included: (a) A Parting Note as Chair by Alec Stephens; (b) information on Civic Leader and Distinguished Service Awards; (c) Civil Rights in the United States of America: Fact or Fiction? By Dr. Terrence Roberts, (d) discussion of <i>Evenwel v. Abbott</i> by Breanne Schuster; (e) Of Friendship and Freedom by Liam Otten, and (f) 2016 Legislative and Case Law Updates from Nancy Talner</li> </ol>	

2. Conducted online survey of our members to see what they are seeking in membership and what could be approved. To encourage participation by December 1, 2017, we offered five (5) free section memberships.
3. Held Annual CRLS Executive Committee Work Planning Retreat (December 3, 2016, 9:00 AM – 1:00 PM)
4. Issued “Reflections and Resolutions” statement on January 1, 2017, about the difficulties ahead for civil rights with a new administration via the Listserv
5. Participation and Co-sponsor of Seattle Open Sections Night on January 19, 2017
6. Issued MLK Holiday Statement to WSBA
7. Met with WSBA on Friday, 2/24, to discuss GR12 and what we can and cannot discuss publicly.
8. Worked with Legislative Affairs Manager to review and give feedback on various civil rights related bills during the 2017 Legislative Session. After receiving WSBA approval under CR 12(c) sent letters/public comments on March 20, 2017, in support of
  - HB 1783 regarding Legal Financial Obligations and
  - Engrossed Substitute Senate Bill 5312, the Washington Fair Chance Act.
9. In partnership with WSBA CLE, the Civil Rights Section presented a CLE: *A look at Police and People of Color – Racial Progress or a Deepening Racial Divide*, May 16, 2017, from 9:00 am to 4:45 pm. Program Co-Chairs: Fred Diamondstone — Attorney at Law, and Alec Stephens — Attorney at Law. Program Faculty: Fred Diamondstone — Attorney at Law; J. Michael Diaz — The United States Attorney’s Office; Prof. Gregory Gilbertson — Gilbertson Investigations, Olympia, WA; Lorena Gonzalez — Seattle City Council; Pete Holmes — Seattle City Attorney’s Office; Lembhard G. Howell — Attorney at Law; Deborah Jacobs — King County’s Office of Law Enforcement Oversight; Gloria Ochoa-Bruck — Washington State Commission on Hispanic Affairs, Spokane, WA; Isaac Ruiz — Seattle Community Police Commission; Sheley Secret — Seattle/King County NAACP; Frank W. Shoichet — Reed

Longyear Malnati & Ahrens PLLC; Alec Stephens — Attorney at Law; Rev. Harriett Walden — Seattle Community Police Commission; and Ronald R. Ward — Assistant Seattle Police Monitor.

10. Held a Networking Reception on May 16, 2017, after the CLE, *A Look at Police and People of Color*.
11. Civil Rights Mentorship – in July 2017, Amy Kim and Kathleen Kline drafted a Civil Rights mentoring worksheet for WSBA’s Mentoring program and they will be working (and seeking volunteers) on more specific Civil Rights worksheets in the coming year (e.g., public policy attorney, government attorney, legal aid attorney, etc.)
12. In July provided feedback to WSBA stating we supported a proposed amendment to Article XI. SECTIONS of the Bar Bylaws to take action effectively and efficiently during the legislative session.
13. Passed new Bylaws that were approved by the BOG on July 27, 2017.
14. Participated in the Young Lawyer Liaison recruitment and selection process and Bryan Rome will be the 2017 -2019 Young Lawyer Liaison to the Civil Rights Law Section.
15. In partnership with WSBA CLE, the Civil Rights Section presented a CLE: *Pressing Issues In Civil Rights Enforcement*, September 20, 2017, from 12:55 pm to 4:40 pm. Program Co-Chairs: La Rond Baker — Washington State Attorney General’s Office, and Amy Kim — US Department of Education. Program Faculty: Kayley Bebber— Northwest Immigrant Rights Project; Marsha J. Chien— Washington State Attorney General’s Office; Amy Kim — US Department of Education; Jasmin Samy — Council on American-Islamic Relations, WA Chapter; and Elisabeth Standley Smith — ACLU of Washington.
16. Held Annual Meeting of the Civil Rights Law Section and elections on September 20, 2017.
17. Held a Networking Reception on September 20, 2017, after the CLE and Annual Meeting.
18. Encouraged WSBA to make a statement against racist, white nationalist, and white supremacist violence and support the Minority Bar Association’s Joint Statement or pass their own.

	<p>WSBA passed their own statement in the form of a Resolution at the September 2017 BOG Meeting.</p> <p>19. Increased activity on the civil-rights-law-section listserv to over 100 posts on timely cases, decisions, job openings, trainings, and volunteer opportunities.</p> <p>20. Working to increase frequency of newsletter to quarterly publication, rather than annual.</p> <ul style="list-style-type: none"> <li>• In addition to these activities: <ul style="list-style-type: none"> <li>• CRLS Chair Kelli Schmidt provided input to WSBA staff with others on the Legal Lunchbox™ Series Allyship: Barriers and Best Practices for Legal Professionals, May 30, 2017.</li> <li>• CRLS Chair Kelli Schmidt participated in the <i>Decoding the Law Session on Transgender Rights</i>;</li> <li>• CRLS Outgoing Chair Alec Stephens presented at the CLE: <i>A look at Police and People of Color – Racial Progress or a Deepening Racial Divide</i></li> <li>• Trustee Amy Kim presented on Education Issues in the <i>Pressing Issues in Civil Rights</i> CLE.</li> </ul> </li> </ul>
--	---

<p><b>Please quantify your section's current member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	<b>Quantity</b>	<b>Member Benefit</b>
	<b>\$ 290</b>	Scholarships, donations, grants awarded (\$50 donation to Open Sections Night, 3 memberships as door prizes, and 5 membership for randomly selected person who provided Section feedback)
	<b>0</b>	Law school outreach events/benefits hosted
	<b>29+</b>	Legislative bills reviewed/drafted
	<b>1</b>	Newsletters produced
		Mini-CLEs produced
	<b>2</b>	Co-sponsored half/day to multi-day CLEs with WSBA
	<b>2</b>	Receptions/forums hosted
	<b>0</b>	Awards given – Note: <b>2017 Civil Leader and Distinguished Service Awards were postponed to be granted in January 2018</b>
	<b>2</b>	New Lawyer Outreach events/benefits

	1	Other (please describe): participated in Open Sections Night
<b>2017-2018 Goals &amp; Priorities (Top 5)</b>	1	<b>Educate our membership on local and national civil rights matters via newsletters, listserv, and volunteer opportunities</b>
	2	<b>Provide continuing legal education opportunities for our members in the area of civil rights at least once annually</b>
	3	<b>Create opportunities for interaction between young/new lawyers and experienced civil rights lawyers through mixers, YLL activities, and mentorships.</b>
	4	<b>Increase general membership participation in monthly Section meetings with increased communication about the meetings via listserv, website, newsletter</b>
	5	<b>Advocate for civil rights, equity, diversity and inclusion issues to the BOG and within WSBA</b>

**Please report how this section is addressing diversity:**

(Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)

GROUP	2017 Total Count <sup>1</sup>	2016 % of Color	2017% of color	2017% responded	2016 % female	2017% female	2017 % responded
WSBA	38525	11.6%	14.1%	72.7%	38.9%	40.7%	76.4%
Civil Rights Law	211	26.7%	24.8%	78.2%	53.4%	66.1%	82.5%

GROUP	2017 Total Count <sup>2</sup>	2016 % of LGBT Yes	2017% of LGBT Yes	2017% response	2016 % people with disabilities Yes	2017% people with disabilities Yes	2017 % response	2016 N/YL %	2017 N/YL %
WSBA	38508	1.2%	2.6%	45.4%	1.1%	2.4%	45.7%	18.1%	17.9%
Civil Rights Law	211	4.9%	13.4%	63.5%	2.8%	11.2%	63.5%	28%	30.8%

- After CRLS Member Jody Campbell raised the idea of CLE or other training on Allyship, CRLS reached out to WSBA CLE folks who then developed the Legal Lunchbox™ Series Allyship: Barriers and Best Practices for Legal Professionals, May 30, 2017. CRLS Section lead Kelli Schmidt and Member Jody Campbell provided input to WSBA on the planning for that activity.
- CRLS ensures that its CLE presenters and panels represent and reflect the diversity of voices within the legal community as can be seen from the presenters in our CLEs during 2017.
- CRLS provides information about a variety of opportunities and issues in its listserve that

<sup>1</sup> At time of Section Diversity Counts

<sup>2</sup> At time of Section Diversity Counts

relate to diversity issues.

- Our CLEs are on topics of interest to people of color, persons who identify as LGBTQ, people with disabilities, and new and young lawyers: *Police and People of Color – Racial Progress or a Deepening Racial Divide* and *Pressing Issues in Civil Rights*
- CRLS will continue to work with WSBA's Mentoring program and help to solicit volunteers for (1) developing Civil Rights worksheets in the coming year (e.g., public policy attorney, government attorney, legal aid attorney, etc.) and (2) recruiting our members to serve as mentors and mentees.
- CRLS has attempted to improve relationships and increase cross-collaboration with the minority bar associations. This has been occurring through meetings with their leadership and supporting their public statement denouncing white supremacy and white nationalism and the acts of violence that occurred in Charlottesville, Virginia, and encouraging WSBA itself to take positions on these issues.

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

This has not been a focus of our work this past year. However, when comments started becoming personal attacks on the [civil-rights-law-section] list serve around immigration and immigrant issues, we issued the following reminder to all participants on March 29, 2017:

**A reminder to all:** We want to see a diversity of opinions in the civil rights law section forum and encourage information sharing, exchange of ideas, discussion, and debate. **Please adhere to our professional code of conduct** and refrain from making disparaging or personalized remarks either to the list serve or in private messages. Unlike some sections, our list serve is not moderated. We would like to keep it that way so that you can continue to receive information as quickly as possible. And let's not forget, when we speak in professional forums such as this one, we are interacting with our colleagues and should treat each other with the same courtesy, respect, and words as we would use with one another if we were interacting face -to-face.

For anyone who would like to attend the monthly meetings of the Executive Committee, we meet on the third Wednesday of the month at 11:00 a.m., please let me know and I will be sure to send you the agenda and call-in number before the next meeting on April 19th.

We will not be adding to the issue of whether or not immigration or immigrant rights are appropriate topics for the Civil Rights Law Section (CRLS) to the April 19 meeting agenda. Immigration issues and immigrant rights clearly fall within the mission of CRLS, which is, in relevant part, "to educate and advocate for civil liberties and equal rights in the context of the legal issues of Washington State residents. The Section focuses on civil rights issues including forms of ...national origin ...discrimination. The section also focuses on issues involving civil liberties including freedom of speech, freedom from state -promulgated religion, and privacy rights."

Additionally, our purpose statements on the WSBA website specifically states, "The Section focuses on the practice and policy of civil rights law, which includes the rights of...immigrants." See, <http://www.wsba.org/Legal-Community/Sections/Civil-Rights-Law-Section>

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

- Our Young Lawyer Liaison is a voting member of our Executive Committee
- We have solicited young lawyers to participate in our Executive Committee meetings
- We have provided information about employment, training, and leadership opportunities on our list serve.
- We held two networking receptions after our CLEs to encourage young/new lawyers to interact with more experienced lawyers.
- We recruited and selected a new young lawyer liaison to serve from October 1, 2017, to September 31, 2019. We specifically focused our selection on the candidate who had ideas for how to increase involvement on young and new lawyers.

**Please describe your Executive Committee's relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*
- We are incredibly appreciative of the support we receive from WSBA staff and Julianne Unite in particular. She is prompt, responsive, and thoroughly professional. She keeps us on track, within deadlines, and played a major role in our Bylaw revisions and Budget development. She deserves a raise and an award!
- We appreciate the assistance that Alison Phelan and Clark McIsaac provided during the legislative process. Their efforts seemed tireless. They accomplished a great deal and helped steer us when we had bills that were priorities for our section and were approved for public comment. We also were heartened by the WSBA hearing our concerns about GR12 and their changing their bylaws to allow for faster response during the legislative session.
- We were delighted with the leadership that Shanthi Raghu provided when the idea of the Allyship CLE was raised. We would like to see more Legal Lunchboxes that address important issues related to diversity, inclusion, and bias in the profession, such as the June 2017 *Legal Lunchbox™ Series: Combating Islamophobia and Addressing Bias in the Legal Profession*.
- We enjoyed working with Sondra Livingston-Carr on our CLEs and applaud the IT/AV folks for making them trouble-free for online participants.
- We also appreciated having Bill Pickett as our liaison. He has been very helpful in understanding the BOG's work and participated in a meeting with WSBA leadership when we were getting frustrated about the limitations imposed by GR 12 and the lack of clarity around that rule in the legislative and other processes. He also brings a clear-eyed perspective to our meetings, helps us understand the BOG's thinking, and how lawyers outside of the Puget Sound region might perceive issues. We are pleased he is taking on a larger BOG role, but will miss him.
- We were incredibly pleased when WSBA passed the Resolution at the September 2017 meeting *Denouncing Recent Acts of Violence and a Reaffirmation of Equity and Inclusion Principles*. Thank you for your leadership on this important issue.



**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**



# WSBASections

## WSBA SECTION ANNUAL REPORT – FY17

**Deadline: Friday, October 13, 2017**

**Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)**

<b>Name of the Section:</b>	<i>Construction Law Section</i>	
<b>Chair:</b>	<i>Athan Tramountanas</i>	
<b>Section Information:</b>  <i>*To be completed by WSBA*</i>	Membership Size:	537 (as of 9/1/17)
	Staff Lead:	Julianne Unite
	BOG Liaison:	Dan Bridges
	FY17 revenue: \$	\$19,964.32 (as of 8/31/17)
	FY17 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$16,162.07 (as of 8/31/17)
	FY16 Per Member Charge	
<b>Purpose:</b>	Provide outreach and education to attorneys practicing Construction Law in Washington State.	
<b>2016-2017 Accomplishments and Work in Progress:</b>	<ul style="list-style-type: none"> <li>• <b>Granted law student scholarship based upon presented construction law article.</b></li> <li>• <b>Held one mini-CLE (1 hour) and dinner</b></li> <li>• <b>Held joint Fall CLE with Oregon Bar Association in Vancouver Washington</b></li> <li>• <b>Held fall forum</b></li> <li>• <b>Held annual mid-year meeting and full day seminar</b></li> <li>• <b>Held law student outreach event after annual mid-year CLE</b></li> <li>• <b>Published 3 newsletters</b></li> <li>• <b>Continued development of Construction Law Desk Book</b></li> </ul>	

Please quantify your section's current member benefits:	Quantity	Member Benefit
<p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	<b>2 per yr - \$3500 (total)</b>	Scholarships, donations, grants awarded
	<b>1 per yr to 3 schools in connection with competition</b>	Law school outreach events/benefits hosted
	<b>1</b>	Legislative bills reviewed/drafted
	<b>3</b>	Newsletters produced
	<b>1</b>	Mini-CLEs produced
	<b>2</b>	Co-sponsored half/day to multi-day CLEs with WSBA
	<b>1</b>	Receptions/forums hosted
	<b>1</b>	Awards given (law student scholarship)
	<b>1</b>	New Lawyer Outreach events/benefits
		Other (please describe):
	<b>2017-2018 Goals &amp; Priorities (Top 5)</b>	<b>1</b>
	<b>2</b>	Quality CLEs and Forums- interesting topics and expand on diversity of speakers
	<b>3</b>	Member outreach- develop ways to obtain more diverse membership participation in Section activities
	<b>4</b>	Student and new member outreach
	<b>5</b>	Continue Student Scholarship Program
<p><b>Please report how this section is addressing diversity:</b>          (Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)</p> <p>In this and in prior years, the executive committee has successfully focused on geographic diversity and increased gender diversity on the council/executive committee. The primary</p>		

geographic challenge has been the difficulty in active participation by council members practicing outside the Seattle area. With respect to gender diversity, there appear to be a lower percentage of women construction attorneys than in other areas of practice. Despite this, the council has a number of active women members, a woman Vice-chair, a woman Treasurer and a woman Immediate Past Chair. We are also intent on including more gender diversity in CLE speakers and in outreach. We did not utilize a WSBA diversity specialist because we did not deem it necessary, but we welcome any input.

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

The section prides itself on respect, civility and professionalism. We attempt to foster this by the numerous professional and social events that we host throughout the year, and through coordinating with judges to participate in panel discussions.

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

We have extensive outreach to law students through our scholarship program, outreach programs at the schools including pizza party sponsorships and inclusion of students in CLEs and social events. We have a Young Lawyer Liaison (which we have had in past years), that we include in all council meetings, seek assistance from in CLEs and in newsletter articles and in decision making processes.

**Please describe your Executive Committee's relationship with WSBA staff and the Board of**

**Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*

Our WSBA liaison is quick to respond to questions and we believe a good relationship exists. We have little BOG contact and have some concerns regarding the direction the BOG is going related to section issues.

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section’s webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**



WSBA SECTION ANNUAL REPORT – FY17

Deadline: Friday, October 13, 2017  
 Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)

<b>Name of the Section:</b>	<i>Corporate Counsel Section</i>	
<b>Chair:</b>	<i>Paul Swegle</i>	
<b>Section Information:</b>  <i>*To be completed by WSBA*</i>	Membership Size:	1,178 (as of 9/1/17)
	Staff Lead:	Julianne Unite
	BOG Liaison:	Jill Karmy
	FY17 revenue: \$	\$40,311.56 (as of 8/31/17)
	FY17 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$17,656.80 (as of 8/31/17)
<b>Purpose:</b>	<p>The Corporate Counsel Section has approximately 1,200 members, including in-house counsel from hundreds of Washington's most dynamic companies, agencies and non-profit organizations. The Section regularly provides exceptional educational, professional development and networking opportunities for its members. The Section's programming is focused on helping in-house counsel develop and maintain the skills and knowledge necessary to perform at the highest levels in serving their organizational clients and constituents.</p>	
<b>2016-2017 Accomplishments and Work in Progress:</b>	<p>The Corporate Counsel Section puts on numerous well-attended, high-quality CLE and networking events every year, including three or four "Quarterly Dinner MiniCLEs" that alternate between Seattle and Bellevue, a half-day "Ethics for In-House Counsel" CLE every November in even numbered years, and an all-day "Corporate Counsel Institute" every November in odd numbered years, and several regional "Outreach Events" per year. Our most recent outreach event was jointly sponsored with the</p>	

	<p>Business Law Section in Tacoma in September 2017. This “Happy Hour Networking Event” was well attended and enjoyed by all. Our next outreach event is also jointly sponsored with the Business Law Section and will be on November 9, 2017 in Spokane. This will be a 2 credit “MiniCLE and Networking Event.”</p> <p>In 2016 the Section also launched an all new annual CLE called the “Non-Profit Law Institute.” This year’s Non-Profit Law Institute is on November 2<sup>nd</sup> at the Gates Foundation and is likely to draw more than 100 in-person attendees. The next Corporate Counsel Institute is scheduled for November 30 and we hope to draw more than 150 in-person attendees. Our next Quarterly Dinner and MiniCLE is scheduled for October 24, 2017 and we expect a full crowd of around 70 at the Washington Athletic Club.</p>																							
<p><b>Please quantify your section’s current member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	<table border="1"> <thead> <tr> <th data-bbox="537 716 691 783">Quantity</th> <th data-bbox="691 716 1414 783">Member Benefit</th> </tr> </thead> <tbody> <tr> <td data-bbox="537 783 691 850">\$1,500</td> <td data-bbox="691 783 1414 850">Scholarships, donations, grants awarded</td> </tr> <tr> <td data-bbox="537 850 691 917">2</td> <td data-bbox="691 850 1414 917">Law school outreach events/benefits hosted</td> </tr> <tr> <td data-bbox="537 917 691 984">0</td> <td data-bbox="691 917 1414 984">Legislative bills reviewed/drafted</td> </tr> <tr> <td data-bbox="537 984 691 1052">0</td> <td data-bbox="691 984 1414 1052">Newsletters produced</td> </tr> <tr> <td data-bbox="537 1052 691 1119">7</td> <td data-bbox="691 1052 1414 1119">Mini-CLEs produced</td> </tr> <tr> <td data-bbox="537 1119 691 1186">4</td> <td data-bbox="691 1119 1414 1186">Co-sponsored half/day to multi-day CLEs with WSBA</td> </tr> <tr> <td data-bbox="537 1186 691 1253">0</td> <td data-bbox="691 1186 1414 1253">Receptions/forums hosted</td> </tr> <tr> <td data-bbox="537 1253 691 1320">1</td> <td data-bbox="691 1253 1414 1320">Awards given</td> </tr> <tr> <td data-bbox="537 1320 691 1388">2</td> <td data-bbox="691 1320 1414 1388">New Lawyer Outreach events/benefits</td> </tr> <tr> <td data-bbox="537 1388 691 1467"></td> <td data-bbox="691 1388 1414 1467">Other (please describe):</td> </tr> </tbody> </table>	Quantity	Member Benefit	\$1,500	Scholarships, donations, grants awarded	2	Law school outreach events/benefits hosted	0	Legislative bills reviewed/drafted	0	Newsletters produced	7	Mini-CLEs produced	4	Co-sponsored half/day to multi-day CLEs with WSBA	0	Receptions/forums hosted	1	Awards given	2	New Lawyer Outreach events/benefits		Other (please describe):	
Quantity	Member Benefit																							
\$1,500	Scholarships, donations, grants awarded																							
2	Law school outreach events/benefits hosted																							
0	Legislative bills reviewed/drafted																							
0	Newsletters produced																							
7	Mini-CLEs produced																							
4	Co-sponsored half/day to multi-day CLEs with WSBA																							
0	Receptions/forums hosted																							
1	Awards given																							
2	New Lawyer Outreach events/benefits																							
	Other (please describe):																							
<p><b>2017-2018 Goals &amp; Priorities (Top 5)</b></p>	<table border="1"> <tbody> <tr> <td data-bbox="537 1467 691 1648">1</td> <td data-bbox="691 1467 1414 1648">Continue to grow the Section – hopefully to 1,300 members. Consistent growth is the best barometer that a Section is meeting and exceeding the needs and expectations of its members and prospective members.</td> </tr> <tr> <td data-bbox="537 1648 691 1753">2</td> <td data-bbox="691 1648 1414 1753">Maintain and grow the highest quality programming through a complete leadership transition.</td> </tr> <tr> <td data-bbox="537 1753 691 1858">3</td> <td data-bbox="691 1753 1414 1858">Maintain a dynamic, diverse and ever-changing Executive Committee of approximately 15 members.</td> </tr> <tr> <td data-bbox="537 1858 691 1961">4</td> <td data-bbox="691 1858 1414 1961">Support the WSBA Staff through the currently ongoing Website migration to ensure that Section’s online</td> </tr> </tbody> </table>	1	Continue to grow the Section – hopefully to 1,300 members. Consistent growth is the best barometer that a Section is meeting and exceeding the needs and expectations of its members and prospective members.	2	Maintain and grow the highest quality programming through a complete leadership transition.	3	Maintain a dynamic, diverse and ever-changing Executive Committee of approximately 15 members.	4	Support the WSBA Staff through the currently ongoing Website migration to ensure that Section’s online															
1	Continue to grow the Section – hopefully to 1,300 members. Consistent growth is the best barometer that a Section is meeting and exceeding the needs and expectations of its members and prospective members.																							
2	Maintain and grow the highest quality programming through a complete leadership transition.																							
3	Maintain a dynamic, diverse and ever-changing Executive Committee of approximately 15 members.																							
4	Support the WSBA Staff through the currently ongoing Website migration to ensure that Section’s online																							

		presence is the best it can be.
	5	<b>Create an online and more robust and transparent process for advertising the Section’s Policies and Procedures for making grants to organizations promoting diversity and access to justice.</b>

**Please report how this section is addressing diversity:**

(Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)

At virtually every opportunity, the Corporate Counsel Section invites inclusion and expresses appreciation for diversity. Our Executive Committee has long been quite diverse. At our Quarterly Dinners, all present EC members are introduced to the attendees, who are then encouraged to talk with the EC members about getting more involved. The Section sponsors many CLEs and always strives to ensure that all panels are as diverse as possible. The Section also sponsors and attends almost every Open Sections night and invites all to join and become active in the Section.

**Please report how this section is addressing professionalism:**

(Does the section’s work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

The Section’s emphasis on “professionalism” is more from the perspective of in-house counsel and not that of a litigator, so interactions with judges and court staff are not addressed. The Section’s ethics and career development programming frequently addresses the need for attorneys to carry themselves in a professional and respectful manner and to avoid otherwise unprofessional behavior for ethics and career reasons, but in general, raising awareness about the causes and consequences of unprofessional behavior is not as much of an area of focus for the Section as it might be for other Sections.

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

The Section has always encouraged young lawyers to get involved with the Section and uses available resources to do so very well, including promoting our events through the Young Lawyers Committee, attending Open Sections Nights, discounted mini CLE rates for law students, and encouraging involvement by all Section members at all Section events. The Section’s Chair also speaks frequently at area law schools and encourages law students to get involved with the Section. The Section’s Executive Committee reflects these efforts and always has newer lawyers as members.

**Please describe your Executive Committee’s relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*

The Section has great relations with the WSBA staff and works closely with them frequently and very successfully to ensure the smooth functioning of the Section, stay on top of administrative matters and to put on high quality programming and other benefits for the Section’s members. The Section also stays abreast of matters involving the BOG, especially with two members of the BOG on its Executive Committee. The Section’s interactions and



engagement with its assigned BOG liaison have been fairly limited during the current term.

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**



## WSBA Sections

### WSBA SECTION ANNUAL REPORT – FY17

**Deadline: Friday, October 13, 2017**  
**Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)**

<b>Name of the Section:</b>	<i>Creditor Debtor Rights Section</i>	
<b>Chair:</b>	<i>Thomas S. Linde</i>	
<b>Section Information:</b>  <i>*To be completed by WSBA*</i>	Membership Size:	561 (as of 9/1/17)
	Staff Lead:	Julianne Unite
	BOG Liaison:	Kim Risenmay
	FY17 revenue: \$	\$23,309.64 (as of 8/31/1)
	FY17 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$25,431.59 (as of 8/31/17)
<b>Purpose:</b>	<p>Provide continuing legal education programs on topics of interest to the section membership with the purpose of devoting revenue generated from said programs to debt related legal clinics or debt related education organizations;</p> <p>Provide communication amongst members of the section;</p> <p>Review and comment on proposed creditor-debtor legislation.</p>	
<b>2016-2017 Accomplishments and Work in Progress:</b>	<ol style="list-style-type: none"> <li>1) Provide grant funding of \$23,000 to various low income legal clinics across Washington;</li> <li>2) Provide quality CLE programs, including co-sponsorship of the annual Northwest Bankruptcy Institute (NWBI);</li> <li>3) Review and comment on proposed creditor-debtor related legislation referred to section executive committee by the WSBA lobbyist;</li> <li>4) Publication of the section's semi-annual newsletter;</li> <li>5) Maintain active discussions amongst section members via the section's list serve;</li> </ol>	

	6) Revise and approve section by-laws in coordination with the recommendations of the sections' task force appointed by the WSBA Board of Governors.	
<p><b>Please quantify your section's current member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	<b>Quantity</b>	<b>Member Benefit</b>
	\$23,000	Scholarships, donations, grants awarded
	0.00	Law school outreach events/benefits hosted
	4-6	Legislative bills reviewed/drafted
	2	Newsletters produced
	0	Mini-CLEs produced
	2	Co-sponsored half/day to multi-day CLEs with WSBA
	0	Receptions/forums hosted
	0	Awards given
	1	New Lawyer Outreach events/benefits
	1	Other (please describe): Co-sponsorship with the Oregon State Bar of the annual Northwest Bankruptcy Institute
	<p><b>2017-2018 Goals &amp; Priorities (Top 5)</b></p>	1
2		Continue grant programs that provide low income persons access to creditor debtor related legal assistance.
3		Review and comment when appropriate on proposed creditor-debtor related legislation.
4		Publication of semi-annual section newsletter.
5		Improve and continue list serve discussions amongst section membership.

**Please report how this section is addressing diversity:**

(Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)

The Creditor Debtor Section’s Executive Committee is aware of the need to be inclusive in all our activities. We are inherently diverse in that some of us represent creditors, some of us represent debtors, and others represent both. As lawyers, our primary objective is to address the substantive areas of the law and substantive legal problems facing our clients. As lawyers, it is our nature to judge others on the basis of their behavior and not on their race, color, creed or other inappropriate criteria. What is more difficult to discern and avoid are the more subtle forms of discriminatory habits we have developed over our lives which can result in implicit bias. We strive to take positive steps to deal with those issues and the Section welcomes any member of the Bar that is interested in a substantive area of practice that we are involved with. We also strive to embrace the cultural differences that make interaction amongst us more interesting. The Section has not utilized the services of the WSBA Diversity Specialist and have not had any contact with or from that person. The Executive Committee continues to keep its focus on the issues of diversity and inclusion, together with the issue of avoiding inappropriate discrimination in our activities.

**Please report how this section is addressing professionalism:**

(Does the section’s work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

Professionalism is an issue that is addressed regularly in the Continuing Legal Education seminars we sponsor and co-sponsor. Our efforts in this area are ongoing and will continue. It is apparent to most lawyers practicing in the creditor-debtor area that a high degree of professionalism is in their economic best interest as those practicing in this area will encounter other section members on a regular basis throughout the course of their practice.

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

Most, if not all, current members of the Executive Committee and most, if not all, past members of the Executive Committee, have worked to include new and young lawyers in the creditor debtor substantive area of practice. Many of the members of the Executive Committee were mentored as younger lawyers by Section members in the past and have continued that tradition as we have gotten older and more experienced. The Executive Committee also historically has elected a young lawyer representative as a non-voting but fully participating and active member of the committee in the performance of its duties.

**Please describe your Executive Committee's relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*

- 1) The Section receives excellent support from the Bar staff.
- 2) Board of Governors: The Section has not been directly involved with the Board of Governors, but welcomes its relationship with our assigned BOG liaison.
- 3) Ideas: In light of the issues raised in connection with Sections workgroup during the past year, it is our hope that the BOG will include Section executive committee members in their efforts to address issues that arise and which affect the Sections. The Section members and their respective executive committees are some of the best supporters of the WSBA and should be viewed by the BOG and the WSBA staff as resources that benefit the WSBA as a whole.

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**



## WSBA Sections

### WSBA SECTION ANNUAL REPORT – FY17

**Deadline: Friday, October 13, 2017**  
**Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)**

<b>Name of the Section:</b>	<i>Criminal Law Section</i>	
<b>Chair:</b>	<i>Hugh Birgenheier</i>	
<b>Section Information:</b>  <i>*To be completed by WSBA*</i>	Membership Size:	553 (as of 9/1/17)
	Staff Lead:	Julianne Unite
	BOG Liaison:	Sean Davis
	FY17 revenue: \$	\$15,637.50
	FY17 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$6,249.85
<b>Purpose:</b>	<p>The chief purpose of the Section is supply a forum for criminal practitioners to come together for the betterment of the criminal justice system. The section is open to prosecutors, defense counsel; law professors, law students and others who have an interest in criminal law issues.</p> <p>The Section works to improve the criminal law process:</p> <ul style="list-style-type: none"> <li>A. By providing the opportunity and forum for the interchange of ideas in the areas of criminal law and procedure, including corrections, penology and juvenile offenses.</li> <li>B. By initiating and implementing common projects.</li> <li>C. By review of pending legislation and development of proposed statutory enactments to improve and to facilitate the administration of justice within the Section's area of interest.</li> <li>D. By undertaking such other service as may be of benefit to the members, the legal profession and the public.</li> </ul> <p>In order to facilitate the purpose of this Section, participation in the Section by members of the Bar who are engaged in prosecution and</p>	

	defense shall be encouraged.	
<p><b>2016-2017 Accomplishments and Work in Progress:</b></p>	<p>The section hosted a mini CLE for its members. This mini CLE was held at Seattle University School of Law on January 28, 2017.</p> <p>The section also again presented the Criminal Justice Institute on September 22, 2016. CJI is an annual event, where attendees can earn multiple CLE credits that are applicable to the practice of criminal law.</p> <p>In addition, the section continued to provide, as a service to its membership, the Criminal Caselaw Notebook in electronic form and as an application. The notebook, created by Judge Ronald Kessler, is a resource whose value is recognized statewide.</p> <p>The 2017 Criminal Justice Institute is scheduled to be held on October 19 and 20, 2017 at the Washington State Criminal Justice Training Center in Burien.</p> <p>Members of the Executive Committee attended Open Sections Night in Spokane on October 16, 2017 and in Seattle on January 19, 2017. The section will attend the sections night workshop in Tacoma in November.</p>	
<p><b>Please quantify your section's current member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	<p><b>Quantity</b></p>	<p><b>Member Benefit</b></p> <p>Scholarships, donations, grants awarded</p> <p>Law school outreach events/benefits hosted</p> <p>Legislative bills reviewed/drafted</p> <p>Newsletters produced</p> <p>1 Mini-CLEs produced</p>



		Co-sponsored half/day to multi-day CLEs with WSBA
		Receptions/forums hosted
		Awards given
	1	New Lawyer Outreach events/benefits
	1	Work on legislation related to criminal law issues
<b>2017-2018 Goals &amp; Priorities (Top 5)</b>	1	To continue to provide benefits to our members including high quality legal education
	2	To increase membership in the Criminal Law Section
	3	To increase geographic diversity for the members of the Executive Committee
	4	To increase our involvement in the legislative process
	5	To have a forum at all three Washington State Law Schools to increase interest in practicing criminal law

**Please report how this section is addressing diversity:**

(Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)

The section has worked diligently to increase diversity among the members of the executive committee. This has been accomplished through a more open and transparent election nomination process.

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

Civility and Professionalism in the criminal bar is integral to the Criminal Law Section's mission. The section unites prosecutors and defense counsel for the purpose of exchanging ideas and providing educational opportunities to all

criminal law attorneys in Washington. The Section has previously provided ethics-based CLEs. The section will continue to encourage membership from both sides of the courtroom, and will seek to provide a forum for discussion among its members.

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

The section continues to work to increase participation from young lawyers and law students. I attended the Open Section Nights in Spokane in 2017. At this event I was able to speak to many young attorneys from the Spokane area as well as students from Gonzaga Law School about the Criminal Law Section.

Members of the Executive Committee are planning on attending the upcoming Open Sections Night in Tacoma.

**Please describe your Executive Committee's relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*

The Criminal Law Section continues to work closely with Julianne Unite. Ms. Unite has been a very valuable resource to the section. The Washington State Bar Association continues to provide assistance with planning and coordinating the Criminal Justice Institute.

BOG Sean Davis has been invited to attend the meeting of the Executive Committee.

Our section is grateful for the support of the WSBA staff and for our BOG liaison's attention to section questions and concerns.

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**



**WSBA SECTION ANNUAL REPORT – FY17**

**Deadline: Friday, October 13, 2017**  
**Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)**

<b>Name of the Section:</b>	Elder Law Section	
<b>Chair:</b>	Kameron L. Kirkevold	
<b>Section Information:</b>  *To be completed by WSBA*	Membership Size:	707 (as of 8-1-17)
	Staff Lead:	Joe Terrenzio
	BOG Liaison:	Angela Hayes
	FY17 revenue: \$	\$39,270.76 (as of 8-1-17)
	FY17 direct expenses: \$ (does not include the Per-Member-Charge)	\$14,791.83 (as of 8-1-17)
	FY17 Per Member Charge	\$13,275.00 (as of 8-1-17)
<b>Purpose:</b>	<p>The practice of elder law focuses on an array of legal issues particularly important to older people but important to many others as well. They include issues relating to retirement and estate planning, to powers of attorney, guardianship and other forms of substitute decision making, to private and public long-term care and other healthcare financing and to abuse of vulnerable individuals, among other issues.</p> <p>The Elder Law Section offers opportunities for education and consultation on issues relevant to elder law practice. Occasional seminars are complemented by the Section's active list serve — an ongoing conversation among members, responding to questions and sharing insights. The Section also offers opportunities for serious exploration of systemic problems identified by members and for policy advocacy on issues relating to the administration of justice.</p>	

<p><b>2016-2017 Accomplishments and Work in Progress:</b></p>	<p>The Elder Law Section is proud to support the Peter Greenfield Senior Advocacy Summer Internship at Columbia Legal Services. The Peter Greenfield Senior Advocacy Summer Internship supports a summer internship each year, rotating students from each of Washington’s three law schools. Interns provide advocacy and research that supports the systems reform that was the hallmark of Peter Greenfield’s work, while learning the broader themes of elder law.</p> <p>In addition, the Section provides an annual donation (\$15,000 in FY 2017) to the WSBA Legal Foundation of Washington to be used solely for the benefit of Columbia Legal Services (CLS) in the area of elder law services and advocacy for low-income seniors.</p> <p>Executive Committee of the Elder Law Section continue to be highly engaged in the legislative process concerning elder law issues.</p> <p>Members of the Executive Committee of the Section, as well as Section members were involved in the LLLT Board discussions regarding expansion of the WSBA Licensing of LLLTs in Washington State.</p> <p>Members of the Executive Committee are spearheading a Public Guardianship Taskforce to look into long term issues involving the viability of the Office of Public Guardianship in Washington.</p> <p>Again this year, members of the Section’s Executive Committee were invited to attend the annual meeting of the Superior Court Judges Guardianship and Probate Committee. That meeting took place on January 7, 2017.</p>													
<p><b>Please quantify your section’s current member benefits:</b></p> <p>For example:</p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs</li> </ul>	<table border="1"> <thead> <tr> <th data-bbox="537 1575 691 1640">Quantity</th> <th data-bbox="691 1575 1421 1640">Member Benefit</th> </tr> </thead> <tbody> <tr> <td data-bbox="537 1640 691 1705">\$25,000</td> <td data-bbox="691 1640 1421 1705">Scholarships, donations, grants awarded</td> </tr> <tr> <td data-bbox="537 1705 691 1770"></td> <td data-bbox="691 1705 1421 1770">Law school outreach events/benefits hosted</td> </tr> <tr> <td data-bbox="537 1770 691 1835">Many</td> <td data-bbox="691 1770 1421 1835">Legislative bills reviewed/drafted</td> </tr> <tr> <td data-bbox="537 1835 691 1900"></td> <td data-bbox="691 1835 1421 1900">Newsletters produced</td> </tr> <tr> <td data-bbox="537 1900 691 1984"></td> <td data-bbox="691 1900 1421 1984">Mini-CLEs produced</td> </tr> </tbody> </table>	Quantity	Member Benefit	\$25,000	Scholarships, donations, grants awarded		Law school outreach events/benefits hosted	Many	Legislative bills reviewed/drafted		Newsletters produced		Mini-CLEs produced	
Quantity	Member Benefit													
\$25,000	Scholarships, donations, grants awarded													
	Law school outreach events/benefits hosted													
Many	Legislative bills reviewed/drafted													
	Newsletters produced													
	Mini-CLEs produced													

produced	3	Co-sponsored half/day to multi-day CLEs with WSBA
	2	Receptions/forums hosted
		Awards given
	1	New Lawyer Outreach events/benefits
	1	Other (please describe): As part of our outreach event in September, we held an auction to raise money to support Access to Justice.

<b>2017-2018 Goals &amp; Priorities (Top 5)</b>	1	<b>Continue to monitor and take positions (as necessary) on legislation affecting elder law.</b>
	2	<b>Provide two CLE Programs</b>
	3	<b>Continue to support members through list serve and website updates</b>
	4	<b>Continue to promote and support the Peter Greenfield Internship program with Columbia Legal Services and the state's three law schools</b>
	5	<b>Provide social, mentoring and networking opportunities for members through events and gatherings.</b>

**Please report how this section is addressing diversity:**

(Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)

The Section is working with the WSBA and internally to increase diversity on the Executive Committee, the Elder Law Section, and on CLE Presentations.

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

The Elder Law Section encourages civility, collegiality, and professionalism in its membership and actively promotes these principles in Section sponsored educational and networking opportunities, as

well as on our listserv.

**Please report how this section is integrating new and young lawyers into its work :**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

The Section Mentorship and Outreach committee is tasked with developing new ways to reach out to young lawyers. The Section hosts two outreach events each year, most recently this past September, in which young lawyers have an opportunity to discuss the practice area of Elder Law with other section members. The Executive Committee involves the Young Lawyer Liaison in all Committee communications and meetings. Every Young Lawyer Liaison has graduated to an appointed or elected position on the Committee.

**Please describe your Executive Committee's relationship with WSBA staff and the Board of Governors.**

For example:

- Quality of WSBA staff support/services provided to Section Executive Committee
- Involvement with Board of Governors, including assigned BOG liaison
- Ideas you have on ways WSBA can continue to strengthen/support services to sections.

We have enjoyed very good working relationships with many WSBA staff, including Julianne Unite, Joe Terrenzio, and others, and enjoyed developing a relationship with our BOG liaison. We look forward to meeting the next Legislative Liaison.

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)





**WSBA SECTION ANNUAL REPORT – FY17**

**Deadline: Friday, October 13, 2017**  
**Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)**

<b>Name of the Section:</b>	<i>Environmental and Land Use Law (ELUL) Section</i>	
<b>Chair:</b>	<i>Lisa Nickel</i>	
<b>Section Information:</b>  <i>*To be completed by WSBA*</i>	Membership Size:	849 (as of 9/1/17)
	Staff Lead:	Joe Terrenzio
	BOG Liaison:	Chris Meserve
	FY17 revenue: \$	\$36,437.80 (as of 8/31/17)
	FY17 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$10,555.27 (as of 8/31/17)
<b>Purpose:</b>	<p>The ELUL Section is a formal association of attorneys, other professionals, and law students who share a common focus and interest in the practice of environmental and land use law. Our Section represents a diverse membership with individuals who are often on different sides of an issue, but who are all committed to civil and professional cooperation for the protection and enhancement of our communities. Accordingly, our Section endeavors to continually and regularly provide opportunities and forums for the interchange of ideas surrounding environmental and land use law.</p>	
<b>2016-2017 Accomplishments and Work in Progress:</b>	<p>The main event for our Section is the 3-day Midyear Conference and Membership Meeting held each spring. In 2017, this conference was held at Alderbrook Resort, which has always been a favored location for our attendees. Topics included case law and legislative updates by individuals working in those fields, hot topics such as the <i>Hirst</i> decision and the Flint water crisis, the new environmental crimes unit in the Attorney General’s office, and insight on the federal administration by former Ecology Director and Gubernatorial Chief of Staff Jay Manning. Each year we also have a high-level</p>	

	<p>keynote speaker and this year we were thankful to have the new Commissioner of Public Lands, Hilary Franz, join us.</p> <p>In December, we held our annual mini-CLE on ethics relating to the use and management of experts, including the lessons learned the hard way from litigation involving the Oso landslides. While other mini-CLEs were not held this year, we are looking into providing more opportunities as webcast(s) that will be available beyond the initial conference date.</p> <p>This year the Section also produced two newsletters, fewer than normal due to turnovers, but we are also discussing ways to bring the news traditionally delivered via newsletters into the fast-paced world of social media to reach more members with an as-you-need it timing. We also started more frequent legislative updates this past legislative session with targeted environmental and land use bill information sent to members by the list-serve so members can keep up with the ever changing legislative sessions. Given the diversity of membership, the Section does not take positions on any particular bill.</p> <p>For our soon-to-be and young lawyers, we continued our annual networking receptions in both Seattle and Spokane – coordinated with the law schools – and were deeply appreciative of the number of practicing attorneys who took time out of their busy schedules to network and encourage those new to the field. We were also graciously joined in the sponsorship of these events with the Environmental and Land Use section of the King County Bar Association and the ABA Section of Environment, Energy, and Resources. These activities go hand-in-hand with our highly successful grant program that awards funds to each of the three law schools (UW, Seattle University and Gonzaga University) to allow students to participate in activities that further their interest and commitment to the practice of environmental or land use law.</p> <p>Finally, this year we also continued our cooperation with the ADR Section to foster the use of mediation in the environmental and land use arena. Last year a pilot program was completed and this year was spent evaluating the program and working toward next steps.</p>									
<p><b>Please quantify your section’s current member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000</li> </ul>	<table border="1"> <thead> <tr> <th data-bbox="527 1705 685 1780">Quantity</th> <th data-bbox="685 1705 1445 1780">Member Benefit</th> </tr> </thead> <tbody> <tr> <td data-bbox="527 1780 685 1852">\$3,000</td> <td data-bbox="685 1780 1445 1852">Grants awarded to law schools</td> </tr> <tr> <td data-bbox="527 1852 685 1923">\$1,500</td> <td data-bbox="685 1852 1445 1923">Scholarships awarded to the Midyear Conference</td> </tr> <tr> <td data-bbox="527 1923 685 1986">2</td> <td data-bbox="685 1923 1445 1986">Law school outreach events/benefits hosted</td> </tr> </tbody> </table>	Quantity	Member Benefit	\$3,000	Grants awarded to law schools	\$1,500	Scholarships awarded to the Midyear Conference	2	Law school outreach events/benefits hosted	
Quantity	Member Benefit									
\$3,000	Grants awarded to law schools									
\$1,500	Scholarships awarded to the Midyear Conference									
2	Law school outreach events/benefits hosted									

<i>Scholarships, donations, grants awarded;</i> <ul style="list-style-type: none"> <li>• 4 mini-CLEs produced</li> </ul>	<b>N/A</b>	Legislative bills reviewed/drafted
	<b>2</b>	Newsletters produced
	<b>1</b>	Mini-CLEs produced
	<b>1</b>	Co-sponsored half/day to multi-day CLEs with WSBA
	<b>2</b>	Receptions/forums hosted
	<b>3</b>	Awards given
	<b>2</b>	New Lawyer Outreach events/benefits
<b>2017-2018 Goals &amp; Priorities (Top 5)</b>	<b>1</b>	Continue to enhance our educational program by producing high quality CLEs with knowledgeable speakers and timely, relevant topics.
	<b>2</b>	Maintain fiscal and financial responsibility, which will allow continued development of programming as well as additional outreach and grants.
	<b>3</b>	Work to increase timely access to relevant information, such as social media posts and legislative updates during the session.
	<b>4</b>	Promote networking of ELUL attorneys and further engagement of attorneys entering our area of practice.
	<b>5</b>	Explore greater interactions and cooperative efforts with other sections, other aspects of the WSBA, and other bar associations to increase member benefits.
<p><b>Please report how this section is addressing diversity:</b>  (Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)</p> <p>The ELUL Section Committee has received training from the WSBA Diversity Specialist and has reviewed and discussed the common misperceptions and barriers regarding achieving diversity and how to overcome them. Based on numbers provided by the Bar, the Section is improving; however, we acknowledge there is always more that can be done. Currently, we actively solicit from multiple minority groups to participate in the slate of candidates for election to the Committee and for mid-year co-chairs and speakers. For the coming year, we also have discussed plans to coordinate with the Diversity Specialist to gauge the overall diversity of those practicing environmental and land use law so as to better focus our efforts. We also propose to evaluate venues for barrier free accessibility.</p>		

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

The ELUL Section has historically been an association of members with diverse backgrounds and often opposite positions on any particular topic. Accordingly, civility and professionalism have long been part of our core moral compass. Our networking events strive to engage members in a fun and casual manner so that the person behind the client is known, as this often douses the flames of disagreement. Our educational events also frequently include a "view from the bench" to provide practitioners with insight of what our court and administrative judges need and wish to see to effect justice.

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

The ELUL Section has, in recent years, more actively involved our young lawyer liaison and so has received valuable insight as to how to better engage law students and new lawyers into the fields of environmental and land use law. The Section also has seen success in providing grants to each law school and co-sponsoring networking events with students and practitioners. Not only does this expose students to the field, but it promotes involvement by attorneys and furthers civility and professionalism by creating an environment of inclusion and open communication.

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**



## WSBASections

### WSBA SECTION ANNUAL REPORT – FY17

Deadline: Friday, October 13, 2017  
 Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)

<b>Name of the Section:</b>	<i>Family Law Section</i>	
<b>Chair:</b>	<i>Ruth Edlund. Report respectfully submitted by Rhea J. Rolfe, Chair for FY 2017-18</i>	
<b>Section Information:</b> <i>As of September 30, 2017</i>  <i>*To be completed by WSBA*</i>	Membership Size:	1,311 (as of 9/1/17)
	Staff Lead:	Julianne Unite
	BOG Liaison:	Bill Pickett
	FY17 revenue: \$	\$51,124.59 (as of 8/31/17)
	FY17 direct expenses: \$ (does not include the Per-Member-Charge)	\$21,122.46 (as of 8/31/17)
<b>Executive Committee Information</b>	FY 16-17 Hours Donated	>1,000
<b>Purpose:</b>	<p>The purpose of the Section shall be to seek the participation of all interested members of the WSBA in cooperation with state and local bar associations in order to benefit its members, their clients, and the general public:</p> <ul style="list-style-type: none"> <li>a. By providing the opportunity and forum for the interchange of ideas in all areas of law affecting families and juveniles;</li> <li>b. By initiating and implementing common projects, including but not limited to an annual meeting.</li> <li>c. By reviewing pending legislation, providing input and timely responses to pending and proposed legislation and development of proposed statutory enactments to improve and to facilitate the administration of justice within the Section's area of interest and expertise; and</li> </ul>	

	<p>d. By undertaking such other service as may be of benefit to the members, the legal profession, and the public.</p>									
<p><b>2016-2017 Accomplishments and Work in Progress:</b></p>	<p>Thank you for giving the Family Law Section (“Section”) the opportunity to report to the Board of Governors (“BOG”) on its work and accomplishments for the past fiscal year. In addition to its usual CLE and listserv activity identified herein, the Section engaged in the following:</p> <p><b>Legislation.</b> The Section reviewed proposed legislation as per prior years (see attached summary of bills) and provided input on proposed legislation as requested, working with the WSBA.</p> <p><b>Section Policies.</b> The section remained actively engaged in the review of sections policies throughout the year. Immediate Past Chair Ruth Edlund was elected by Section Leaders as one of the members to represent Sections regarding such policies.</p> <p><b>Bylaws.</b> After various changes in the WSBA bylaws, FLEC worked tirelessly in revising the Section bylaws, explaining to the members what changes were expected, and revising those bylaws several times to meet the WSBA requirements. Initially the membership adopted bylaws that were rejected by the WSBA, and FLEC revised the bylaws and they were passed by the membership.</p> <p><b>Plain Language Forms.</b> There has been on-going follow-up and feedback by the Section on the Plain Language Forms, which formed the principal theme of the December 2016 annual section CLE.</p> <p><b>Liaisons.</b> Following our practice of many years, the Section’s BOG liaison, and occasionally other members, regularly attended BOG meetings, providing input and feedback as allowed or solicited.</p> <p><b>Workgroups.</b> In response to recent legislation, one of our members is serving on a Domestic Violence workgroup with other members of the community, legislators, bar staff, and judiciary.</p>									
<p><b>Please quantify your section’s current member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants</li> </ul>	<table border="1"> <thead> <tr> <th data-bbox="537 1598 690 1667">Quantity</th> <th data-bbox="690 1598 1421 1667">Member Benefit</th> </tr> </thead> <tbody> <tr> <td data-bbox="537 1667 690 1812">\$2,000</td> <td data-bbox="690 1667 1421 1812">Scholarships, donations, grants awarded to Scholarships, donations, grants awarded to the Thurston County Volunteer Legal Services, Olympia</td> </tr> <tr> <td data-bbox="537 1812 690 1881"></td> <td data-bbox="690 1812 1421 1881">Law school outreach events/benefits hosted</td> </tr> <tr> <td data-bbox="537 1881 690 1944">69+</td> <td data-bbox="690 1881 1421 1944">Legislative bills reviewed/drafted</td> </tr> </tbody> </table>	Quantity	Member Benefit	\$2,000	Scholarships, donations, grants awarded to Scholarships, donations, grants awarded to the Thurston County Volunteer Legal Services, Olympia		Law school outreach events/benefits hosted	69+	Legislative bills reviewed/drafted	
Quantity	Member Benefit									
\$2,000	Scholarships, donations, grants awarded to Scholarships, donations, grants awarded to the Thurston County Volunteer Legal Services, Olympia									
	Law school outreach events/benefits hosted									
69+	Legislative bills reviewed/drafted									

<i>awarded;</i> <ul style="list-style-type: none"> <li>• 4 mini-CLEs produced</li> </ul>	1	Newsletters produced (in draft)
		Mini-CLEs produced
	2	Co-sponsored half/day to multi-day CLEs with WSBA
	1	Receptions/forums hosted
	0	Awards given Due to issues of illness and board turnover, no awards were given this year.
	2	New Lawyer Outreach events/benefits FLEC members participated in Open Sections Nights to provide information about Section benefits
	2	Other (please describe): Two active member-only listservs: one for legal discussions regarding substance and procedure, including some mentoring, and another dealing with practice and office management issues.  The long-term Webmaster for these listservs is resigning, and a new one is being selected.

<b>2017-2018 Goals &amp; Priorities (Top 5)</b>	<b>1</b>	Obtain authorization from WSBA CLE for long-standing Family Law Skills Training Institute, and conduct Skills Training Institute in FY 2018.
	<b>2</b>	Review legislation as requested/referred, and improve the communication between the Section and legislators with the ultimate goal of improving legislation benefitting families.
	<b>3</b>	Maintain strong lines of communication between the Section and BOG, and the WSBA, for the improvement of quality and availability of family law advice and services, as well as for making advance arrangements for the mid-year and other CLEs.
	<b>4</b>	Increase Section outreach to law students/law clerks/Rule 9 interns and broaden the scope of WSBA dialogue re: culture of inclusion.
	<b>5</b>	Improve visibility and availability of quality legal assistance by encouraging members to donate time to legal clinics and provide mentoring, scholarships, and donations for agencies providing these services.

**Please report how this section is addressing diversity:**

(Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist?)

How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)

FLEC consistently and actively attempts to recruit members and Board members from geographically and economically diverse areas of the State to ensure that concerns of smaller-populated counties and their clientele are addressed, since frequently they are overshadowed by the concerns of urban areas.

The Section emphasizes access to justice not only for pro ses, but also for disabled and ethnic populations. Unfortunately, due to miscommunication, appropriate accommodations were not made for a long-term Section member at the mid-year, resulting in his being unable to attend. This incident was a loss not only for him, but also for his colleagues, as it is important for the goal of diversity to achieve integration and inclusion. In fact, one of the Midyear speakers addressed the challenges of representing hearing-impaired clients.

As the Bar ages, in general, it will be crucial to provide additional accommodation to people whose sight, hearing, and mobility are diminishing.

The Diversity and Inclusion tools available in the Section Leaders Toolbox are very useful, and document an increase in membership for women and people of color, while showing a slight decrease in members who are disabled. The Section exceeds the WSBA percentage of diversity in all categories.

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

We participate annually in a joint meeting with the Family Law and Juvenile Law Subcommittee of the Superior Court Judges' Association. This meeting provides an opportunity for Family Law and Juvenile Judges and Family Law Practitioners to share ideas and concerns in an informal setting. Discussions span the gamut of professionalism, forms, court appearances, forms, consistency, dealing with pro ses and every manner of issue facing family law professionals. In addition, there is increased understanding between the judiciary and practitioners.

We regularly include ethics issues in our CLE presentations and skills training, to keep up with evolving issues and to share them with the membership and others.

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

We have had a very active liaison to the Young Lawyers as part of the Board. Now that this person has been elected to FLEC, and is the incoming Chair for 2018-19, we will actively seek to recruit another young lawyer to be our liaison. We regularly maintain a presence at Open Section nights, speaking with young lawyers who are still deciding their areas of practice. Some of our members have been Mentors and Moot Court judges for the University of Washington and other law schools, to help encourage young lawyers.

**Please describe your Executive Committee's relationship with WSBA staff and the Board of**



## **Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*

We have had a very active and long-term liaison to the Board of Governors, who attended nearly every BOG meeting for many years. She, along with four other FLEC members resigned in protest over, among other things, the WSBA's inclusion of non-lawyers to receive full WSBA membership status without paying similar dues or having similar responsibilities. Other FLEC members have attended and contributed to BOG meetings through the year.

This past year has been challenging due to serious personal, illness, and injury issues among FLEC members. Relationships have also been hampered by turnover among the WSBA staff. Due to lack of communication, we were unable to present our annual Skills Training Institution, which had become a tradition. It is our hope to put it on again this coming fiscal year.

The WSBA staff were very supportive and helpful during the Section's Annual Mid-Year in Walla Walla in June, (particularly Kevin Plachy) in providing support in getting the proposed and revised bylaws distributed to members as the Board continued to edit and review them.

Now that several issues have been settled, and new board members elected, we intend to move forward with the WSBA and BOG in the best interest of the Family Law Section membership, to serve our members and explore and address ways to meet the needs of clients and all people in need of support in the area of Family Law, whether through analyzing legislation, providing seminars, and to improve the quality of family law services available.

We appreciate that the BOG's assigned liaison, Bill Pickett, attended a FLEC meeting, and listened to our concerns. We hope that relationship will continue to strengthen in the coming year.

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**



WSBA SECTION ANNUAL REPORT – FY17

Deadline: Friday, October 13, 2017  
 Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)

<b>Name of the Section:</b>	<i>Health Law Section</i>	
<b>Chair:</b>	<i>Leanne Park</i>	
<b>Section Information:</b>  <i>*To be completed by WSBA*</i>	Membership Size:	425 (as of 9/1/17)
	Staff Lead:	Julianne Unite
	BOG Liaison:	Rajeev Majumdar
	FY17 revenue: \$	\$8,599.58 (as of 8/31/17)
	FY17 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$2,270.63 (as of 8/31/17)
<b>Purpose:</b>	<p>No official statement of purpose has been adopted. Generally, the Health Law Section has been focused on providing education and networking opportunities to the diverse community of lawyers practicing health law. Education has focused on providing information on health law issues; including focusing on new and emerging health law issues and pending legislation and regulations. The section is committed to partnering with like-minded professional groups and other WSBA sections.</p>	
<b>2016-2017 Accomplishments and Work in Progress:</b>	<p>We have continued to focus on rebuilding our leadership team and developing our committee structure. Our education committee has been the most active committee over this past fiscal year. Our principal accomplishments are:</p> <ul style="list-style-type: none"> <li>• Full day annual CLE co-sponsored with WSBA</li> <li>• 2 mini-CLEs produced</li> <li>• Revising the Section bylaws according to the guidance issues by WSBA</li> <li>• Submitted a statement to the WA Supreme Court regarding</li> </ul>	

	<b>the proposal to expand the LLT program to health law.</b>	
<p><b>Please quantify your section's current member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	<b>Quantity</b>	<b>Member Benefit</b>
	\$ 0	Scholarships, donations, grants awarded
	0	Law school outreach events/benefits hosted
	0	Legislative bills reviewed/drafted
	0	Newsletters produced
	2	Mini-CLEs produced
	1	Co-sponsored half/day to multi-day CLEs with WSBA
	0	Receptions/forums hosted
	0	Awards given
	2	New Lawyer Outreach events/benefits (Open Sections Night- Seattle & Spokane)
	Other (please describe):	
<b>2017-2018 Goals &amp; Priorities (Top 5)</b>	1	<b>Produce 4 short mini-CLEs (webinar only)</b>
	2	<b>Produce at least one in-person half day CLE</b>
	3	<b>Host one event in Spokane WA</b>
	4	<b>Conduct membership survey</b>
	5	<b>Strengthen new member welcome/outreach process</b>
<p><b>Please report how this section is addressing diversity:</b>  (Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)</p>		

We have focused on expanding our geographic diversity (offering webinar education and actively recruiting executive committee members from geographic locations outside of Seattle). We have also been committed to ensuring our leadership reflects varied legal practice areas (not solely law firm practitioners). Women are well-represented on our executive committee and other leadership positions. We are open to guidance regarding how we can better embrace and expand diversity within our section.

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

As with diversity, this is not something we have specifically addressed due to the need to develop our leadership team. We are open to guidance regarding how we can better promote professionalism within our section.

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

We hosted a YLD liaison and participated in the Open Sections night (which primarily draws law students and Young Lawyer). We provided guidance to the YLD orientation manual (for the HLS section)

**Please describe your Executive Committee's relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*

**We have greatly appreciated the support offered by our staff liaison Julienne Unite. She is reliable, supportive, and has been a wonderful support and connection to WSBA. We have also greatly benefited from the CLE planning team at WSBA. They have provided ceaseless guidance and support in organizing and supporting our various educational offerings. Finally, our BOG liaison has remained in excellent contact and has kept our section well-informed and connected to the BOG activities.**

**The WSBA Section Leaders Toolkit & training are very helpful.**

**One suggestion for improvement is to publish a standardized calendar with deadlines for the sections (nominations, elections, budget submission, Open Sections nights, etc...). Julienne has helpfully provided a valuable rough draft- but this is something that all of the sections would benefit from.**

**Also, it would be nice if the webinar training could be provided remotely (it is difficult for non-Seattle section leaders to participate without flying to Seattle for a one hour training).**

**Thank you!**

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)



## WSBA Sections

### WSBA SECTION ANNUAL REPORT – FY17

Deadline: 10/13/17  
 Email to: [sections@wsba.org](mailto:sections@wsba.org)

Submission Information		
<b>Name of the Section:</b>	Indian Law Section	
<b>Chair:</b>	Diana Bob	
<b>Section Information:</b>	<b>Membership Size:</b>	347 (as of 9/1/17)
	<b>Staff Lead:</b>	Joe Terrenzio/ Julianne Unite
	<b>BOG Liaison:</b>	Mario Cava
	<b>FY17 revenue: \$</b>	\$18,419.20 (as of 8/31/17)
	<b>FY17 direct expense: \$ (does not include the Per-Member-Charge)</b>	\$6,281.25 (as of 8/31/17)
	<b>FY17 Per Member Charge</b>	\$6,000
<b>Purpose:</b>	The Indian Law Section provides a forum for practitioners representing clients affected by Indian law. Federal, tribal and state laws, executive and administrative actions, and court decisions produce a complex and rapidly evolving array of law that affects legal services. The Section schedules CLE programs on subjects that provide information to practitioners representing clients affected by Indian law. Section members also receive a newsletter highlighting recent developments in Indian law.	
<b>2016-2017 Accomplishments and Work in Progress:</b>	The Section held a successful annual CLE in June 2017.	
<b>Please quantify your section's current member benefits:</b>  <b>For example:</b>	<b>Quantity</b>	<b>Member Benefit</b>
	\$5000	Scholarships, donations, grants awarded
	2	Legislative bills reviewed
	2	Newsletters produced
	1	Full day CLE

<ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>		
<b>2017-2018 Goals and Priorities (Top 5)</b>	1	Membership outreach
	2	Continue to offer practice-relevant CLE and networking opportunities for Section membership
	3	Contribute to scholarship efforts by Northwest Indian Bar Association to increase the pipeline for Section membership, including Native attorneys.
	4	
	5	

### Diversity

**Please report how this section is addressing diversity:**

(Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)

The WSBA's own data shows that the Section is the WSBA's most diverse section. We continue to have open dialogue with WSBA leadership regarding the importance of diversity and inclusiveness. The Section also participated in meeting about diversity that was co-hosted by WSBA earlier this year.

### Professionalism

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

The Section holds a CLE each year where it typically holds at least one ethics session.

### New and Young Lawyers

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

Several members of the Section board qualify as “young lawyers” based on WSBA definition and the Section fully supports and appreciates their service.

### Executive Committee

#### Please describe your Executive Committee’s relationship with WSBA staff and the Board of Governors.

For example:

- Quality of WSBA staff support/services provided to Section Executive Committee
- Involvement with Board of Governors, including assigned BOG liaison
- Ideas you have on ways WSBA can continue to strengthen/support services to sections.

The Section’s relationship with WSBA staff has been functional. Specifically, the staff could have been more diplomatic during the bylaw alignment. The Section is working to establish a stronger relationship with the Board of Governors.

*Thank you for completing your section’s annual report. Please feel free to add additional thoughts and comments below:*

---

**Note:** Annual Reports will be shared with the WSBA Executive Director, the WSBA Board of Governors and posted on your section’s webpage. We encourage you to share the Annual Report with your BOG liaison and the section membership.

**Please submit by \_\_\_\_\_**  
**Thank You!**

4846-7577-4033.2





**WSBA SECTION ANNUAL REPORT – FY17**

**Deadline: Friday, October 13, 2017**  
**Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)**

<b>Name of the Section:</b>	<i>Intellectual Property Section</i>	
<b>Chair:</b>	<i>Elizabeth Reilly</i>	
<b>Section Information:</b> <i>As of September 30, 2017</i>  <i>*To be completed by WSBA*</i>	Membership Size:	999 (as of 9/1/17)
	Staff Lead:	Joe Terrenzio
	BOG Liaison:	James Doane
	FY17 revenue: \$	\$26,647.11 (as of 8/31/17)
	FY17 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$7,088.00 (as of 8/31/17)
<b>Purpose:</b>	<p>Pursuant to Section 1.01 of the IP Section’s bylaws:</p> <p>In general, the Section strives to promote the practice of intellectual property law, including by promoting the participation of, and furthering the knowledge of, all interested members of the Bar and of other state and local bar associations, as to intellectual property law, in order to benefit the Section members, their clients and the general public. To that end, the Section may:</p> <p>(A) Provide the opportunity and forum for the interchange of ideas and education in areas of law relating to intellectual property rights, including patents, trademarks, copyrights, trade secrets and unfair competition, including without limitation:</p> <p>(1) Sponsoring and providing continuing legal education events; preparing and publishing a Section newsletter and website; and providing assistance and financial support as to the activities of other organizations that promote the purposes, goals, or activities of the Section;</p>	

	<ul style="list-style-type: none"> <li>(2) Promoting the understanding of intellectual property laws through outreach activities to new Section members and law students, including by providing financial support to law students attending law schools in Washington State;</li> <li>(3) Promoting Section members through intellectual property-related networking, referrals, speakers' panels and press contacts;</li> <li>(B) Promote cooperation between sections within the Bar and between the Bar and other groups having common interests in the proper development and administration of the law relating to intellectual property rights;</li> <li>(C) Review, comment on, and make recommendations related to pending legislation and propose statutory enactments to improve and to facilitate the administration of justice within the Section's area of interest;</li> <li>(D) Promote the development of industry and the useful arts by encouraging the establishment, maintenance, respect for and utilization of intellectual property rights that fairly balance the limited monopoly enjoyed by the owner of intellectual property rights with the benefit to society derived from the creation of useful subject matter protectable by those rights;</li> <li>(E) Assist in familiarizing other members of the Bar with intellectual property law; and</li> <li>(F) Undertake such other service as may be of benefit to the Section members, the profession and the general public.</li> </ul>
<p><b>2016-2017 Accomplishments and Work in Progress:</b></p>	<ul style="list-style-type: none"> <li>1) Put on the WSBA IP Section's 22 Annual IP Institute CLE (which included nationally recognized IP practitioners and a Federal District Court judge);</li> <li>2) Put on an IP Essentials CLE (involving regionally prominent practitioners);</li> <li>3) Put on a Mini-CLE in Eastern Washington on IP issues</li> <li>4) Participated in open section night to provide insights about the IP section and careers in IP law to new and young lawyers;</li> <li>5) Provided scholarships to law students at the University of Washington, Seattle University, and Gonzaga University, based on demonstrated interest in Intellectual Property law, as assessed by their respective law schools;</li> <li>6) Reviewed and revised the Section's bylaws in accordance with the revisions to the WSBA's bylaws.</li> <li>7) Monitored legislative developments concerning IP issues during the biennial session of the Washington State Legislature.</li> </ul>

<p><b>Please quantify your section's current member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	<b>Quantity</b>	<b>Member Benefit</b>
	\$5000	Scholarships, donations, grants awarded
	N/A	Law school outreach events/benefits hosted
	1	Legislative bills reviewed/drafted
	N/A	Newsletters produced
	1	Mini-CLEs produced
	2	Co-sponsored half/day to multi-day CLEs with WSBA
	1	Receptions/forums hosted
	N/A	Awards given
	1	New Lawyer Outreach events/benefits
		Other (please describe): <ul style="list-style-type: none"> <li>• The Executive Committee spent a significant amount of time this year reviewing and preparing amendments to the Section Bylaws, to conform them to amendments in the WSBA Bylaws affecting Sections.</li> </ul>
<b>2017-2018 Goals &amp; Priorities (Top 5)</b>	1	Provide high quality but affordable CLEs to attorneys interested in IP-focused issues.
	2	Continue to grow Section membership.
	3	Provide outreach to law students and new lawyers with respect to education and IP Section activities/benefits.
	4	Provide scholarships to law students who show a demonstrated interest in IP law.
	5	Provide networking opportunities for Section members.
<p><b>Please report how this section is addressing diversity:</b></p> <p>(Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)</p> <p>The WSBA IP Section does not discriminate in its membership. People of all backgrounds, geographic locations, and business structures (e.g., in-house, solo, general practice, boutique law firms, non IP law-practicing attorneys, and law students) are treated equitably and afforded the same opportunities to participate in all section activities.</p>		

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

The WSBA IP Section encourages ethics, civility, professionalism and competence in its membership and provides CLEs with ethics presentations to promote the same.

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

1. The IP Section has the 2017 goal of a law school outreach to provide information regarding the employment prospects & operations of the business of IP law;
2. The IP Section is in active communication with New Lawyers Connections Team and its representatives to promote IP Essentials CLE to new and young lawyers.
3. The IP Section sent Executive Committee members to attend Open Sections night to encourage new and young lawyers to become IP Section members and address their questions regarding a career in IP law;
4. The IP Section has a Young Lawyers Liaison.

**Please describe your Executive Committee's relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*

The IP Section Executive Committee has a cordial and productive working relationship with WSBA staff and Board of Governors. In particular, Governor James K. Doane, the IP Section's liaison, has been open and accessible to the IP Section Executive Committee, and Ms. Sondra Livingston-Carr has provided excellent CLE support.

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**



WSBA SECTION ANNUAL REPORT – FY17

Deadline: Friday, October 13, 2017  
 Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)

<b>Name of the Section:</b>	<i>International Practice Section</i>	
<b>Chair:</b>	<i>Bernard Shen</i>	
<b>Section Information:</b> <i>As of September 30, 2017</i>  <i>*To be completed by WSBA*</i>	Membership Size:	285 (as of 9/1/17)
	Staff Lead:	Julianne Unite
	BOG Liaison:	Mario Cava
	FY17 revenue: \$	\$12,371.25 (as of 8/31/17)
	FY17 direct expenses: \$ (does not include the Per-Member-Charge)	\$3,871.08 (as of 8/31/17)
<b>Purpose:</b>	<p>The International Practice Section has a broad focus that includes not only the study of current developments in the field of international law but also immigration law, international transactional work, and international dispute resolution. Members represent a wide variety of backgrounds and practices, including full-time and part-time practitioners, government, business, non-profit, foreign lawyers, academia, internationally-focused law students, retired professionals, and those simply intellectually interested.</p>	
<b>2016-2017 Accomplishments and Work in Progress:</b>	<ol style="list-style-type: none"> <li>1. The IPS held three major events in the 2016-2017 year: a New Year Kickoff and CLE event, a Spring CLE and networking event, and a combined event that includes the Annual General Meeting, a CLE and a reception for foreign lawyers, law students, and practitioners</li> <li>2. The IPS provided 6 credits worth of mini CLEs at no cost to Section members, in addition to another 3 credits worth of CLEs in conjunction with the 3 major events</li> <li>3. The IPS administered a foreign lawyer / law student mentoring</li> </ol>	

	program.	
<b>Please quantify your section's current member benefits:</b>  <i>For example:</i> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	<b>Quantity</b>	<b>Member Benefit</b>
	\$1,000	Huneke Fellowship awarded to law student
	1	Law school outreach events/benefits hosted
		<b>Content and communications through the Section listserv, <i>The Global Gavel</i> (<a href="http://www.globalgavelnews.org">www.globalgavelnews.org</a>), and <i>IPS LinkedIn Group</i>.</b> We are focusing the Section's communications with our members on these content streams, and are working on developing a regular stream of content, including articles, news, and events related to the international practice of law. (Global Gavel webmasters: Elly Baxter).
	6 hours	Mini-CLEs produced at no cost to Section members
	3 hours	Mini-CLE CLEs hosted in conjunction with New Year Kickoff Event, IPS Spring Event, and IPS AGM
	2	"no-host" happy-hour gatherings for section members.
	57	e-newsletters produced
<b>2017-2018 Goals &amp; Priorities (Top 5)</b>	1	Maintain the excellence of the existing programming.
	2	Expand the breadth of CLE programs, and attempt to make such programs accessible to those outside Seattle.
	3	Increase both the number of Section members and the number of active Section members.
	4	Strengthen the section's relationship with law schools to enhance the effectiveness of the mentorship program, CLEs, and young lawyer development.
	5	Partner with other sections for programming, pro bono projects, and/or other initiatives.
<b>Please report how this section is addressing diversity:</b> <small>(Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)</small> <ul style="list-style-type: none"> <li>• Membership Demographics – the IPS by its nature attracts a diverse array of foreign-born practitioners, as well as foreign lawyers, international law students and members whose clients operate in countries and cultures around the world.</li> <li>• Education and Training – the IPS's annual programming includes a Foreign Lawyers and International Law Students Reception, which celebrates and promotes the diversity of our legal community – locally and</li> </ul>		

globally. Our CLE programming often includes a cultural education component, i.e., understanding the technical area of law as well as the cultural context as it applies to a particular country or region, which often includes a discussion of the prevailing values in that country or region and how they may differ from those in the U.S. on subjects of fairness, due process, equality, diversity and custom.

- Collaboration and Partnership – the IPS partners with law schools, other international bar organizations and business groups in leveraging its programming to increase participation and interaction among practitioners from diverse backgrounds and cultures.

**Please report how this section is addressing professionalism:**

(Does the section’s work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

The International Practice Section draws members from many backgrounds, jurisdiction origins, and has a multi-disciplinary scope to its activities. Because of the wide diversity of membership, we continually strive to bring professionalism to all aspects of our activities, and to have service at the core of the activities we undertake over the course of the year. We administer an extensive foreign lawyer/foreign law student mentorship program. And we strive to add ethics into our ongoing CLE series.

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

The International Practice Section Executive Committee has a Young Lawyer Liaison that attends and actively participates in Section leadership. The Section awards the Huneke Fellowship to a law student, and that Fellow is actively integrated into law student outreach efforts.

**Please describe your Executive Committee’s relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*
- WSBA staff support this year has been excellent.
- Our BOG liaison, Mario Cava, attends our EC meetings and has kept us well informed of major BOG activities.

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section’s webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**



**WSBA SECTION ANNUAL REPORT – FY17**

**Deadline: Friday, October 13, 2017**  
**Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)**

<b>Name of the Section:</b>	<i>Juvenile Law Section</i>	
<b>Chair:</b>	<i>Jana Heyd and Daewoo Kim</i>	
<b>Section Information:</b> <i>As of September 30, 2017</i>  <i>*To be completed by WSBA*</i>	Membership Size:	226 (as of 9/1/17)
	Staff Lead:	Julianne Unite
	BOG Liaison:	Ann Danieli
	FY17 revenue: \$	\$6,378.75 (as of 8/31/17)
	FY17 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$2,350.81 (as of 8/31/17)
<b>Purpose:</b>	<p>The Juvenile Law Sections creates a venue and an opportunity for a broad representation of juvenile justice and child welfare participants to work on systems improvements that impact children, youth and their families.</p>	
<b>2016-2017 Accomplishments and Work in Progress:</b>	<p>Annual Fall Section Leaders Meeting, November 7, 2016 (Jana attended by phone)  Annual Meeting: November, 9, 2016  The 2016 annual meeting and CLE was held at Perkins Coie in Seattle –a half day event. A Judicial panel was included in the retreat. Justice Steven Gonzales, Judge Halpert (King County) and Judge Krese (Snohomish county) participated. Brett Ballew from OPD and Carrie Wayno from the AG’s office presented a case law update. Dr. Susan Speiker, Un. Of Washington spoke to the section about bonding and attachment. There was also a break out session on education law and foster youth.  Executive Committee Retreat, February 3, 2017:  The executive committee retreat was held at Society of Counsel, one</p>	



	<p>of the Seattle public defense agencies. The EC received training from Dr. Robin Nussbaum, WSBA Diversity and Inclusion specialist. Other items addressed at the retreat included the scheduling of the EC meetings for 2017, training from Julianne Unite on WSBA section requirements, an update from our law student EC members, annual meeting and sub-committee training ideas.</p> <p>EC Member Rachel Rappaport attended the WSBA Spring Section Leaders meeting on April 17, 2017</p> <p>By-Laws Amended (June, 2017)</p> <p>Dues increase approved (June 2017)</p> <p>Website redesign for the section is in progress</p> <p>Section Leaders Toolbox continues to be developed</p> <p>Annual section budget developed, approved and submitted ( )</p> <p>Young Lawyer Liaison (Danielle Purcelle) Selected, August 2017</p> <p>Preparation and organization for the annual JLS meeting and CLE occurred regularly throughout the Spring and Summer of 2017.</p>																							
<p><b>Please quantify your section's current member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	<table border="1"> <thead> <tr> <th data-bbox="548 789 699 856">Quantity</th> <th data-bbox="699 789 1427 856">Member Benefit</th> </tr> </thead> <tbody> <tr> <td data-bbox="548 856 699 926">\$ 0</td> <td data-bbox="699 856 1427 926">Scholarships, donations, grants awarded –</td> </tr> <tr> <td data-bbox="548 926 699 995">0</td> <td data-bbox="699 926 1427 995">Law school outreach events/benefits hosted</td> </tr> <tr> <td data-bbox="548 995 699 1178">4</td> <td data-bbox="699 995 1427 1178">Legislative bills reviewed/supported: The Vulnerable Youth Guardianship bill, No suspension for Kindergarten, 1<sup>st</sup>/2<sup>nd</sup> Grade, Supported Team Child's budget increase request to the legislature, etc.</td> </tr> <tr> <td data-bbox="548 1178 699 1247">0</td> <td data-bbox="699 1178 1427 1247">Newsletters produced</td> </tr> <tr> <td data-bbox="548 1247 699 1388">0</td> <td data-bbox="699 1247 1427 1388">Mini-CLEs produced(as all CLE's were combined and scheduled to occur at the annual meeting on October 6, 2017.</td> </tr> <tr> <td data-bbox="548 1388 699 1457">0</td> <td data-bbox="699 1388 1427 1457">Co-sponsored half/day to multi-day CLEs with WSBA</td> </tr> <tr> <td data-bbox="548 1457 699 1526">0</td> <td data-bbox="699 1457 1427 1526">Receptions/forums hosted</td> </tr> <tr> <td data-bbox="548 1526 699 1596">0</td> <td data-bbox="699 1526 1427 1596">Awards given</td> </tr> <tr> <td data-bbox="548 1596 699 1665">1</td> <td data-bbox="699 1596 1427 1665">New Lawyer Outreach events/benefits</td> </tr> <tr> <td data-bbox="548 1665 699 1948">2</td> <td data-bbox="699 1665 1427 1948">Other (please describe): Open Section Night: 3 of the Executive Committee Members attended this event that was held at the WSBA ConferenceCenter(Jan.19, 2017),including D'Adre Cunningham and law student members Vy Nguyen and Katharine Nyden. EC member Rachel Rappaport attended the Spring Sections meeting on 4/17/17.</td> </tr> </tbody> </table>	Quantity	Member Benefit	\$ 0	Scholarships, donations, grants awarded –	0	Law school outreach events/benefits hosted	4	Legislative bills reviewed/supported: The Vulnerable Youth Guardianship bill, No suspension for Kindergarten, 1 <sup>st</sup> /2 <sup>nd</sup> Grade, Supported Team Child's budget increase request to the legislature, etc.	0	Newsletters produced	0	Mini-CLEs produced(as all CLE's were combined and scheduled to occur at the annual meeting on October 6, 2017.	0	Co-sponsored half/day to multi-day CLEs with WSBA	0	Receptions/forums hosted	0	Awards given	1	New Lawyer Outreach events/benefits	2	Other (please describe): Open Section Night: 3 of the Executive Committee Members attended this event that was held at the WSBA ConferenceCenter(Jan.19, 2017),including D'Adre Cunningham and law student members Vy Nguyen and Katharine Nyden. EC member Rachel Rappaport attended the Spring Sections meeting on 4/17/17.	
Quantity	Member Benefit																							
\$ 0	Scholarships, donations, grants awarded –																							
0	Law school outreach events/benefits hosted																							
4	Legislative bills reviewed/supported: The Vulnerable Youth Guardianship bill, No suspension for Kindergarten, 1 <sup>st</sup> /2 <sup>nd</sup> Grade, Supported Team Child's budget increase request to the legislature, etc.																							
0	Newsletters produced																							
0	Mini-CLEs produced(as all CLE's were combined and scheduled to occur at the annual meeting on October 6, 2017.																							
0	Co-sponsored half/day to multi-day CLEs with WSBA																							
0	Receptions/forums hosted																							
0	Awards given																							
1	New Lawyer Outreach events/benefits																							
2	Other (please describe): Open Section Night: 3 of the Executive Committee Members attended this event that was held at the WSBA ConferenceCenter(Jan.19, 2017),including D'Adre Cunningham and law student members Vy Nguyen and Katharine Nyden. EC member Rachel Rappaport attended the Spring Sections meeting on 4/17/17.																							

<b>2017-2018 Goals &amp; Priorities (Top 5)</b>	<b>1</b>	Diversity and Inclusion training to occur on 10/6/17, EC attended this training on Feb 3, 2017.
	<b>2</b>	Training
	<b>3</b>	Vulnerable Youth Guardianship – recruited pro bono attorneys to assist
	<b>4</b>	All day annual meeting scheduled for October 6
	<b>5</b>	Increase participation from eastern Washington members

**Please report how this section is addressing diversity:**

(Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)

The executive committee met with WSBA diversity specialist Robin Nussbaum during the EC retreat in February 3, 2017 and was provided a training on encouraging and promoting diversity and inclusion within the section. The EC committed to improving the section's diversity and inclusion practice. The section's statistics on diversity (rates) was evaluated by the WSBA. The section ranks equal to or above WSBA percentages (in 2017) for % of members of color, in the Race/Ethnicity section, Gender (% female) section, LGBT section, people with disabilities section and in the New Lawyers section.

Robin Nussbaum will participate on a panel discussion at the section's annual meeting on October 6, 2017 so the entire section will be offered an orientation to the diversity and inclusion training that the executive committee received in early 2017. T

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

The section has made great efforts to encourage the participation of members the many practice areas represented in the juvenile justice and child welfare systems both in the section and on the executive committee. The executive committee encourages officers to be selected from both the eastern and western parts of the state. This diverse representation has promoted a civil and successful working environment for the section. The section has also offered social opportunities for the section members to meet, as well as more formal training opportunities. The section supports improving the civility of our practice.

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

The Juvenile Law Section supports the integration of new and young lawyers into the work of the section. The section values the inclusion of law students both as a part of the section and as an integral aspect of the executive committee. The EC has 4 law student members on the executive committee, with at least 1 member from each of Washington's law schools.

The Juvenile Law Section selected a Young Lawyer Liaison, Danielle Purcell, who will join the executive committee in October, 2017. EC member Brandon Stallings is the EC member who will work closely with our new YL representative.

**Please describe your Executive Committee's relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*

Attend trainings, WSBA section events, respond to requests for input on section issues

Invite Anne Danieli, BOG Liaison, and Julianne Unite, WSBA Sections Liaison to the annual meeting. Julianne is regularly invited to executive committee meetings and the executive committee annual retreat. (Anne Danieli is no longer the BOG representative assigned to the section.)

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**



## WSBA Sections

### WSBA SECTION ANNUAL REPORT – FY17

**Deadline: Friday, October 13, 2017**  
**Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)**

<b>Name of the Section:</b>	<i>Labor and Employment Law Section</i>	
<b>Chair:</b>	<i>James Shaker</i>	
<b>Section Information:</b> <i>As of September 30, 2017</i>  <i>*To be completed by WSBA*</i>	Membership Size:	1,063 (as of 9/1/17)
	Staff Lead:	Julianne Unite
	BOG Liaison:	Angela Hayes
	FY17 revenue: \$	\$42,143.62 (as of 8/31/17)
	FY17 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$23,246.65 (as of 8/31/17)
<b>Purpose:</b>	<p>“To foster and promote integrity, expertise, and greater understanding within the labor and employment law community throughout Washington.”</p> <p>Our Section brings together attorneys from all across the State, from “both sides of the docket,” and various areas of labor and employment practice and in public and private sectors, which advances civility and professionalism in the Bar.</p> <p>The Section is comprised of lawyers in the private sector and public sector, and those representing plaintiffs or unions as well as those representing employers or management. We have those who primarily practice traditional labor law, as well as those who practice in other areas of employment law. Our Section also has law professors, judges and arbitrators/mediators. Our Executive Committee reflects this breadth and depth of experience and perspectives of the Section in general.</p> <p>The Section and its Executive Committee enjoy diversity in terms of gender, race, disability, religion, and geographic representation. There are now two members of the Executive</p>	

	<p>Committee from Eastern Washington (as well as our BOG liaison). We have also focused on increasing our outreach and services to lawyers in Central and Eastern Washington. We would like to improve our Section’s representation from Central Washington if possible, as well as diversity based on race, disability, religion, and national origin. The Section does not have data with respect to the sexual orientation of members.</p> <p>The Section coordinates events that keep practitioners informed on the latest developments in employment law, which promotes competency and ethical practice in the bar.</p>
<p><b>2016-2017 Accomplishments and Work in Progress:</b></p>	<p>See above. Also, our annual CLE hit another record in terms of attendance last year (and has, for several years in a row). We are working toward similar success this year (with our CLE on 12/01/2017 in Seattle, and by webcast). We strive for <i>interactive panel discussions on all issues</i> – so the breadth and depth of all the various perspectives we have in our Section are featured. In addition, this is more interesting for the attendees who are also encouraged to join in the dialogue with the panels.</p> <p>The Section sponsored a CLE on Avoiding and Litigating Duty of Fair Representation claims in June 2017. It was also well-attended and well-received.</p> <p>The Section participated in the Open Section Night both in Spokane in October 2016 and in Seattle in January 2017.</p> <p>The Section has also strived, and will continue to strive, to increase access to justice for lawyers of moderate means and in the central and eastern parts of the State. For example, because our Section has been successful and conservative in terms of managing our revenues, our “East of the Mountains” Mini-CLE and networking events in Spokane and Yakima over the last few years have been offered at no charge. These are also very valuable and accessible opportunities for law students and young lawyers across the state to network and get involved in the Section and find mentoring and work opportunities.</p> <p>Our most recent Mini-CLE event, in Spokane on 09/28/2017. We had 122 registrants and several more walk-in attendees. The event featured a panel discussion with federal judges in the Eastern District (Senior Judge Edward F. Shea, Judge Rosanna Malouf Peterson, and Judge Salvador Mendoza, Jr.), as well as a vibrant panel discussion about religious freedom.</p>

Please quantify your section's current member benefits:	Quantity	Member Benefit
<p>For example:</p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	\$15,000	Law Student Summer Grants awarded: One summer grant award winner per law school in the the law schools in the state. This was \$5,000 per student/summer grantee in 2015-2016, and will be increased to \$5,000 per student/grantee.
		Law school outreach events/benefits hosted
		Legislative bills reviewed/drafted
		Newsletters produced
	2	Mini-CLEs produced (See above)
	1	Co-sponsored half/day to multi-day CLEs with WSBA (See above)
		Receptions/forums hosted
		Awards given
		New Lawyer Outreach events/benefits
		Other (please describe):
<b>2017-2018 Goals &amp; Priorities (Top 5)</b>	1	Increase diversity of membership, and CLE speakers. We strive to focus providing speaking and other leadership and development opportunities to those from historically underrepresented backgrounds. This is an emphasis in all our planning and outreach activities.
	2	Increase membership and offerings to members, throughout the state and especially increase membership outside Puget Sound, and in smaller legal markets and among small firm and solo practitioners.
	3	Continue to foster and increase as possible, co-sponsorships or events and other outreach to younger lawyers, and other sectors of the bar.
	4	Continue to focus on ways to foster community and the sense of professionalism with and among members from and among all areas of labor and employment practice, as well as the judiciary, neutrals, and the community in general

	5	Continue to explore ways to foster outreach and mentor opportunities to law school students, to encourage interest and opportunities in labor and employment law.
--	---	---

**Please report how this section is addressing diversity:**

(Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)

See above.

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

See above.

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

Our young lawyer liaison is very much an integral, co-equal part of our Executive Committee and its work. We also strive in other ways to make our outreach events accessible to new and young lawyers. See also above.

**Please describe your Executive Committee's relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*

We have a positive and productive working relationship with our Section Lead, Julianne Unite, and BOG liaison Angela Hayes, and work closely with both. See above.

More specifically, Ms. Unite has been a pleasure to work with, is highly diligent and competent, and assists us greatly.

We have also worked well with the Bar's CLE and Mini-CLE staff, to accomplish unprecedented educational and networking opportunities in the central and eastern areas of the state, and set records in terms of our annual CLE attendance as well.

[It would be helpful if the WSBA staff could actually post pictures of our events on our WSBA website. We have been told this is not possible?]

Our current liaison Angela Hayes has been very involved with our Section Executive Committee and interested in our work. She is dedicated and engaged.

There is a great deal of energy, work and enthusiasm in our Section and about what we are doing and hope to do.

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.



Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)



## WSBASections

### WSBA SECTION ANNUAL REPORT – FY17

**Deadline: Friday, October 13, 2017**  
**Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)**

<b>Name of the Section:</b>	<i>Legal Assistance to Military Personnel Section</i>	
<b>Chair:</b>	<i>Sharon Powell</i>	
<b>Section Information:</b> <i>As of September 30, 2017</i>  <i>*To be completed by WSBA*</i>	Membership Size:	109 (as of 9/1/17)
	Staff Lead:	Julianne Unite
	BOG Liaison:	Keith Black
	FY17 revenue: \$	\$4,912.89 (as of 8/31/17)
	FY17 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$151.29 (as of 8/31/17)
<b>Purpose:</b>	<p>The purpose of this section shall be to benefit the members of the Washington State Bar Association and the general public by:</p> <ul style="list-style-type: none"> <li>• Promoting the objectives of the Washington State Bar Association with respect to military affairs.</li> <li>• Establishing and maintaining liaison between the Washington State Bar Association, the Armed Forces of the United States, and federal, state and local government agencies involved in military and veteran affairs in order to better serve the legal needs of the members and veterans of the Armed Forces of the United States and their dependents.</li> <li>• Providing information on matters affecting military licensed legal professionals, both active duty and reserve.</li> <li>• Encouraging continuing legal education to foster the ability to provide legal representation to military personnel, veterans and their dependents within the state of Washington.</li> </ul>	
<b>2016-2017</b>	<ul style="list-style-type: none"> <li>• Reviewed and updated LAMP purpose/bylaws and modified</li> </ul>	

<p><b>Accomplishments and Work in Progress:</b></p>	<p>them as necessary to bring them into alignment with the new WSBA bylaw requirements and LAMP’s purpose.</p> <ul style="list-style-type: none"> <li>• Hosted/participated in mini-CLE training events for military and civilian attorneys.</li> <li>• Provided assistance to military and civilian attorneys seeking information on military laws and laws impacting military personnel, veterans, and their families.</li> <li>• Review and restructuring how LAMP provides educational events/opportunities. Webcasting CLE events will begin in 2017.</li> <li>• Reviewed (in coordination with the WSBA) Washington State legislation (bills) for issues relating to military members, dependents, Washington National Guard members, and veterans.</li> <li>• LAMP liaisons worked directly with the ABA LAMP to help keep us informed of national efforts for active duty military members, reserve/guard, dependents, and veterans and for us to keep ABA LAMP informed of similar efforts in Washington State.</li> <li>• Work closely with military legal assistance offices to identify training opportunities and discussed how to address training needs now the APR8(g) statute has been eliminated.</li> <li>• Welcomed LLLT members to the LAMP section for the first time this year.</li> </ul>
---	---

<p><b>Please quantify your section’s current member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	<p><b>Quantity</b></p>	<p><b>Member Benefit</b></p>
	<p>\$</p>	<p>Scholarships, donations, grants awarded</p>
	<p>2</p>	<p>Law school outreach events/benefits hosted</p>
	<p><b>Approx. 50</b></p>	<p>Legislative bills reviewed/drafted</p>
		<p>Newsletters produced</p>
	<p>3</p>	<p>Mini-CLEs produced</p>
	<p>1</p>	<p>Co-sponsored half/day to multi-day CLEs with WSBA</p>
		<p>Receptions/forums hosted</p>
	<p>1</p>	<p>Awards given</p>
	<p>2</p>	<p>New Lawyer Outreach events/benefits</p>
	<p>Other (please describe):</p>	

<b>2017-2018 Goals &amp; Priorities (Top 5)</b>	<b>1</b>	Host quarterly mini-CLEs that have value to our members and, in general, help military and civilian attorneys provide legal services to military personnel, veterans, and their families.
	<b>2</b>	Closely monitor proposed legislation, and draft propose legislation, which could impact military personnel, veterans, and their families and provide comments/testimony as appropriate.
	<b>3</b>	Review the needs of the military legal assistance offices to determine what kinds of training opportunities will best serve their needs now that the APR 8(g) statute has been eliminated.
	<b>4</b>	Evaluate and implement training methods to reach our members/military attorneys across Washington state.
	<b>5</b>	Continue efforts to increase section diversity, outreach, and membership.

**Please report how this section is addressing diversity:**

(Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)

The LAMP section strives to increase women and minority participation in our section and particularly in leadership positions. The veteran and military population we advocate for is very diverse and includes people from all walks of life and sexual orientations coming from all parts of the 54 states and territories. Current and past executive board comprises members of historically disadvantaged groups, such veterans, women, non-Christian religious denominations, and non-white ethnicities.

Additionally, the LAMP section provides opportunities to discuss current diversity issues. For example, on March 9, 2017 we hosted a Mini-CLE event co-sponsored LBGT bar section entitled *LBGT Service Members: Current Legal Issues and Challenges* presented by David Ward of Legal Voice in Seattle. This session focused on legal issues facing lesbian, gay, bisexual, and transgender service members, including information about recent developments in the law's treatment of LGBT service members and the broader LGBT community. In addition, information was provided about best practices in representing LGBT clients in a culturally competent manner.

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

The LAMP section hosts CLE presentation for its members and guests. In every presentation there is a portion that talks about the proper way to address legal issues in court, with the government, and/or with other attorneys. In general, attorneys who represent military personnel in military or civilian courts are held to a high-ethical standard and we strive to give them the information and tools to maintain that high-standard. Likewise, civilian attorneys representing military personnel, veterans, and their families receive educational opportunities to learn about the military culture and high standards expected.

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

Participation in outreach event to new lawyers and law students by attending and contributing to WYLD open night section nights in Tacoma, Spokane, and Seattle. Law students join our section as non-voting members (at a reduced cost). New lawyers and law students have numerous opportunities to network with military and civilian lawyers at LAMP events and in some cases are mentored by LAMP members. All law school in Washington State have military/veteran law school associations which are supported by the LAMP section and which provide leadership opportunities for law students.

**Please describe your Executive Committee's relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*
  
- The WSBA Leadership has actively supported the WSBA LAMP. This is perhaps best exemplified by the continued decision to allow the LAMP Section to have non-lawyers, including LLLTs, as non-voting members of the LAMP Section. This is significant: current U.S. Laws limit the ability of Veterans to access lawyers for assistance. Other organization such as the Disabled American Veterans (DAV), the Veterans of Foreign Wars (VFW), and the American Legion provide assistance at hearings (at no cost) to Veterans. Having these representatives as non-voting members of our Section allows them access to current legal issues (and improves communications and identification of legal issues/concerns for our veterans).
- The WSBA leadership and administrative staff has actively supported LAMP efforts to provide legal assistance to our returning military personnel, veterans, and families impacted by the long war overseas.
- The WSBA leadership and administrative staff have actively supported LAMP's update of bylaws and have been instrumental in our efforts to offer educational opportunities through webcasting.
- Our BOG Liaison has been engaged with all key issues addressed by the LAMP.

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**



## WSBASections

### WSBA SECTION ANNUAL REPORT – FY17

**Deadline: Friday, October 13, 2017**

**Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)**

<b>Name of the Section:</b>	<i>Lesbian Gay Bisexual Transgender Law Section</i>	
<b>Chair:</b>	<i>Dana O'Day-Senior (co-Chair-elect) &amp; Betsy Crumb (co-Chair-elect)</i>	
<b>Section Information:</b>  <i>*To be completed by WSBA*</i>	Membership Size:	147 (as of 9/1/17)
	Staff Lead:	Joe Terrenzio/ Julianne Unite
	BOG Liaison:	Athan Papailiou
	FY17 revenue: \$	\$4,378.75 (as of 8/31/17)
	FY17 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$2,155.49 (as of 8/31/17)
<b>Purpose:</b>	<p><b>The LGBT Law Section is dedicated to helping attorneys better serve LGBT clients and the LGBT community. We focus on lawyer education, best practices, and the changing legal landscape.</b></p>	
<b>2016-2017 Accomplishments and Work in Progress:</b>	<p>We began the 2017 Fiscal Year with a well-attended annual meeting held at WSBA Offices on November 10, 2016. The focus of the annual meeting was planning strategies, goals, and activities for the section in the coming year, and reevaluating our priorities as a section to ensure we addressed the most pressing needs for legal education and legal services for the LGBT community in Washington state.</p> <p>Our next major event was our midyear meeting, which was held at the offices of Stoel Rives in Seattle on March 30, 2017. This event included both a reception and a 2-credit mini-CLE on Gender Identity and Public Accommodations. Many thanks to our</p>	

wonderful presenters for that event, David Ward, Denise Diskin, and Danni Askini, and to Stoel Rives for hosting!

We then turned our focus to alignment of our section bylaws with the new WSBA bylaws, working over several months to ensure the key points of flexibility, committee structure, and representation that enable our section to better serve lawyers serving the LGBT community were preserved and aligned with the new bylaws requirements. We successfully passed new bylaws, which were approved by the BOG over the summer.

During the legislative session, we reviewed several bills and took a formal position on one bill. We also worked with WSBA sections leadership to address the obstacles to sections taking effective action on legislative issues within the confines of GR 12, while also ensuring transparency and public accessibility to the process.

We then partnered with the QLaw Association to plan a networking reception, which recently took place on October 5, 2017. This was well attended by both QLaw and LGBT Law Section Members.

We are currently in the process of planning several exciting events for the 2018 fiscal year, beginning with our annual meeting on Thursday, November 9, 2017, which will take place at WSBA offices. We are happy to welcome the Hon. Jean Rietschel as our guest speaker this year.

The section is also partnering with WSBA to bring a half-day CLE and midyear meeting. This event will focus on key current and emerging issues in law affecting LGBT individuals and families. The speakers and curriculum are still under development, but the event is being planned for March 22, 2018, from 8:00 a.m. to 1:00 p.m. at WSBA offices in Seattle.

We continue to partner with other LGBT-focused sections of county bar associations and minority bar associations, including QLaw and hope to expand our reach and the geographic diversity of our programming and networking events over the coming year.

At present, we are seeking interested members to consider running either for an interim position on our executive committee to fill vacancies between now and the start of FY 2019 on October 1, 2018, or to run for office in the general section leadership election this coming spring for positions beginning October 1, 2018.



	We welcome the feedback and participation of our section members and continue to strive to offer relevant services and benefits to our members.	
<p>Please quantify your section's current member benefits:</p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	<b>Quantity</b>	<b>Member Benefit</b>
	\$0	Scholarships, donations, grants awarded: <b>This year we did not award any scholarships or grants, but we remain committed to offering scholarships to section events on an as-needed basis and continue to evaluate LGBT legal services organizations to which to consider donating funds.</b>
	0	Law school outreach events/benefits hosted: <b>this year we did not produce any outreach events directly in conjunction with law schools, but we did encourage rising 3Ls to join the section through Open Sections Night and encouraged our law student members to participate in section events. More law school outreach activities are planned for FY 2018.</b>
	5	Legislative bills reviewed/drafted: <b>The section reviewed 5 legislative bills and took a formal position on 1. The section also worked to improve and streamline procedures for its legislative committee to respond to urgent legislation within the WSBA's sections and open meetings rules.</b>
	0	Newsletters produced
	1	Mini-CLEs produced: <b>Produced mini-CLE on Gender Identity and Public Accommodations in WA, which was offered for 2 CLE credits at our mid-year meeting in March 2017.</b>
	0	Co-sponsored half/day to multi-day CLEs with WSBA
	3	Receptions/forums hosted: <b>sponsored networking events at our Annual Meeting in November 2016 and midyear meeting in March 2017, and co-sponsored a networking event with the QLaw Association that was planned in FY17 and hosted on 10/5/17.</b>
	0	Awards given
	2	New Lawyer Outreach events/benefits: <b>Participated in Seattle and Spokane Open Sections night, also provided membership to law students at a reduced</b>

		rate
		Other (please describe):
<b>2017-2018 Goals &amp; Priorities (Top 5)</b>	<b>1</b>	<b>Hosting a ½-day midyear meeting and CLE with WSBA on Developing Legal Issues for the LGBT Community.</b>
	<b>2</b>	<b>Continuing outreach, networking, and coordination efforts with the QLaw Association.</b>
	<b>3</b>	<b>Planned mini-CLE on LGBTQ youth in Foster Care.</b>
	<b>4</b>	<b>Regular member networking events.</b>
	<b>5</b>	<b>Expanding our outreach and representation across the state.</b>

**Please report how this section is addressing diversity:**

(Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)

This Section is focused on helping lawyers to better serve the LGBT community and individuals. Many of our executive committee members are members of the LGBT community. We also encourage people from various diverse and minority backgrounds to run for positions on our executive committee, speak at educational events, and participate in other opportunities for section leadership.

We have also continued our efforts to strengthen our relationships with the QLaw Bar Association to better encourage our section membership to interact and co-sponsor events with other legal organizations focused on representing diverse members of the legal profession.

We also continue to focus our educational efforts on CLEs focused on better serving underrepresented populations in need of legal services, such as transgender individuals and LGBTQ youth.

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

**The LGBT Law Section looks for opportunities to promote and encourage professionalism in our educational and section activities. This past year we also worked with the QLaw Bar Association to host joint networking events; to open dialogues regarding the issues facing the legal community and ways to promote professionalism in the face of a charged sociopolitical environment; and to encourage our members to interact with members of minority bar associations and other organizations in a professional, collegial manner.**

**We plan to bring more programming focusing on professionalism in the face of adversity and better serving clients through professionalism in the coming programming year.**

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

**We work closely with our WSBA YLC Liaison and encourage new and young lawyers to join our executive committee. We are working to recruit new and young lawyers to fill current vacancies; to plan, speak, and participate in section educational programming, and to represent the LGBT Law Section at networking and membership events.**

**The section also works to send representatives to the various Open Sections Nights held in Seattle, Spokane, and Tacoma to encourage new and young lawyers and law students to join the section.**

**The section actively solicits the input and feedback from its new and young lawyer members and seeks ideas for how it can better serve new and young lawyers, and determining what areas of programming or services are most desired by new and young lawyers.**

**Please describe your Executive Committee's relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*

**This past year, the LGBT Law Section worked closely with our section liaisons, Joe Terrenzio and Julianne Unite, to revise our existing bylaws and bring them into accordance with the new WSBA model. We reached out through our section liaison and BOG liaison to ensure our concerns regarding new Section bylaws, and particularly practices and procedures for legislative committee engagement, were heard. We also successfully worked with the sections staff and BOG to host a mid-year meeting and mini-CLE and to approve our revised bylaws.**



**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**



**WSBA SECTION ANNUAL REPORT – FY17**

**Deadline: Friday, October 13, 2017**  
**Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)**

<b>Name of the Section:</b>	<i>Litigation Section</i>	
<b>Chair:</b>	<i>Stephanie Bloomfield</i>	
<b>Section Information:</b> <i>As of September 30, 2017</i>  <i>*To be completed by WSBA*</i>	Membership Size:	1,200 (as of 9/1/17)
	Staff Lead:	Julianne Unite
	BOG Liaison:	Dan Bridges
	FY17 revenue: \$	\$34,057.50 (as of 8/31/17)
	FY17 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$8,240.01 (as of 8/31/17)
<b>Purpose:</b>	<p><b>The Litigation Section strives to be the voice of civil litigators practicing in Washington state. The Section is involved in a wide range of activities that interest those who handle civil matters in superior or federal courts. Activities include review and formal input concerning legislation and rule making, annual midyear trial skills seminar and support for litigation skills training.</b></p>	
<b>2016-2017 Accomplishments and Work in Progress:</b>	<ul style="list-style-type: none"> <li>• <i>Participation at All Open Section Night in both E and W WA</i></li> <li>• <i>Educational events annual Trial Skill CLE seminar</i></li> <li>• <i>Support of WSBA’s Trial Advocacy Program</i></li> <li>• <i>Review and comment on legislative bills relevant to the section and its members (this did not occur because the legislature was not in session, but instead provided feedback to the BOG and Supreme Court both on WSBA changes and proposed Rule Changes.</i></li> <li>• <i>Scholarship and/or grant programs at all three WA Law Schools</i></li> <li>• <i>Initial exploration of potential mentor program, including seeking interest from experienced litigators to serve as mentors.</i></li> </ul>	
<b>Please quantify your</b>	<b>Quantity</b>	<b>Member Benefit</b>

<b>section's current member benefits:</b>  <i>For example:</i> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	\$0.00	Scholarships, donations, grants awarded
	3	Law school outreach events/benefits hosted
	50	This session we reviewed 50 pieces of proposed Legislative bills and provided comment on many bills that were of importance to the Litigation section.
	1	We provided an electronic version of our Winter 2017-17 Newsletter highlighting the Newman v Highland School Dist. No. 203 decision addressing the loss of attorney client privilege with former employees who may be key witnesses in a lawsuit.
	0	Mini-CLEs produced
	1	Co-sponsored half/day to multi-day CLEs with WSBA
	0	Receptions/forums hosted
	0	Awards given
	1	New Lawyer Outreach events/benefits
	1	Other (please describe): <b>Hosted Annual Reception/Dinner for Supreme Court</b>
<b>2017-2018 Goals &amp; Priorities (Top 5)</b>	1	<b>Continue Annual CLE and consider Mini CLE's to supplement.</b>
	2	<b>Law Student Outreach and Scholarship/Grants at all Three Washington Law Schools</b>
	3	<b>Trial Advocacy Program (continue support)</b>
	4	<b>Provide timely input on bills in what is expected to be a busy legislative section</b>
	5	<b>Newsletter – either resurrect or develop another format for member outreach</b>
<p><b>Please report how this section is addressing diversity:</b>  (Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)</p> <p><b>We actively ensure that our CLE programs include diverse speakers/presenters</b></p> <p><b>We try and ensure both practice, geographic and ethnic diversity on our Executive Committee</b></p> <p><b>We have not used the WSBA Diversity Specialist.</b></p> <p><b>The point of contact on our Committee for this should be Stephanie Bloomfield (Chair).</b></p>		

**We will continue to promote diversity within our section leadership and in the presenters and speakers at section programs and identify outreach opportunities to increase diversity in our membership and leadership.**

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

**The Litigation Section hopes to foster and promote professionalism by providing a means of networking and interaction for litigators representing both plaintiff and defendants. The Section CLE always includes an ethics component and believes that continued outreach and communication by section members in part through CLE's, Open Sections Events and its Listserve build collegiality and professionalism.**

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

**We have engaged with our YLD Liaison to get input on issues of importance to younger lawyers, continue participation at Law School outreach events at all three law schools as well as Open Sections Nights. In addition, we are exploring the possibility of starting a new mentor program pairing experienced litigators with newer members of the Bar. Finally, our Annual CLE focuses on both more basic and higher level skills in a demonstration and discussion format that allows both new and more experienced lawyers to share and learn.**

**Please describe your Executive Committee's relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*

**WSBA Staff has been great to work with and responsive when we have questions. Staff has also been helpful in assisting our section in complying with WSBA requirements.**

**BOG Liaison was engaged, participated and was most helpful in providing insight and outreach for the BOG to our section**

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**



**WSBA SECTION ANNUAL REPORT – FY2017**

**Deadline: Friday, October 13, 2017**  
**Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)**

<b>Name of the Section:</b>	Low Bono Section	
<b>Chair:</b>	John H. Varga	
<b>Section Information:</b>  *To be completed by WSBA*	Membership Size:	140 (as of 9/1/17)
	Staff Lead	Julianne Unite
	BOG Liaison	Chris Meserve
	FY17 revenue:	\$5,553.48 (as of 8/31/17)
	FY17 direct expenses (does not include the Per-Member-Charge)	\$1,960.22 (as of 8/31/17)
<b>Purpose:</b>	<p>The underlying principle of “low bono” is to increase the availability of legal representation and legal services to clients of moderate means.</p> <p>Clients of moderate means are individuals who have a need or a want for legal representation or legal services, but who cannot qualify for pro bono legal assistance and who typically cannot afford the cost of traditional law firm representation or legal services. These individuals comprise the majority of those seeking resolution of, or planning for, legal issues and legal matters.</p> <p>The Low Bono Section is a community of lawyers, other legal professionals, and law students committed to identifying solutions, creating systems, and developing projects to increase the overall availability and affordability of legal representation and legal services.</p>	
<b>2016-2017 Accomplishments and Work in Progress:</b>	Planned, hosted, and facilitated a full-day CLE: “The Money Barrier: The First Annual Low Bono Law Conference” February 24, 2017.	



Three Executive Committee Members attended the Access to Justice Annual Conference to present information about low bono law practice models to attendees, and to build relationships with colleagues in the Washington Access to Justice community.

Executive Committee Members, led by Jenny Anderson, collaborated to draft a memorandum to be used to obtain judgments for full attorneys' fees for attorneys representing low bono clients. This memorandum is offered as a member benefit and was presented and discussed at the annual CLE.

Continued improvement of existing member benefits:

- Online directory of low bono attorneys in Washington
- Low-cost and no-cost mini-CLEs
- Active listserv
- Multiple socials
- NW Sidebar posts by members
- Active committees

Cultivated relationships with Seattle University School of Law, the University of Washington School of Law, Gonzaga University School of Law, the Moderate Means Program, and the Access to Justice Institute.

Proposed (actively planning) the first annual Section retreat.

Please quantify your section's current member benefits	Quantity	Member Benefit
	0	Scholarships, donations, grants awarded
	0	Law school outreach events/benefits hosted
	0	Legislative bills reviewed/drafted
	0	Newsletters produced
	0	Mini-CLEs produced
	0	Co-sponsored half/day to multi-day CLEs with WSBA
	0	Receptions/forums hosted
	0	Awards given
	0	New Lawyer Outreach events/benefits
	X	Other (please describe): <ul style="list-style-type: none"> <li>• Received donations from multiple sponsors for</li> </ul>

		<p>annual, full-day CLE</p> <ul style="list-style-type: none"> <li>• Offered scholarships (in the form of free membership) to members who are part of the Seattle University Low Bono Incubator Program 2017 cohort</li> <li>• Offered free and no-cost mini-CLEs to members through a co-sponsored monthly “Low Bono CLE Connections Series” with the Access to Justice Institute’s Low Bono and Solo Initiative, WSBA Moderate Means Program, and the WSBA Law Office Management Assistance Program.</li> <li>• Offered and awarded scholarships (in the form of reduced or no-cost attendance fees) to section members who attended the annual CLE.</li> <li>• Sent representatives to Open Sections Night in Seattle.</li> <li>• Sent representatives to law school events: <ul style="list-style-type: none"> <li>○ SU Law Low Bono Incubator Reception</li> <li>○ SU Law PILF Auction</li> <li>○ SU Law Public Service Law Panel</li> <li>○ UW Law School Public Service Law Dinner</li> </ul> </li> <li>• Sponsored social events for members and guests</li> </ul>
<b>2017-2018 Goals &amp; Priorities (Top 5)</b>	1	Plan and execute a Low Bono-themed, full-day CLE program in partnership with Seattle University School of Law.
	2	Increase Section membership by 5-10%
	3	Plan and host a Section Retreat to develop a long-term strategy and a plan to continue to grow the Section, improve member benefits, and fulfill the Section’s purpose.
	4	Recruit and encourage two section members (who have not previously served) to run for vacant Executive Committee positions.
	5	Foster relationships with like-minded entities and organizations or the development of member benefits and Section programs.
<p><b>Please report how this section is addressing diversity:</b></p> <p>Are you using any of the tools provided by WSBA and if so, how?  Have you sought out training or consultation from the Diversity Specialist?  How have you elicited input from a variety of perspectives in your decision-making?  What have you done to promote a culture of inclusion within the board or committee?</p>		

What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?

Members periodically attend and participate in WSBA Diversity and Inclusion programming. This subject matter will be discussed at the Section Retreat.

The Executive Committee comprises members from various backgrounds, personal circumstances, and professional and personal life experience. The Executive Committee, and Section membership, is predominantly female. Since its inception in 2014, Section membership has historically been more diverse than the WSBA membership when measured purely by conventional demographics.

Executive Committee members believe in an open and accessible Section and actively seek to provide the opportunity for participation by all. This begins with the monthly Executive Committee meetings, at which the majority of decisions about Section business are decided.

Meetings are open to all, including the general public, and all members are welcome to attend and to give input. The meetings are held each month in the early evening in order to ensure that the meeting time does not conflict with the typical work day. Meetings are open to the public and a teleconference option is available for those who cannot attend in person. For those who wish to attend in person, the meetings are held at a centrally-located office in North Seattle with free parking, near several bus lines.

Meetings are conducted with all welcome to provide input. Often, a consensus is formed before the Executive Committee takes action. There are open Executive Committee positions for anyone who wants to run, get elected, and then exercise voting power.

Beyond the meetings, all members (and even non-members) have access to the Section listserv. Executive Committee Members generally make themselves available to discuss Section business via email, phone, or in person.

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

For the past three years, the Executive Committee has recognized the need for a Professionalism Plan and encourages Section committees to address this topic in Section CLE programming as well as in circumstances when members represent the Section.

By its very nature, low bono law practice seeks to foster a respectful and civil practice environment. Clients typically have limited resources. Therefore, low bono practitioners must make the most of those resources to obtain the best possible outcome for a client. An effective method to achieve this end is to practice with respect and civility throughout the life of a matter in order to keep the focus of all involved on the legal and client-centered issues at hand.

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

Section members and Executive Committee members regularly participate in law school events. Mini-CLEs and the annual Section CLE are typically held at Seattle University School of Law. There are three, non-voting Executive Committee positions open to a law student liaison from each Washington law school.

Much of the programming of Section CLEs to date (both day-long and short-form) is developed with new and young attorneys in mind, especially those in solo or small practices. The Section typically offers new and young attorney pricing discounts for all CLE programming.

Executive Committee members attend the Seattle University Low Bono Incubator Program reception each year and some volunteer to mentor cohort members (all of which are attorneys in their early years of law practice).

Several of the members of this year's Executive Committee (FY2018) are lawyers within their first five years of practice.

**Please describe your Executive Committee's relationship with WSBA staff and the Board of Governors.**

For example:

- Quality of WSBA staff support/services provided to Section Executive Committee
- Involvement with Board of Governors, including assigned BOG liaison
- Ideas you have on ways WSBA can continue to strengthen/support services to sections.

We are blessed with significant support and involvement in FY2017 from our WSBA Sections liaisons (formerly Joe Terrenzio and now Julianne Unite), and our Board of Governors Liaison (Chris Meserve). The same can be said for other WSBA staff that the Section has interacted with. All are approachable, thorough, and helpful with regard to Section business.

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**



WSBA SECTION ANNUAL REPORT – FY17

Deadline: Friday, October 13, 2017  
 Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)

<b>Name of the Section:</b>	<i>Real Property, Probate and Trust Section</i>	
<b>Chair:</b>	<i>RoseMary Reed (2017-18)</i>	
<b>Section Information:</b>  <i>*To be completed by WSBA*</i>	Membership Size:	2,422 (as of 9/1/17)
	Staff Lead:	Julianne Unite
	BOG Liaison:	Kim Risenmay
	FY17 revenue: \$	\$83,008.26 (as of 8/31/17)
	FY17 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$38,923.29 (as of 8/31/17)
<b>Purpose:</b>	<p>The purpose of the Section is to:</p> <ul style="list-style-type: none"> <li>a. assist our members in achieving the highest standards of competence, professionalism, and ethics in their practices,</li> <li>b. assist the Legislature in the enactment and improvement of the laws affecting real property, probate, trusts, and estates and to assist the Judiciary in the just administration of those laws,</li> <li>c. support the WSBA with regard to those matters which concern the practice of law in the areas of real property, probate, trusts and estates, and</li> <li>d. otherwise serve our members by helping them realize their professional goals.</li> </ul>	
<b>2016-2017 Accomplishments and Work in Progress:</b>	<p>RPPT experienced a rocky start to the 2016-2017 year coming off the Section Policy Workgroup where RPPT had expended a great deal of time and effort. However, as the year progressed, RPPT was able to return to more normal operations and focus on providing member benefits.</p>	

	<p>RPPT welcomed its first fellows (6/2016), selected an additional fellow (6/2017), co-sponsored four (4) full day CLEs and is annual Midyear Conference at the Marcus Whitman in Walla Walla. We published four (4) high-quality newsletters. A member of the RPPT executive committee received training to offer web-based CLEs for the Section. We enjoyed a strong relationship with our BOG Liaison, Kim Risenmay, who attended nearly all of our executive committee meetings. At WSBA's request, we revised RPPT's bylaws to be consistent with WSBA's revised bylaws. RPPT has made an effort to have a representative attend each of the BOG meetings the past year. RPPT was active in commenting on the expansion of the LLLT license into the probate, elder law and healthcare arenas. RPPT formed a sub-committee to investigate reinstating a State-wide, all Sections Convention with the goal of increasing collegiality between the sections and WSBA membership.</p>	
<p><b>Please quantify your section's current member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	<p><b>Quantity</b></p>	<p><b>Member Benefit</b></p>
	<p>\$12,850*</p>	<p>Scholarships, donations, grants awarded *Amount authorized, \$5,468 used (through 8/2017)</p>
	<p>2</p>	<p>Law school outreach events/benefits hosted</p>
	<p>50+</p>	<p>Legislative bills reviewed/drafted</p>
	<p>4</p>	<p>Newsletters produced</p>
	<p>0</p>	<p>Mini-CLEs produced</p>
	<p>5</p>	<p>Co-sponsored half/day to multi-day CLEs with WSBA</p>
	<p>0</p>	<p>Receptions/forums hosted</p>
	<p>1</p>	<p>Awards given</p>
	<p>4</p>	<p>New Lawyer Outreach events/benefits</p>
	<p>3</p>	<p>Other (please describe): website and two list-servs</p>
<p><b>2017-2018 Goals &amp; Priorities (Top 5)</b></p>	<p>1</p>	<p>Expand scholarships to RPPT Midyear Conference to at least 4 recipients (2 scholarships awarded in 2017, the first year of this program)</p>
	<p>2</p>	<p>Continue Fellows program and have all 4 Fellow positions filled (including 2 terms that expire Sept. 30, 2018)</p>

	3	Research feasibility and complete initial planning stages of a State-wide, all Sections Convention to occur in 2020
	4	Strategic planning regarding most effective way to deliver CLEs to our members, including forms based/hands on training
	5	Continue efforts at increasing the diversity of RPPT Section members and leadership

**Please report how this section is addressing diversity:**

(Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)

Diversity is an important issue to RPPT but we acknowledge that it is difficult to maintain diversity within RPPT when the profession as a whole is rather homogeneous. When recruiting individuals to serve on the RPPT executive committee and/or join the Section, RPPT makes significant efforts to be inclusive. As a result of these efforts RPPT is doing very well in maintaining diversity in areas it can control: gender, age, small firm/large firm, geography. As to gender equity, RPPT has done a great job. All officers of RPPT were women this past year and the executive committee has had good gender balance for more than a decade. RPPT still struggles with ethnic diversity as this is more difficult barrier to cross. In the past, the RPPT invited Robin Nussbaum, the diversity coordinator at WSBA, to provide training to RPPT leadership and the training was well received. RPPT reached out to WSBA in the Spring of 2017 to discuss additional training, but did not hear back from WSBA.

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

RPPT was an active participant in the Section's Workgroup and worked hard to keep the work of that committee professional and productive.

RPPT has also formed a sub-committee to investigate reinstating a State-wide, all Sections Convention with the goal of increasing collegiality between the sections and WSBA membership. RPPT has authorized the use of \$3,000 of Section funds to determine the feasibility and scope of the convention as well as do the initial program development and investigate sponsorship opportunities. The subcommittee intends to enlist the assistance of other Section leaders so that this effort will be a multi-Section effort.

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

RPPT has three fellows (two on the probate and trust council and one on the real property council) and a Young Lawyer Liaison (on the real property council). The involvement of our young lawyers benefits RPPT by allowing the Section to learn first-hand about issues important to young lawyers. We believe the fellows and liaison benefit by obtaining experience necessary to lead RPPT and WSBA in the future. We provided two scholarships for tuition to the Midyear Conference to young lawyers at the Young Lawyer's Open Section Nights (one in Seattle and one in Spokane). We also provided two full "all expenses paid" scholarships for which young lawyers who applied to attend our Midyear Conference. RPPT has invested heavily in young lawyers in the last year, and we are beginning to feel the benefits of that investment.

**Please describe your Executive Committee's relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*

We work closely with and receive excellent service from WSBA staff. Our relationship over the past year with Section staff has been as strong as we have experienced in a number of years. We work well with Julianne Unite. She is responsive and helpful. Ms. Unite has been able to attend nearly all of our executive committee meetings.

We have appointed a small subcommittee whose responsibility is to attend BOG meetings. Previously, we had a different person attend meetings periodically. We found that it was a challenge keeping abreast of BOG issues. Having a smaller group of people attend allows for continuity without placing too much burden on any one individual.

Kim Risenmay, as our BOG liaison, has been wonderful. He has made a point to attend our executive committee meetings and to have open and candid conversations with RPPT leadership.

We have thoroughly enjoyed working with Sondra Livingston-Carr and Kevin Plachy for CLE planning and delivery. Both are abundantly competent and extraordinarily responsive to our requests for assistance in planning CLE locations, content, pricing, coordination of staff and on-site delivery.

We attend the sections leaders' meetings that are held throughout the year.

We are committed to a relationship of mutual respect with WSBA. We will strive to assist WSBA in meeting its objectives and appreciate that WSBA offers support and the flexibility we need to continue to provide the high quality member services our members have come to expect.

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.



Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**



## WSBA Sections

### WSBA SECTION ANNUAL REPORT – FY17

**Deadline: Friday, October 13, 2017**

**Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)**

<b>Name of the Section:</b>	Senior Lawyers Section	
<b>Chair:</b>	Brian Comstock	
<b>Section Information:</b> <i>As of September 30, 2017</i>  <i>*To be completed by WSBA*</i>	Membership Size:	312 (as of 9/1/17)
	Staff Lead:	Julianne Unite
	BOG Liaison:	Jill Karmy
	FY17 revenue: \$	\$7,770.90 (as of 8/31/17)
	FY17 direct expenses: \$ (does not include the Per-Member-Charge)	\$2,660.52 (as of 8/31/17)
<b>Purpose:</b>	<p>Article II of the Bylaws of the Senior Lawyers Section states that “the purpose of this Section shall be to benefit members of Washington State Bar Association (WSBA) and the general public, by: “and then sets forth specifically in Subsections 2.2, 2.3 and 2.4 what those purposes include. Subsection 2.1 provides for programs that will promote the interests of members 55 years of age and older. Subsection 2.2 seeks to advance the opportunity and forum for members to exchange ideas and engage in educational, social and related activities geared to promoting the same common interests. Subsection 2.3 states the broadest goal of undertaking other services consistent with the Bylaws and other applicable rules that will benefit members of the legal profession and the public.</p> <p>Article III of the Bylaws spells out eligibility for membership. This is pertinent to defining who are the members of the Section referred to above. Under Section 3.1, to enroll as a voting member of the Section, the attorney must be an “Active member of the Washington State Bar Association 55 years of age and older or who has been in practice in any jurisdiction for 25 years.” Such an enrollee may be granted voting membership upon request and payment of annual Section dues. Section 3.1 also provides for inactive members who</p>	

	<p>may be members of the WSBA, law students and subscribers. Annual dues of members are established by the Section's Executive Committee, subject to approval of the WSBA Board of Governors, and the dues of subscribers are determined and approved by the WSBA Board of Governors.</p>
<p><b>2016-2017 Accomplishments and Work in Progress:</b></p>	<p><b>ANNUAL CLE EVENT</b></p> <p>The one event sponsored and carried out by the Senior Lawyer Section is its annual CLE seminar usually held in the last week of April or the first week of May. It is well-attended usually by 100 or more attorneys from around the state. The all-day program usually offers 7.0 CLE credits (including a 1.0 ethics credit).</p> <p>The 2016 all-day event was held May 5<sup>th</sup> at its well-established location, the Seattle Airport Marriott. The theme was <i>Practice Transitions: Baby Boomers and Beyond</i>. While invitations were extended beyond present members of the Senior Lawyers Section, to include all members of the WSBA who fall in the category of being Baby Boomers (around age 60 or older), attendance at the event was about the same as in prior years, with slightly over 100 attendees. The program featured many outstanding speakers including WA Supreme Court Justice Charles Wiggins who spoke on <i>Ethical Lessons from WWII: "The Japanese Internment"</i> and former U.S. Attorney Jenny Durkan who explained major pending issues in <i>"Cybersecurity."</i> Other session topics were geared primarily to legal and ethical issues affecting senior lawyers including estate planning for the elderly, real estate and licensing considerations for lawyers facing or in retirement, and shifting demographics of lawyers here and elsewhere facing the challenges of age.</p> <p>The Section's Executive Committee is actively engaged in planning next year's CLE event. The Senior Lawyer Section is now actively supporting programs and interests of young lawyers and Eleanor Doermann as a new member of the Executive Committee is providing us with the contacts and leadership to advance these programs. See above, Accomplishments and Work in Progress.</p> <p><b>"LIFE BEGINS" PUBLICATION</b></p> <p>The other major function of the Senior Lawyer Section is quarterly publication of <i>Life Begins</i>. Al Armstrong continues to do an outstanding job heading up this publication and also being its major contributor with lead articles and advice. His lead article in the Spring 2017 publication, <i>Recap of 2016 Senior Lawyers Section CLE</i>, provides much needed support for that ongoing program.</p>

	<p>OTHER</p> <p>This past year, the Senior Lawyers Section has assisted and contributed to other events and causes pertinent to its basic mission. This has included the efforts of Eleanor Doermann, now serving on the Section's Executive Committee, for the Section to support and participate in the growing WSBA Young Lawyer Liaisons Section Program. Increased contact and support between senior and young lawyers has potentials now being pursued.</p> <p>Most importantly, the Section's Executive Committee is exploring methods and programs to expand its mission overall. This would include setting up ancillary CLE programs geared to senior members of the WSBA throughout the state and implementing services to meet the needs of our rapidly-expanding generation of senior lawyers.</p>	
<p><b>Please quantify your section's current member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	<p><b>Quantity</b></p>	<p><b>Member Benefit</b></p> <p>\$ Scholarships, donations, grants awarded</p> <p>Law school outreach events/benefits hosted</p> <p>Legislative bills reviewed/drafted</p> <p>2 Newsletters produced</p> <p>Mini-CLEs produced</p> <p>1 Co-sponsored half/day to multi-day CLEs with WSBA</p> <p>Receptions/forums hosted</p> <p>Awards given</p> <p>New Lawyer Outreach events/benefits</p> <p>Other (please describe):</p>
<p><b>2017-2018 Goals &amp; Priorities (Top 5)</b></p>	<p>1</p>	<p>The primary goal of the Senior Lawyer Section will be to make its annual seminar the most successful ever. After searching for the best location available, we have settled once again on the Seattle Airport Marriott – this time using larger space on even more favorable terms than in the past. We have thus far identified speakers who will be both a major attraction and attuned to the goals and interests of the rapidly-expanding number of senior lawyers in our state. Once we have settled on the major speakers and topics which they may have in common, we will then turn to the agenda for this annual meeting and subjects to be covered. The goal will be to make this our most successful annual meeting ever.</p>

	2	<p>We will continue our very successful publication, <i>Life Begins</i>, with Ron Mattson continuing at the helm. The main focus of this publication is and will continue to be the role and interests of senior attorneys. With the expansion of senior lawyers and other dramatic changes occurring in the legal profession, the coverage will be expanding over the next few years. We will continue with <i>Life Begins</i> and the message and life what it has given senior lawyers as well as other associated with their history and contribution to the profession. We are looking at ways that this mission can be expanded. This includes finding better ways to communicate using current technology and expanding the base to include the expanding base of senior lawyers, many of whom are not currently members of the Section, but are hopefuls for the future.</p>
	3	<p>We will explore and hopefully implement in the coming year supplemental seminars that will meet the interests and needs of senior lawyers throughout the state. This may involve implementing programs in combination with local bar associations and possibly other associations. This is a need arising with expanding generation of senior lawyers encountered almost everywhere.</p>
	4	<p>Outreach to others. The main focus of the Section will always be senior lawyers, but will also include the broad interests and contributions they can make to the younger and more diversified sections of the bar. Assistance with the existing programs involving young lawyers is explained above in <i>Accomplishments and Work in Progress</i>.</p>
	5	<p>Transition to ABA Structure. The Senior Lawyer Section of the ABA has gone through dramatic change responding to the rapidly expanding generation of senior lawyers and their new and different challenges and interests. The changes were made to save this section from going under, and the results have been more favorable than predicted. Several states have followed the same format. The fact that our last CLE which was directed to Baby Boomers did not receive anywhere near the response hoped for (very few out of our senior bar members now totally around 14,000), that harsh fact suggests that we should at least be considering fundamental changes similar to those adopted by the ABA and several other state bars</p>

**Please report how this section is addressing diversity:**

(Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)

The Senior Lawyer Section membership is primarily attorneys who have reached or are approaching their age of retirement. At the time that these attorneys commenced practice, the legal profession in our country was primarily made up almost entirely of white males. The legal profession has of course gone through radical change over the years and attorneys who commenced practice 50 or so years ago are part of that change. The Senior Lawyer Section is hoping to expand its membership to include the Baby Boomer generation and reach a much broader array of attorneys – far more females and those of vastly different cultures, races and religions. The annual CLE has been tailored to attract the oncoming generation of seniors and fully address the ongoing changes that are taking place.

The Senior Lawyer Section of the ABA has gone through dramatic change responding to the rapidly expanding generation of senior lawyers and their new and different challenges and interests. The changes were made to save this section from going under, and the results have been more favorable than predicted. Several states have followed the same format. The fact that our last CLE which was directed to Baby Boomers did not receive anywhere near the response hoped for (very few out of our senior bar members now totally around 14,000), that harsh fact suggests that we should at least be considering fundamental changes similar to those adopted by the ABA and several other state bars.

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

The one outstanding trait of the more senior generation of attorneys is their upbringing and adherence to the basic principles of professional behavior. It was something built into their professional makeup when initiated into practice many years ago when the focus was mostly on loyalty and providing outstanding service to clients. The focus today has turned more to competing for client business and maximizing earnings particularly in the much larger firms practicing nationally and worldwide. It's a much different atmosphere.

Our annual CLEs increasingly address the mounting issues brought about by the dramatic changes occurring in the profession and the impact on senior lawyers in particular. Issues bearing on basic principles of professionalism have become an increasingly significant part of each annual event.

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

The membership of the Senior Lawyers Section is of course made up of senior lawyers. Nonetheless, a serious effort is made to address and reach out to the needs of the expanding generation of young lawyers. Heading up that effort, we are most pleased to have Eleanor Doermann, an attorney meeting both of the tests of young and senior, now serving on our Executive Committee. She is our liaison to and from the Young Lawyer Committee of the

Washington State Bar Association, and she has been instrumental in promoting programs supportive of the interests of young lawyers, including an event that was promoted at our last annual CLE.

**Please describe your Executive Committee's relationship with WSBA staff and the Board of Governors.**

Julianne Unite (section liaison) and Kevin Plachy (CLE) have continues to provide outstanding services to the Senior Lawyer Section. This has included and been instrumental in carrying out our annual CLE. We are kept well-informed of major changes taking place and our participation in matters before the Board of Governors. This included Carole Grayson and Al Armstrong attending a conference at Gonzaga University on January 20, 2017, at which the Board of Governors held a generative discussion regarding the aging and shifting demographics of the bar.

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**



WSBA SECTION ANNUAL REPORT – FY17

Deadline: Friday, October 13, 2017  
 Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)

<b>Name of the Section:</b>	<i>Solo and Small Practice Section</i>	
<b>Chair:</b>	<i>Nancy Pacharzina</i>	
<b>Section Information:</b>  <i>*To be completed by WSBA*</i>	Membership Size:	1048 (as of 10/02/17)
	Staff Lead:	Joe Terrenzio/ Julianne Unite
	BOG Liaison:	Andrea Jarmon
	FY17 revenue: \$	\$38,157.50 (as of 8/31/17)
	FY17 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$12,391.91 (as of 8/31/17)
<b>Purpose:</b>	<i>To help solo and small practice attorneys ethically conduct a profitable, satisfying business by acting as a clearing house for qualified law practice management and technology information.</i>	
<b>2016-2017 Accomplishments and Work in Progress:</b>	<p><i>Major accomplishments include:</i></p> <ul style="list-style-type: none"> <li><i>-Maintaining our membership of over 1000 members, which in turn enhances the value of our list serve;</i></li> <li><i>-Producing 10 mini CLE's which are free to our members – an increase of two beyond the eight we produced last year;</i></li> <li><i>-Producing our annual one-day CLE;</i></li> <li><i>-Producing the Solo &amp; Small Firm Conference in partnership with WSBA and hosting the opening day reception;</i></li> <li><i>-Hosting a networking happy hour event in Tacoma.</i></li> <li><i>-Revising our bylaws.</i></li> <li><i>-Enhancing content on our WSBA web pages.</i></li> <li><i>-Updating our list-serve guidelines.</i></li> <li><i>-Developing a proposal for a message board.</i></li> </ul>	



Please quantify your section's current member benefits:	Quantity	Member Benefit
<p>For example:</p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	\$780.00	Scholarships, donations, grants awarded <i>-Two scholarships to attend the Solo &amp; Small Firm Conference @ \$365 ea.</i> <i>- Donation to support WSBA Open Sections Night event in Spokane (\$50)</i>
	2	Law school outreach events/benefits hosted <i>-Careers days at SU, UW and Gonzaga</i>
	0	Legislative bills reviewed/drafted
	0	Newsletters produced
	10	Mini-CLEs produced
	2	Co-sponsored half/day to multi-day CLEs with WSBA
	2	Receptions/forums hosted <i>-Opening Night Reception at Solo &amp; Small Firm Conference;</i> <i>-Hosted Lunch during our annual CLE</i> <i>-Happy Hour Networking Event in Tacoma</i>
	0	Awards given
	2	New Lawyer Outreach events/benefits <i>-Open Sections Night in Seattle and Spokane (in addition to the two law school events noted above).</i>
		Other (please describe):
2017-2018 Goals & Priorities (Top 5)	1	<i>Publish a Solo &amp; Small Firm Member Directory or get WSBA to add membership affiliation to WSBA Directory</i>
	2	<i>Increase Diversity on the EC</i>
	3	<i>Co-sponsor a networking event with another section and with a minority bar association.</i>
	4	<i>Continue to help restore the annual WSBA Solo &amp; Small Firm Conference into the premier solo and small firm networking event it once was.</i>
	5	<i>Develop a sustainable system to improve and update content on our web site.</i>

**Please report how this section is addressing diversity:**

(Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)

***Our membership is as diverse as WSBA membership.***

***We recruit minorities to serve on the EC.***

***We also plan to invite some minority bar associations to provide liaisons to our EC. Note: At least one of our existing EC members is also a member of several minority bar associations.***

***Diversity is always one of our goals when selecting speakers for our CLE and webinars.***

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

***Our CLE's help lawyers run the business end of their practices ethically and efficiently which in turn fosters better relations with other counsel and the courts. In particular, effective use of technology helps lawyers meet their obligations, manage trust accounts and manage communications with clients and opposing counsel.***

***On our list-serve, members frequently solicit advice and share experiences regarding how to deal with opposing counsel, courts and staff.***

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

***We have a liaison from the Young Lawyers Committee on our EC.***

***We attend two law school events each year encouraging students to join the section.***

***We send letters to new admittees encouraging them to join the section.***

***We participate in Open Sections Night in Seattle and Spokane.***

***We participate in the mentor-link project.***

**Please describe your Executive Committee's relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*

***WSBA staff are responsive to our requests for help. Our goal is to foster a productive, collaborative relationship with WSBA staff focusing on what we can do within the existing administrative structure. We will continue to push where we believe bureaucracy is unnecessarily hampering the work of the sections, see e.g., note above regarding creation of a directory of solo & small firm section members.***

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**



WSBA SECTION ANNUAL REPORT – FY17

Deadline: Friday, October 13, 2017  
 Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)

<b>Name of the Section:</b>	Taxation Section	
<b>Chair:</b>	Sandra Veliz	
<b>Section Information:</b>  <i>*To be completed by WSBA*</i>	Membership Size:	681 (as of 9/1/17)
	Staff Lead:	Joe Terrenzio/ Julianne Unite
	BOG Liaison:	Kim Risenmay
	FY17 revenue: \$	\$25,493.63 (as of 8/31/17)
	FY17 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$9,273.97 (as of 8/31/17)
<b>Purpose:</b>	<p>The purpose of the Taxation Section is to further the knowledge of the members and the WSBA in areas of the law involving federal, state and local taxation, to provide our members benefits including relevant CLEs and networking opportunities, and further the interests of the WSBA and the legal profession as a whole.</p>	
<b>2016-2017 Accomplishments and Work in Progress:</b>	<p>The Tax Section successfully operated its' eleven subcommittees. Those committees held meetings in their respectful sub-specialty area of tax law or otherwise accomplished their annual objectives. In addition, the Tax Section had success with program and social event sponsorship, fostering new and young lawyer membership and promoting diversity among its members and leadership. The Section will endeavor to increase success in these areas as well as provide easier access to Section information for members, increase an emphasis on professionalism and be a better resource in bridging the gap between the Section and the WSBA as an organization.</p>	

<p><b>Please quantify your section's current member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	<b>Quantity</b>	<b>Member Benefit</b>
	<b>\$7,000</b>	Scholarships, donations, grants awarded
	<b>1</b>	Law school outreach events/benefits hosted
	<b>50-80</b>	Legislative bills reviewed/drafted
	<b>1</b>	Newsletters produced
	<b>0</b>	Mini-CLEs produced
	<b>1</b>	Co-sponsored half/day to multi-day CLEs with WSBA
	<b>3</b>	Receptions/forums hosted
	<b>1</b>	Awards given
		New Lawyer Outreach events/benefits
	<b>1</b>	Other (please describe): IRS Liaison Brown Bag CLE
<p><b>2017-2018 Goals &amp; Priorities (Top 5)</b></p>	<b>1</b>	<b>To provide value to our members by way of meaningful member benefits</b>
	<b>2</b>	<b>To continue to grow the Section membership and increase member participation</b>
	<b>3</b>	<b>To encourage young lawyer to join the Section by providing tailored networking opportunities and career support</b>
	<b>4</b>	<b>To better use the WSBA as a resource to the Section</b>
	<b>5</b>	<b>To continue to foster diversity amount the Section and Section leadership</b>
<p><b>Please report how this section is addressing diversity:</b>          (Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)</p>		

The Executive Council of the Tax Section welcomed Robin Nussbaum, PH.D, Inclusion and Equity Specialist of the WSBA to an executive meeting for diversity training. Her presentation was informative and well received. Based on a WSBA survey, the Tax Section has increased its percentage of membership in three categories: race/ethnicity; gender; and new/young lawyers. The Executive Council fosters participation from its diverse members. Also, the current chair of the Tax Section is a Latina woman, Sandra Veliz.

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

The Tax Section works to promote respect and civility by fostering professional relationships among private sector attorneys and government attorneys. Tax law most often involves these two groups to work on opposite sides. The Tax Section provides the landscape where attorneys can come together and build professional relationships outside a confrontational situation.

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

The Tax Section is committed to integrating new and young lawyers into the broader Tax Section framework. In addition to hosting a Young Lawyer Division Tax Section Liaison, the Tax Section has a stand-alone Young Lawyer Committee. The Young Lawyer Committee regularly meets with JD students, tax LLM students, and young lawyers to discuss employment, networking, and leadership opportunities. In addition, the Young Lawyer Committee continues to build and foster relationships with the University of Washington Law School and Seattle University Law School. These schools co-host events and otherwise work with the committee to help connect students and young attorneys with more experienced practitioners. The Young Lawyer Committee puts on events throughout the year. Events have included networking breakfast events and panel discussions at the law schools. Similar events are being planned for this upcoming year.

The Tax Section actively provides leadership opportunities for young lawyers. In fact, the Chair of the Young Lawyer Committee Chair was recently promoted to the position of Secretary of Tax Section's Executive Committee. Upon the prior Chair's promotion, two new young lawyers were promoted to the role of co-Chairs of the Tax Section Young Lawyer Committee. The new co-Chairs will attend and participate in Tax Section Executive Committee meetings.

**Please describe your Executive Committee's relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*

Julianne Unite has been very helpful in answering questions and providing information on matters related to the WSBA. She attends the Tax Section Executive Committee meetings. Prior to Julianne, Joe Terrenzio was our Sections Program Lead since June 2016.

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section's webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**



**WSBA SECTION ANNUAL REPORT – FY17**

**Deadline: Friday, October 13, 2017**  
**Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)**

<b>Name of the Section:</b>	<i>World Peace Through Law Section</i>	
<b>Chair:</b>	<i>Stephen Bernheim (Secretary/Treasurer)</i>	
<b>Section Information:</b>  <i>*To be completed by WSBA*</i>	Membership Size:	124 (as of 9/1/17)
	Staff Lead:	Joe Terrenzio/ Julianne Unite
	BOG Liaison:	Keith Black
	FY17 revenue: \$	\$3,690.00 (as of 8/31/17)
	FY17 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$1,249.84 (as of 8/31/17)
<b>Purpose:</b>	<b>To keep section members and the public informed of public international legal issues in connection with promoting world peace through law.</b>	
<b>2016-2017 Accomplishments and Work in Progress:</b>	<b>Well-attended webcast on the FARC/Colombian peace accords; planning webcast on International Criminal Court for November 2017 presentation.</b>	
<b>Please quantify your section's current member benefits:</b>	<b>Quantity</b>	<b>Member Benefit</b>
	<b>\$0</b>	Scholarships, donations, grants awarded
	<b>0</b>	Law school outreach events/benefits hosted



<p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	0	Legislative bills reviewed/drafted
	0	Newsletters produced
	1	Mini-CLEs produced
	0	Co-sponsored half/day to multi-day CLEs with WSBA
	0	Receptions/forums hosted
	0	Awards given
	0	New Lawyer Outreach events/benefits
		Other (please describe):
<p><b>2017-2018 Goals &amp; Priorities (Top 5)</b></p>	1	<b>Organize section leadership</b>
	2	<b>Continue educational presentations</b>
	3	<b>Improve communication methods with section members to facilitate discussions</b>
	4	
	5	
<p><b>Please report how this section is addressing diversity:</b>          (Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)</p> <p>The section has not taken specific steps to address diversity other than to offer itself to the public as a voluntary association inviting membership.</p>		
<p><b>Please report how this section is addressing professionalism:</b>          (Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)</p> <p>The section has not specifically addressed professionalism other than to offer itself to WSBA members as a voluntary association inviting membership.</p>		

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

The section has not specifically taken steps to integrate new and young lawyers into its work other than to invite their participation in Section leadership.

**Please describe your Executive Committee’s relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*

**WSBA staff has been helpful with scheduling and by-law revision.**

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section’s webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the November 2017 BOG Meeting Materials.

**Return by October 13, 2017 to [sections@wsba.org](mailto:sections@wsba.org)**

# WASHINGTON STATE BAR ASSOCIATION

**TO:** Board of Governors  
**FROM:** Joy Williams, WSBA Diversity and Public Service Programs Manager  
 Robin Nussbaum, WSBA Inclusion & Equity Specialist  
**RE:** Diversity and Inclusion Events  
**DATE:** October 25 2017

## WSBA Diversity and Inclusion Events

### Education, Collaboration, and Partnership

Working closely with staff, volunteers and community partners throughout the legal community is foundational to the successful implementation of the diversity plan. WSBA participates in and provides a variety of opportunities to increase cross-cultural competency, awareness and engagement. Your participation communicates WSBA's commitment to representation and involvement in advancing inclusion.

Diversity & Inclusion Events for WSBA Staff and Volunteers			
When	What	How You Can Help	Who To Contact for More Info
Tuesday, November 14	<b>Continuing the Conversation for Staff</b> What the Heck is "Asexuality"?	FYI only	Robin N.
Thursday, December 7	<b>Continuing the Conversation for Staff</b> Historical Monuments	FYI only	Robin N.

Washington State Minority Bar Association and other Diversity Events			
When	What	How You Can Help	Who To Contact for More Info
Thursday November 15	<b>QLAW Foundation FallTacular</b>	Attend if in the area	Joy or Margaret

### Contact Information

Joy: [joyw@wsba.org](mailto:joyw@wsba.org) or 206.733.5952  
 Dana: [danab@wsba.org](mailto:danab@wsba.org) or 206.733.5945  
 Robin: [robinn@wsba.org](mailto:robinn@wsba.org) or 206.727.8322  
 Margaret: [margarets@wsba.org](mailto:margarets@wsba.org) or 206.727.8244  
 Frances: [francesd@wsba.org](mailto:francesd@wsba.org) or 206.727.8222  
 Terra: [terran@wsba.org](mailto:terran@wsba.org) or 206.727.8282





# **WSBA Financial Reports**

**(Unaudited)**

## **Year to Date August 31, 2017**

**Prepared by Mark Hayes, Controller**

**Submitted by**

**Ann Holmes, Chief Operations Officer**

**September 25, 2017**



To: Board of Governors  
Budget and Audit Committee

From: Mark Hayes, Controller

Re: Key Financial Benchmarks for the Fiscal Year to Date (YTD) through August 31, 2017

Date: September 20, 2017

---

	% of Year	Current Year % YTD	Current Year \$ Difference <sup>1</sup>	Prior Year YTD	Comments
Salaries	91.67%	90.93%	\$79,970 (Under budget)	88.78%	Expected to be on or under budget
Benefits	91.67%	89.22%	\$90,437 (Under budget)	84.53%	Expected to be on or under budget
Other Indirect Expenses	91.67%	84.26%	\$249,006 (Under budget)	91.55%	Expected to be under budget
Total Indirect Expenses	91.67%	89.32%	\$419,413 (Under budget)	88.41%	Expected to be under budget

General Fund Revenues	91.67%	96.07%	\$743,271 (Over budget)	95.03%	Expected to be over budget
General Fund Direct Expenses	91.67%	75.48%	\$413,195 (Under budget)	78.73%	Expected to be under budget

CLE Revenue	91.67%	72.32%	\$498,257 (Under budget)	96.54%	Expected to be under budget
CLE Direct Expenses	91.67%	59.70%	\$276,910 (Under budget)	79.64%	Expected to be under budget
CLE Indirect Expenses	91.67%	88.37%	\$47,331 (Under budget)	80.75%	Expected to be on or under budget

<sup>1</sup> Dollar difference is calculated based on pro-rated budget figures (total annual budget figures divided by 12 months) minus actual revenue and expense amounts as of August, 2017 (11 months into the fiscal year). 55

**Washington State Bar Association Financial Summary**  
**Year to Date as of August 31, 2017 91.67% of Year**  
**Compared to Fiscal Year 2017 Budget**

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	-	8,000.00	216,330	197,913	62,085	61,850	278,415	259,763	(278,415)	(251,763)
Administration	127,192	55,000	941,959	1,026,621	1,580	3,135	943,539	1,029,756	(816,347)	(974,756)
Admissions/Bar Exam	1,310,590	1,070,000	699,146	784,390	241,206	376,900	940,352	1,161,290	370,238	(91,290)
Board of Governors	-	-	468,457	487,946	245,963	294,650	714,420	782,596	(714,420)	(782,596)
Communications	2,384	44,250	1,346,525	1,570,598	57,180	130,060	1,403,705	1,700,658	(1,401,320)	(1,656,408)
Discipline	98,984	140,000	4,768,314	5,335,003	188,395	267,668	4,956,708	5,602,671	(4,857,724)	(5,462,671)
Diversity	90,275	100,374	332,920	365,119	15,268	29,150	348,188	394,269	(257,913)	(293,895)
Foundation	-	-	135,775	148,649	6,539	19,300	142,314	167,949	(142,314)	(167,949)
Human Resources	-	-	337,000	257,819	-	-	337,000	257,819	(337,000)	(257,819)
Law Clerk Program	105,425	97,000	75,716	101,085	3,283	5,350	78,999	106,435	26,426	(9,435)
Law Office Management Asst.Prog	3,330	2,500	169,077	198,202	3,109	4,700	172,186	202,902	(168,856)	(200,402)
Lawyers Assistance Program	5,310	15,750	110,098	127,432	47,251	46,770	157,349	174,202	(152,040)	(158,452)
Legislative	-	-	157,537	220,465	30,149	42,800	187,686	263,265	(187,686)	(263,265)
Licensing Fees	12,391,591	13,204,000	-	-	-	-	-	-	12,391,591	13,204,000
License and Membership Records	306,526	247,800	511,457	559,967	30,844	27,500	542,301	587,467	(235,775)	(339,667)
Limited License Legal Technician	13,248	13,400	156,008	175,010	31,139	60,054	187,147	235,064	(173,898)	(221,664)
Limited Practice Officers	137,044	132,700	138,158	189,203	9,467	13,284	147,625	202,487	(10,581)	(69,787)
Mandatory CLE	682,660	711,000	446,270	468,890	207,720	266,500	653,990	735,390	28,670	(24,390)
Member Benefits	19,765	3,000	-	-	67,396	75,000	67,396	75,000	(47,630)	(72,000)
Mentorship Program	-	-	139,441	177,973	3,805	23,500	143,246	201,473	(143,246)	(201,473)
New Lawyer Program	22,000	80,000	237,973	275,191	23,306	32,700	261,279	307,891	(239,279)	(227,891)
NW Lawyer	489,676	573,450	188,387	221,408	356,373	402,800	544,760	624,208	(55,084)	(50,758)
Office of General Counsel	129	-	720,710	777,270	7,590	15,700	728,300	792,970	(728,170)	(792,970)
OGC-Disciplinary Board	-	-	141,943	154,747	77,072	103,000	219,015	257,747	(219,015)	(257,747)
Practice of Law Board	-	-	92,606	101,271	16,858	14,100	109,465	115,371	(109,465)	(115,371)
Professional Responsibility Program	-	-	222,235	272,851	5,702	8,000	227,936	280,851	(227,936)	(280,851)
Public Service Programs	94,271	85,000	182,283	216,540	179,285	215,460	361,568	432,000	(267,297)	(347,000)
Sections Administration	325,575	307,000	419,421	448,056	7,601	12,100	427,023	460,156	(101,448)	(153,156)
Technology	-	-	1,247,301	1,475,919	-	-	1,247,301	1,475,919	(1,247,301)	(1,475,919)
<b>Subtotal General Fund</b>	<b>16,225,976</b>	<b>16,890,224</b>	<b>14,603,047</b>	<b>16,335,538</b>	<b>1,926,167</b>	<b>2,552,031</b>	<b>16,529,215</b>	<b>18,887,569</b>	<b>(303,239)</b>	<b>(1,997,345)</b>
Expenses using reserve funds	-	-	-	-	-	-	16,529,215	-	-	-
<b>Total General Fund - Net Result from Operations</b>									<b>(303,239)</b>	<b>(1,997,345)</b>
<b>Percentage of Budget</b>	<b>96.07%</b>		<b>89.39%</b>		<b>75.48%</b>		<b>87.51%</b>			
CLE-Products	1,059,031	879,800	469,636	512,809	113,436	144,865	583,072	657,674	475,959	222,126
CLE-Seminars	802,944	1,695,000	799,689	923,544	403,701	721,369	1,203,391	1,644,913	(400,447)	50,087
Total CLE	1,861,976	2,574,800	1,269,326	1,436,353	517,138	866,234	1,786,463	2,302,587	75,512	272,213
<b>Percentage of Budget</b>	<b>72.32%</b>		<b>88.37%</b>		<b>59.70%</b>		<b>77.59%</b>			
<b>Total All Sections</b>	<b>630,957</b>	<b>688,611</b>	<b>-</b>	<b>-</b>	<b>633,857</b>	<b>904,833</b>	<b>633,857</b>	<b>904,833</b>	<b>(2,900)</b>	<b>(216,222)</b>
Lawyers Fund for Client Protection-Restricted	1,016,920	986,000	103,358	113,721	210,991	502,500	314,349	616,221	702,571	369,779
Management Western States Bar Conference (No WSBA Funds)	67,950	50,000	-	-	59,230	50,000	59,230	50,000.00	8,720	-
<b>Totals</b>	<b>19,803,778</b>	<b>21,189,635</b>	<b>15,975,731</b>	<b>17,885,612</b>	<b>3,347,383</b>	<b>4,875,597.75</b>	<b>19,323,114</b>	<b>22,761,210</b>	<b>480,665</b>	<b>(1,571,575)</b>
<b>Percentage of Budget</b>	<b>93.46%</b>		<b>89.32%</b>		<b>68.66%</b>		<b>84.89%</b>			

Summary of Fund Balances:	Fund Balances Sept. 30, 2016	Fund Balances Year to date	2017 Budgeted Fund Balances
<b>Restricted Funds:</b>			
Lawyers Fund for Client Protection	2,646,222	3,348,793	3,016,001
Western States Bar Conference (No WSBA Funds)	10,958	19,678	10,958
<b>Board-Designated Funds (Non-General Fund):</b>			
CLE Fund Balance	456,568	532,080	728,781
Section Funds	1,212,637	1,209,737	996,416
<b>Board-Designated Funds (General Fund):</b>			
Operating Reserve Fund	1,500,000	1,500,000	1,500,000
Facilities Reserve Fund	200,000	200,000	200,000
<b>Unrestricted Funds (General Fund):</b>			
Unrestricted General Fund	2,218,536	1,915,297	221,191
<b>Total Fund Balance</b>	<b>8,244,921</b>	<b>8,725,586</b>	<b>6,673,347</b>
<b>Net Change In Fund Balance</b>		<b>480,665</b>	<b>(1,571,575)</b>

# Washington State Bar Association

Statement of Activities

For the Period from August 1, 2017 to August 31, 2017

**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>LICENSE FEES</b>					
<b>REVENUE:</b>					
LICENSE FEES	13,204,000.00	1,110,752.22	12,391,590.81	812,409.19	93.85%
<b>TOTAL REVENUE:</b>	<b>13,204,000.00</b>	<b>1,110,752.22</b>	<b>12,391,590.81</b>	<b>812,409.19</b>	<b>93.85%</b>



## Washington State Bar Association

### Statement of Activities

For the Period from August 1, 2017 to August 31, 2017

**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>ACCESS TO JUSTICE</b>					
<b>REVENUE:</b>					
CONFERENCES & INSTITUTES	8,000.00	-	-	8,000.00	0%
<b>TOTAL REVENUE:</b>	<b>8,000.00</b>	<b>-</b>	<b>-</b>	<b>8,000.00</b>	<b>0%</b>
<b>DIRECT EXPENSES:</b>					
ATJ BOARD RETREAT	2,000.00	-	1,661.99	338.01	83.10%
LEADERSHIP TRAINING	2,000.00	-	-	2,000.00	0.00%
ATJ BOARD EXPENSE	15,100.00	5,380.91	12,251.08	2,848.92	81.13%
ATJ BOARD COMMITTEES EXPENSE	5,000.00	340.52	3,472.28	1,527.72	69.45%
STAFF TRAVEL/PARKING	1,200.00	-	753.64	446.36	62.80%
STAFF MEMBERSHIP DUES	150.00	-	-	150.00	0.00%
PUBLIC DEFENSE	8,400.00	424.81	4,732.43	3,667.57	56.34%
CONFERENCE/INSTITUTE EXPENSE	23,000.00	-	38,314.75	(15,314.75)	167%
RECEPTION/FORUM EXPENSE	5,000.00	-	899.00	4,101.00	18%
<b>TOTAL DIRECT EXPENSES:</b>	<b>61,850.00</b>	<b>6,146.24</b>	<b>62,085.17</b>	<b>(235.17)</b>	<b>100.38%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (2.10 FTE)	105,884.00	12,188.34	137,420.90	(31,536.90)	129.78%
BENEFITS EXPENSE	42,244.00	3,965.15	36,909.22	5,334.78	87.37%
OTHER INDIRECT EXPENSE	49,785.00	4,539.83	42,000.14	7,784.86	84.36%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>197,913.00</b>	<b>20,693.32</b>	<b>216,330.26</b>	<b>(18,417.26)</b>	<b>109.31%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>259,763.00</b>	<b>26,839.56</b>	<b>278,415.43</b>	<b>(18,652.43)</b>	<b>107.18%</b>
<b>NET INCOME (LOSS):</b>	<b>(251,763.00)</b>	<b>(26,839.56)</b>	<b>(278,415.43)</b>		

## Washington State Bar Association

### Statement of Activities

For the Period from August 1, 2017 to August 31, 2017

**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>ADMINISTRATION</b>					
<b>REVENUE:</b>					
INTEREST INCOME	25,000.00	4,528.36	51,013.46	(26,013.46)	204.05%
GAIN/LOSS ON INVESTMENTS	30,000.00	18,989.70	76,172.42	(46,172.42)	253.91%
MISCELLANEOUS	-	(110.00)	6.00	(6.00)	
<b>TOTAL REVENUE:</b>	<b>55,000.00</b>	<b>23,408.06</b>	<b>127,191.88</b>	<b>(72,191.88)</b>	<b>231.26%</b>
<b>DIRECT EXPENSES:</b>					
CREDIT CARD MERCHANT FEES	-	362.64	(603.57)	603.57	
STAFF TRAVEL/PARKING	2,500.00	-	1,722.00	778.00	68.88%
STAFF MEMBERSHIP DUES	635.00	-	266.00	369.00	41.89%
MISCELLANEOUS	-	1.89	195.27	(195.27)	
<b>TOTAL DIRECT EXPENSES:</b>	<b>3,135.00</b>	<b>364.53</b>	<b>1,579.70</b>	<b>1,555.30</b>	<b>50.39%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE ( 7.92 FTE)	632,169.00	51,506.45	595,667.52	36,501.48	94.23%
BENEFITS EXPENSE	206,690.00	18,385.60	187,933.34	18,756.66	90.93%
OTHER INDIRECT EXPENSE	187,762.00	17,116.28	158,358.41	29,403.59	84.34%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>1,026,621.00</b>	<b>87,008.33</b>	<b>941,959.27</b>	<b>84,661.73</b>	<b>91.75%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>1,029,756.00</b>	<b>87,372.86</b>	<b>943,538.97</b>	<b>86,217.03</b>	<b>91.63%</b>
<b>NET INCOME (LOSS):</b>	<b>(974,756.00)</b>	<b>(63,964.80)</b>	<b>(816,347.09)</b>		

## Washington State Bar Association

### Statement of Activities

For the Period from August 1, 2017 to August 31, 2017

**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>ADMISSIONS/BAR EXAMS</b>					
<b>REVENUE:</b>					
EXAM SOFT REVENUE	40,000.00	26,705.00	38,920.00	1,080.00	97.30%
BAR EXAM FEES	1,000,000.00	31,900.00	1,209,845.00	(209,845.00)	120.98%
SPECIAL ADMISSIONS	30,000.00	6,820.00	61,825.00	(31,825.00)	206.08%
<b>TOTAL REVENUE:</b>	<b>1,070,000.00</b>	<b>65,425.00</b>	<b>1,310,590.00</b>	<b>(240,590.00)</b>	<b>122.49%</b>
<b>DIRECT EXPENSES:</b>					
FACILITY, PARKING, FOOD	65,000.00	150.96	73,437.18	(8,437.18)	112.98%
EXAMINER FEES	32,500.00	-	26,000.00	6,500.00	80.00%
UBE EXMINATIONS	136,000.00	-	40,342.00	95,658.00	29.66%
BOARD OF BAR EXAMINERS	30,000.00	14,265.91	24,317.03	5,682.97	81.06%
BAR EXAM PROCTORS	33,000.00	16,942.00	31,551.00	1,449.00	95.61%
CHARACTER & FITNESS BOARD	20,000.00	1,082.10	11,680.60	8,319.40	58.40%
DISABILITY ACCOMMODATIONS	25,000.00	-	15,772.87	9,227.13	63.09%
CHARACTER & FITNESS INVESTIGATIONS	1,000.00	-	152.32	847.68	15.23%
LAW SCHOOL VISITS	1,000.00	35.00	84.00	916.00	8.40%
COURT REPORTERS	15,000.00	-	7,095.44	7,904.56	47.30%
POSTAGE	4,000.00	103.84	3,213.28	786.72	80.33%
PRINTING & COPYING	-	351.00	351.00	(351.00)	
STAFF TRAVEL/PARKING	13,000.00	159.14	6,359.43	6,640.57	48.92%
STAFF MEMBERSHIP DUES	200.00	-	200.00	-	100.00%
SUPPLIES	1,200.00	138.00	650.23	549.77	54.19%
<b>TOTAL DIRECT EXPENSES:</b>	<b>376,900.00</b>	<b>33,227.95</b>	<b>241,206.38</b>	<b>135,693.62</b>	<b>64.00%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (6.48 FTE)	465,903.00	37,449.84	419,288.98	46,614.02	89.99%
BENEFITS EXPENSE	164,864.00	15,448.14	150,161.53	14,702.47	91.08%
OTHER INDIRECT EXPENSE	153,623.00	14,018.17	129,695.15	23,927.85	84.42%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>784,390.00</b>	<b>66,916.15</b>	<b>699,145.66</b>	<b>85,244.34</b>	<b>89.13%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>1,161,290.00</b>	<b>100,144.10</b>	<b>940,352.04</b>	<b>220,937.96</b>	<b>80.97%</b>
<b>NET INCOME (LOSS):</b>	<b>(91,290.00)</b>	<b>(34,719.10)</b>	<b>370,237.96</b>		

## Washington State Bar Association

### Statement of Activities

For the Period from August 1, 2017 to August 31, 2017

**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>BOG/OED</b>					
REVENUE:					
TOTAL REVENUE:	-	-	-	-	
<b>DIRECT EXPENSES:</b>					
BOG MEETINGS	125,000.00	30,818.41	110,097.69	14,902.31	88.08%
BOG COMMITTEES' EXPENSES	30,000.00	173.11	14,772.98	15,227.02	49.24%
WASHINGTON LEADERSHIP INSTITUTE	60,000.00	-	60,000.00	-	100.00%
BOG CONFERENCE ATTENDANCE	17,500.00	-	17,037.22	462.78	97.36%
BOG TRAVEL & OUTREACH	45,000.00	(39.48)	28,066.45	16,933.55	62.37%
ED TRAVEL & OUTREACH	5,000.00	375.65	2,533.92	2,466.08	50.68%
BOG ELECTIONS	5,000.00	-	6,818.43	(1,818.43)	136.37%
STAFF TRAVEL/PARKING	4,000.00	328.00	3,864.40	135.60	96.61%
STAFF MEMBERSHIP DUES	1,850.00	-	2,028.70	(178.70)	109.66%
TELEPHONE	1,300.00	-	743.58	556.42	57.20%
<b>TOTAL DIRECT EXPENSES:</b>	<b>294,650.00</b>	<b>31,655.69</b>	<b>245,963.37</b>	<b>48,686.63</b>	<b>83.48%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (2.45 FTE)	336,231.00	26,033.38	335,420.08	810.92	99.76%
BENEFITS EXPENSE	93,632.00	8,659.78	83,931.40	9,700.60	89.64%
OTHER INDIRECT EXPENSE	58,083.00	5,306.65	49,105.51	8,977.49	84.54%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>487,946.00</b>	<b>39,999.81</b>	<b>468,456.99</b>	<b>19,489.01</b>	<b>96.01%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>782,596.00</b>	<b>71,655.50</b>	<b>714,420.36</b>	<b>68,175.64</b>	<b>91.29%</b>
<b>NET INCOME (LOSS):</b>	<b>(782,596.00)</b>	<b>(71,655.50)</b>	<b>(714,420.36)</b>		

**Washington State Bar Association**  
Statement of Activities  
For the Period from August 1, 2017 to August 31, 2017  
**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>COMMUNICATIONS</b>					
<b>REVENUE:</b>					
AWARDS LUNCH/DINNER	44,000.00	-	654.16	43,345.84	1.49%
50 YEAR MEMBER TRIBUTE LUNCH	250.00	-	1,170.00	(920.00)	468.00%
WSBA LOGO MERCHANDISE SALES	-	140.00	560.00	(560.00)	
<b>TOTAL REVENUE:</b>	<b>44,250.00</b>	<b>140.00</b>	<b>2,384.16</b>	<b>41,865.84</b>	<b>5.39%</b>
<b>DIRECT EXPENSES:</b>					
IMAGE LIBRARY	4,100.00	-	3,999.00	101.00	97.54%
BAR OUTREACH	2,500.00	-	1,350.94	1,149.06	54.04%
ABA DELEGATES	5,600.00	800.00	1,550.00	4,050.00	27.68%
ANNUAL CHAIR MTGS	600.00	-	877.32	(277.32)	146.22%
AWARDS DINNER	63,000.00	645.52	18,009.79	44,990.21	28.59%
50 YEAR MEMBER TRIBUTE LUNCH	8,000.00	-	9,374.15	(1,374.15)	117.18%
JUD RECOMMEND COMMITTEE	4,500.00	255.60	1,603.93	2,896.07	35.64%
PROFESSIONALISM	750.00	-	1,206.20	(456.20)	160.83%
COMMUNICATIONS OUTREACH	15,000.00	115.70	1,837.52	13,162.48	12.25%
TRANSLATION SERVICES	3,500.00	371.30	3,223.20	276.80	92.09%
DEPRECIATION	2,300.00	-	2,260.38	39.62	98.28%
EQUIPMENT, HARDWARE & SOFTWARE	-	-	79.47	(79.47)	
STAFF TRAVEL/PARKING	4,000.00	-	1,053.00	2,947.00	26.33%
STAFF MEMBERSHIP DUES	1,960.00	-	585.00	1,375.00	29.85%
SUBSCRIPTIONS	10,050.00	15.96	6,271.59	3,778.41	62.40%
DIGITAL/ONLINE DEVELOPMENT	4,000.00	256.60	3,865.59	134.41	96.64%
CONFERENCE CALLS	200.00	-	33.00	167.00	16.50%
<b>TOTAL DIRECT EXPENSES:</b>	<b>130,060.00</b>	<b>2,460.68</b>	<b>57,180.08</b>	<b>72,879.92</b>	<b>43.96%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (14.64 FTE)	896,797.00	68,519.54	775,829.01	120,967.99	86.51%
BENEFITS EXPENSE	326,726.00	27,547.46	278,289.72	48,436.28	85.18%
OTHER INDIRECT EXPENSE	347,075.00	31,201.91	292,405.80	54,669.20	84.25%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>1,570,598.00</b>	<b>127,268.91</b>	<b>1,346,524.53</b>	<b>224,073.47</b>	<b>85.73%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>1,700,658.00</b>	<b>129,729.59</b>	<b>1,403,704.61</b>	<b>296,953.39</b>	<b>82.54%</b>
<b>NET INCOME (LOSS):</b>	<b>(1,656,408.00)</b>	<b>(129,589.59)</b>	<b>(1,401,320.45)</b>		

**Washington State Bar Association**  
Statement of Activities  
For the Period from August 1, 2017 to August 31, 2017  
**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>DISCIPLINE</b>					
<b>REVENUE:</b>					
AUDIT REVENUE	2,000.00	85.00	2,543.75	(543.75)	127.19%
RECOVERY OF DISCIPLINE COSTS	125,000.00	15,136.90	84,475.04	40,524.96	67.58%
DISCIPLINE HISTORY SUMMARY	13,000.00	880.31	11,965.13	1,034.87	92.04%
<b>TOTAL REVENUE:</b>	<b>140,000.00</b>	<b>16,102.21</b>	<b>98,983.92</b>	<b>41,016.08</b>	<b>70.70%</b>
<b>DIRECT EXPENSES:</b>					
COURT REPORTERS	65,000.00	2,968.38	39,887.33	25,112.67	61.37%
OUTSIDE COUNSEL/AIC	3,500.00	-	996.99	2,503.01	28.49%
LITIGATION EXPENSES	30,000.00	1,971.70	17,892.45	12,107.55	59.64%
DISABILITY EXPENSES	15,000.00	-	5,076.45	9,923.55	33.84%
ONLINE LEGAL RESEARCH	65,900.00	5,459.85	59,784.39	6,115.61	90.72%
LAW LIBRARY	13,075.00	-	5,407.14	7,667.86	41.35%
TRANSLATION SERVICES	3,000.00	325.00	1,570.00	1,430.00	52.33%
DEPRECIATION-SOFTWARE	25,200.00	1,841.00	18,862.08	6,337.92	74.85%
PUBLICATIONS PRODUCTION	250.00	-	212.23	37.77	84.89%
STAFF TRAVEL/PARKING	38,500.00	2,104.60	31,238.79	7,261.21	81.14%
STAFF MEMBERSHIP DUES	3,243.00	-	2,410.38	832.62	74.33%
TELEPHONE	5,000.00	181.96	5,056.48	(56.48)	101.13%
<b>TOTAL DIRECT EXPENSES:</b>	<b>267,668.00</b>	<b>14,852.49</b>	<b>188,394.71</b>	<b>79,273.29</b>	<b>70.38%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (37.77 FTE)	3,370,608.00	262,813.68	3,049,106.75	321,501.25	90.46%
BENEFITS EXPENSE	1,068,970.00	97,848.58	963,717.65	105,252.35	90.15%
OTHER INDIRECT EXPENSE	895,425.00	81,655.10	755,489.12	139,935.88	84.37%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>5,335,003.00</b>	<b>442,317.36</b>	<b>4,768,313.52</b>	<b>566,689.48</b>	<b>89.38%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>5,602,671.00</b>	<b>457,169.85</b>	<b>4,956,708.23</b>	<b>645,962.77</b>	<b>88.47%</b>
<b>NET INCOME (LOSS):</b>	<b>(5,462,671.00)</b>	<b>(441,067.64)</b>	<b>(4,857,724.31)</b>		

## Washington State Bar Association

### Statement of Activities

For the Period from August 1, 2017 to August 31, 2017

**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>DIVERSITY</b>					
<b>REVENUE:</b>					
DONATIONS & GRANTS	90,000.00	-	90,000.00	-	100.00%
SEMINAR REGISTRATIONS	-	-	275.00	(275.00)	
WORK STUDY GRANTS	10,374.00	-	-	10,374.00	0.00%
<b>TOTAL REVENUE:</b>	<b>100,374.00</b>	<b>-</b>	<b>90,275.00</b>	<b>10,099.00</b>	<b>89.94%</b>
<b>DIRECT EXPENSES:</b>					
STAFF MEMBERSHIP DUES	350.00	-	531.00	(181.00)	151.71%
STAFF TRAVEL/PARKING	8,600.00	-	4,062.73	4,537.27	47.24%
SUPPLIES	2,000.00	-	-	2,000.00	0.00%
COMMITTEE FOR DIVERSITY	6,200.00	59.68	4,156.95	2,043.05	67.05%
DIVERSITY EVENTS & PROJECTS	5,500.00	256.24	5,575.19	(75.19)	101.37%
SPECIAL EVENTS	5,000.00	-	927.12	4,072.88	18.54%
MISCELLANEOUS	-	-	(8.00)	8.00	
SPEAKERS & PROGRAM DEVELOPMENT	1,000.00	-	-	1,000.00	0.00%
INTERNAL DIVERSITY OUTREACH	500.00	-	22.96	477.04	4.59%
<b>TOTAL DIRECT EXPENSE:</b>	<b>29,150.00</b>	<b>315.92</b>	<b>15,267.95</b>	<b>13,882.05</b>	<b>52.38%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (2.97 FTE)	222,565.00	18,829.42	207,559.93	15,005.07	93.26%
BENEFITS EXPENSE	72,143.00	6,754.19	66,047.83	6,095.17	91.55%
OTHER INDIRECT EXPENSE	70,411.00	6,410.94	59,312.68	11,098.32	84.24%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>365,119.00</b>	<b>31,994.55</b>	<b>332,920.44</b>	<b>32,198.56</b>	<b>91.18%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>394,269.00</b>	<b>32,310.47</b>	<b>348,188.39</b>	<b>46,080.61</b>	<b>88.31%</b>
<b>NET INCOME (LOSS):</b>	<b>(293,895.00)</b>	<b>(32,310.47)</b>	<b>(257,913.39)</b>		

## Washington State Bar Association

### Statement of Activities

For the Period from August 1, 2017 to August 31, 2017

**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>FOUNDATION</b>					
<b>REVENUE:</b>					
<b>TOTAL REVENUE:</b>	-	-	-	-	
<b>DIRECT EXPENSES:</b>					
BOARD OF TRUSTEES	5,000.00	68.61	1,944.95	3,055.05	38.90%
GRAPHIC DESIGN	1,500.00	-	-	1,500.00	0.00%
CONSULTING SERVICES	3,000.00	-	2,600.00	400.00	86.67%
POSTAGE	500.00	-	-	500.00	0.00%
PRINTING & COPYING	1,500.00	-	717.26	782.74	47.82%
STAFF TRAVEL/PARKING	1,700.00	6.28	70.11	1,629.89	4.12%
STAFF MEMBERSHIP DUES	600.00	-	363.00	237.00	60.50%
SUPPLIES	500.00	-	116.58	383.42	23.32%
SPECIAL EVENTS	5,000.00	-	727.24	4,272.76	14.54%
<b>TOTAL DIRECT EXPENSES:</b>	<b>19,300.00</b>	<b>74.89</b>	<b>6,539.14</b>	<b>12,760.86</b>	<b>33.88%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (1.25 FTE)	88,294.00	7,357.88	82,791.87	5,502.13	93.77%
BENEFITS EXPENSE	30,721.00	2,849.07	28,011.17	2,709.83	91.18%
OTHER INDIRECT EXPENSE	29,634.00	2,699.36	24,972.24	4,661.76	84.27%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>148,649.00</b>	<b>12,906.31</b>	<b>135,775.28</b>	<b>12,873.72</b>	<b>91.34%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>167,949.00</b>	<b>12,981.20</b>	<b>142,314.42</b>	<b>25,634.58</b>	<b>84.74%</b>
<b>NET INCOME (LOSS):</b>	<b>(167,949.00)</b>	<b>(12,981.20)</b>	<b>(142,314.42)</b>		



**Washington State Bar Association**  
Statement of Activities  
For the Period from August 1, 2017 to August 31, 2017  
**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>HUMAN RESOURCES</b>					
<b>REVENUE:</b>					
<b>TOTAL REVENUE:</b>	-	-	-	-	
<b>DIRECT EXPENSES:</b>					
STAFF TRAINING- GENERAL	35,000.00	1,171.91	12,273.94	22,726.06	35.07%
RECRUITING AND ADVERTISING	7,000.00	618.22	5,343.80	1,656.20	76.34%
PAYROLL PROCESSING	55,000.00	4,200.88	44,204.87	10,795.13	80.37%
SALARY SURVEYS	2,700.00	-	1,190.64	1,509.36	44.10%
DEPRECIATION	835.00	-	835.21	(0.21)	100.03%
CONSULTING SERVICES	9,000.00	-	19,797.50	(10,797.50)	219.97%
STAFF TRAVEL/PARKING	250.00	18.00	31.00	219.00	12.40%
STAFF MEMBERSHIP DUES	1,378.00	199.00	1,291.00	87.00	93.69%
SUBSCRIPTIONS	1,993.00	-	2,044.95	(51.95)	102.61%
THIRD PARTY SERVICES	13,500.00	-	13,426.00	74.00	99.45%
TRANSFER TO INDIRECT EXPENSE	(126,656.00)	(6,208.01)	(100,438.91)	(26,217.09)	79.30%
<b>TOTAL DIRECT EXPENSES:</b>	-	-	-	-	
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (2.48 FTE)	244,580.00	18,532.24	220,922.17	23,657.83	90.33%
ALLOWANCE FOR OPEN POSITIONS	(120,000.00)	-	-	(120,000.00)	0.00%
BENEFITS EXPENSE	74,445.00	6,928.04	66,411.22	8,033.78	89.21%
OTHER INDIRECT EXPENSE	58,794.00	5,368.02	49,666.35	9,127.65	84.48%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>257,819.00</b>	<b>30,828.30</b>	<b>336,999.74</b>	<b>(79,180.74)</b>	<b>130.71%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>257,819.00</b>	<b>30,828.30</b>	<b>336,999.74</b>	<b>(79,180.74)</b>	<b>130.71%</b>
<b>NET INCOME (LOSS):</b>	<b>(257,819.00)</b>	<b>(30,828.30)</b>	<b>(336,999.74)</b>		

**Washington State Bar Association**

Statement of Activities

For the Period from August 1, 2017 to August 31, 2017

**91.67% OF YEAR COMPLETE**

	<b>FISCAL 2017 BUDGET</b>	<b>CURRENT MONTH</b>	<b>YEAR TO DATE</b>	<b>REMAINING BALANCE</b>	<b>% USED OF BUDGET</b>
<b>LAW CLERK PROGRAM</b>					
<b>REVENUE:</b>					
LAW CLERK FEES	95,000.00	-	101,725.00	(6,725.00)	107.08%
LAW CLERK APPLICATION FEES	2,000.00	100.00	3,700.00	(1,700.00)	185.00%
<b>TOTAL REVENUE:</b>	<b>97,000.00</b>	<b>100.00</b>	<b>105,425.00</b>	<b>(8,425.00)</b>	<b>108.69%</b>
<b>DIRECT EXPENSES:</b>					
SUBSCRIPTIONS	250.00	-	-	250.00	0.00%
CHARACTER & FITNESS INVESTIGATIONS	100.00	-	-	100.00	0.00%
LAW CLERK BOARD EXPENSE	5,000.00	119.57	3,283.13	1,716.87	65.66%
<b>TOTAL DIRECT EXPENSES:</b>	<b>5,350.00</b>	<b>119.57</b>	<b>3,283.13</b>	<b>2,066.87</b>	<b>61.37%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (0.89 FTE)	59,025.00	2,867.78	40,589.96	18,435.04	68.77%
BENEFITS EXPENSE	20,961.00	1,700.15	17,247.56	3,713.44	82.28%
OTHER INDIRECT EXPENSE	21,099.00	1,932.48	17,878.65	3,220.35	84.74%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>101,085.00</b>	<b>6,500.41</b>	<b>75,716.17</b>	<b>25,368.83</b>	<b>74.90%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>106,435.00</b>	<b>6,619.98</b>	<b>78,999.30</b>	<b>27,435.70</b>	<b>74.22%</b>
<b>NET INCOME (LOSS):</b>	<b>(9,435.00)</b>	<b>(6,519.98)</b>	<b>26,425.70</b>		

**Washington State Bar Association**  
Statement of Activities  
For the Period from August 1, 2017 to August 31, 2017  
**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>LAW OFFICE MNGT ASSISTANCE PROGRAM</b>					
<b>REVENUE:</b>					
LAW OFFICE IN A BOX SALES	2,500.00	180.00	3,330.04	(830.04)	133.20%
<b>TOTAL REVENUE:</b>	<b>2,500.00</b>	<b>180.00</b>	<b>3,330.04</b>	<b>(830.04)</b>	<b>133.20%</b>
<b>DIRECT EXPENSES:</b>					
LIBRARY MATERIALS/RESOURCES	1,500.00	-	653.35	846.65	43.56%
LAW OFFICE IN A BOX	500.00	31.21	681.86	(181.86)	136.37%
STAFF TRAVEL/PARKING	2,000.00	-	1,375.85	624.15	68.79%
STAFF MEMBERSHIP DUES	600.00	-	389.00	211.00	64.83%
CONFERENCE CALLS	100.00	-	8.53	91.47	8.53%
<b>TOTAL DIRECT EXPENSES:</b>	<b>4,700.00</b>	<b>31.21</b>	<b>3,108.59</b>	<b>1,591.41</b>	<b>66.14%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (1.50 FTE)	122,445.00	10,244.76	103,940.98	18,504.02	84.89%
BENEFITS EXPENSE	40,196.00	3,742.52	35,051.37	5,144.63	87.20%
OTHER INDIRECT EXPENSE	35,561.00	3,251.49	30,084.65	5,476.35	84.60%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>198,202.00</b>	<b>17,238.77</b>	<b>169,077.00</b>	<b>29,125.00</b>	<b>85.31%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>202,902.00</b>	<b>17,269.98</b>	<b>172,185.59</b>	<b>30,716.41</b>	<b>84.86%</b>
<b>NET INCOME (LOSS):</b>	<b>(200,402.00)</b>	<b>(17,089.98)</b>	<b>(168,855.55)</b>		

## Washington State Bar Association

Statement of Activities

For the Period from August 1, 2017 to August 31, 2017

**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>LAWYER ASSISTANCE PROGRAM</b>					
<b>REVENUE:</b>					
DIVERSIONS	15,750.00	-	4,625.00	11,125.00	29.37%
LAP CLIENT FEES	-	-	255.00	(255.00)	
LAP GROUPS REVENUE	-	-	380.00	(380.00)	
MEMB HEALTH CARE INSUR REBATE	-	-	49.50	(49.50)	
<b>TOTAL REVENUE:</b>	<b>15,750.00</b>	<b>-</b>	<b>5,309.50</b>	<b>10,440.50</b>	<b>33.71%</b>
<b>DIRECT EXPENSES:</b>					
PROF LIAB INSURANCE	850.00	-	825.00	25.00	97.06%
MEMBER ASSISTANCE PROGRAM	45,120.00	-	46,200.00	(1,080.00)	102.39%
PUBLICATIONS PRODUCTION	200.00	-	-	200.00	0.00%
STAFF MEMBERSHIP DUES	350.00	-	226.00	124.00	64.57%
CONFERENCE CALLS	100.00	-	-	100.00	0.00%
MISCELLANEOUS	150.00	-	-	150.00	0.00%
<b>TOTAL DIRECT EXPENSES:</b>	<b>46,770.00</b>	<b>-</b>	<b>47,251.00</b>	<b>(481.00)</b>	<b>101.03%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (0.87 FTE)	77,476.00	6,382.24	69,707.43	7,768.57	89.97%
BENEFITS EXPENSE	29,331.00	2,317.97	23,079.51	6,251.49	78.69%
OTHER INDIRECT EXPENSE	20,625.00	1,871.12	17,311.50	3,313.50	83.93%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>127,432.00</b>	<b>10,571.33</b>	<b>110,098.44</b>	<b>17,333.56</b>	<b>86.40%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>174,202.00</b>	<b>10,571.33</b>	<b>157,349.44</b>	<b>16,852.56</b>	<b>90.33%</b>
<b>NET INCOME (LOSS):</b>	<b>(158,452.00)</b>	<b>(10,571.33)</b>	<b>(152,039.94)</b>		

**Washington State Bar Association**  
Statement of Activities  
For the Period from August 1, 2017 to August 31, 2017  
**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>LEGISLATIVE</b>					
<b>REVENUE:</b>					
<b>TOTAL REVENUE:</b>	-	-	-	-	
<b>DIRECT EXPENSES:</b>					
OLYMPIA RENT	5,000.00	-	1,234.02	3,765.98	24.68%
CONTRACT LOBBYIST	20,000.00	-	20,000.00	-	100.00%
LOBBYIST CONTACT COSTS	1,600.00	-	96.22	1,503.78	6.01%
LEGISLATIVE COMMITTEE	2,500.00	-	2,415.42	84.58	96.62%
BOG LEGISLATIVE COMMITTEE	250.00	1.59	220.51	29.49	88.20%
STAFF TRAVEL/PARKING	8,000.00	-	3,443.92	4,556.08	43.05%
STAFF MEMBERSHIP DUES	450.00	-	142.17	307.83	31.59%
SUBSCRIPTIONS	2,000.00	-	1,972.80	27.20	98.64%
TELEPHONE	3,000.00	26.63	623.93	2,376.07	20.80%
<b>TOTAL DIRECT EXPENSES:</b>	<b>42,800.00</b>	<b>28.22</b>	<b>30,148.99</b>	<b>12,651.01</b>	<b>70.44%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (1.85 FTE)	131,303.00	2,733.34	82,877.80	48,425.20	63.12%
BENEFITS EXPENSE	45,303.00	3,273.31	37,766.26	7,536.74	83.36%
OTHER INDIRECT EXPENSE	43,859.00	3,987.65	36,893.35	6,965.65	84.12%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>220,465.00</b>	<b>9,994.30</b>	<b>157,537.41</b>	<b>62,927.59</b>	<b>71.46%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>263,265.00</b>	<b>10,022.52</b>	<b>187,686.40</b>	<b>75,578.60</b>	<b>71.29%</b>
<b>NET INCOME (LOSS):</b>	<b>(263,265.00)</b>	<b>(10,022.52)</b>	<b>(187,686.40)</b>		

## Washington State Bar Association

### Statement of Activities

For the Period from August 1, 2017 to August 31, 2017

**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>LICENSING &amp; MEMBERSHIP RECORDS</b>					
<b>REVENUE:</b>					
STATUS CERTIFICATE FEES	22,000.00	1,395.66	19,507.03	2,492.97	88.67%
RULE 9/LEGAL INTERN FEES	11,000.00	600.00	11,000.00	-	100.00%
INVESTIGATION FEES	20,000.00	2,400.00	23,300.00	(3,300.00)	116.50%
PRO HAC VICE	170,000.00	31,955.00	232,925.00	(62,925.00)	137.01%
MEMBER CONTACT INFORMATION	24,000.00	1,783.30	19,506.36	4,493.64	81.28%
PHOTO BAR CARD SALES	800.00	-	288.00	512.00	36.00%
<b>TOTAL REVENUE:</b>	<b>247,800.00</b>	<b>38,133.96</b>	<b>306,526.39</b>	<b>(58,726.39)</b>	<b>123.70%</b>
<b>DIRECT EXPENSES:</b>					
LICENSING FORMS	2,500.00	-	2,659.92	(159.92)	106.40%
POSTAGE	25,000.00	-	27,290.05	(2,290.05)	109.16%
SUPPLIES - BAR CARDS	-	-	800.00	(800.00)	
MISCELLANEOUS	-	-	94.15	(94.15)	
<b>TOTAL DIRECT EXPENSES:</b>	<b>27,500.00</b>	<b>-</b>	<b>30,844.12</b>	<b>(3,344.12)</b>	<b>112.16%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (4.29 FTE)	346,073.00	28,127.92	323,450.29	22,622.71	93.46%
BENEFITS EXPENSE	112,190.00	10,441.16	102,300.41	9,889.59	91.18%
OTHER INDIRECT EXPENSE	101,704.00	9,263.66	85,706.57	15,997.43	84.27%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>559,967.00</b>	<b>47,832.74</b>	<b>511,457.27</b>	<b>48,509.73</b>	<b>91.34%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>587,467.00</b>	<b>47,832.74</b>	<b>542,301.39</b>	<b>45,165.61</b>	<b>92.31%</b>
<b>NET INCOME (LOSS):</b>	<b>(339,667.00)</b>	<b>(9,698.78)</b>	<b>(235,775.00)</b>		

**Washington State Bar Association**

Statement of Activities

For the Period from August 1, 2017 to August 31, 2017

**91.67% OF YEAR COMPLETE**

	<b>FISCAL 2017 BUDGET</b>	<b>CURRENT MONTH</b>	<b>YEAR TO DATE</b>	<b>REMAINING BALANCE</b>	<b>% USED OF BUDGET</b>
<b>LIMITED LICENSE LEGAL TECHNICIAN PROGRAM</b>					
<b>REVENUE:</b>					
LLLT LICENSE FEES	5,950.00	379.32	3,848.49	2,101.51	64.68%
LLLT EXAM FEES	7,150.00	250.00	5,400.00	1,750.00	75.52%
LLLT EDUCATION APPROVAL FEES	-	-	2,500.00	(2,500.00)	
LLLT WAIVER FEES	300.00	-	1,500.00	(1,200.00)	500.00%
<b>TOTAL REVENUE:</b>	<b>13,400.00</b>	<b>629.32</b>	<b>13,248.49</b>	<b>151.51</b>	<b>98.87%</b>
<b>DIRECT EXPENSES:</b>					
CHRACTER & FITNESS INVESTIGATIONS	700.00	-	114.00	586.00	16.29%
LLLT BOARD	18,000.00	2,067.07	13,200.14	4,799.86	73.33%
LLLT OUTREACH	8,000.00	302.60	3,827.69	4,172.31	47.85%
DEPRECIATION	3,354.00	-	-	3,354.00	0.00%
POSTAGE	-	10.58	10.58	(10.58)	
LLLT EXAM WRITING	29,600.00	-	13,650.00	15,950.00	46.11%
STAFF TRAVEL/PARKING	400.00	-	226.74	173.26	56.69%
STAFF MEMBERSHIP DUES	-	-	110.00	(110.00)	
<b>TOTAL DIRECT EXPENSES:</b>	<b>60,054.00</b>	<b>2,380.25</b>	<b>31,139.15</b>	<b>28,914.85</b>	<b>51.85%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (1.39 FTE)	106,271.00	9,702.44	95,437.76	10,833.24	89.81%
BENEFITS EXPENSE	35,786.00	3,346.03	32,757.77	3,028.23	91.54%
OTHER INDIRECT EXPENSE	32,953.00	3,006.07	27,812.21	5,140.79	84.40%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>175,010.00</b>	<b>16,054.54</b>	<b>156,007.74</b>	<b>19,002.26</b>	<b>89.14%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>235,064.00</b>	<b>18,434.79</b>	<b>187,146.89</b>	<b>47,917.11</b>	<b>79.62%</b>
<b>NET INCOME (LOSS):</b>	<b>(221,664.00)</b>	<b>(17,805.47)</b>	<b>(173,898.40)</b>		

## Washington State Bar Association

### Statement of Activities

For the Period from August 1, 2017 to August 31, 2017

**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>LIMITED PRACTICE OFFICERS</b>					
<b>REVENUE:</b>					
LPO EXAMINATION FEES	17,000.00	13,000.00	35,300.00	(18,300.00)	207.65%
LPO LICENSE FEES	108,000.00	8,720.79	97,658.84	10,341.16	90.42%
LPO LATE LICENSE FEES	1,000.00	770.00	825.00	175.00	82.50%
LPO CEU & TA LATE FEES	4,000.00	1,000.00	1,150.00	2,850.00	28.75%
LPO LICENSE FEES - REINSTATES	-	110.00	110.00	(110.00)	
LPO CONTINUING ED ACCRED FEE	2,700.00	175.00	2,000.00	700.00	74.07%
<b>TOTAL REVENUE:</b>	<b>132,700.00</b>	<b>23,775.79</b>	<b>137,043.84</b>	<b>(4,343.84)</b>	<b>103.27%</b>
<b>DIRECT EXPENSES:</b>					
LPO EXAM FACILITIES	800.00	-	639.16	160.84	79.90%
LPO BOARD	3,000.00	848.68	2,479.35	520.65	82.65%
LPO DISCIPLINE EXPENSES	500.00	-	-	500.00	0.00%
FINGERPRINT CARD PROCESSING	3,230.00	-	4,788.00	(1,558.00)	148.24%
DEPRECIATION	3,354.00	-	-	3,354.00	0.00%
CHARACTER & FITNESS INVESTIGATIONS	100.00	-	-	100.00	0.00%
POSTAGE	2,300.00	600.70	1,560.71	739.29	67.86%
<b>TOTAL DIRECT EXPENSES:</b>	<b>13,284.00</b>	<b>1,449.38</b>	<b>9,467.22</b>	<b>3,816.78</b>	<b>71.27%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (1.47 FTE)	115,843.00	5,237.84	78,018.71	37,824.29	67.35%
BENEFITS EXPENSE	38,510.00	2,985.59	30,622.91	7,887.09	79.52%
OTHER INDIRECT EXPENSE	34,850.00	3,190.12	29,516.44	5,333.56	84.70%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>189,203.00</b>	<b>11,413.55</b>	<b>138,158.06</b>	<b>51,044.94</b>	<b>73.02%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>202,487.00</b>	<b>12,862.93</b>	<b>147,625.28</b>	<b>54,861.72</b>	<b>72.91%</b>
<b>NET INCOME (LOSS):</b>	<b>(69,787.00)</b>	<b>10,912.86</b>	<b>(10,581.44)</b>		



## Washington State Bar Association

Statement of Activities

For the Period from August 1, 2017 to August 31, 2017

**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>MANDATORY CLE ADMINISTRATION</b>					
<b>REVENUE:</b>					
ACCREDITED PROGRAM FEES	300,000.00	19,600.00	243,850.00	56,150.00	81.28%
FORM 1 LATE FEES	75,000.00	6,405.00	112,175.00	(37,175.00)	149.57%
MEMBER LATE FEES	150,000.00	1,050.00	174,500.00	(24,500.00)	116.33%
ANNUAL ACCREDITED SPONSOR FEES	27,000.00	-	28,250.00	(1,250.00)	104.63%
ATTENDANCE FEES	70,000.00	2,656.00	46,390.00	23,610.00	66.27%
COMITY CERTIFICATES	29,000.00	325.01	26,394.83	2,605.17	91.02%
ATTENDANCE LATE FEES	60,000.00	4,935.00	51,100.00	8,900.00	85.17%
<b>TOTAL REVENUE:</b>	<b>711,000.00</b>	<b>34,971.01</b>	<b>682,659.83</b>	<b>28,340.17</b>	<b>96.01%</b>
<b>DIRECT EXPENSES:</b>					
MCLE BOARD	3,000.00	506.21	1,935.06	1,064.94	64.50%
POSTAGE	2,000.00	-	-	2,000.00	0.00%
STAFF MEMBERSHIP DUES	500.00	-	500.00	-	100.00%
DEPRECIATION	261,000.00	18,995.00	205,285.00	55,715.00	78.65%
<b>TOTAL DIRECT EXPENSES:</b>	<b>266,500.00</b>	<b>19,501.21</b>	<b>207,720.06</b>	<b>58,779.94</b>	<b>77.94%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (4.72 FTE)	257,805.00	27,151.19	259,600.41	(1,795.41)	100.70%
BENEFITS EXPENSE	99,187.00	9,334.46	92,167.36	7,019.64	92.92%
OTHER INDIRECT EXPENSE	111,898.00	10,214.55	94,501.85	17,396.15	84.45%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>468,890.00</b>	<b>46,700.20</b>	<b>446,269.62</b>	<b>22,620.38</b>	<b>95.18%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>735,390.00</b>	<b>66,201.41</b>	<b>653,989.68</b>	<b>81,400.32</b>	<b>88.93%</b>
<b>NET INCOME (LOSS):</b>	<b>(24,390.00)</b>	<b>(31,230.40)</b>	<b>28,670.15</b>		

**Washington State Bar Association**  
Statement of Activities  
For the Period from August 1, 2017 to August 31, 2017  
**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>MEMBER BENEFITS</b>					
<b>REVENUE:</b>					
ROYALTIES	3,000.00	149.60	19,765.38	(16,765.38)	658.85%
<b>TOTAL REVENUE:</b>	<b>3,000.00</b>	<b>149.60</b>	<b>19,765.38</b>	<b>(16,765.38)</b>	<b>658.85%</b>
<b>DIRECT EXPENSES:</b>					
CASEMAKER	75,000.00	6,144.47	67,395.65	7,604.35	89.86%
<b>TOTAL DIRECT EXPENSES:</b>	<b>75,000.00</b>	<b>6,144.47</b>	<b>67,395.65</b>	<b>7,604.35</b>	<b>89.86%</b>
<b>INDIRECT EXPENSES:</b>					
<b>TOTAL INDIRECT EXPENSES:</b>	-	-	-	-	
<b>TOTAL ALL EXPENSES:</b>	<b>75,000.00</b>	<b>6,144.47</b>	<b>67,395.65</b>	<b>7,604.35</b>	<b>89.86%</b>
<b>NET INCOME (LOSS):</b>	<b>(72,000.00)</b>	<b>(5,994.87)</b>	<b>(47,630.27)</b>		

**Washington State Bar Association**  
Statement of Activities  
For the Period from August 1, 2017 to August 31, 2017  
**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>MENTORSHIP PROGRAM</b>					
<b>REVENUE:</b>					
<b>TOTAL REVENUE:</b>	-	-	-	-	
<b>DIRECT EXPENSES:</b>					
MENTORSHIP PROGRAM EXPENSES	15,000.00	-	1,379.21	13,620.79	9.19%
RECEPTION/FORUM EXPENSE	4,800.00	-	2,160.16	2,639.84	45.00%
CONSULTING SERVICES	1,000.00	-	-	1,000.00	0.00%
STAFF TRAVEL/PARKING	2,000.00	-	-	2,000.00	0.00%
SUBSCRIPTIONS	500.00	-	224.00	276.00	44.80%
CONFERENCE CALLS	200.00	9.60	41.40	158.60	20.70%
<b>TOTAL DIRECT EXPENSES:</b>	<b>23,500.00</b>	<b>9.60</b>	<b>3,804.77</b>	<b>19,695.23</b>	<b>16.19%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (1.40 FTE)	108,515.00	6,202.54	78,854.15	29,660.85	72.67%
BENEFITS EXPENSE	36,268.00	3,422.36	32,490.54	3,777.46	89.58%
OTHER INDIRECT EXPENSE	33,190.00	3,036.77	28,096.57	5,093.43	84.65%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>177,973.00</b>	<b>12,661.67</b>	<b>139,441.26</b>	<b>38,531.74</b>	<b>78.35%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>201,473.00</b>	<b>12,671.27</b>	<b>143,246.03</b>	<b>58,226.97</b>	<b>71.10%</b>
<b>NET INCOME (LOSS):</b>	<b>(201,473.00)</b>	<b>(12,671.27)</b>	<b>(143,246.03)</b>		

## Washington State Bar Association

### Statement of Activities

For the Period from August 1, 2017 to August 31, 2017

**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>NEW LAWYER PROGRAM</b>					
<b>REVENUE:</b>					
DONATIONS	-	-	1,200.00	(1,200.00)	
SEMINAR REGISTRATIONS	55,000.00	318.00	3,567.00	51,433.00	6.49%
TRIAL ADVOCACY PROGRAM	25,000.00	-	17,233.00	7,767.00	68.93%
<b>TOTAL REVENUE:</b>	<b>80,000.00</b>	<b>318.00</b>	<b>22,000.00</b>	<b>58,000.00</b>	<b>27.50%</b>
<b>DIRECT EXPENSES:</b>					
STAFF TRAVEL/PARKING	1,000.00	-	1,143.08	(143.08)	114.31%
STAFF MEMBERSHIP DUES	200.00	-	-	200.00	0.00%
ONLINE EXPENSES	2,500.00	323.20	762.20	1,737.80	30.49%
NEW LAWYER OUTREACH EVENTS	1,000.00	-	1,000.00	-	100.00%
NEW LAWYERS COMMITTEE	15,000.00	1,170.12	13,320.87	1,679.13	88.81%
OPEN SECTIONS NIGHT	3,500.00	-	3,577.78	(77.78)	102.22%
TRIAL ADVOCACY PROGRAM	3,500.00	-	1,424.77	2,075.23	40.71%
SEMINAR BROCHURES	2,000.00	-	68.18	1,931.82	3.41%
SPEAKERS & PROGRAM DEVELOPMENT	2,000.00	74.25	1,009.32	990.68	50.47%
SCHOLARSHIPS/DONATIONS/GRANT	2,000.00	-	1,000.00	1,000.00	50.00%
<b>TOTAL DIRECT EXPENSES:</b>	<b>32,700.00</b>	<b>1,567.57</b>	<b>23,306.20</b>	<b>9,393.80</b>	<b>71.27%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (2.25 FTE)	165,467.00	13,742.39	142,682.13	22,784.87	86.23%
BENEFITS EXPENSE	56,383.00	5,191.22	50,164.48	6,218.52	88.97%
OTHER INDIRECT EXPENSE	53,341.00	4,877.20	45,126.03	8,214.97	84.60%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>275,191.00</b>	<b>23,810.81</b>	<b>237,972.64</b>	<b>37,218.36</b>	<b>86.48%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>307,891.00</b>	<b>25,378.38</b>	<b>261,278.84</b>	<b>46,612.16</b>	<b>84.86%</b>
<b>NET INCOME (LOSS):</b>	<b>(227,891.00)</b>	<b>(25,060.38)</b>	<b>(239,278.84)</b>		

## Washington State Bar Association

Statement of Activities

For the Period from August 1, 2017 to August 31, 2017

**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>NORTHWEST LAWYER</b>					
<b>REVENUE:</b>					
ROYALTIES	-	-	1,133.91	(1,133.91)	
DISPLAY ADVERTISING	440,000.00	500.00	348,745.25	91,254.75	79.26%
SUBSCRIPT/SINGLE ISSUES	450.00	-	251.82	198.18	55.96%
CLASSIFIED ADVERTISING	89,000.00	10,464.98	113,550.07	(24,550.07)	127.58%
GEN ANNOUNCEMENTS	17,000.00	-	8,800.00	8,200.00	51.76%
PROF ANNOUNCEMENTS	27,000.00	-	17,195.00	9,805.00	63.69%
<b>TOTAL REVENUE:</b>	<b>573,450.00</b>	<b>10,964.98</b>	<b>489,676.05</b>	<b>83,773.95</b>	<b>85.39%</b>
<b>DIRECT EXPENSES:</b>					
GRAPHICS/ARTWORK	3,500.00	-	1,583.80	1,916.20	45.25%
OUTSIDE SALES EXPENSE	80,000.00	-	45,989.86	34,010.14	57.49%
EDITORIAL ADVISORY COMMITTEE	800.00	25.01	193.31	606.69	24.16%
DIGITAL/ONLINE DEVELOPMENT	8,400.00	-	5,900.00	2,500.00	70.24%
BAD DEBT EXPENSE	1,000.00	2,045.00	3,820.00	(2,820.00)	382.00%
POSTAGE	89,100.00	9,845.09	91,714.92	(2,614.92)	102.93%
PRINTING, COPYING & MAILING	220,000.00	-	207,171.25	12,828.75	94.17%
<b>TOTAL DIRECT EXPENSES:</b>	<b>402,800.00</b>	<b>11,915.10</b>	<b>356,373.14</b>	<b>46,426.86</b>	<b>88.47%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (1.72 FTE)	131,759.00	10,609.30	117,195.62	14,563.38	88.95%
BENEFITS EXPENSE	48,872.00	3,475.99	36,853.26	12,018.74	75.41%
OTHER INDIRECT EXPENSE	40,777.00	3,711.59	34,337.95	6,439.05	84.21%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>221,408.00</b>	<b>17,796.88</b>	<b>188,386.83</b>	<b>33,021.17</b>	<b>85.09%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>624,208.00</b>	<b>29,711.98</b>	<b>544,759.97</b>	<b>79,448.03</b>	<b>87.27%</b>
<b>NET INCOME (LOSS):</b>	<b>(50,758.00)</b>	<b>(18,747.00)</b>	<b>(55,083.92)</b>		

**Washington State Bar Association**

Statement of Activities

For the Period from August 1, 2017 to August 31, 2017

**91.67% OF YEAR COMPLETE**

	<b>FISCAL 2017 BUDGET</b>	<b>CURRENT MONTH</b>	<b>YEAR TO DATE</b>	<b>REMAINING BALANCE</b>	<b>% USED OF BUDGET</b>
<b>OFFICE OF GENERAL COUNSEL</b>					
<b>REVENUE:</b>					
COPY FEES	-	70.95	129.47	(129.47)	
<b>TOTAL REVENUE:</b>	<b>-</b>	<b>70.95</b>	<b>129.47</b>	<b>(129.47)</b>	
<b>DIRECT EXPENSES:</b>					
AMICUS BRIEF COMMITTEE	100.00	-	83.63	16.37	83.63%
COURT RULES COMMITTEE	5,000.00	58.64	1,353.30	3,646.70	27.07%
DISCIPLINE ADVISORY ROUNDTABLE	1,500.00	-	-	1,500.00	0.00%
LITIGATION EXPENSES	-	-	237.88	(237.88)	
CUSTODIANSHIPS	5,000.00	-	1,036.10	3,963.90	20.72%
STAFF TRAVEL/PARKING	2,600.00	578.00	3,340.26	(740.26)	128.47%
STAFF MEMBERSHIP DUES	1,500.00	-	1,539.00	(39.00)	102.60%
<b>TOTAL DIRECT EXPENSES:</b>	<b>15,700.00</b>	<b>636.64</b>	<b>7,590.17</b>	<b>8,109.83</b>	<b>48.35%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (5.7 FTE)	484,565.00	50,646.52	466,265.54	18,299.46	96.22%
BENEFITS EXPENSE	157,573.00	15,185.45	140,356.06	17,216.94	89.07%
OTHER INDIRECT EXPENSE	135,132.00	12,331.11	114,088.15	21,043.85	84.43%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>777,270.00</b>	<b>78,163.08</b>	<b>720,709.75</b>	<b>56,560.25</b>	<b>92.72%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>792,970.00</b>	<b>78,799.72</b>	<b>728,299.92</b>	<b>64,670.08</b>	<b>91.84%</b>
<b>NET INCOME (LOSS):</b>	<b>(792,970.00)</b>	<b>(78,728.77)</b>	<b>(728,170.45)</b>		

**Washington State Bar Association**

Statement of Activities

For the Period from August 1, 2017 to August 31, 2017

**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>OGC-DISCIPLINARY BOARD</b>					
<b>REVENUE:</b>					
<b>TOTAL REVENUE:</b>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	
<b>DIRECT EXPENSE:</b>					
DISCIPLINARY BOARD EXPENSES	7,500.00	93.07	8,034.36	(534.36)	107.12%
CHIEF HEARING OFFICER	33,000.00	2,500.00	27,500.00	5,500.00	83.33%
HEARING OFFICER EXPENSES	5,000.00	55.16	2,733.26	2,266.74	54.67%
HEARING OFFICER TRAINING	2,000.00	-	1,926.98	73.02	96.35%
OUTSIDE COUNSEL	55,000.00	3,750.00	35,985.00	19,015.00	65.43%
DISCIPLINARY SELECTION PANEL	-	-	526.24	(526.24)	
STAFF MEMBERSHIP DUES	500.00	-	366.00	134.00	73.20%
<b>TOTAL DIRECT EXPENSES:</b>	<u>103,000.00</u>	<u>6,398.23</u>	<u>77,071.84</u>	<u>25,928.16</u>	<u>74.83%</u>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (1.30 FTE)	92,118.00	7,687.50	86,548.78	5,569.22	93.95%
BENEFITS EXPENSE	31,810.00	2,983.06	29,283.36	2,526.64	92.06%
OTHER INDIRECT EXPENSE	30,819.00	2,822.03	26,111.16	4,707.84	84.72%
<b>TOTAL INDIRECT EXPENSES:</b>	<u>154,747.00</u>	<u>13,492.59</u>	<u>141,943.30</u>	<u>12,803.70</u>	<u>91.73%</u>
<b>TOTAL ALL EXPENSES:</b>	<u>257,747.00</u>	<u>19,890.82</u>	<u>219,015.14</u>	<u>38,731.86</u>	<u>84.97%</u>
<b>NET INCOME (LOSS):</b>	<u>(257,747.00)</u>	<u>(19,890.82)</u>	<u>(219,015.14)</u>		

**Washington State Bar Association**

Statement of Activities

For the Period from August 1, 2017 to August 31, 2017

**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>PRACTICE OF LAW BOARD</b>					
REVENUE:					
TOTAL REVENUE:	-	-	-	-	
<b>DIRECT EXPENSES:</b>					
PRACTICE OF LAW BOARD	14,000.00	1,558.80	16,708.06	(2,708.06)	119.34%
TRANSLATION SERVICES	100.00	75.00	150.00	(50.00)	150.00%
LITIGATION EXPENSES	-	-	0.38	(0.38)	
<b>TOTAL DIRECT EXPENSES:</b>	<b>14,100.00</b>	<b>1,633.80</b>	<b>16,858.44</b>	<b>(2,758.44)</b>	<b>119.56%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (0.81 FTE)	61,398.00	5,148.90	57,423.53	3,974.47	93.53%
BENEFITS EXPENSE	20,670.00	1,936.36	19,007.73	1,662.27	91.96%
OTHER INDIRECT EXPENSE	19,203.00	1,748.42	16,175.10	3,027.90	84.23%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>101,271.00</b>	<b>8,833.68</b>	<b>92,606.36</b>	<b>8,664.64</b>	<b>91.44%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>115,371.00</b>	<b>10,467.48</b>	<b>109,464.80</b>	<b>5,906.20</b>	<b>94.88%</b>
<b>NET INCOME (LOSS):</b>	<b>(115,371.00)</b>	<b>(10,467.48)</b>	<b>(109,464.80)</b>		



**Washington State Bar Association**  
Statement of Activities  
For the Period from August 1, 2017 to August 31, 2017  
**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>PROFESSIONAL RESPONSIBILITY PROGRAM</b>					
<b>REVENUE:</b>					
	_____	_____	_____	_____	_____
<b>TOTAL REVENUE:</b>	-	-	-	-	
<b>DIRECT EXPENSES:</b>					
CPE COMMITTEE	6,000.00	662.43	3,764.25	2,235.75	62.74%
STAFF TRAVEL/PARKING	1,500.00	-	1,521.36	(21.36)	101.42%
STAFF MEMBERSHIP DUES	500.00	-	416.00	84.00	83.20%
<b>TOTAL DIRECT EXPENSES:</b>	<b>8,000.00</b>	<b>662.43</b>	<b>5,701.61</b>	<b>2,298.39</b>	<b>71.27%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (2.07 FTE)	165,405.00	11,762.74	131,698.72	33,706.28	79.62%
BENEFITS EXPENSE	58,372.00	5,022.01	49,101.21	9,270.79	84.12%
OTHER INDIRECT EXPENSE	49,074.00	4,478.45	41,434.90	7,639.10	84.43%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>272,851.00</b>	<b>21,263.20</b>	<b>222,234.83</b>	<b>50,616.17</b>	<b>81.45%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>280,851.00</b>	<b>21,925.63</b>	<b>227,936.44</b>	<b>52,914.56</b>	<b>81.16%</b>
<b>NET INCOME (LOSS):</b>	<b>(280,851.00)</b>	<b>(21,925.63)</b>	<b>(227,936.44)</b>		

## Washington State Bar Association

### Statement of Activities

For the Period from August 1, 2017 to August 31, 2017

**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>PUBLIC SERVICE PROGRAMS</b>					
<b>REVENUE:</b>					
DONATIONS & GRANTS	85,000.00	-	85,000.00	-	100.00%
PSP PRODUCT SALES	-	79.00	9,271.00	(9,271.00)	
<b>TOTAL REVENUE:</b>	<b>85,000.00</b>	<b>79.00</b>	<b>94,271.00</b>	<b>(9,271.00)</b>	<b>110.91%</b>
<b>DIRECT EXPENSES:</b>					
DONATIONS/SPONSORSHIPS/GRANTS	203,915.00	-	176,314.20	27,600.80	86.46%
SPEAKERS & PROGRAM DEVELOPMENT	1,500.00	-	-	1,500.00	0.00%
STAFF TRAVEL/PARKING	2,000.00	-	661.09	1,338.91	33.05%
STAFF MEMBERSHIP DUES	95.00	-	-	95.00	0.00%
VOLUNTEER RECRUITMENT & OUTREACH	2,100.00	-	28.55	2,071.45	1.36%
CONFERENCE CALLS	200.00	-	-	200.00	0.00%
PRO BONO & PUBLIC SERVICE COMMITTEE	2,000.00	-	538.94	1,461.06	26.95%
VOLUNTEER RECRUITMENT & APPREC	500.00	-	969.99	(469.99)	194.00%
DAY OF SERVICE	3,150.00	-	772.48	2,377.52	24.52%
<b>TOTAL DIRECT EXPENSES:</b>	<b>215,460.00</b>	<b>-</b>	<b>179,285.25</b>	<b>36,174.75</b>	<b>83.21%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (1.70 FTE)	132,099.00	9,848.00	109,028.61	23,070.39	82.54%
BENEFITS EXPENSE	44,139.00	4,116.51	39,197.33	4,941.67	88.80%
OTHER INDIRECT EXPENSE	40,302.00	3,680.94	34,057.16	6,244.84	84.50%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>216,540.00</b>	<b>17,645.45</b>	<b>182,283.10</b>	<b>34,256.90</b>	<b>84.18%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>432,000.00</b>	<b>17,645.45</b>	<b>361,568.35</b>	<b>70,431.65</b>	<b>83.70%</b>
<b>NET INCOME (LOSS):</b>	<b>(347,000.00)</b>	<b>(17,566.45)</b>	<b>(267,297.35)</b>		

## Washington State Bar Association

### Statement of Activities

For the Period from August 1, 2017 to August 31, 2017

**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>SECTIONS ADMINISTRATION</b>					
<b>REVENUE:</b>					
REIMBURSEMENTS FROM SECTIONS	307,000.00	806.25	325,575.00	(18,575.00)	106.05%
<b>TOTAL REVENUE:</b>	<b>307,000.00</b>	<b>806.25</b>	<b>325,575.00</b>	<b>(18,575.00)</b>	<b>106.05%</b>
<b>DIRECT EXPENSES:</b>					
DUES STATEMENTS	9,500.00	-	5,416.72	4,083.28	57.02%
STAFF TRAVEL/PARKING	1,000.00	-	836.07	163.93	83.61%
SECTION/COMMITTEE CHAIR MTGS	1,000.00	-	879.38	120.62	87.94%
CONFERENCE CALLS	300.00	13.51	204.18	95.82	68.06%
MISCELLANEOUS	300.00	-	265.14	34.86	88.38%
<b>TOTAL DIRECT EXPENSES:</b>	<b>12,100.00</b>	<b>13.51</b>	<b>7,601.49</b>	<b>4,498.51</b>	<b>62.82%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (4.03 FTE)	259,395.00	19,965.38	252,972.73	6,422.27	97.52%
BENEFITS EXPENSE	93,121.00	8,727.44	85,853.19	7,267.81	92.20%
OTHER INDIRECT EXPENSE	95,540.00	8,711.53	80,595.14	14,944.86	84.36%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>448,056.00</b>	<b>37,404.35</b>	<b>419,421.06</b>	<b>28,634.94</b>	<b>93.61%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>460,156.00</b>	<b>37,417.86</b>	<b>427,022.55</b>	<b>33,133.45</b>	<b>92.80%</b>
<b>NET INCOME (LOSS):</b>	<b>(153,156.00)</b>	<b>(36,611.61)</b>	<b>(101,447.55)</b>		

**Washington State Bar Association**  
Statement of Activities  
For the Period from August 1, 2017 to August 31, 2017  
**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>TECHNOLOGY</b>					
REVENUE:					
<b>TOTAL REVENUE:</b>	-	-	-	-	
<b>DIRECT EXPENSES:</b>					
COMPUTER HARDWARE	29,000.00	-	9,768.76	19,231.24	33.69%
COMPUTER SOFTWARE	28,000.00	-	12,499.65	15,500.35	44.64%
SOFTWARE MAINTENANCE & LICENSING	286,500.00	49,485.64	193,022.50	93,477.50	67.37%
HARDWARE SERVICE & WARRANTIES	41,000.00	-	31,787.90	9,212.10	77.53%
TELEPHONE HARDWARE & MAINTENANCE	26,000.00	-	16,896.74	9,103.26	64.99%
COMPUTER SUPPLIES	34,000.00	22.00	10,079.59	23,920.41	29.65%
THIRD PARTY SERVICES	40,500.00	683.00	34,122.50	6,377.50	84.25%
CONSULTING SERVICES	212,000.00	31,831.75	128,836.19	83,163.81	60.77%
STAFF TRAVEL/PARKING	2,500.00	-	-	2,500.00	0.00%
STAFF MEMBERSHIP DUES	110.00	-	-	110.00	0.00%
TELEPHONE	24,000.00	1,628.17	16,433.87	7,566.13	68.47%
TRANSFER TO INDIRECT EXPENSES	(723,610.00)	(83,650.56)	(453,447.70)	(270,162.30)	62.66%
<b>TOTAL DIRECT EXPENSES:</b>	-	-	-	-	
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (12.10 FTE)	1,002,250.00	82,716.60	853,027.09	149,222.91	85.11%
BENEFITS EXPENSE	327,511.00	30,562.76	285,684.69	41,826.31	87.23%
CAPITAL LABOR & OVERHEAD	(140,700.00)	(15,639.24)	(132,638.46)	(8,061.54)	94.27%
OTHER INDIRECT EXPENSE	286,858.00	26,073.18	241,227.46	45,630.54	84.09%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>1,475,919.00</b>	<b>123,713.30</b>	<b>1,247,300.78</b>	<b>228,618.22</b>	<b>84.51%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>1,475,919.00</b>	<b>123,713.30</b>	<b>1,247,300.78</b>	<b>228,618.22</b>	<b>84.51%</b>
<b>NET INCOME (LOSS):</b>	<b>(1,475,919.00)</b>	<b>(123,713.30)</b>	<b>(1,247,300.78)</b>		

**Washington State Bar Association**  
Statement of Activities  
For the Period from August 1, 2017 to August 31, 2017  
**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>CONTINUING LEGAL EDUCATION (CLE)</b>					
<b>REVENUE:</b>					
SEMINAR REGISTRATIONS	1,670,000.00	43,901.00	765,229.25	904,770.75	45.82%
SEMINAR-EXHIB/SPNSR/ETC	25,000.00	16,450.00	37,715.00	(12,715.00)	150.86%
SHIPPING & HANDLING	4,600.00	218.00	3,669.28	930.72	79.77%
DESKBOOK SALES	80,000.00	5,096.50	69,483.26	10,516.74	86.85%
COURSEBOOK SALES	20,000.00	1,810.28	14,362.78	5,637.22	71.81%
SECTION PUBLICATION SALES	15,200.00	675.00	10,404.83	4,795.17	68.45%
ROYALTIES	-	-	180.00	(180.00)	
CASEMAKER ROYALTIES	60,000.00	6,151.30	41,747.41	18,252.59	69.58%
MP3 AND VIDEO SALES	700,000.00	47,445.21	919,183.79	(219,183.79)	131.31%
<b>TOTAL REVENUE:</b>	<b>2,574,800.00</b>	<b>121,747.29</b>	<b>1,861,975.60</b>	<b>712,824.40</b>	<b>72.32%</b>
<b>DIRECT EXPENSES:</b>					
COURSEBOOK PRODUCTION	4,000.00	18.62	1,333.78	2,666.22	33.34%
POSTAGE - FLIERS/CATALOGS	40,000.00	68.05	17,750.02	22,249.98	44.38%
POSTAGE - MISC./DELIVERY	2,500.00	-	594.00	1,906.00	23.76%
DEPRECIATION	19,000.00	560.00	18,414.37	585.63	96.92%
ONLINE EXPENSES	82,000.00	6,799.00	78,338.27	3,661.73	95.53%
ACCREDITATION FEES	6,500.00	299.00	5,423.00	1,077.00	83.43%
SEMINAR BROCHURES	65,000.00	-	26,985.99	38,014.01	41.52%
FACILITIES	285,988.00	8,000.00	169,617.01	116,370.99	59.31%
SPEAKERS & PROGRAM DEVELOP	55,000.00	3,958.17	47,434.73	7,565.27	86.24%
SPLITS TO SECTIONS	167,456.00	14,868.95	71,182.75	96,273.25	42.51%
SPLITS TO CO-SPONSORS	7,500.00	-	-	7,500.00	0.00%
HONORARIA	20,250.00	-	-	20,250.00	0.00%
CLE SEMINAR COMMITTEE	1,500.00	22.38	189.05	1,310.95	12.60%
BAD DEBT EXPENSE	600.00	-	-	600.00	0.00%
STAFF TRAVEL/PARKING	6,500.00	-	4,383.91	2,116.09	67.44%
STAFF MEMBERSHIP DUES	1,550.00	1,336.00	1,652.00	(102.00)	106.58%
SUPPLIES	2,000.00	77.01	1,290.67	709.33	64.53%
COST OF SALES - DESKBOOKS	56,000.00	3,900.62	48,538.14	7,461.86	86.68%
COST OF SALES - COURSEBOOKS	1,400.00	169.56	1,214.19	185.81	86.73%
COST OF SALES SECTION PUBLICATION	2,800.00	117.06	1,779.39	1,020.61	63.55%
A/V DEVELOP COSTS (RECORDING)	1,500.00	-	-	1,500.00	0.00%
DESKBOOK ROYALTIES	1,000.00	-	570.72	429.28	57.07%
RECORDED SEMINAR ROYALTIES	-	-	192.50	(192.50)	
SHIPPING SUPPLIES	250.00	-	-	250.00	0.00%
POSTAGE & DELIVERY-DESKBOOKS	4,000.00	103.46	3,770.33	229.67	94.26%
POSTAGE & DELIVERY-COURSEBOOKS	3,000.00	51.82	430.57	2,569.43	14.35%
SPLITS WITH SECTIONS	4,800.00	-	2,007.87	2,792.13	41.83%
FLIERS/CATALOGS	7,500.00	-	3,645.60	3,854.40	48.61%
POSTAGE - FLIERS/CATALOGS	5,000.00	-	2,794.57	2,205.43	55.89%
COMPLIMENTARY BOOK PROGRAM	4,000.00	-	1,404.15	2,595.85	35.10%
RECORDS STORAGE - OFF SITE	7,440.00	620.00	6,200.00	1,240.00	83.33%
MISCELLANEOUS	200.00	-	-	200.00	0.00%
<b>TOTAL DIRECT EXPENSES:</b>	<b>866,234.00</b>	<b>40,969.70</b>	<b>517,137.58</b>	<b>349,096.42</b>	<b>59.70%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (12.77 FTE)	837,663.00	65,520.53	741,116.07	96,546.93	88.47%
BENEFITS EXPENSE	295,948.00	26,631.79	270,476.48	25,471.52	91.39%
OTHER INDIRECT EXPENSE	302,742.00	28,060.92	257,733.19	45,008.81	85.13%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>1,436,353.00</b>	<b>120,213.24</b>	<b>1,269,325.74</b>	<b>167,027.26</b>	<b>88.37%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>2,302,587.00</b>	<b>161,182.94</b>	<b>1,786,463.32</b>	<b>516,123.68</b>	<b>77.59%</b>
<b>NET INCOME (LOSS):</b>	<b>272,213.00</b>	<b>(39,435.65)</b>	<b>75,512.28</b>		

**Washington State Bar Association**  
Statement of Activities  
For the Period from August 1, 2017 to August 31, 2017  
**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>SECTIONS OPERATIONS</b>					
<b>REVENUE:</b>					
SECTION DUES	475,770.00	1,320.00	494,751.50	(18,981.50)	103.99%
SEMINAR PROFIT SHARE	151,310.00	14,868.95	88,342.75	62,967.25	58.39%
INTEREST INCOME	1,406.00	-	-	1,406.00	0.00%
PUBLICATIONS REVENUE	5,000.00	462.53	5,389.80	(389.80)	107.80%
OTHER	55,125.00	630.00	42,472.71	12,652.29	77.05%
<b>TOTAL REVENUE:</b>	<b>688,611.00</b>	<b>17,281.48</b>	<b>630,956.76</b>	<b>57,654.24</b>	<b>91.63%</b>
<b>DIRECT EXPENSES:</b>					
DIRECT EXPENSES OF SECTION ACTIVITIES	627,684.00	13,518.88	308,281.76	319,402.24	49.11%
REIMBURSEMENT TO WSBA FOR INDIRECT EXPENSES	310,818.75	806.25	325,575.00	(14,756.25)	104.75%
<b>TOTAL DIRECT EXPENSES:</b>	<b>938,502.75</b>	<b>14,325.13</b>	<b>633,856.76</b>	<b>304,645.99</b>	<b>67.54%</b>
<b>NET INCOME (LOSS):</b>	<b>(249,891.75)</b>	<b>2,956.35</b>	<b>(2,900.00)</b>		

**Washington State Bar Association**  
Statement of Activities  
For the Period from August 1, 2017 to August 31, 2017  
**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>CLIENT PROTECTION FUND</b>					
<b>REVENUE:</b>					
CPF RESTITUTION	1,000.00	441.20	3,566.65	(2,566.65)	356.67%
CPF MEMBER ASSESSMENTS	982,000.00	5,730.00	996,067.50	(14,067.50)	101.43%
INTEREST INCOME	3,000.00	2,256.42	17,285.83	(14,285.83)	576.19%
<b>TOTAL REVENUE:</b>	<b>986,000.00</b>	<b>8,427.62</b>	<b>1,016,919.98</b>	<b>(30,919.98)</b>	<b>103.14%</b>
<b>DIRECT EXPENSES:</b>					
GIFTS TO INJURED CLIENTS	500,000.00	30,500.00	209,133.12	290,866.88	41.83%
CPF BOARD EXPENSES	1,500.00	260.49	1,468.16	31.84	97.88%
BANK FEES - WELLS FARGO	1,000.00	(75.98)	190.19	809.81	19.02%
STAFF MEMBERSHIP DUES	-	-	200.00	(200.00)	
<b>TOTAL DIRECT EXPENSES:</b>	<b>502,500.00</b>	<b>30,684.51</b>	<b>210,991.47</b>	<b>291,508.53</b>	<b>41.99%</b>
<b>INDIRECT EXPENSES:</b>					
SALARY EXPENSE (1.01 FTE)	66,205.00	5,516.36	61,518.15	4,686.85	92.92%
BENEFITS EXPENSE	23,572.00	2,203.28	21,692.25	1,879.75	92.03%
OTHER INDIRECT EXPENSE	23,944.00	2,177.89	20,147.31	3,796.69	84.14%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>113,721.00</b>	<b>9,897.53</b>	<b>103,357.71</b>	<b>10,363.29</b>	<b>90.89%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>616,221.00</b>	<b>40,582.04</b>	<b>314,349.18</b>	<b>301,871.82</b>	<b>51.01%</b>
<b>NET INCOME (LOSS):</b>	<b>369,779.00</b>	<b>(32,154.42)</b>	<b>702,570.80</b>		

**Washington State Bar Association**  
Statement of Activities  
For the Period from August 1, 2017 to August 31, 2017  
**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>MANAGEMENT OF WESTERN STATES BAR CONFERENCE (NO WSBA FUNDS)</b>					
<b>REVENUE:</b>					
REGISTRATION REVENUE	25,600.00	-	30,150.00	(4,550.00)	117.77%
OTHER ACTIVITIES REGISTRATION REVENUE	13,000.00	-	23,200.00	(10,200.00)	178.46%
WESTERN STATES BAR MEMBERSHIP DUES	2,400.00	-	2,400.00	-	100.00%
SPONSORSHIPS	9,000.00	-	12,200.00	(3,200.00)	135.56%
<b>TOTAL REVENUE:</b>	<b>50,000.00</b>	<b>-</b>	<b>67,950.00</b>	<b>(17,950.00)</b>	<b>135.90%</b>
<b>DIRECT EXPENSES:</b>					
SPEAKERS & PROGRAM DEVELOPMENT	1,000.00	-	600.81	399.19	60.08%
FACILITIES	44,000.00	-	52,315.50	(8,315.50)	118.90%
STAFF TRAVEL/PARKING	2,300.00	-	1,932.61	367.39	84.03%
BANK FEES	560.00	46.59	514.30	45.70	91.84%
WSBC PRESIDENT TRAVEL	500.00	-	-	500.00	0.00%
OPTIONAL ACTIVITIES EXPENSE	1,200.00	-	3,130.58	(1,930.58)	260.88%
MARKETING EXPENSE	440.00	-	735.83	(295.83)	167.23%
<b>TOTAL DIRECT EXPENSES:</b>	<b>50,000.00</b>	<b>46.59</b>	<b>59,229.63</b>	<b>(9,229.63)</b>	<b>118.46%</b>
<b>INDIRECT EXPENSES:</b>					
<b>TOTAL INDIRECT EXPENSES:</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>TOTAL ALL EXPENSES:</b>	<b>50,000.00</b>	<b>46.59</b>	<b>59,229.63</b>	<b>(9,229.63)</b>	<b>118.46%</b>
<b>NET INCOME (LOSS):</b>	<b>-</b>	<b>(46.59)</b>	<b>8,720.37</b>		



## Washington State Bar Association

### Statement of Activities

For the Period from August 1, 2017 to August 31, 2017

**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
<b>INDIRECT EXPENSES:</b>					
SALARIES	10,987,791.00	877,758.82	9,878,636.13	1,109,154.87	89.91%
ALLOWANCE FOR OPEN POSITIONS	(120,000.00)	-	-	(120,000.00)	0.00%
TEMPORARY SALARIES	98,320.00	7,286.22	97,325.54	994.46	98.99%
CAPITAL LABOR & OVERHEAD	(140,700.00)	(15,639.24)	(132,638.46)	(8,061.54)	94.27%
EMPLOYEE ASSISTANCE PLAN	4,800.00	-	3,600.00	1,200.00	75.00%
EMPLOYEE SERVICE AWARDS	1,970.00	-	1,650.00	320.00	83.76%
FICA (EMPLOYER PORTION)	823,000.00	97,753.80	744,211.87	78,788.13	90.43%
L&I INSURANCE	48,000.00	-	28,107.42	19,892.58	58.56%
MEDICAL (EMPLOYER PORTION)	1,335,000.00	120,850.75	1,244,959.88	90,040.12	93.26%
RETIREMENT (EMPLOYER PORTION)	1,252,000.00	108,222.29	1,077,131.59	174,868.41	86.03%
TRANSPORTATION ALLOWANCE	118,500.00	180.00	106,494.50	12,005.50	89.87%
UNEMPLOYMENT INSURANCE	106,000.00	7,978.59	86,411.55	19,588.45	81.52%
STAFF DEVELOPMENT-GENERAL	6,865.00	4,399.43	5,119.99	1,745.01	74.58%
<b>TOTAL SALARY &amp; BENEFITS EXPENSE:</b>	<b>14,521,546.00</b>	<b>1,208,790.66</b>	<b>13,141,010.01</b>	<b>1,380,535.99</b>	<b>90.49%</b>
WORKPLACE BENEFITS	42,000.00	1,553.63	33,496.19	8,503.81	79.75%
HUMAN RESOURCES POOLED EXP	126,656.00	6,208.01	100,438.91	26,217.09	79.30%
MEETING SUPPORT EXPENSES	15,000.00	935.51	11,228.48	3,771.52	74.86%
RENT	1,645,000.00	142,503.41	1,601,761.90	43,238.10	97.37%
PERSONAL PROP TAXES-WSBA	12,500.00	701.08	8,698.85	3,801.15	69.59%
FURNITURE, MAINT, LH IMP	38,000.00	945.66	18,002.35	19,997.65	47.37%
OFFICE SUPPLIES & EQUIPMENT	50,000.00	3,587.33	43,744.79	6,255.21	87.49%
FURN & OFFICE EQUIP DEPRECIATION	74,000.00	3,287.00	66,988.56	7,011.44	90.53%
COMPUTER HARDWARE DEPRECIATION	63,000.00	4,831.00	56,888.51	6,111.49	90.30%
COMPUTER SOFTWARE DEPRECIATION	94,500.00	1,825.00	20,696.01	73,803.99	21.90%
INSURANCE	130,400.00	11,514.77	120,267.27	10,132.73	92.23%
PROFESSIONAL FEES-AUDIT	31,000.00	-	37,662.06	(6,662.06)	121.49%
PROFESSIONAL FEES-LEGAL	60,000.00	20,190.00	50,648.87	9,351.13	84.41%
TELEPHONE & INTERNET	38,000.00	3,554.68	37,475.06	524.94	98.62%
POSTAGE - GENERAL	45,000.00	2,992.80	31,585.41	13,414.59	70.19%
RECORDS STORAGE	40,000.00	3,113.47	33,551.55	6,448.45	83.88%
STAFF TRAINING	75,000.00	8,844.62	71,061.09	3,938.91	94.75%
BANK FEES	35,400.00	2,300.54	29,290.46	6,109.54	82.74%
PRODUCTION MAINTENANCE & SUPPLIES	25,000.00	(195.07)	7,786.73	17,213.27	31.15%
COMPUTER POOLED EXPENSES	723,610.00	83,650.56	453,447.70	270,162.30	62.66%
<b>TOTAL OTHER INDIRECT EXPENSES:</b>	<b>3,364,066.00</b>	<b>302,344.00</b>	<b>2,834,720.75</b>	<b>529,345.25</b>	<b>84.26%</b>
<b>TOTAL INDIRECT EXPENSES:</b>	<b>17,885,612.00</b>	<b>1,511,134.66</b>	<b>15,975,730.76</b>		

**Washington State Bar Association**  
Statement of Activities  
For the Period from August 1, 2017 to August 31, 2017  
**91.67% OF YEAR COMPLETE**

	FISCAL 2017 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE
<b>SUMMARY PAGE</b>				
LICENSE FEES	13,204,000.00	1,110,752.22	12,391,590.81	812,409.19
ACCESS TO JUSTICE	(251,763.00)	(26,839.56)	(278,415.43)	26,652.43
ADMINISTRATION	(974,756.00)	(63,964.80)	(816,347.09)	(158,408.91)
ADMISSIONS/BAR EXAM	(91,290.00)	(34,719.10)	370,237.96	(461,527.96)
BOARD OF GOVERNORS	(782,596.00)	(71,655.50)	(714,420.36)	(68,175.64)
COMMUNICATIONS	(1,656,408.00)	(129,589.59)	(1,401,320.45)	(255,087.55)
DISCIPLINE	(5,462,671.00)	(441,067.64)	(4,857,724.31)	(604,946.69)
DIVERSITY	(293,895.00)	(32,310.47)	(257,913.39)	(35,981.61)
FOUNDATION	(167,949.00)	(12,981.20)	(142,314.42)	(25,634.58)
HUMAN RESOURCES	(257,819.00)	(30,828.30)	(336,999.74)	79,180.74
PUBLIC SERVICE PROGRAMS	(347,000.00)	(17,566.45)	(267,297.35)	(79,702.65)
LOMAP	(200,402.00)	(17,089.98)	(168,855.55)	(31,546.45)
LAP	(158,452.00)	(10,571.33)	(152,039.94)	(6,412.06)
LEGISLATIVE	(263,265.00)	(10,022.52)	(187,686.40)	(75,578.60)
LICENSING AND MEMBERSHIP	(339,667.00)	(9,698.78)	(235,775.00)	(103,892.00)
LIMITED LICENSE LEGAL TECHNICIAN	(221,664.00)	(17,805.47)	(173,898.40)	(47,765.60)
LIMITED PRACTICE OFFICERS	(69,787.00)	10,912.86	(10,581.44)	(59,205.56)
MANDATORY CLE ADMINISTRATION	(24,390.00)	(31,230.40)	28,670.15	(53,060.15)
MEMBER BENEFITS	(72,000.00)	(5,994.87)	(47,630.27)	(24,369.73)
MENTORSHIP PROGRAM	(201,473.00)	(12,671.27)	(143,246.03)	(58,226.97)
NEW LAWYER PROGRAM	(227,891.00)	(25,060.38)	(239,278.84)	11,387.84
NW LAWYER	(50,758.00)	(18,747.00)	(55,083.92)	4,325.92
OFFICE OF GENERAL COUNSEL	(792,970.00)	(78,728.77)	(728,170.45)	(64,799.55)
OGC-DISCIPLINARY BOARD	(257,747.00)	(19,890.82)	(219,015.14)	(38,731.86)
PRACTICE OF LAW BOARD	(115,371.00)	(10,467.48)	(109,464.80)	(5,906.20)
PROFESSIONAL RESPONSIBILITY	(280,851.00)	(21,925.63)	(227,936.44)	(52,914.56)
LAW CLERK PROGRAM	(9,435.00)	(6,519.98)	26,425.70	(35,860.70)
SECTIONS ADMINISTRATION	(153,156.00)	(36,611.61)	(101,447.55)	(51,708.45)
TECHNOLOGY	(1,475,919.00)	(123,713.30)	(1,247,300.78)	(228,618.22)
CLE - PRODUCTS	222,126.00	7,202.08	475,958.89	(253,832.89)
CLE - SEMINARS	50,087.00	(46,637.73)	(400,446.61)	450,533.61
SECTIONS OPERATIONS	(249,891.75)	2,956.35	(2,900.00)	(246,991.75)
LFCP	369,779.00	(32,154.42)	702,570.80	(332,791.80)
WESTERN STATES BAR CONFERENCE (No WSBA Funds)	-	(46.59)	8,720.37	(8,720.37)
INDIRECT EXPENSES	(17,885,612.00)	(1,511,134.66)	(15,975,730.76)	(1,909,881.24)
<b>TOTAL OF ALL</b>	<b>19,490,856.75</b>	<b>1,776,422.09</b>	<b>15,495,066.18</b>	<b>3,995,790.57</b>
<b>NET INCOME (LOSS)</b>	<b>(1,605,244.75)</b>	<b>(265,287.43)</b>	<b>480,664.58</b>	

**Washington State Bar Association  
Analysis of Cash Investments  
As of August 31, 2017**

**Checking & Savings Accounts**

**General Fund**

**Checking**

<u>Bank</u>	<u>Account</u>	<u>Amount</u>
Wells Fargo	General	\$ 569,625
Total		\$ 569,625

**Investments**

	<u>Rate</u>	<u>Amount</u>
Wells Fargo Money Market	0.92%	\$ 1,425,508
UBS Financial Money Market	1.00%	\$ 840,752
Morgan Stanley Money Market	0.65%	\$ 25,751
Merrill Lynch Money Market	1.04%	\$ 1,880,656
Long Term Investments	Varies	\$ 3,452,088
Short Term Investments	Varies	\$ 750,000

**General Fund Total** \$ 8,944,380

**Lawyer's Fund for Client Protection**

**Checking**

<u>Bank</u>	<u>Amount</u>
Wells Fargo	\$ 1,455,477

**Investments**

	<u>Rate</u>	<u>Amount</u>
Wells Fargo Money Market	0.92%	\$ 2,240,190
Morgan Stanley Money Market	0.24%	\$ 102,768
Wells Fargo Investments	Varies	\$ -

**Lawyers' Fund for Client Protection Total** \$ 3,798,436

**Grand Total Cash & Investments** \$ 12,742,816

**Washington State Bar Association  
Analysis of Cash Investments  
As of August 31, 2017**

**Long Term Investments- General Fund**

<b><u>UBS Financial Long Term Investments</u></b>	<b><u>Value as of 8/31/2017</u></b>
Nuveen 3-7 year Municipal Bond Portfolio	\$ 512,715.98

<b><u>Morgan Stanley Long Term Investments</u></b>	<b><u>Value as of 8/31/2017</u></b>
Lord Abbett Short Term Duration Income Fund	\$ 1,576,284.14
Guggenheim Total Return Bond Fund	\$ 685,624.65
Virtus Multi-Sector Short Term Bond Fund	\$ 677,462.76
	<b><u>\$ 2,939,371.55</u></b>

Total Long Term Investments- General Fund 3,452,087.53

**Short Term Investments- General Fund**

<u>Bank</u>	<u>Interest Rate</u>	<u>Yield</u>	<u>Term</u>	<u>Maturity Date</u>	<u>Amount</u>
Bank of China NY	0.85%	0.85%	9 months	10/30/2017	250,000.00
Bank of Baroda	0.90%	0.90%	9 months	10/31/2017	250,000.00
ZB NA	0.80%	0.80%	9 months	11/1/2017	250,000.00

Total Short Term Investments- General Fund 750,000.00

**Lawyer's Fund for Client Protection**

<u>Bank</u>	<u>Interest Rate</u>	<u>Yield</u>	<u>Term Mths</u>	<u>Maturity Date</u>	<u>Amount</u>
					<b>Total LFCP</b> <u><u>-</u></u>



To: Board of Governors  
 From: Mark Hayes, Controller  
 Re: Investment Update as of September 30, 2017  
 Date: October 18, 2017

---

The last update on the investment portfolio showed a total value of \$3,452,088 as of August 31<sup>st</sup>. As discussed and agreed upon at the Committee's September 12<sup>th</sup> meeting, we reallocated our Morgan Stanley portfolio by moving \$800,000 out of the Lord Abbett Short Term Duration Fund and put \$400,00 in to the Guggenheim Total Return Bond Fund and \$400,00 in to the Virtus Multi-Sector Short Term Bond Fund. The transfer was executed on September 19, 2017. The portfolio value of \$3,450,164 as of September 30<sup>th</sup> represents a \$1,942 decrease from the prior month. Year-to-date for FY2017, the portfolio has achieved a gain of 3.25%.

The WSBA's investments are managed by our advisors at Morgan Stanley and UBS Financial. As of September 30<sup>th</sup> we have an aggregate gain across all funds of \$222,149 since first creating an investment portfolio with an actual percentage gain of 6.88%. The breakdown by fund is as follows:

INVESTMENT FUND	8/31/17 Value	9/30/17 Value	\$ Gain/(Loss) Over 1 Year	\$ Gain/(Loss) Over 5 Years	\$ Gain/(Loss) Since Inception	% Gain/(Loss) Since Inception
Nuveen 3-7 year Municipal Bond Portfolio	\$512,716	\$509,345	(\$1,353) <sup>1</sup>	N/A	\$9,345	1.87% <sup>1</sup>
Lord Abbett & Company Short Term Duration Income Fund	\$1,576,284	\$779,315	\$35,374	\$215,944 <sup>2</sup>	\$151,300 <sup>3</sup>	10.59%
Guggenheim Total Return Bond Fund	\$685,625 <sup>4</sup>	\$1,083,916 <sup>5</sup>	\$21,511	N/A	\$33,916	5.22%
Virtus Multi-Sector Short Term Bond Fund	\$677,463 <sup>4</sup>	\$1,077,588 <sup>5</sup>	\$18,344	N/A	\$27,588	4.24%
<b>Total</b>	<b>\$3,452,088</b>	<b>\$3,450,164</b>	<b>\$73,876</b>	<b>\$212,913</b>	<b>\$222,149</b>	<b>6.88%</b>

<sup>1</sup> Original purchase price was \$499,194 in November 2009. \$170,000 was withdrawn from this fund in June 2016. Gain/(loss) comparisons are based on value of fund after June 2016 withdrawal. \$500,000 will be considered the "Inception Value".

<sup>2</sup> Comparison price for 5 years is based on the combination of the original investment of \$281,680 (in June 2013), the Legg Mason fund (transferred to Lord Abbett in May 2014), Hays Advisory Fund (liquidated and transferred to Lord Abbett in March 2015), and Tradewinds NWQ Fund (liquidated and transferred to Lord Abbett in July 2013).

<sup>3</sup> Purchase price is \$1,428,015 which includes \$500,020 original purchase plus \$599,995 purchase of Legg Mason transferred over to Lord Abbett as of May 9, 2014 and \$328,000 from liquidation of Hays Advisory Fund on March 3, 2015.

<sup>4</sup> Purchase price is \$650,000

<sup>5</sup> Reflects the Sept 19, 2017 reallocation of fund. \$800,000 was moved from Lord Abbett and \$400,000 each went in to Virtus and Guggenheim.



**Board of Governors Meeting  
WSBA Conference Center  
Seattle, WA  
January 18-19, 2017**

---

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

---

**PLEASE NOTE: ALL TIMES ARE APPROXIMATE AND SUBJECT TO CHANGE**

**THURSDAY JANUARY 18, 2018**

**GENERAL INFORMATION** ..... XX

**1. AGENDA** ..... XX

**11:00 A.M.**

**2. EXECUTIVE SESSION**

- a. Approval of November 15-16, 2017, Executive Session Minutes (**action**)..... E-xx
- b. President’s and Executive Director’s Reports
- c. Discipline Report – Doug Ende..... E-xx
- d. Litigation Report – Sean Davis ..... E-xx
- e. Meeting Evaluation Summary..... E-xx

**12:30 P.M. – LUNCH WITH LIAISONS AND GUESTS**

**1:30 P.M. – PUBLIC SESSION**

- Introductions and Welcome
- Report on Executive Session
- Consideration of Consent Calendar\*

**MEMBER AND PUBLIC COMMENTS**

This time period is for guests to raise issues of interest.

**OPERATIONAL**

**4. FIRST READING/ACTION CALENDAR**

- a.

---

\* See Consent Calendar. Any items pulled from the Consent Calendar will be scheduled at the President’s discretion.

**FRIDAY JANUARY 19, 2018**

**9:00 A.M. – EXECUTIVE SESSION (*tentative*)**

**10:00 A.M. – PUBLIC SESSION**

**STRATEGIC ITEMS**

**5. THIRD-YEAR GOVERNORS CANDIDATE RECRUITMENT REPORT**

**GOVERNOR ROUNDTABLE**

This time period is for Board members to raise new business and issues of interest.

**OPERATIONAL (continued)**

- 7. CONSENT CALENDAR..... XX**
  - a. November 15-16, 2017, Public Session Minutes ..... XX
  
- 8. INFORMATION**
  - a. Executive Director’s Report ..... XX
  - b. Activity Reports..... XX
  - c. Client Protection Fund (CFP) Board Annual Report..... XX
  - d. Legislative Report..... XX
  - e. Professionalism Annual Report..... XX
  - f. FY2017 Audited Financial Statements ..... XX
  - g. FY2018 First Quarter Management Report ..... XX
  - h. ABA Midyear Meeting Sneak Preview ..... XX
  - i. Diversity and Inclusion Events ..... XX
  - j. Financial Statements
  
- 9. PREVIEW OF MARCH 8, 2018, MEETING ..... XX**

## 2017-2018 Board of Governors Meeting Issues

### NOVEMBER (Seattle)

#### Standing Agenda Items:

- Financials
- FY2017 Fourth Quarter Management Report
- BOG 2017-2018 Legislative Committee Agenda
- WSBA Legislative Committee Recommendations
- Office of Disciplinary Counsel Report (Executive Session – quarterly)
- Outside Appointments (if any)
- Washington Leadership Institute (WLI) Fellows Report
- WSBA Practice Sections Annual Reports (information)
- WSBF Annual Report

### JANUARY (Bellingham)

#### Standing Agenda Items:

- ABA Midyear Meeting Sneak Preview
- Client Protection Fund (CFP) Board Annual Report
- Financials
- FY2017 Audited Financial Statements
- FY2018 First Quarter Management Report
- Legislative Report
- Office of Disciplinary Counsel Report (Executive Session – quarterly)
- Outside Appointments (if any)
- Third-Year Governors Candidate Recruitment Report

### MARCH (Olympia)

#### Standing Agenda Items:

- ABA Mid-Year Meeting Report
- Financials
- Legislative Report
- Outside Appointments (if any)
- Supreme Court Meeting

### May (Seattle)

#### Standing Agenda Items:

- BOG Election Interview Time Limits (Executive Session)
- Financials
- FY2018 Second Quarter Management Report
- Interview/Selection of WSBA At-Large Governor
- Interview/Selection of the WSBA President-elect
- Legislative Report/Wrap-up
- Office of Disciplinary Counsel Report (Executive Session – quarterly)
- Outside Appointments (if any)
- WSBA Awards Committee Recommendations (Executive Session)



## **JULY (Vancouver)**

### Standing Agenda Items:

- ATJ Board Report
- BOG Retreat
- Court Rules and Procedures Committee Report and Recommendations
- Financials
- Draft WSBA FY2019 Budget
- FY2018 Third Quarter Management Report
- Office of Disciplinary Counsel Report (Executive Session – quarterly)
- WSBA Committee and Board Chair Appointments
- WSBA Mission Performance and Review (MPR) Committee Update
- WSBA Treasurer Election

## **SEPTEMBER (Seattle)**

### Standing Agenda Items:

- 2019 Keller Deduction Schedule
- ABA Annual Meeting Report
- Chief Hearing Officer Annual Report
- Professionalism Annual Report
- Report on Executive Director Evaluation (Executive Session)
- Financials
- Final FY2019 Budget
- Legal Foundation of Washington and LAW Fund Report
- Washington Law School Deans
- WSBA Annual Awards Dinner
- WSBF Annual Meeting and Trustee Election

## **Board of Governors – Action Timeline**

Description of Matter/Issue	First Reading	Scheduled for Board Action
Law Clerk Waiver Policies	Nov 13, 2015	TBD
WSBA Religious and Spiritual Practices Policy	July 22-23, 2016	TBD