



WSBA

WASHINGTON STATE BAR ASSOCIATION

Board of Governors Meeting

Public Session Materials

January 26-27, 2017

Gonzaga University

Spokane, Washington

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 lawyers 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 lawyers 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 Lawyers 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.



2016-2017
WSBA BOARD OF GOVERNORS MEETING SCHEDULE

| MEETING DATE | LOCATION | POTENTIAL ISSUES / SOCIAL FUNCTION | AGENDA DUE | BOARD BOOK MATERIAL DEADLINE* | EXECUTIVE COMMITTEE 10:00 am–12:00 pm* October 13, 2016 (9:30 am – 11:30 am) |
|-----------------------|---------------------------------------|---------------------------------------|-------------------|-------------------------------------|--|
| November 18, 2016 | WSBA Conference Center Seattle, WA | BOG Meeting | October 13, 2016 | November 2, 2016 | October 13, 2016 (9:30 am – 11:30 am) |
| January 26-27, 2017 | Gonzaga University Spokane, WA | BOG Meeting | January 5, 2017 | January 11, 2017 | January 5, 2017 |
| March 9, 2017 | Red Lion Olympia, WA | BOG Meeting | February 16, 2017 | February 22, 2017 | February 16, 2016 (9:00 am – 11:00 am) |
| March 10, 2017 | Temple of Justice | BOG Meeting with Supreme Court | | | |
| May 18-19, 2017 | WSBA Conference Center Seattle, WA | BOG Meeting | April 27, 2017 | May 3, 2017 | April 27, 2017 |
| July 27, 2017 | Alderbrook Union, WA | BOG Retreat | June 29, 2017 | July 12, 2017 | June 29, 2017 |
| July 28-29, 2017 | | BOG Meeting | | | |
| September 28-29, 2017 | WSBA Conference Center Seattle, WA | BOG Meeting | September 7, 2017 | September 13, 2017 | September 7, 2017 |
| September 28, 2017 | TBD | WSBA APEX Awards Banquet | | | |

*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

*Unless otherwise noted.



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

| MEETING DATE | LOCATION | POTENTIAL ISSUES / SOCIAL FUNCTION | AGENDA DUE | BOARD BOOK MATERIAL DEADLINE* | EXECUTIVE COMMITTEE 10:00 am–12:00 pm* |
|-----------------------|---------------------------------------|---------------------------------------|------------|-------------------------------------|--|
| November 16, 2017 | WSBA Conference Center Seattle, WA | BOG Meeting | TBD | TBD | TBD |
| January 18-19, 2018 | TBD | BOG Meeting | TBD | TBD | TBD |
| March 8, 2018 | TBD Olympia, WA | BOG Meeting | TBD | TBD | TBD |
| March 9, 2018 | Temple of Justice | BOG Meeting with Supreme Court | | | |
| May 17-18, 2018 | WSBA Conference Center Seattle, WA | BOG Meeting | TBD | TBD | TBD |
| July 26, 2018 | TBD | BOG Retreat | TBD | TBD | TBD |
| July 27-28, 2018 | | BOG Meeting | | | |
| September 27-28, 2018 | WSBA Conference Center Seattle, WA | BOG Meeting | TBD | TBD | TBD |
| September 27, 2018 | TBD | WSBA APEX Awards Banquet | | | |

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*Unless otherwise noted.



WSBA Board of Governors

CONGRESSIONAL DISTRICT MAP

2016-2017



Robin Lynn Haynes
President



Bradford E. Furlong
President-Elect



g William D. Hyslop
Immediate Past Presi



Paula Littlewood, Secretary
Ident Executive Director



BASIC CHARACTERISTICS OF MOTIONS

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

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

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

2 Unless no question is pending

3 Majority, unless it makes question a special order

4 If the motion it is being applied to is debatable



WSBA

WASHINGTON STATE BAR ASSOCIATION

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.



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



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.



Anthony David Gipe
President

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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
Gonzaga University
Spokane, WA
January 26-27, 2017**

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

PLEASE NOTE: ALL TIMES ARE APPROXIMATE AND SUBJECT TO CHANGE

Thursday, January 26, 2017

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8:00 A.M. – Executive Session

2. EXECUTIVE SESSION

- a. Approval of November 18, 2016, Executive Session Minutes **(action)** E-2
- b. President's and Executive Director's Reports
- c. Lawyers' Fund for Client Protection Gift Recommendations – Jean McElroy **(action)** E-34
- d. Discipline Report – Doug Ende E-41
- e. Litigation Report – Jean McElroy E-55
- f. Meeting Evaluation Summary E-85

9:00 A.M. – BOG TRAINING

12:00 P.M. – LUNCH WITH LOCAL ATTORNEYS AND JUDGES

1:15 P.M. – PUBLIC SESSION

- Introductions and Welcome
- Report on Executive Session
- Consideration of Consent Calendar*

OPERATIONAL

3. FIRST READING/ACTION CALENDAR

- a. Suggested Amendments to Bylaws Article XI – Governor James Doane; Terra Nevitt, Director of Advancement/Chief Development Officer; and Paris Eriksen, Sections Program Manager **(action)** 18

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

4. STRATEGIC ISSUES

- a. Proposed Second Practice Area for Limited License Legal Technician (LLLT) Licensure – Steve Crossland, LLLT Board Chair 35
- b. Update from Practice of Law Board (POLB) and Suggested Revisions to GR 25 – Paul Bastine, POLB Board Chair 38
- c. Discussion re Vote on License Fee Petition **(action)**..... 108

Friday, January 27, 2017

8:00 A.M. – EXECUTIVE SESSION

9:00 A.M. – PUBLIC SESSION

GENERATIVE DISCUSSION

- 5. **SHIFTING DEMOGRAPHICS OF OUR MEMBERSHIP – Governor Jill Karmy; Frances Dujon-Reynolds, Director of Human Resources; and Terra Nevitt, Director of Advancement/Chief Development Officer** 123
 - a. Identification and Prioritization of 2016-2017 Generative Discussion Topics

OPERATIONAL

- 6. **FIRST READING/ACTION CALENDAR (continued)**
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- 7. **CONSENT CALENDAR**..... 133
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 - c. Suggested Amendments to Lesbian Gay Bisexual Transgender (LGBT) Law Section Bylaws143
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 - g. Diversity and Inclusion Events 267

| | |
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| h. Financials | |
| 1. FY 2016 Audited Financial Statements | |
| a. Report from Clark Nuber | 269 |
| b. Financial Statements for Years ended September 30, 2016 and 2015 | 286 |
| c. Special Report on the Fiscal Year 2017 Budget Summary | 304 |
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| 3. November 30, 2016, Financial Statements..... | 363 |
| 4. December 31, 2016, Investment Update | 403 |
| 9. PREVIEW OF MARCH 9, 2017, MEETING | 404 |

2016-2017 Board of Governors Meeting Issues

NOVEMBER (Seattle)

Standing Agenda Items:

- Financials
- FY2016 Fourth Quarter Management Report
- BOG 2016-2017 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 Sections Annual Reports (information)
- WSBF Annual Report

JANUARY (Spokane)

Standing Agenda Items:

- ABA Midyear Meeting Sneak Preview
- Financials
- FY2016 Audited Financial Statements
- FY2017 First Quarter Management Report
- Legislative Report
- LFCP Board Annual 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
- FY2017 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 (Alderbrook)**Standing Agenda Items:**

- ATJ Board Report
- BOG Retreat
- Court Rules and Procedures Committee Report and Recommendations
- Discipline Selection Panel Recommendations
- Financials
- Draft WSBA FY2017 Budget
- FY2016 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:**

- 2018 Keller Deduction Schedule
- ABA Annual Meeting Report
- Chief Hearing Officer Annual Report
- Professionalism Annual Report
- Executive Director's Evaluation Report
- Financials
- Final FY2018 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 | November 13, 2015 | TBD |
| WSBA Religious and Spiritual Practices Policy | July 22-23, 2016 | TBD |
| Suggested Amendments to WSBA Bylaws Article XI | August 23, 2016 | January 26-27, 2017 |
| Resolution | January 26-27, 2017 | March 9, 2017 |



TO: Board of Governors

FROM: James K. Doane, Governor District 7-S
Terra Nevitt, Director of Advancement and Chief Development Officer
Paris Eriksen, Sections Program Manager

DATE: January 11, 2017

RE: Article XI. SECTIONS of the WSBA Bylaws

Action Requested on Fourth Reading:

Approval of XI. SECTIONS of the WSBA Bylaws as amended on November 18, 2016.

Background:

The Work Group received substantial member input and considered that input in drafting its recommendation to the BOG. The proposed amendments to Article XI of the WSBA Bylaws are scheduled for fourth reading and action at the January BOG meeting. The Work Group drafted, and voted overwhelmingly to recommend adoption of, these proposed amendments following many months of public discussion, considering the joint input of (a) the general membership; (b) the five elected section representatives on the Work Group; (c) the BOG members on the Work Group; and (d) WSBA's executive management on the Work Group. All of the Work Group meetings have been open to the general membership.

The major difference between the current Work Group proposal and the Work Group's initial recommendation regarding section governance is that the sections retain their own bylaws. The proposed Article XI, would merely provide minimum governance standards to existing section bylaws, regarding, for example, (1) minimum numbers and types of officers; (2) minimum numbers of executive committee members; (3) scheduling of annual elections, without term limits, during the same general time period instead of throughout the year, (4) establishing electronic voting, (5) establishing minimum nomination standards, and other matters previously reported to the BOG in public session, and considered by the BOG, since first reading.

In contrast, the initial Work Group recommendation assumed that each of the sections would adopt a model charter that could be implemented differently in accordance with a section's particular requirements. That recommendation, like the other initial Work Group Recommendations, did not reach the full BOG for consideration, as the BOG authorized the Work Group to take additional time to complete its work, informed by member comments.

Article XI was presented to the BOG for first reading on August 23, 2016. Article XI was presented for action on September 30, 2016. The BOG voted to delay action to allow more time to receive feedback.

Meanwhile the Work Group's mandate expired and it disbanded. At its November 18, 2016 meeting, on third reading, the BOG considered additional feedback regarding the proposed amendments to Article XI. In light of the feedback, the BOG voted to amend Article XI.F3 to clarify that an executive committee member serving in an at-large position may serve a term of *up to* three years. Additionally, the BOG voted to delay action on Article XI to allow for additional feedback. No additional feedback has been received. Live testimony was allowed since first reading at all of the previous BOG meetings on proposed Article XI.

In the event the BOG approves proposed Article XI, it is expected that the sections will later amend, for BOG approval, their own bylaws that incorporate the proposed minimum governance standards.

**REDLINE SHOWING CHANGE TO PROPOSED AMENDMENTS AS
ADOPTED AT NOVEMBER BOG MEETING (1/11/2017)**

XI. SECTIONS

A. DESIGNATION AND CONTINUATION.

Sections are entities of the Bar created and tasked to carry on the work of the Bar and further their purposes as defined in individual section bylaws. A list of all current sections will be maintained by the Executive Director. Once established, a section will continue until discontinued as provided in these Bylaws or in the section bylaws.

B. ESTABLISHING SECTIONS.

1. 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 for 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.
2. The BOG may create a new section by combining sections as set forth in these Bylaws.

C. MEMBERSHIP.

1. Any Active member of the Bar may be a voting member of a section and eligible for election to office in the section upon paying the annual dues established by the section. Inactive members may not be voting members of sections.
2. If provided for in the section bylaws, any Emeritus Pro Bono member pursuant to APR 8(e), Judicial member, House Counsel under APR 8(f), professor at a Washington law school (whether licensed in Washington or not), or any lawyer who is a full time lawyer in a branch of the military who is stationed in Washington but not licensed in Washington, may be a voting member of the section and eligible for election to office in the section.
3. Law students will be allowed to be nonvoting members of any section at a standard annual dues amount set by the BOG.

**REDLINE SHOWING CHANGE TO PROPOSED AMENDMENTS AS
ADOPTED AT NOVEMBER BOG MEETING (1/11/2017)**

4. Sections may adopt bylaw provisions authorizing inactive members, and others not eligible for section membership as voting members, to be nonvoting members or “subscribers” of the section.

D. DUES

Dues will be paid annually in the amount determined by the section executive committee and approved by the BOG. Any person who fails to pay the annual dues will cease to be a member of the section.

E. BYLAWS AND POLICIES.

1. Sections are subject to all Bar Bylaws, policies, and procedures. Each section must have bylaws consistent with the Bar Bylaws. Amendments to section bylaws may be made by a majority vote of the voting executive committee members or by a majority vote of section members present at a section meeting. Section bylaws or amendments thereof will become effective when approved by the BOG.

F. SECTION EXECUTIVE COMMITTEE.

1. Each section will have a section executive committee consisting of, at a minimum, the following Officer positions: Chair, Secretary and Treasurer (or Secretary/Treasurer); and may have At-Large members. Unless otherwise permitted by a section’s bylaws, voting members of a section executive committee must be Active members of the Bar and a member of the section for their entire term of office on the executive committee. Additionally, a section executive committee may have non-voting members. The section executive committee is empowered to act on behalf of the section unless it chooses to take a vote of the section membership.
2. Officers. Unless otherwise permitted by a section’s bylaws, officers of a section executive committee must be Active members of the Bar and elected by the section membership to complete the one-year term of office.
 - a. Chair. The Chair of the section presides at all meetings of the section and section executive committee, and will have such other executive powers and perform such other duties as are consistent with the Bar and section bylaws.
 - b. Secretary. The Secretary will take minutes at each meeting of the section and section executive committee, and provide approved minutes to the Bar for publication and record retention.
 - c. Treasurer. The 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.
 - d. A section may have additional officer positions as defined in its section bylaws.
3. At-Large Members. At-large members of the section executive committee will be voting members. At-large members will be elected by the section membership for terms of up to

**REDLINE SHOWING CHANGE TO PROPOSED AMENDMENTS AS
ADOPTED AT NOVEMBER BOG MEETING (1/11/2017)**

three- ~~years~~s-terms. A section executive committee may appoint its Young Lawyer Liaison (if any) as a voting member of the section's executive committee.

4. Non-voting Members. Voting members of the section executive committee may appoint non-voting members from among the current members of the section to further the work of the Bar and section. on-voting members serve at the discretion of the section executive committee.
5. Executive committee members are not subject to a limit on the number of the consecutive terms they may serve unless stated in a section's bylaws.
6. All section executive committee positions will begin October 1 each year.

G. NOMINATIONS AND ELECTIONS.

1. Nominations.

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- b. The executive committee should reflect diverse perspectives. To assist this, all applicants will apply through an electronic application process administered by the Bar. The application form will, on a voluntary basis, solicit information including, but not limited to, the person's ethnicity, gender, sexual orientation, disability status, area of practice, years of practice, employer, number of lawyers in law firm, previous involvement in section activities, and skills or knowledge relevant to the position. The nominating committee should actively take factors of diversity into account when making recommendations.
- c. Alternate Nomination Process. The executive committee will also have an alternative process to allow for nominations to occur outside of the nominating committee process.
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**REDLINE SHOWING CHANGE TO PROPOSED AMENDMENTS AS
ADOPTED AT NOVEMBER BOG MEETING (1/11/2017)**

the close of the election.

- c. In the event of a tie, the section executive committee will implement a random tie-breaker of its choice, such as a coin toss or a drawing of lots, to determine the winner.
 - d. All election processes must comply with the Bar record retention policies.
3. Timing. Nominations and elections for open section executive committee persons will be held between March and May each year.

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2. A section that has less than 75 voting members for two consecutive years will be automatically placed on the BOG agenda for a “viability review.” The BOG has the discretion to retain a section despite what might otherwise be considered to be a lack of viability when in the BOG’s opinion the section is carrying on the work of the Bar as defined in these Bylaws, and the work is of value to the legal profession.
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4. A section subject to potential termination may petition the BOG to be combined with another section, with that section’s written approval, and will be given reasonable opportunity to present that petition to the BOG before the BOG votes on the section’s termination.
5. If a section is terminated pursuant to these Bylaws, section members will be allowed to transfer to another section of their choosing, without payment of additional fees, for the remainder of the section dues year.
6. A section terminated pursuant to these Bylaws may apply for reactivation if they meet qualifications for establishing a new section.
7. Any funds remaining in the treasury of a section at the time of termination will be transferred to the Bar’s general operating fund unless otherwise designated by the BOG. Funds in the treasury of combined sections will be combined.

XI. SECTIONS

A. DESIGNATION AND CONTINUATION.

Sections are entities of the Bar created and tasked to carry on the work of the Bar and further their purposes as defined in individual section bylaws. A list of all current sections will be maintained by the Executive Director. Once established, a section will continue until discontinued as provided in these Bylaws or in the section bylaws.

B. ESTABLISHING SECTIONS.

1. 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 for 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.
2. The BOG may create a new section by combining sections as set forth in these Bylaws.

C. MEMBERSHIP.

1. Any Active member of the Bar may be a voting member of a section and eligible for election to office in the section upon paying the annual dues established by the section. Inactive members may not be voting members of sections.
2. If provided for in the section bylaws, any Emeritus Pro Bono member pursuant to APR 8(e), Judicial member, House Counsel under APR 8(f), professor at a Washington law school (whether licensed in Washington or not), or any lawyer who is a full time lawyer in a branch of the military who is stationed in Washington but not licensed in Washington, may be a voting member of the section and eligible for election to office in the section.
3. Law students will be allowed to be nonvoting members of any section at a standard annual dues amount set by the BOG.
4. Sections may adopt bylaw provisions authorizing inactive members, and others not eligible for section membership as voting members, to be nonvoting

members or “subscribers” of the section.

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Dues will be paid annually in the amount determined by the section executive committee and approved by the BOG. Any person who fails to pay the annual dues will cease to be a member of the section.

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1. Sections are subject to all Bar Bylaws, policies, and procedures. Each section must have bylaws consistent with the Bar Bylaws. Amendments to section bylaws may be made by a majority vote of the voting executive committee members or by a majority vote of section members present at a section meeting. Section bylaws or amendments thereof will become effective when approved by the BOG.

F. SECTION EXECUTIVE COMMITTEE.

1. Each section will have a section executive committee consisting of, at a minimum, the following Officer positions: Chair, Secretary and Treasurer (or Secretary/Treasurer); and may have At-Large members. Unless otherwise permitted by a section’s bylaws, voting members of a section executive committee must be Active members of the Bar and a member of the section for their entire term of office on the executive committee. Additionally, a section executive committee may have non-voting members. The section executive committee is empowered to act on behalf of the section unless it chooses to take a vote of the section membership.
2. Officers. Unless otherwise permitted by a section’s bylaws, officers of a section executive committee must be Active members of the Bar and elected by the section membership to complete the one-year term of office.
 - a. Chair. The Chair of the section presides at all meetings of the section and section executive committee, and will have such other executive powers and perform such other duties as are consistent with the Bar and section bylaws.
 - b. Secretary. The Secretary will take minutes at each meeting of the section and section executive committee, and provide approved minutes to the Bar for publication and record retention.
 - c. Treasurer. The 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.
 - d. A section may have additional officer positions as defined in its section bylaws.
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4. Non-voting Members. Voting members of the section executive committee may appoint non-voting members from among the current members of the section to further the work of the Bar and section. Non-voting members serve at the discretion of the section executive committee.
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REDLINE – ALL CHANGES (01/10/2017)

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REDLINE – ALL CHANGES (01/10/2017)

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WSBA

LIMITED LICENSE LEGAL TECHNICIAN BOARD

MEMORANDUM

To: WSBA President, President-elect, and Board of Governors
From: Steve Crossland, Chair, Limited License Legal Technician (LLLT) Board
Ellen Reed, LLLT Program Lead and Staff Liaison to the LLLT Board
Date: January 9, 2017
Re: LLLT Program Progress Report

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| INPUT REQUESTED – Proposed New LLLT Practice Area. |
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Purpose

The purpose of this memorandum is to keep you advised of the efforts of the LLLT Board and solicit your thoughts as the LLLT Board moves forward in creating a new LLLT practice area. LLLT Board Chair Steve Crossland looks forward to meeting with the Board of Governors (BOG) to share the LLLT Board's ideas and to hear the BOG's input. The LLLT Board will be meeting with the Supreme Court on March 8 to discuss its plans to further develop the LLLT program and to present a proposed second practice area.

Discussion

The Limited License Legal Technician (LLLT) Board derives its authority from the Washington Supreme Court under Rule 28 of the Admission and Practice Rules (APR), adopted effective September 1, 2012. The Supreme Court created the LLLT Board to oversee the LLLT program.

The LLLT Board is charged with establishing new areas of practice for LLLTs; for that purpose, the LLLT Board has created a "New Practice Area Committee" which discusses potential new practice areas and makes recommendations to the LLLT Board. The LLLT Board also addresses any issues related to the domestic relations practice area within its "Family Law Advisory Committee." The committees' recommendations will be considered by the LLLT Board at its January 19 meeting. Chair Crossland will update the BOG at its January 26-27 meeting in Spokane regarding the discussions and recommendations of these two committees. Discussions will continue throughout February as the LLLT Board creates the rule which will govern the new scope of practice. All LLLT Board decisions are forwarded to the Supreme Court for final approval.

Estate and Healthcare Law

The New Practice Area Committee, chaired by Greg Dallaire, has recommended a new practice area titled “Estate and Healthcare Law”. Practitioners knowledgeable in a variety of practice areas such as administrative law, estate planning, consumer law, housing law, and family law served on the committee. Their discussions were informed by the presence of subject matter professionals who were invited to specific discussions to lend their expertise and perspective to the deliberations of the committee. The committee discussed the pros and cons of LLLT practice in diverse areas such as reentry issues, licensing, debt defense, bankruptcy, estate planning, vulnerable adult protection orders, guardianship, and administrative law (including government benefits).

After weighing the unmet need for legal services, the ability of a limited practitioner to provide effective representation, and the economic viability of the practice area, the committee concluded that “Estate and Healthcare Law” should be the next practice area for the LLLT profession.

“Estate and Healthcare Law” encompasses aspects of estate planning, probate, guardianship, health care law, and government benefits. LLLTs licensed to practice in this area will be able to provide a wide range of services to those grappling with issues that disproportionately affect seniors but also touch people of all ages who are disabled, planning ahead for major life changes, or dealing with the death of a relative. The Civil Legal Needs Studies provide support for combining these needed services into a single practice area. An outline of the scope of this practice area is included in the meeting materials for your consideration.

LLLT Domestic Relations Scope

Over the past couple of years, practicing LLLTs and professors teaching the family law classes have identified where APR 28 could be improved to allow LLLTs to provide qualified and comprehensive assistance for a wider range of issues. The Family Law Advisory Committee of the LLLT Board, chaired by Nancy Ivarinen, also deliberated extensively in the process of crafting a recommendation for changes to the domestic relations scope of practice. An outline of these proposed changes to APR 28 is included in Executive Director’s Information, which is contained in the Executive Director’s Report.

As always, the LLLT Board appreciates the BOG’s continuing support of its work.

ATTACHMENTS:

- Outline of Estate and Healthcare Law Recommendation

LLLT NEW PRACTICE AREA COMMITTEE RECOMMENDATION

The New Practice Area Committee of the Limited License Legal Technician (LLLT) Board has approved the following recommendation for the LLLT Board. If adopted, the new LLLT practice area will be called “Estate & Healthcare Law” and the scope will be limited as follows:

| Outline of Estate & Healthcare Law LLLT Practice Area | |
|--|---|
| Scope | Permitted Actions |
| Estate planning on non-taxable estates | <ul style="list-style-type: none">• Drafting wills based on LLLT Board approved forms• Transfer on death deed• Designation of beneficiaries of non-probate assets• Creation of community property agreements based on LLLT Board approved forms• Revocation of community property agreements• Healthcare directives |
| Probate on non-taxable estates | <ul style="list-style-type: none">• Completion of small estate affidavits• Completion of LLLT Board approved forms• Presentation of agreed or uncontested orders• Completing uniform transfer to minor act provisions• Completion of affidavit of surviving spouse |
| Power of Attorney | <ul style="list-style-type: none">• Limited & durable powers of attorney, including for healthcare and minor children• Revocation of powers of attorney |
| Guardianships | <ul style="list-style-type: none">• Completion of LLLT Board approved forms in uncontested guardianships• Presentation of agreed or uncontested orders• Transition planning for disabled minors |
| Vulnerable Adult Protection Orders (VAPO) | <ul style="list-style-type: none">• Preparation of LLLT Board approved forms• Presentation and assistance at initial hearing for temporary order |
| Government benefits | <ul style="list-style-type: none">• Representation in administrative hearings (where not prohibited by agency rules and regulations)• Negotiation and document preparation for applications, denials, disputes, and overpayments for social security benefits, Medicare, Medicaid, home health care, long term care, and other government benefit programs• Assistance with total and permanent disability discharge for student loan debts |
| Health insurance benefits | <ul style="list-style-type: none">• Advice and assistance with health insurance disputes, including negotiation and writing appeal letters• Assistance with Charity Care applications and denials |



WSBA
OFFICE OF THE GENERAL COUNSEL

Julie Shankland
Senior Assistant General Counsel

direct line: 206—727-8280
fax: 206-727-8314
e-mail: julies@wsba.org

To: President, President-Elect, Immediate Past President, and Board of Governors

From: Hon. Paul Bastine, ret. Practice of Law Board Chairperson and
Julie Shankland, Senior Assistant General Counsel

Re: Update from the Practice of Law Board

Date: January 18, 2017

INPUT REQUESTED: Provide comment and input to the Practice of Law Board on 2016 activities, including suggested amendments to General Rule 25.

The Court created the Practice of Law Board (PLB) in September 2001, when it adopted General Rule (GR) 25. In November 2014, the Court suspended the Board and convened a work group chaired by Justice González, to evaluate the status of GR 25 and report its findings to the Court. On July 2015, the Court issued an order refocusing the Board's responsibilities on educating the public about how to receive competent legal services and recommending new legal professionals. The Court also ordered the PLB to cease unauthorized practice of law enforcement activities except for "receiving complaints alleging unauthorized practice of law, determining whether such complaints are frivolous, and referring nonfrivolous complaints to appropriate authorities."

The reconstituted PLB began meeting in December 2015. The PLB is looking forward to updating the Board of Governors on its work and gathering input about its current projects and future work plan. A draft of the 2016 Annual Report the PLB will provide to the Supreme Court of Washington in the spring is attached. The draft report provides a summary of the PLB's work, including the working draft of amendments to GR 25.

ATTACHMENT:

- Draft 2016 Annual Report

DRAFT

**PRACTICE OF LAW BOARD
STATE OF WASHINGTON**

Annual Report

2016

DRAFT

**1325 Fourth Avenue, Suite 600
Seattle, WA 98101**

**I. PRACTICE OF LAW BOARD:
ESTABLISHMENT AND RECONSTITUTION**

A. ESTABLISHMENT

The Practice of Law Board (PLB) was established by the Washington Supreme Court with the adoption of General Rule 25, effective September 1, 2002. The Board was developed by the Washington State Bar Association Committee to Define the Practice of Law. The Committee also drafted GR 24, Definition of the Practice of Law. The PLB and the definition of the practice of law were the result of a concerted effort by the WSBA Board of Governors to address difficult issues relating to protecting the public from unauthorized practice of law and of access to justice for persons of low and moderate means.

The PLB is administered and staffed by the Washington State Bar Association which provides a part time administrator and staff support. The WSBA pays all PLB expenses reasonably incurred by the PLB pursuant to a budget approved by the BOG. PLB members are not paid for their service, but their necessary expenses are reimbursed.

The Board operated continuously until November 2014, when the Court suspended the Board's operations for six months and convened a work group to evaluate the status of GR 25.

B. RECONSTITUTION

In July 2015, following submission of the work group report and input from many others, the Court lifted the suspension and ordered that the Board:

- Increase its focus on educating the public about how to receive competent legal assistance and considering new avenues for “nonlawyers”¹ to provide legal and law-related services;
- Cease all enforcement activities except for receiving complaints alleging the unauthorized practice of law, determining whether such complaints are frivolous, and referring nonfrivolous complaints to appropriate authorities;
- Otherwise, continue the Board’s mission, including rendering advisory opinions;
- Convene interested stakeholders to engage in a broad based discussion about the future of the Practice of Law Board and then submit its recommendations to the Court.

II. MEMBERSHIP OF THE PRACTICE OF LAW BOARD

The PLB consists of 13 members, at least 4 of whom shall be “non-lawyers”² (GR 25(b)). Appointments are made by the Supreme Court to staggered 3-year terms. The current membership is 8 lawyers and 5 members not authorized to practice law. The Court appointed members to the reconstituted Board in December 2015 from all over Washington and taking into consideration diverse perspectives and experiences. The current Board rosters are attached to this report.

III. BOARD ACTIVITIES AND PROGRESS

¹ The Board would prefer to avoid the term “nonlawyer” going forward as it carries unintended connotations. “Public Member” may be more apt. We use “nonlawyer” here because it is used in the existing language of the Court’s July 2015 Order.

² The Board would prefer to avoid the term “nonlawyer” going forward as it carries unintended connotations. “Public Member” may be more apt. We use “nonlawyer” here because it is used in the existing language of GR 25.

The Board is regulated by GR 25 and PLB Regulations, as modified by the July 2015 Court Order. 2016 is the first full year of operation of the reconstituted PLB. The Board spent much of its time learning about the subject matter of its work and seeking to understand the Court's newly focused vision for the Board.

A. PUBLIC EDUCATION

The Court ordered the Board to increase its focus on educating the public about how to receive competent legal assistance. Public education was not specifically included in GR 25. The Board set up a work group that met several times to work on this topic and met once with then WSBA Chief Communication Officer, Debra Carnes. The Board discussed whether to direct communications at broad or narrow issues and whether to focus its energy on preparing original educational material, gathering existing educational materials into a more accessible place, or developing new delivery mechanisms for educational materials. The Board is currently focusing on developing a plan for implementing Legal Checkups in Washington.³

B. NEW LEGAL PROFESSIONALS

The Court ordered the Board to increase its focus on considering new avenues for “nonlawyers” to provide legal and law-related services. The Board determined that it could not effectively work in this area without learning more about the current need for legal services, current service providers, gaps in existing providers, and disruptive innovation in legal services delivery systems.

³Link to ABA Commission on the Future of Legal Services Issues paper Concerning Legal Checkups: http://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/reports/2016_legal_services_call_for_comments.authcheckdam.pdf

The Board researched international models of delivery of legal services by people not licensed to practice law and considered ways to help lawyers understand consumers who prefer online legal services. The Board invited speakers to make presentations about these topics. The Board learned about Courthouse Facilitators, Limited Practice Officers and Limited License Legal Technicians. The Board heard a presentation about the future of legal services and ABA Model Regulatory Objectives for the Provision of Legal Services (Resolution 105) from Paula Littlewood, WSBA Executive Director, Chief Justice Barbara Madsen and PLB member Amber Rush. The Board also heard presentations about the future of the legal profession from Paula Littlewood, WSBA Executive Director; Steve Crossland, LLLT Board Chair; Dan Lear, AVVO Director of Industry Relations; Eddie Hartman, LegalZoom Co-Founder and Chief Product Officer; and Chas Rampenthal, LegalZoom General Counsel. The Board received information about a new online platform concept, Basic Counsel⁴, from PLB member Amber Rush, Chadd Oleson, Eli Marchbanks and Austin Cooper. The Board received information about immigration fraud enforcement from Brea Burgie from the Fraud and Abuse Prevention Program, Office of the General Counsel, Executive Office for Immigration Review. The Board also received information about the Civil Legal Needs Study and Civil Legal Aid in Washington from James Bamberger, Director of the Office of Civil Legal Aid. The Board also received information about legal incubator programs from Michael Mocer, Chair of the WYLC Incubator Program Subcommittee.

⁴ https://www.facebook.com/basiccounsel/?ref=page_internal

The Board continues to learn about emerging and existing programs and the legal needs of people in Washington as it seeks to determine what the next legal practitioner in Washington may be.

C. UNAUTHORIZED PRACTICE OF LAW (UPL)

1. COMPLAINTS

The Court ordered the Board to cease all of its enforcement activities except for receiving complaints alleging the unauthorized practice of law, determining whether such complaints are frivolous, and referring nonfrivolous complaints to appropriate authorities. The Board interpreted a frivolous complaint to be a complaint that either does not implicate UPL or does not appear to cause public harm. Conversely, nonfrivolous complaints implicate UPL and cause public harm. The Board developed a list of considerations to consistently handle these complaints. The Board's UPL Complaint Considerations document is attached to this report.

The Board reviewed 71 UPL complaints this year. This number is a combination of complaints pending when the Board was suspended in 2014, those arriving during the suspension and those arriving during 2016. The Board closed 41 complaints without action and referred 30 complaints for possible investigation and enforcement action. Summaries of each of the 71 complaints is attached to this report.

During calendar year 2016, the Board received an average of three complaints each month, for a total of 40. This appears to be a slight decrease from 2012 (45) and 2013 (46).

2. CONSUMER PROTECTION LEGISLATION

The Board prepared draft legislation making the unauthorized practice of law a per se violation of the Consumer Protection Act. After discussing the draft with the WSBA Legislative Affairs Manager and the Washington State Attorney General's Office, the Board that running the legislation this session was not advised and will continue to study this issue. The Board will use the trends from unauthorized practice of law complaints to consider discrete areas of consumer harm that could benefit from a narrow legislative solution.

D. ADVISORY OPINIONS

The Court ordered that the Board may continue to render advisory opinions. The Board has not prepared any advisory opinions during this year. The Board's proposed GR 25 revisions, attached here, suggest changes to the scope and process for advisory opinions.

E. CONVENE STAKEHOLDERS TO DISCUSS BOARD'S FUTURE

The Court ordered the board to convene interested stakeholders to engage in a broad based discussion about the future of the Practice of Law Board and then submit its recommendations to the Court. The Board believes that action on this item is premature. The Board needs a better understanding of its own operations and mission before it can meaningfully engage in a broad based discussion with others.

IV. GR 25 SUGGESTED AMENDMENTS

The Board drafted proposed changes to GR 25 to conform the current rule to the Court's July 2015 Order. In January 2017, the Board submitted its proposed rule

amendments to the WSBA Board of Governors, the Access to Justice Board and the Limited License Legal Technician Board. The Board plans to submit the proposed rule amendments to the Court as soon as possible.

V. BOARD RETREAT AND 2017 WORK PLAN PRIORITIES

The Board held an all-day retreat in August 2016. During the retreat, the Board continued to discuss its mission and how its mission fits in to the overall structure of access to justice work and initiatives involving people not currently authorized to practice law. The Board also voted on work plan priorities for 2017. The Board's priorities for 2017 are (1) public education, (2) new legal professionals and (3) automated technology ideas related to the delivery of legal services.

Working with WSBA communications staff, the Board will focus its public education efforts on developing an overall public education plan, a specific plan to implement legal checkups in Washington, and writing blogs and articles for WSBA communications.

The Board plans to continue to research possible new legal professional models. The Board plans to consider both international and U.S. models. The Board hopes to gain more insight into the legal needs of people in Washington as it ascertains where the gaps in services are for the public.

The Board plans to continue to learn about automation technology such as virtual courthouse models and technology tools that legal professionals can use to modernize their practices.

APPENDIX A

COURT ORDERS

July 8, 2015

November 6, 2014

Filed
Washington State Supreme Court

JUL - 8 2015
Ronald R. Carpenter
Clerk

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE RECONSTITUTING
THE PRACTICE OF LAW BOARD

ORDER

NO. 25700-B-559

The Practice of Law Board was suspended on November 6, 2014, for a period of six months pursuant to this Court's Order No. 25700-B-550 while the status of GR 25 was evaluated by a work group chaired by Justice Steven González. The Court, having considered the work group's findings at its June 3 and June 4, 2015, En Banc Conferences, has by majority vote determined the following:

Now, therefore, it is hereby

ORDERED:

- (a) That the suspension of the Practice of Law Board is lifted.
- (b) That the Practice of Law Board shall increase its focus on educating the public about how to receive competent legal assistance and considering new avenues for nonlawyers to provide legal and law-related services.
- (c) That the Practice of Law Board shall cease all of its enforcement activities except for receiving complaints alleging the unauthorized practice of law, determining whether such complaints are frivolous, and referring nonfrivolous complaints to appropriate authorities.

715/176

(d) That the Practice of Law Board may otherwise continue its mission, including rendering advisory opinions.

(e) That the Practice of Law Board shall convene interested stakeholders to engage in a broad based discussion about the future of the Practice of Law Board and then submit its recommendations to the Court.

DATED at Olympia, Washington this 8th day of July, 2015.

Madsen, C.J.
CHIEF JUSTICE

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE SUSPENSION
OF THE PRACTICE OF LAW BOARD

)
)
)
)
)
ORDER

NO. 25700-B-550

The Practice of Law Board was authorized by GR 25 on September 1, 2001, and established by Supreme Court order dated September 1, 2001. The Court having considered recommendations regarding the activities of the Practice of Law Board at the November 5, 2014, En Banc Administrative Conference and having unanimously determined the following:

Now, therefore, it is hereby

ORDERED:

That a work group be convened by the Supreme Court to evaluate the status of GR 25; that Justice Steven González chair the work group, which shall report its findings to the Supreme Court; and that the Practice of Law Board is suspended for a period of six months effective immediately pending further order of this court.

DATED at Olympia, Washington this 6th day of November, 2014.

Filed
Washington State Supreme Court

For the Court

NOV - 6 2014

Ronald R. Carpenter
Clerk

Macken, C. J.
CHIEF JUSTICE

699/142

APPENDIX B

PLB ROSTERS

**PRACTICE OF LAW BOARD
STATE OF WASHINGTON**

1325 Fourth Avenue, Suite 600, Seattle, WA 98101-2539
(206) 727-8252 • Fax (206) 727-8314

**ROSTER
10/1/2016 – 09/30/2017**

| Member/Position | Address | Term |
|--|--|-----------------|
| Hon. Paul Bastine, ret. Chair WSBA Member | 806 Raymond Rd. Spokane Valley, WA 99206-3530 (509)844-2954 paulbastine@msn.com | 10/1/15-9/30/18 |
| Ms. Michele Carney WSBA Member | 108 S Washington St., Suite 406 Seattle, WA 98104-3433 mcarney@carmarlaw.com | 12/1/15-9/30/18 |
| Prof. George Critchlow WSBA Member | 1419 S. Kahuna Drive Spokane Valley, WA 99212 Critchlow@gonzaga.edu | 12/1/15-9/30/17 |
| Mr. Brooks Goode Community Representative | 610 West Second Ave, Spokane, WA 99201 brookshgoode@yahoo.com | 10/1/16-9/30/19 |
| Prof. Robin Jacobson Community Representative | Wyatt Hall 230 1500 N. Warner Street Tacoma, WA 98416 (570)412-9485 rjacobson@pugetsound.edu | 12/1/15-9/30/18 |
| Ms. Dominique Jinhong WSBA Member | PO Box 42401 Olympia, WA 98504-2401 Dominique.jinhong@gmail.com | 12/1/15-9/30/17 |
| Mr. Andre Lang WSBA Member | 2707 Colby Ave., Suite1204 PO Box 5519 Everett, WA 98206-5519 andre.lang@onglaw.com | 10/1/16-9/30/19 |
| Ms. Gwen Remmen Community Representative | 6773 41st Avenue SW Seattle, WA 98136 gpremmen@comcast.net | 12/1/15-9/30/17 |
| Ms. Amber Marie Rush WSBA Member | 101 E 8th St., Suite 260 Vancouver, WA 98660-3399 arush@navigatelawgroup.com | 10/1/16-9/30/19 |

Updated: 12/2/16

| Member/Position | Address | Term |
|--|--|-----------------|
| Sarah Sumadi Community Representative | 1225 S. Weller Street, Suite 430 Seattle, WA 98144-1906 sarah@weareoneamerica.org | 12/1/15-9/30/19 |
| Mr. Gary Swearingen WSBA Member | 999 Lake Dr., Suite 200 Issaquah, WA 98027-5367 gswearin@yahoo.com | 12/1/15-9/30/18 |
| Ms. Jennifer Unger Community Representative | 717 Tacoma Avenue South Tacoma, WA 98408 jennifern@pccdr.org | 12/1/15-9/30/17 |
| Mr. Douglas Walsh WSBA Member | P.O. Box 40114 2425 Bristol Ct SW Olympia, WA 98502-6003 dougw@atq.wa.gov | 10/1/16-9/30/19 |
| Mr. Sean Michael Davis BOG Liaison | 955 Tacoma Avenue S., Suite 301 Tacoma, WA 98402-2160 smvd.esq@gmail.com | |

| | | |
|--------------------------------|---|--------------|
| Julie Shankland, Staff Liaison | Washington State Bar Association 1325 4 th Avenue, Suite 600 Seattle, WA 98101 julies@wsba.org | 206-727-8280 |
| Sherry Lindner, Paralegal | Washington State Bar Association 1325 4 th Avenue, Suite 600 Seattle, WA 98101 sherryl@wsba.org | 206-733-5941 |

**PRACTICE OF LAW BOARD
STATE OF WASHINGTON**

1325 Fourth Avenue, Suite 600, Seattle, WA 98101-2539
(206) 727-8252 • Fax (206) 727-8314

**ROSTER
12/3/2015 – 09/30/2016**

| Member/Position | Address | Term |
|--|--|-----------------|
| Hon. Paul Bastine, ret. Chair WSBA Member | 806 Raymond Rd. Spokane Valley, WA 99206-3530 (509)844-2954 paulbastine@msn.com | 10/1/15-9/30/18 |
| Ms. Michele Carney WSBA Member | 108 S Washington St., Suite 406 Seattle, WA 98104-3433 mcarney@carmarlaw.com | 12/1/15-9/30/18 |
| Prof. George Critchlow WSBA Member | PO Box 3528 Spokane, WA 99220-3528 gcritchlow@lawschool.gonzaga.edu | 12/1/15-9/30/17 |
| Mr. Brooks Goode Community Representative | 712 South Elm Street Spokane, WA 99204 brookshgoode@yahoo.com | 12/1/15-9/30/16 |
| Prof. Robin Jacobson Community Representative | Wyatt Hall 230 1500 N. Warner Street Tacoma, WA 98416 (570)412-9485 rjacobson@pugetsound.edu | 12/1/15-9/30/18 |
| Ms. Dominique Jinhong WSBA Member | PO Box 42401 Olympia, WA 98504-2401 Dominique.jinhong@gmail.com | 12/1/15-9/30/17 |
| Mr. Andre Lang WSBA Member | 2707 Colby Ave., Suite1204 PO Box 5519 Everett, WA 98206-5519 andre.lang@onglaw.com | 12/1/15-9/30/16 |
| Ms. Gwen Remmen Community Representative | 6773 41st Avenue SW Seattle, WA 98136 gpremmen@comcast.net | 12/1/15-9/30/17 |
| Ms. Amber Marie Rush WSBA Member | 101 E 8th St., Suite 260 Vancouver, WA 98660-3399 arush@navigatelawgroup.com | 12/1/15-9/30/16 |

| Member/Position | Address | Term |
|--|--|-----------------|
| Mr. Gary Swearingen WSBA Member | 999 Lake Dr., Suite 200 Issaquah, WA 98027-5367 gswearin@yahoo.com | 12/1/15-9/30/18 |
| Ms. Jennifer Unger Community Representative | 738 Broadway, Suite 400 Tacoma, WA 98402 jennifern@pccdr.org | 12/1/15-9/30/17 |
| Mr. Douglas Walsh WSBA Member | P.O. Box 40114 2425 Bristol Ct SW Olympia, WA 98502-6003 dougw@atg.wa.gov | 12/1/15-9/30/16 |
| Mr. Sean Michael Davis BOG Liaison | 955 Tacoma Avenue S., Suite 301 Tacoma, WA 98402-2160 smvd.esq@gmail.com | |

| | | |
|--------------------------------|---|--------------|
| Julie Shankland, Staff Liaison | Washington State Bar Association 1325 4 th Avenue, Suite 600 Seattle, WA 98101 julies@wsba.org | 206-727-8280 |
| Sherry Lindner, Paralegal | Washington State Bar Association 1325 4 th Avenue, Suite 600 Seattle, WA 98101 sherryl@wsba.org | 206-733-5941 |

APPENDIX C

**PLB MEETING AGENDAS AND
MINUTES**

PRACTICE OF LAW BOARD

State of Washington

Washington State Bar Association
1325 Fourth Avenue – Sixth Floor
Seattle, Washington 98101

AGENDA

January 21, 2016
9:30 a.m. – 3:00 p.m.

Conference Call: 1-866-577-9294, Pass Code: 55510#

-
- | | |
|-------|---|
| 9:30 | WELCOME AND INTRODUCTIONS |
| 9:45 | MINUTES December 17, 2015 Minutes |
| 10:00 | DISCUSSION Understanding The Legal and Law-Related Services Pyramid <ul style="list-style-type: none">•Lawyers•Other Licensed Professionals•Authorized and regulated Service Providers, Not Licensed•Authorized but Not Regulated, Information Distribution |
| 12:00 | LUNCH |
| 12:30 | UPL COMPLAINTS Process Complaint Consideration |
| 2:45 | FEEDBACK AND SUGGESTIONS |

PRACTICE OF LAW BOARD

STATE OF WASHINGTON

1325 Fourth Avenue, Ste. 600, Seattle, WA 98101-2539
(206) 727-8252
Fax: (206) 727-8314

MEETING MINUTES

JANUARY 21, 2016

The Practice of Law Board (POLB) met on January 21, 2016 at the Office of the Washington State Bar Association. POLB members attending were: Hon. Paul Bastine, ret., Chair; Michele Carney; Professor George Critchlow; Brooks Goode; Professor Robin Jacobson; Dominique Jinhong; Andre Lang; Betty Martinez; Gwen Remmen; Amber Marie Rush; Gary Swearingen; Jennifer Unger; and Douglas Walsh. Sandra Schilling, Investigative Attorney; and Julie Shankland, Assistant General Counsel, also attended.

Minutes

The December 17, 2015 Minutes were approved.

Discussion

Courthouse Facilitators

The Board continued to learn about legal and law-related service providers in Washington. The Board discussed the different ways courthouse facilitators currently operate throughout the state. The Board noted differences in funding, cost to users, authority and training. Courthouse Facilitators are not authorized to give legal advice and can provide information to both parties in the same legal matter. The Board also noted that the Access to Justice Board recently prepared a report on this topic. The Board will ask the Access to Justice Board staff to share the report.

Limited Practice Officers (LPO)

Limited Practice Officers are certified and authorized to select, prepare and complete documents and forms previously approved by the LPO Board for use in closing loans, extending credit and certain other personal or real property transfers. They do not provide legal advice. The Board briefly discussed the history of APR 12, the court rule authorizing LPOs.

Limited License Legal Technicians (LLLT)

Limited License Legal Technicians were created in 2012 when the Court adopted APR 28. The Court Rule establishes a framework that authorizes licensed technicians to give legal advice as limited by the rule in substantive areas approved by the Court. The rule was first applied to domestic relations and the LLLT Board and the Court are currently discussing adding a second substantive area.

The Board considered adding the following items to the February meeting agenda: (1) GR 25 and the related Regulations-working to make the regulations consistent with the Court's Order; (2) Brainstorming ideas to stretch beyond what is already being done. Board members generally agreed that a more detailed understanding of unmet legal needs in specific substantive areas, systemic delivery issues and how these needs and issues have been addressed by other states and countries would be helpful. Chair Bastine invited board members to send him short summaries of areas of interest. The Board will discuss the ideas and consider breaking into subcommittees.

The Board entered Executive Session to discuss particular unauthorized practice of law complaints.

The Board ended the Executive Session.

The Board reviewed the Complaint Considerations WSBA staff use to screen the UPL complaints. A motion was made and seconded to adopt the following two-part test for determining complaints appropriate for referral:

Referred (not frivolous) complaints should: (1) Implicate UPL and (2) Cause Harm to the Public.

The motion passed unanimously.

The Meeting was Adjourned.

Future Meetings

The Board decided to meet the third Thursday of each month from 9:30-3. The next meeting will be Thursday February 18, 2016.

PRACTICE OF LAW BOARD State of Washington

Washington State Bar Association
1325 Fourth Avenue – Sixth Floor
Seattle, Washington 98101

MEETING AGENDA

February 18, 2016
9:30 a.m. – 3:00 p.m.

Conference Call: 1-866-577-9294, Pass Code: 55510#

- **Call Meeting to Order**

- **MINUTES**

- January 2016 Minutes

- **EXECUTIVE SESSION**

- **Unauthorized Practice of Law Complaint Referral Decisions**

- **PUBLIC SESSION**

- **Discussion of next step topics and actions:**

- **Directions from Court Order:**

- **Increased focus on educating the public about how to receive competent legal assistance**
 - What message?
 - What audience(s)?
 - What delivery mechanisms?
 - **Consider new avenues for nonlawyers to provide legal and law-related services**
 - What exists now in U.S?
 - What exists now in other countries?
 - What do we need to know to move forward?
 - **Convene interested stakeholders to engage in a broad based discussion about the future of the Practice of Law Board and submit recommendations to the Court**
 - What stakeholders?
 - What topics for discussion?
 - What kind of report to Court?
 - **Advisory Opinions**
 - **Other Topics:**
 - GR 24
 - GR 25

PRACTICE OF LAW BOARD

STATE OF WASHINGTON

1325 Fourth Avenue, Ste. 600, Seattle, WA 98101-2539
(206) 727-8252
Fax: (206) 727-8314

MEETING MINUTES

FEBRUARY 18, 2016

The Practice of Law Board (POLB) met on February 18, 2016 at the Office of the Washington State Bar Association. POLB members attending were: Hon. Paul Bastine, ret., Chair; Michele Carney; Professor George Critchlow; Brooks Goode; Professor Robin Jacobson; Andre Lang; Gwen Remmen; Amber Marie Rush; Gary Swearingen; Jennifer Unger; and Douglas Walsh. WSBA Executive Director Paula Littlewood attended the morning session. Sandra Schilling, Investigative Attorney; and Julie Shankland, Assistant General Counsel also attended. WSBA member Jessica Carr attended a portion of the morning session.

Minutes

The January 21, 2016 Minutes were approved.

Presentation

WSBA Executive Director Paula Littlewood discussed her on-going work as a member of the American Bar Association's Commission on the Future of Legal Services and the recently adopted Resolution 105, ABA Model Regulatory Objectives for the Provision of Legal Services. The Commission created six work groups, including the Regulatory Opportunities work group co-chaired by Ms. Littlewood and Chief Justice Madsen. Ms. Littlewood explained that the Commission has done a large amount of research and is currently studying other regulatory issues, such as entity regulation and alternative business structures. She noted that the Commission will be releasing a paper on alternative legal service providers that should be of much use to the POLB and she will forward the paper as soon as it is public. Amber Rush also attended the ABA Meeting. She expressed surprise at the protectionist comments made by some attendees at the ABA Meeting. She hopes that lawyers can focus on developing new ways of delivering legal services that provide greater access to legal services and financially benefit lawyers and other providers. Ms. Littlewood also discussed with the Board ideas for creating the next legal professional category in Washington State and how the Board might go about trying to formulate ideas. She concluded by saying she looks forward to a close working relationship with the Board as we work together to expand the possible delivery models and types of legal practitioners in Washington state.

Executive Session

The Board entered Executive Session to consider 15 UPL complaints using the UPL Complaint Considerations Matrix. The Board closed 9 complaints without referral and referred 6 complaints to enforcement agencies.

The Board ended the Executive Session.

Discussion

Increasing Focus on Educating Public About How to Receive Competent Legal Services

The Board discussed the need to educate the public about what a lawyer is and is not and what an LLLT is and is not. The Board discussed distributing educational materials in places where consumers naturally meet, such as churches. When the Board has decided on a target message and population, the WSBA Communications Department will assist in detailed planning and

Considering New Avenues for Nonlawyers to Provide Legal and Law-Related Services

The Board discussed the need to coordinate these discussions with others to prevent duplicating effort. The Board plans to continue and develop partnerships with the LLLT Board, WSBA, the ATJ Board and others. The Board will focus on discovering gaps in the legal services delivery system that can be filled by new types of qualified and regulated providers.

Convened Interested Stakeholders to Engage in a Broad Based Discussion About the Future of the Practice of Law Board and Submit Recommendations to the Court

The Board did not consider this topic. This will be added to a later meeting agenda.

Advisory Opinions

The Board did not consider this topic. This will be added to a later meeting agenda.

GR 24 and GR 25

GR 25 and the related POLB Regulations need to be re-written to conform with the Court's July 2015 Order. Hon. Bastine, Ms. McElroy and Ms. Shankland will prepare a discussion draft for the Board's consideration.

Sub Committees

The Board will set up three subcommittees before the March meeting. The subcommittee chairs will each submit a description. Board members should choose a subcommittee.

The Meeting was adjourned.

Future Meetings

March 17

April 21

May 19

June 16

July 21

August 18

September 15

PRACTICE OF LAW BOARD

State of Washington

Washington State Bar Association
1325 Fourth Avenue – Sixth Floor
Seattle, Washington 98101

MEETING AGENDA

March 17, 2016
9:30 a.m. – 3:00 p.m.

Conference Call: 1-866-577-9294, Pass Code: 55510#

Call Meeting to Order

MINUTES

February 2016 Minutes

PUBLIC SESSION

Work Groups

- Discussion of Work Group Ideas
- Finalize Work Group Topics and Membership

Work Group Meeting Time

- Break into Work Groups for initial discussion, goal setting and timeline for accomplishing goals

Work Group Reports to Full Board

- Each Work Group should report preliminary goals and timelines

Board Review of Advisory Opinion Request

EXECUTIVE SESSION

Unauthorized Practice of Law Complaint Referral Decisions

PRACTICE OF LAW BOARD

STATE OF WASHINGTON

1325 Fourth Avenue, Ste. 600, Seattle, WA 98101-2539
(206) 727-8252
Fax: (206) 727-8314

MEETING MINUTES **MARCH 17, 2016**

The Practice of Law Board (POLB) met on March 17, 2016 at the Office of the Washington State Bar Association. POLB members attending were: Hon. Paul Bastine, ret., Chair; Michele Carney (arrived 10:00 a.m.); Professor George Critchlow (left at noon); Brooks Goode; Professor Robin Jacobson; Dominique Jinhong, Andre Lang; Betty Martinez, Gwen Remmen; Amber Marie Rush; Gary Swearingen; Jennifer Unger; and Douglas Walsh. Chief Justice Barbara Madsen attended until 1:00 p.m. Sean Davis, WSBA Board of Governors Liaison attended. Sherry Lindner, OGC Paralegal, and Julie Shankland, Assistant General Counsel also attended..

The February 18, 2016 Minutes were approved.

The Board formed four workgroups. The workgroups held initial meetings and reported back to the full Board.

New Legal Professionals Workgroup

Chair: Prof. George Critchlow

Members: Betty Martinez, Prof. Robin Jacobson

This work group will focus on learning about international models of nonlawyer delivery of legal services. Then, the group will analyze

Modern Practice Work Group

Chair: Amber Rush

Members: Brooks Goode, Andre Lang

This work group will focus on educating lawyers about how to integrate other legal professionals into business plan in a way that enhances service to the public and provides adequate income for lawyers. The work group will also focus on educating lawyers about unbundled legal services and ways to deliver services to consumers who prefer LegalZoom and Rocket Lawyer.

Unauthorized Practice of Law Accountability Work Group

Chair: Doug Walsh

Members: Jennifer Unger, Gwen Remmen

This work group will determine ways to hold those who practice law without authorization accountable in an effective and efficient manner. The work group may consider legislation making the unauthorized practice of law (UPL) a per se violation of the Consumer Protection Act. Additionally, the work group will consider separate legislation for specific substantive areas of UPL (like the Immigration Assistant and Estate Distribution Documents statutes) The Work group will establish the necessary procedural path to submitting proposed legislation, develop a proposal and determine the necessary resources to move forward.

Public Education Work Group

Chair: Gary Swearingen

Members: Dominique Jinhong, Michele Carney

This work group will consider ways to educate the public to recognize legal issues, find reliable information about these issues, determine which type of legal service provider is needed, and locate the necessary assistance. The work group is gathering information about the ABA's Legal Health CheckUp,

Executive Session

The Board entered Executive Session to consider 14 UPL complaints using the UPL Complaint Considerations Matrix. The Board closed 7 complaints without referral, referred 6 complaints to enforcement agencies and tabled consideration of one complaint.

The meeting was adjourned.

Future Meeting Dates

April 21

May 19

June 16

July 21

August 18

September 15

PRACTICE OF LAW BOARD

State of Washington

Washington State Bar Association
1325 Fourth Avenue – Sixth Floor
Seattle, Washington 98101

MEETING AGENDA

April 21, 2016
9:30 a.m. – 3:00 p.m.

Conference Call: 1-866-577-9294, Pass Code: 55510#

Call Meeting to Order

MINUTES

March 2016 Minutes

August 2015 Minutes

PUBLIC SESSION

Work Group Meetings and Report

Develop Work Plan and Timeline

Discussion of July 2015 Court Order

Convening interested stakeholders to engage in a broad based discussion about the future of the Practice of Law Board and then submit recommendations to the Court

Court's Expectations

Work Plan and Timeline

Board Appointments and Appointment Process

Board Review of Correspondence Received

EXECUTIVE SESSION

Unauthorized Practice of Law Complaint Referral Decisions

PRACTICE OF LAW BOARD

STATE OF WASHINGTON

1325 Fourth Avenue, Ste. 600, Seattle, WA 98101-2539
(206) 727-8252
Fax: (206) 727-8314

MEETING MINUTES

April 21, 2016

The Practice of Law Board (POLB) met on April, 2016 at the Office of the Washington State Bar Association. POLB members attending were: Hon. Paul Bastine, ret., Chair; Michele Carney; Brooks Goode; Professor Robin Jacobson; Dominique Jinhong, Andre Lang; Amber Marie Rush; Gary Swearingen; Jennifer Unger; and Douglas Walsh. Sean Davis, WSBA Board of Governors Liaison and Captain Kennard Keeton, U.S.A.F. Judge Advocate also attended. Sherry Lindner; OGC Paralegal, and Julie Shankland, Assistant General Counsel also attended.

Minutes

The March 17, 2016 Minutes were approved.

The August 2015 Minutes were accepted and published.

Review of Supreme Court Order and Planning for BOG Report

Chair Bastine reported that he may report to the WSBA Board of Governors in July about the Board work and progress. The July BOG meeting is in Walla Walla. He invited any interested POL Board members to attend.

Review of Supreme Court Order and review of progress

Chair Bastine reminded the Board that the July 2015 Court Order instructed the Board to:

- Increase education focus;
- Continue to receive, review and refer unauthorized practice of law complaints;
- Issue Advisory Opinions; and
- Engage stakeholders to consider the future of the POLB and report to the Court.

Chair Bastine asked Board members to invite interested stakeholders to attend the work group meetings. Those stakeholders who are interested could be invited to consider the future of the POLB and report to the Court.

Work Group Reports

New Legal Professionals Work Group

This group continues to look at existing models in other jurisdictions inside and outside the U.S. They will then compare the models with the specific needs documented in Washington to determine the best fit. The next focus will be the Ontario model.

Modern Practice Work Group

This group is focusing on ways lawyers can integrate other legal professionals into their practice, including offering unbundled services. The group is planning to create a decision-making tree to facilitate modernizing practices in manageable steps. They will also create tips and tools for modernizing legal service delivery. The group also plans to invite stakeholders to discuss how law schools might be involved in teaching technology to law students and lawyers. This group also focused on a few Rules of Professional Conduct that impact modern practices in ways that might not be intended. They are developing a list of stakeholders to invite to future meetings.

UPL Accountability Work Group

This group is focusing on draft legislation making unauthorized practice of law a per se violation of the Consumer Protection Act. The group plans to present a discussion draft of the proposed bill at the June 2016 meeting. The group is considering listing these prohibited acts:

1. Exerting control over the property of another while engaged in the unauthorized practice of law.
2. Securing a power of attorney from a consumer/client while engaged in the unauthorized practice of law
3. To engage in any act constituting a conflict of interest while engaged in the unauthorized practice of law
4. Misrepresenting, directly or by implication:
 - a. That you are authorized to practice law
 - b. That you are an attorney
 - c. That you have experience, education, training, certification, credentials that qualify you to engage in the practice of law
 - d. That your communications with a consumer/client is privileged or confidential
 - e. That consulting with an attorney or other authorized legal practitioner will result in any harm to the consumer/client
 - f. That your activities or qualifications have been reviewed and or approved by the WSBA, the Attorney General, any court or any other regulatory or law enforcement agency
 - g. Any aspect of your background, character, achievements, qualifications, history of advice or representation, results achieved or which can be expected.

The group is considering these exemptions: Legal services not in trade or commerce.

The group plans to present the proposed bill approved by the full Board to the WSBA BOG. Any result from this work will likely be several years in the future.

Public Education Work Group

The group is focusing on immigration first and has developed a three point plan.

1. Reach out to stakeholders to talk about how they view the problem. Notario services and lack of information about those services. Find out if this really is a problem. Find out what education is needed.
2. Determine what the universe of legal providers looks like now--LLLTs, law schools, pro bono providers. Determine how to connect the people who need services with those authorized to provide competent services.
3. Determine the most effective message and communication format to prevent consumers from paying money to people who do not provide services. Consider the barriers to effective messaging.

The group developed a list of potential stakeholders, including:

NWIRP

One America

AILA national

Tacoma Community House.

SeaMar is another stakeholder

Latino Radio

Aidnw.org

Kitsap Immigration Assistance Center

U.S.A.F. Special Victims' Counsel Program

Captain Keeton described this program to the Board. Materials describing this program are available with the Board materials.

Developing Stakeholders

The Board briefly discussed how to locate engaged stakeholders. The Board discussed the need to include stakeholders from rural areas away from the I-5 corridor. Possible stakeholders include:

Law Schools

Court Personnel

WSBA Sections-Low Bono and others

Moderate Means Program

Lutheran Community Services

Legal Services Community

Washington Associations of Business

Solo practitioners

Rural area practitioners

Bankruptcy courts

Neighborhood Clinic Programs

NW Assoc. of Immigrant Health Centers
Seattle King County Housing Authority
WAPA

Where Do We Go From Here?

The Board discussed how to begin the conversation about the POLB future and developing the report the Court requested. The Board considered planning a one day retreat in September or October dedicated to this topic.

Appointments and Process

The Board has five vacancies. Four current members have reapplied. Those four members have been nominated. Their applications will be sent to the WSBA Board of Governors Nominating Committee and then on to the Court.

The Board decided to solicit additional applications for the remaining open position. All Board members are encouraged to recruit for this open community representative position.

The Board will set up a sub-committee to review applications and make a report to the full Board.

The Board entered Executive Session

During Executive Session, the Board reviewed eight unauthorized practice of law complaints. The board closed five complaints without action and referred three complaints to enforcement agencies for consideration of investigation.

The Board ended the Executive Session.

Correspondence

The Board discussed the letter received and instructed Ms. Shankland to respond.

The meeting was adjourned.

**PRACTICE OF LAW BOARD
State of Washington**

Washington State Bar Association
1325 Fourth Avenue – Sixth Floor
Seattle, Washington 98101

MEETING AGENDA

May 19, 2016
9:30 a.m. – 3:00 p.m.

Conference Call: 1-866-577-9294, Pass Code: 55510#

Call Meeting to Order

MINUTES

April 21, 2016

PUBLIC SESSION

**10:00 a.m. Presentation and Discussion with Paula Littlewood, WSBA
Executive Director and Steve Crossland, Chair LLLT Board**

11:00 a.m. Work Group Meetings and Report
Refine Timelines and Work Plans
Develop List of Stakeholders to Invite

EXECUTIVE SESSION

1:00 pm Unauthorized Practice of Law Complaint Decisions

PUBLIC SESSION

1:30 p.m. Recruitment
BOG Report Planning
GR 25 Draft

PRACTICE OF LAW BOARD

STATE OF WASHINGTON

1325 Fourth Avenue, Ste. 600, Seattle, WA 98101-2539
(206) 727-8252
Fax: (206) 727-8314

MEETING MINUTES

May 19, 2016

The Practice of Law Board (POLB) met on May 19, 2016 at the Office of the Washington State Bar Association. POLB members attending were: Hon. Paul Bastine, ret., Chair; Michele Carney; Prof. George Critchlow, Brooks Goode; Andre Lang; Gwen Remmen, Amber Marie Rush; Gary Swearingen; and Douglas Walsh. Chief Justice Barbara Madsen and Sean Davis, WSBA Board of Governors Liaison, also attended. Sherry Lindner, OGC Paralegal, and Julie Shankland, Assistant General Counsel also attended.

Minutes

The April 21, 2016 Minutes were approved with corrections.

Open Board Position

The Board briefly discussed the WSBA process for receiving and processing applications. Board members were encouraged to solicit additional applicants.

Presentation and Discussion

Paula Littlewood, WSBA Executive Director, Steve Crossland, Chair LLLT Board, and Greg Dallaire, LLLT Board Member, provided an update about the LLLT Board's current work. The Board and the presenters then discussed how the POL Board's work relates to the work of the LLLT Board, the ATJ Board and WSBA.

The Board determined that the unique portion of its mission is to recommend new ways to provide legal services to as many people as possible. Specifically, the Board should consider new models and not try to manipulate existing models. The Board will need data to understand and establish the need and to establish ways to measure the effectiveness of new ideas. The Board should develop educational models that everyone can access.

The Board's work will be a part of the solution to the civil access to justice problem. Many other entities are working on other pieces of the same problem. The Board should consult and collaborate with these other entities, but not seek to duplicate effort.

The Board decided to spend the next two meetings gathering information and educating itself and then schedule a retreat to determine the best way to move forward. The work

groups will not be meeting during the next two meetings. The Board will reconsider the work group structure at a future meeting.

Retreat

The Board is currently planning to hold a full day retreat in August. Possible agenda items include:

1. A work plan for moving forward with one or more projects that will advance the Board's mission in a significant way and with a sense of urgency.
2. Consider what the POLB's mission should be.
3. Develop a plan for gathering stakeholder input.
4. Consider what changes need to be made to GR 25 and possibly to GR 24.

Executive Session

The Board entered Executive Session

The executive session ended. The meeting was adjourned.

PRACTICE OF LAW BOARD

State of Washington

Washington State Bar Association
1325 Fourth Avenue – Sixth Floor
Seattle, Washington 98101

DRAFT MEETING AGENDA

June 16, 2016
9:30 a.m. – 3:00 p.m.

Conference Call: 1-866-577-9294, Pass Code: 55510#

Call Meeting to Order

PUBLIC SESSION (9:30 a.m.-12:30 p.m.)

Presentations and Discussion: The Future of the Legal Profession

Paula Littlewood, WSBA Executive Director

Steve Crossland, Chair LLLT Board

Dan Lear, Director of Industry Relations, Avvo

Eddie Hartman, Co-Founder and Chief Product Officer LegalZoom

Chas Rampenthal, General Counsel, LegalZoom

Lunch Discussion-Board Planning for July Presentations (12:30-1:30)

Minutes (1:30)

May 19, 2016

Recruitment (1:45)

EXECUTIVE SESSION (2 p.m.)

Unauthorized Practice of Law Complaint Reviews

PRACTICE OF LAW BOARD

STATE OF WASHINGTON

1325 Fourth Avenue, Ste. 600, Seattle, WA 98101-2539
(206) 727-8252
Fax: (206) 727-8314

MEETING MINUTES

June 16, 2016

The Practice of Law Board (POLB) met on May 19, 2016 at the Office of the Washington State Bar Association. POLB members attending were: Hon. Paul Bastine, ret., Chair; Michele Carney; Professor Robin Jacobson, Dominique Jinhong, Andre Lang; Amber Marie Rush; Gary Swearingen; Jennifer Unger and Douglas Walsh. Sherry Lindner, OGC Paralegal, and Julie Shankland, WSBA Assistant General Counsel also attended.

Minutes

The May 2016 Minutes were approved.

Presentations

The Board heard presentations from and had discussion about the future of the legal profession with the following speakers: Paula Littlewood, WSBA Executive Director, Steve Crossland, Chair LLLT Board, Dan Lear, Director of Industry Relations, Avvo, Eddie Hartman, Co-Founder and Chief Product Officer LegalZoom and Chas Rampenthal, General Counsel, LegalZoom.

Recruitment

The Board decided to consider the applications received for the open position as a full board at the July meeting.

Unauthorized Practice of Law Complaints

The Board considered 16 complaints against 8 individuals. The Board closed six complaints without action and referred ten complaints to enforcement agencies for possible investigation.

The Board entered EXECUTIVE SESSION

The meeting was adjourned

NEXT MEETING: RETREAT AUGUST 18, 2016 (8 a.m.-5 p.m. WSBA Offices)

**PRACTICE OF LAW BOARD
State of Washington**

Washington State Bar Association
1325 Fourth Avenue – Sixth Floor
Seattle, Washington 98101

MEETING AGENDA

July 21, 2016
9:30 a.m. – 3:00 p.m.

Conference Call: 1-866-577-9294, Pass Code: 55510#

Call Meeting to Order

PUBLIC SESSION

Minutes

June 2016

Recruitment

Candidates for open position

Presentation: Basic Counsel

Amber Rush, Chadd Olesen, Eli Marchbanks, and Austin Conger

Presentation: UPL as a Pre Se Violation of the Consumer Protection Act

Doug Walsh

Presentation: Introduction to ABS, MDP and Entity Regulation Concepts

Julie Shankland

EXECUTIVE SESSION

Unauthorized Practice of Law Complaint Reviews

13 complaint reviews

NEXT MEETING-RETREAT

AUGUST 19 (8 a.m.-5 p.m., WSBA Offices)

PRACTICE OF LAW BOARD

STATE OF WASHINGTON

1325 Fourth Avenue, Ste. 600, Seattle, WA 98101-2539
(206) 727-8252
Fax: (206) 727-8314

MEETING MINUTES

July 21, 2016

The Practice of Law Board (POLB) met on July 21, 2016 at the Office of the Washington State Bar Association. POLB members attending were: Hon. Paul Bastine, ret., Chair; Michele Carney; Brooks Goode, Professor Robin Jacobson, Dominique Jinhong, Amber Marie Rush;; Jennifer Unger and Douglas Walsh. Sherry Lindner, OGC Paralegal, and Julie Shankland, WSBA Assistant General Counsel also attended.

Minutes

The June 2016 Minutes were approved.

Presentations

The Board heard presentations and had discussions about these proposals and issues:

Basic Counsel-Amber Rush, Chadd Oleson, Eli Marchbanks and Austin Cooper

Proposed Legislation Making Unauthorized Practice of Law a Per Se Violation of the Consumer Protection Act-Doug Walsh on behalf of the UPL/CPA Workgroup

Introduction to Alternative Business Structures, Multiple Disciplinary Practice and Entity Regulation Concepts

Recruitment

The Board voted to recommend that the Court appoint community representative Sarah Sumadi to fill the open position

Unauthorized Practice of Law Complaints

The Board considered 12 complaints against 10 individuals. The Board closed nine complaints without action and referred three complaints to enforcement agencies for possible investigation.

The Board entered EXECUTIVE SESSION

The meeting was adjourned

NEXT MEETING: RETREAT AUGUST 18, 2016 (8 a.m.-5 p.m. WSBA Offices)

PRACTICE OF LAW BOARD

State of Washington

Washington State Bar Association
1325 Fourth Avenue – Sixth Floor
Seattle, Washington 98101

RETREAT AGENDA

August 18, 2016
8:00 a.m. – 5:00 p.m.

Conference Call: 1-866-577-9294, Pass Code: 55510#

OPENING ACTIVITY

VIDEO

BOARD PURPOSE AND PRIORITY DISCUSSION-values, orders and needs

Personal Purposes Statements

Court Order Reconstituting Board

Purpose Statement-Report to BOG

Input received from Chief Justice, outside speakers and others

LUNCH

VIDEO

WHAT IF: Share your one idea for changing the legal or court system to
increase access to justice

WORK PLAN PRIORITY DISCUSSION-Prioritize work plan for future

VIDEO

REVIEW RETREAT AND BOARD FUNCTIONING

PRACTICE OF LAW BOARD

STATE OF WASHINGTON

1325 Fourth Avenue, Ste. 600, Seattle, WA 98101-2539
(206) 727-8252
Fax: (206) 727-8314

BOARD RETREAT MEETING MINUTES August 19, 2016

The Practice of Law Board (POLB) met on August 19, 2016 at the Office of the Washington State Bar Association. POLB members attending were: Hon. Paul Bastine, ret., Chair; Michele Carney; Professor Emeritus George Critchlow, Brooks Goode, Professor Robin Jacobson, Dominique Jinhong, Amber Marie Rush; Gary Swearingen and Jennifer Unger. Sean M. Davis, WSBA Board of Governors Liaison, Chelsie Elliott and Julie Shankland, WSBA Assistant General Counsel also attended.

Board Purposes, Priorities and Input: Values, Court Orders and Needs

The Board discussed the Court's directives to the Board in the July 8, 2015 Order. The Board noted and discussed that the Court Order states that the Board "shall" engage in certain activities and "may" engage in others. The Board then discussed whether each of the goals listed in the report to the Board of Governors was aligned with the "shall" activities in the Order. The Board considered the input it has received from many sources, including the Chief Justice, WSBA, Limited License Legal Technician Board, Access to Justice Board, LegalZoom, AVVO and Basic Counsel. The Board also considered information from the ABA Commission on the Future of Legal Services and other sources. Following brainstorming and discussion, the Board voted to adopt following preliminary priorities, with further refinements and discussion in September:

1. Public Education (15 points)
2. New Legal Professional Model (14 points)
3. Alternative Business Structures (9 points)
4. Virtual Courthouse Models and Concepts (8 points)
5. Practice of Law Board's Role in UPL Complaints (8 points)
6. Redefine Practice of Law (7 points)
7. Legal Services by Other Professionals (6 points)
8. Tools for Modernizing Legal Professionals (2 points)

The Board will also continue to discuss the Court's direction to meet with stakeholders to discuss the future of the Practice of Law Board. The Board preliminarily determined that the purposes of this stakeholder meeting are to:

- Gather data from legal services providers, systems and consumers
- Learn about Board blind spots

- Learn about “real-time” changes in legal needs, services and delivery systems
- Gather input about what the Board’s future role
- Gather input about the Board’s future priorities

The Board also developed a preliminary list of stakeholders. The Board will continue to discuss whether to defer this task or to seek input now and schedule additional stakeholder meetings later.

The Meeting was adjourned.

NEXT MEETING: SEPTEMBER 15, 2016

9:30 a.m.-3 p.m.

WSBA Offices

**PRACTICE OF LAW BOARD
State of Washington**

Washington State Bar Association
1325 Fourth Avenue – Sixth Floor
Seattle, Washington 98101

AGENDA

September 15, 2016
9:30 a.m. – 3:00 p.m.

Conference Call: 1-866-577-9294, Pass Code: 55510#

Call Meeting to Order

PUBLIC SESSION

Minutes

July 21, 2016 and August 18, 2016

EXECUTIVE SESSION

Unauthorized Practice of law Complaint Reviews

5 Complaint Reviews

CONTINUED DISCUSSION OF BOARD GOALS AND PRIORITIES

1. Public Education (15 points)
Focus on creating content, gathering information or better information distribution mechanism
2. New Legal Professional Model (14 points)
How to move forward
3. Alternative Business Structures (9 points)
4. Virtual Courthouse Models and Concepts (8 points)
5. Practice of Law Board's Role in UPL Complaints (8 points)
6. Redefine Practice of Law (7 points)
7. Legal Services by Other Professionals (6 points)
8. Tools for Modernizing Legal Professionals (2 points)

CONTINUED DISCUSSION OF UPL/CPA LEGISLATION

Is this legislation a POLB priority?
Review and Discussion of Proposal

CONTINUED DISCUSSION OF STAKEHOLDERS MEETING TO DISCUSS FUTURE OF THE PRACTICE OF LAW BOARD

Defer or Move Forward Now
Seek Input Now and Second Meeting Later
Refine Purpose for Meeting and Outreach Strategy

Adjourn

*This is the last meeting for fiscal year 2015-2016. The first meeting for fiscal year 2016-2017 will be on October 20, 2016.

PRACTICE OF LAW BOARD

STATE OF WASHINGTON

1325 Fourth Avenue, Ste. 600, Seattle, WA 98101-2539
(206) 727-8252
Fax: (206) 727-8314

MEETING MINUTES

September 15, 2016

The Practice of Law Board (POLB) met on September 15, 2016 at the Office of the Washington State Bar Association. POLB members attending were: Hon. Paul Bastine, ret., Chair; Michele Carney; Professor Emeritus George Critchlow, Dominique Jinhong, Andre Lang, Amber Marie Rush; Jennifer Unger and Doug Walsh. Chief Justice Barbara Madsen, Paula Littlewood, WSBA Executive Director, Jean McElroy, WSBA General Counsel and Chief Regulatory Counsel, Sean M. Davis, WSBA Board of Governors Liaison, Sherry Mehr, Office of General Counsel Paralegal and Julie Shankland, WSBA Assistant General Counsel also attended.

Minutes

The Board unanimously approved the minutes from the July 21, 2016 meeting and the August 18, 2016 retreat.

Board Goals and Priorities-Continued Discussion

Public Education (#1): The Board continued to discuss the most effective content and method to fulfill its public education mission. The board discussed working on a distribution model for the Legal Check-Up materials prepared by the ABA. The Board discussed ways to coordinate efforts with the Access to Justice Board and community stakeholders. The Board discussed writing blog articles for the WSBA website about the POLB and about the changes in the legal landscape.

Board's Role in UPL Complaints (#6): The Court directed the Board to receive and refer complaints and it is important to have a centralized place to submit complaints. The Board should continue this function, but it does not need to be the focus of ongoing discussions.

UPL/CPA legislation: The Board continued to review the drafts and discuss how to move this project forward, even though it was not one of the top priorities identified at the retreat.

The Board discussed ways to move from ideas and discussion to products. The Board discussed creating a recommended road map with prioritized steps for the Court to consider.

Unauthorized Practice of Law Complaints

In Executive Session, the Board considered five unauthorized practice of law complaints. The board referred two complaints for possible investigation, closed two complaints without action and deferred one complaint.

The meeting was adjourned.

PRACTICE OF LAW BOARD

State of Washington

Washington State Bar Association
1325 Fourth Avenue – Sixth Floor
Seattle, Washington 98101

AGENDA

October 20, 2016
9:30 a.m. – 3:00 p.m.

Conference Call: 1-866-577-9294, Pass Code: 55510#

Call Meeting to Order

EXECUTIVE SESSION

Unauthorized Practice of law Complaint Reviews

5 Complaint Reviews

PUBLIC SESSION

Minutes

September 15, 2016

UPL/CPA Legislation Update

Report on Phone Call with EOIR

Effective Communication Techniques-Debra Carnes, WSBA Chief Communications Officers

Lawyer Incubator Program Concept-: Mike Mocer, Washington New and Young Lawyers Committee

GR 25-Making the Rule consistent with the Court Order

Adjourn

Board Top Priorities

1. Public Education
2. New Legal Professional Model
3. Alternative Business Structures
4. Virtual Courthouse Models and Concepts
5. Practice of Law Board's Role in UPL Complaints
6. Redefine Practice of Law
7. Legal Services by Other Professionals
8. Tools for Modernizing Legal Professionals

Next Meeting: November 17, 2016

PRACTICE OF LAW BOARD

STATE OF WASHINGTON

1325 Fourth Avenue, Ste. 600, Seattle, WA 98101-2539
(206) 727-8252
Fax: (206) 727-8314

MEETING MINUTES

October 20, 2016

The Practice of Law Board (POLB) met on October 20, 2016 at the Office of the Washington State Bar Association. POLB members attending were: Hon. Paul Bastine, ret., Chair; Michele Carney; Andre Lang, Gwen Remmen, Amber Marie Rush; Gary Swearingen and Doug Walsh. Mike Mocer, Washington Young Lawyers Committee, Sherry Lindner, Office of General Counsel Paralegal and Julie Shankland, WSBA Senior Assistant General Counsel also attended.

Minutes

The Board unanimously approved the minutes from the September 15, 2016 meeting.

Access to Justice Board Liaison

Chair Bastine reported that he met with the Access to Justice Board Chair to discuss best methods for collaboration on areas where the two boards overlap. The POL Board decided to send a POL Board liaison to the ATJ Board meetings. Amber Marie Rush volunteered

Presentation and Discussion of WSBA Communication Tools

Debra Carnes, WSBA Chief Communications Officer

Ms. Carnes explained the tools the WSBA currently uses to communicate, including NWLawyer, WSBA website blogs, email, and social media. She suggested ways that the WSBA communications department and the POL Board could work together on shared communication goals.

Board members discussed a process for developing messaging. The process includes: researching a problem to understand the behavior that needs to change and the target audience for the message. Then, create the message, test the message, produce the message, deliver the message and drive people to the message. The Board reached consensus that the Board's target audience is the 80% of Washington residents who do not currently access legal services and also lawyers. The Board also reached consensus on working to include legal checkup information in the targeted messaging. The board discussed developing a communications plan that included detailed steps and deadlines.

Presentation and Discussion on Legal Incubator Programs

Michael Mocer, Chair of the Washington Young Lawyers Committee Incubator Program Subcommittee

Mr. Mocer presented his subcommittees research into incubator programs nationwide, including the variable business models and funding sources. His subcommittee plans to develop a business model in the next six months for WSBA consideration.

Update on Legislation making unauthorized practice of law a per se violation of the Consumer Protection Act

Doug Walsh met with Alison Phelan, WSBA Legislative Affairs Manager and contacted Michael Webb, the legislative representative from the Washington State Attorney General's Office about the proposed legislation. This legislation will not move forward right now, but could be considered during the normal legislative cycle in 2018. Mr. Walsh suggested that narrower legislation based on data documenting specific substantive problem areas might be more successful than the generic approach. We will begin to gather data and look for trends.

EIOR Phone Call Update

Brea Burgie manages the Fraud and Abuse Prevention Program in the Office of the General Counsel of the Executive Office for Immigration Review. This is another referral source for immigration related UPL cases. Additionally, Ms. Burgie provided access to several examples of public education materials. Many of the materials are based on pictures rather than words, so that they are more accessible to people regardless of language.

Executive Session Report

During Executive Session, the board considered four unauthorized practice of law complaints, closing two and referring two for consideration of investigation and enforcement.

The Board entered Executive session to consider unauthorized practice of law complaints.

EXECUTIVE SESSION

In Executive Session, the Board considered four unauthorized practice of law complaints. The board referred two complaints for possible investigation, closed two complaints without action and deferred one complaint.

The meeting was adjourned.

PRACTICE OF LAW BOARD

State of Washington

Washington State Bar Association
1325 Fourth Avenue – Sixth Floor
Seattle, Washington 98101

AGENDA

November 17, 2016

9:30 a.m. – 3:00 p.m.

Conference Call: 1-866-577-9294, Pass Code: 55510#

Call Meeting to Order

PUBLIC SESSION

Minutes

October 20, 2016

Presentation and Discussion-James Bamberger, Director, Office of Civil Legal Aid (10-Lunch)

GR 25-Making the Rule consistent with the Court Order-Begin Discussion (1pm-2pm)

(a) Board Responsibilities (b)(1)-(b)(4)

1. Does this draft language capture the Court's Order and instructions?
2. What is missing?
3. Is there a fiscal impact to additional responsibilities?
3. What is included that should not be the Board's responsibility?
4. What factors did you consider in determining tasks that should not be the Board's responsibility?
5. Do you have a recommendation about whether another board or agency should take on removed responsibilities?

Where Do We Go From Here? (2-2:30pm)

EXECUTIVE SESSION (2:30pm)

Unauthorized Practice of law Complaint Reviews

5 Complaint Reviews

Adjourn

Board Top Priorities 2016

1. Public Education
2. New Legal Professional Model
3. Alternative Business Structures
4. Virtual Courthouse Models and Concepts
5. Practice of Law Board's Role in UPL Complaints
6. Redefine Practice of Law
7. Legal Services by Other Professionals
8. Tools for Modernizing Legal Professionals

Next Meeting: December 15, 2016

PRACTICE OF LAW BOARD STATE OF WASHINGTON

1325 Fourth Avenue, Ste. 600, Seattle, WA 98101-2539
(206) 727-8252 Fax: (206) 727-8314

MEETING MINUTES November 17, 2016

The Practice of Law Board (POLB) met on November 17, 2016 at the Office of the Washington State Bar Association. POLB members attending were: Hon. Paul Bastine, ret., Chair; Professor Emeritus George Critchlow, Brooks Goode, Dominique Jinhong, Andre Lang, Gwen Remmen (by phone), Amber Marie Rush; Gary Swearingen and Doug Walsh. Francis Adewale, Access to Justice Board Liaison, James Bamberger, Director of Office of Civil Legal Aid, Sherry Lindner, Office of General Counsel Paralegal and Jean McElroy, WSBA General Counsel and Chief Regulatory Counsel also attended.

Minutes

The Board unanimously approved the minutes from the October 20, 2016 meeting.

Presentation and Discussion on the Civil Legal Needs Study Update James Bamberger, Director of Office of Civil Legal Aid

Mr. Bamberger discussed the background of the 2003 Civil Legal Needs survey. The study can be found at: <http://ocla.wa.gov/reports/>.

The Access to Justice (ATJ) Board Technology Subcommittee is working on technology that may assist and resolve legal issues. The Office of Civil Legal Aid is also working on technology that will assist this effort. This is still in its infancy stages.

The Board discussed the idea of "Turbo-Taxing" family law forms and possibly using an online dispute resolution system. The ATJ Board's technology subcommittee may be interested in pursuing these ideas.

The Board will continue to research and discuss these new ideas.

Executive Session Report

During Executive Session, the board considered four unauthorized practice of law complaints, closing two and referring two for consideration of investigation and enforcement.

The Board entered Executive session to consider unauthorized practice of law complaints.

EXECUTIVE SESSION

END OF EXECUTIVE SESSION

The meeting was adjourned.

PRACTICE OF LAW BOARD

State of Washington

Washington State Bar Association
1325 Fourth Avenue – Sixth Floor
Seattle, Washington 98101

AGENDA

December 15, 2016
9:30 a.m. – 3:00 p.m.

Conference Call: 1-866-577-9294, Pass Code: 55510#

Call Meeting to Order

PUBLIC SESSION (9:30-2:30)

New Member Introduction (9:30)

Minutes (9:35-9:45)

November 17, 2016

Report from ATJ Board Liaison

PROJECT IDEAS, DISCUSSIONS AND ASSIGNMENTS (9:45-11:45)

Legal CheckUp

Court House Facilitator Program and GR 27 Revisions

Automation Technology Ideas (New Legal Service Delivery Models)

New Legal Professionals

LUNCH (11:45-12:15)

GR 25 (12:30-2:30 p.m.)

EXECUTIVE SESSION (2:30-3:00 p.m.)

Unauthorized Practice of law Complaint Reviews

3 Complaint Reviews

Adjourn

Board Top Priorities 2016-17

1. Public Education
2. New Legal Professional Model
3. Alternative Business Structures
4. Virtual Courthouse Models and Concepts
5. Practice of Law Board's Role in UPL Complaints
6. Redefine Practice of Law
7. Legal Services by Other Professionals
8. Tools for Modernizing Legal Professionals

Next Meeting: January 19, 2017

APPENDIX D

UPL COMPLAINT CONSIDERATIONS AND COMPLAINT DETAIL

UPL Complaint Considerations

| Consider: No Referral for Enforcement | | Does not implicate UPL and/or No Public Harm |
|---------------------------------------|---|--|
| 1 | Complaint form not signed 30 days after request | |
| 2 | Complainant cannot be located, contacted or identified | |
| 3 | Complainant withdraws complaint | |
| 4 | Complaint previously referred to enforcement agency or agency already involved | |
| 5 | One time only; not repeated; no public harm | |
| 6 | Conduct permitted by RPC 5.5 and Respondent is lawyer authorized to practice in another jurisdiction | |
| 7 | Complaint is stale; limited public harm or no client/witness | |
| 8 | Conduct is not the practice of law | |
| 9 | Conduct is one of the GR 24 exceptions <ul style="list-style-type: none"> • Authorized by limited license • Court House Facilitator • Authorized Lay Representative • Neutral-mediator, arbitrator, conciliator or facilitator • Collective Bargaining Rights labor negotiations, arbitrations or conciliations • DVPO or RCW 10.14 PO assistance • Legislative lobbyist • Selling Legal Forms • Activities pre-empted by Federal Law • Clerk or court employee providing public information pursuant to Supreme Court Order • Activities authorized by Supreme Court Decisions or Orders • Nonlawyer assistant acting under lawyer supervision • Providing general information about laws and legal procedures to the general public • Government agencies carrying out their legal responsibilities | |

UPL Complaint Considerations

| | Consider: Referral for Enforcement | Implicates UPL and Public Harm |
|----|--|---------------------------------------|
| 10 | Nonlawyer holds himself or herself out as entitled to practice law | |
| 11 | Disbarred lawyer continuing to practice law | |
| 12 | Giving advice or counsel to others about their legal rights or responsibilities or responsibilities of others | |
| 13 | Selecting, drafting or offering to draft legal pleadings for others | |
| 14 | Representation of others in formal adjudicative proceeding or other formal dispute resolution process or in an administrative adjudicative proceeding in which legal pleadings are filed or a record is established as the basis for judicial review | |
| 15 | Negotiating legal rights of others | |
| 16 | Conduct not permitted by RPC 5.5 and lawyer admitted in another jurisdiction | |

| Referral for Possible Investigation and Action (30 complaints) Summary of Allegations | Referral Agency |
|---|---|
| Paralegal advertising legal services (13-15) | Washington State Attorney General's Office, Consumer Protection Division |
| Person not authorized to practice law offering online will preparation (13-19) | Washington State Attorney General's Office, Consumer Protection Division |
| Notario offering services in Wenatchee (13-49) | Washington State Attorney General's Office, Consumer Protection Division |
| Coupon advertising divorce services by person not authorized to practice law (13-60) | Washington State Attorney General's Office, Consumer Protection Division |
| Person not authorized to practice law advertising and receiving payments for drafting marital dissolution pleadings (14-09) | Renton Police Department and WSBA Office of Disciplinary Counsel |
| Paralegal using lawyer's identity to file immigration pleadings (16-10) | Executive Office of Immigration Review, Bellevue Police Department, King County Sheriff's Office and Washington State Attorney General's Office, Consumer Protection Division |
| Public adjuster representing clients in insurance matters-not clear if permitted by statute or beyond authority (14-13) | Office of the Insurance Commissioner |
| Person not authorized to practice law operating business soliciting clients and providing legal advice. (14-16) | Orange County Prosecutor's Office Consumer Protection Unit |
| Person not authorized to practice law soliciting money and preparing pleadings to challenge criminal convictions from families of people in federal prison. (14-22) | Department of Justice-Seattle and Bismark, North Dakota |
| Company offering "mortgage eradication" services. (14-23) | Washington State Attorney General's Office, Consumer Protection Division and King County Sheriff Fraud Division |
| Person not authorized to practice law giving legal advice and drafting documents; advising client to transfer business ownership to him (14-27) | King County Prosecutor's Office |
| Website offering divorce pleadings, DUI defense and will drafting services—not associated with a person authorized to practice law. (14-28) | Washington State Attorney General's Office, Consumer Protection Division |

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| Paralegal appeared in a bankruptcy scheduling conference. Judge made minute entry that he advised paralegal that she was engaging in the unauthorized practice of law. (14-44) | Yakima Prosecuting Attorney's Office |
| Paralegal representing clients before Labor and Industries and may be charging fees not permitted by lay representatives. (14-45) | Board of Industrial Insurance Appeals |
| Person not authorized to practice law drafting forms and giving legal advice on immigration issues from a real estate office. (14-49) | Washington State Attorney General's Office, Consumer Protection Division |
| Person not authorized to practice law filing pleadings on behalf of others to collect judgments. (10-22) | Washington State Attorney General's Office, Consumer Protection Division |
| Accountant preparing pleadings and advertising legal services on website (16-08) | Washington State Attorney General's Office, Consumer Protection Division |
| Person not authorized to practice law operating "legal clinic" through website; drafting pleadings, providing legal advice. (16-05) | Washington State Attorney General's Office, Consumer Protection Division |
| Person not authorized to practice law offering consultations on family law cases through a website. (12-02 and 16-15) | Washington State Attorney General's Office, Consumer Protection Division and Federal Way Police Department |
| Person not authorized to practice law operating business providing legal advice and drafting documents. Attended court hearing claiming to be a lawyer. (16-09) | Washington State Attorney General's Office, Consumer Protection Division |
| Person not authorized to practice law misrepresenting self as ICE agent; taking large sums of money for immigration assistance. Indicted for wire fraud and impersonating a federal officer or employee following investigations by OPR and ICE. (13-26, 13-27, 13-30, 13-33, 13-47 and 13-51) | Records provided to ICE through a public records request and referral made to Washington State Attorney General's Office, Consumer Protection Division |
| Paralegal preparing legal documents and pleadings (16-17) | Washington State Attorney General's Office, Consumer Protection Division and Washington Department of Licensing |
| Paralegal advertising pleading preparation (2) (16-21 and 16-22) | Washington State Attorney General's Office, Consumer Protection Division |

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| Complaints Closed (41 complaints) |
| Summary of Allegations |
| Person not authorized to practice law acting as trustee, signing pleadings in non-judicial foreclosure as authorized by statute (12-44) |
| Property management company permitted to appear in small claims court (13-20) |
| Person not authorized to practice law assisting Labor and Industries claimant (2) (13-41, 13-56) |
| Person not authorized to practice law emailing court on defendant's behalf; lawyer appeared in matter after complaint filed. (13-52) |
| CPA interpreting LLC Operating Agreement for tax purposes (13-58) |
| Tax preparer interpreting documents related to legal claims (13-61) |
| Website offering legal services by person not authorized to practice law; website removed. (13-65) |
| Person involved in a real estate dispute alleged to be pretending to be a lawyer (14-02) |
| Persons not authorized to practice law preparing documents and operating website. Website and business closed. (14-17 and 14-19) |
| Paralegal working at lawyer's office; alleged to have given legal advice in a dispute between two friends (14-21) |
| Complaint from law firms alleging person not authorized to practice law contacted their clients. Complaint sent to 20 or more states. Minimal connection with Washington. (14-31) |
| Person not authorized to practice law filed complaint about competing person not authorized to practice law allegedly negotiating settlement. Facts not verifiable. (14-34) |
| Lawyer complaint about person not authorized to practice law operating trademark management company. Response included declaration from client and client's lawyer (14-35) |
| Person not authorized to practice law filed pro se pleadings using "PS" for "pro se" after his name. (14-39) |
| Company offered immigration services before statute prohibited-closed in 2010. Complainant's wife worked for company. Potential customers still calling wife's cellphone. (14-41) |
| Complaint filed by business competitor in construction insurance business. Complaint filed in multiple states. (14-46) |
| Complaint alleged person not authorized to practice law drafted contract. Response indicated that person not authorized to practice law typed provided hand-written contract. (14-52) |
| Paralegal operating independently, but claiming to be lawyer supervised. Successfully prosecuted and sentenced to 1 year in jail. File closed without further action. (12-39 and 12-41) |
| Out of state lawyer temporarily practicing in Washington and work reviewed by WA lawyer. Licensing state closed file. POLB closed file. (13-23) |
| Anonymous complaint that foreign law consultant might have misleading website. Website disabled. (14-37) |
| Department of Corrections staff preparing pleadings when ordered to prepare presentencing investigation report. Permitted governmental agency duty. (16-01) |

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| Prosecutor alleged disbarred lawyer offered to provide legal services. File closed because prosecutor to determine whether to take action (16-04) |
| Resigned lawyer continuing to disburse client funds when received. (16-06) |
| Person not authorized to practice law and lawyer operating living trust company. Lawyer resigned. Person not authorized to practice law no longer involved in living trusts. (12-10) |
| Person not authorized to practice law offering to draft legal documents and negotiating. Insufficient evidence available. (14-38 and 14-40) |
| Insurance adjuster providing legal information to his insureds (16-11) |
| IRS employees doing job (16-18) |
| Employee of Congressman's Office doing job (16-19) |
| Disbarred lawyer participating in business transaction (15-0002) |
| Person not authorized to practice law possibly providing legal advice and assistance in real estate transaction, but stopped after retaining counsel (15-02) |
| Paralegal drafting pleadings, but working with a law firm (16-07) |
| Suspended lawyer receiving previously earned fees (16-12) |
| Notary alleged to have prepared will; but notarized only. (16-24) |
| Patent Agent performing authorized tasks. (16-26) |
| California lawyer providing bankruptcy services in Washington (16-27) |
| Mother assisting son in dissolution action (16-28) |
| Person not authorized to practice law assisting in a loan modification and an employment lawsuit (2) (16-29 and 16-33) |

APPENDIX E

PROPOSED GR 25 REVISIONS
(DRAFT)

GENERAL RULE 25

PRACTICE OF LAW BOARD

(a) **Purpose. Board.** ~~The purpose of this rule is to create a Practice of Law Board in order to promote expanded access to affordable and reliable legal and law-related services, expand public confidence in the administration of justice, make recommendations regarding the circumstances under which non-lawyers may be involved in the delivery of certain types of legal and law-related services, enforce rules prohibiting individuals and organizations from engaging in unauthorized legal and law-related services that pose a threat to the general public, and to ensure that those engaged in the delivery of legal services in the state of Washington have the requisite skills and competencies necessary to serve the public.~~

~~(b) Appointment. The Practice of Law Board shall consist of 13 members, at least four of whom shall be non-lawyers public members. The appointments Board shall be made appointed by the Supreme Court, after considering nominations from the Practice of Law Board and the Board of Governors of the Washington State Bar. A minimum of five public Board members must be persons not currently authorized to practice law. Association and other interested people and organizations. The Board members shall may be appointed to staggered 3-year terms of 3 years and no member may serve more than 2 consecutive full 3-year terms. Any vacancies shall may be filled for the unexpired term. The Supreme Court shall may annually designate a chair and vice-chair, who shall must be members of the Board.~~

(e b) **Powers Responsibilities** ~~of the Practice of Law Board.~~The Practice of Law Board's functions are to:

~~(1) Educate the public about how to receive competent legal assistance;~~
~~(24) Consider and recommendations to the Supreme Court Regarding the Provision of Legal and Law-Related Services by Non-Lawyers. On request of the Supreme Court or any person or organization, or on its own initiative, the Board may recommend new avenues for that non-lawyers persons not currently authorized to practice law to provide legal and law-related services be authorized to engage in certain defined activities that might otherwise constitute the practice of law as defined in GR 24. Recommendations to authorize non-lawyers to engage in the limited practice of law pursuant to this section shall must be forwarded to the Washington State Bar Board of Governors for consideration and comment at least 90 days before transmission to the Supreme Court. Upon approval of such recommendations by the Supreme Court, pursuant to the procedures set out in GR 9, those who meet the requirements and comply with applicable regulatory and licensing provisions shall be deemed to be engaged in the authorized practice of law. In forwarding a recommendation that non-lawyers be authorized to engage in certain legal or law-related activities that constitute the practice of law as defined in GR 24, the Board shall determine whether regulation under authority of the Supreme Court (including the establishment of minimum and uniform standards of competency, conduct, and continuing education) is~~

necessary to protect the public interest. Any ~~rRecommendations~~ that non-lawyers be authorized to engage in the limited provision of legal or law-related services shall must be accompanied by a determination:

(A) that access to affordable and reliable legal and law-related services consistent with protection of the public will be enhanced by ~~permitting non-lawyers to engage in the defined activities set forth in the recommendation authorizing the recommended legal service provider or legal service delivery model;~~

(B) that the defined activities outlined in the recommendation can be reasonably and competently provided by skilled and trained ~~non-lawyers~~ legal service providers;

(C) if the public interest requires regulation under ~~authority of the~~ Supreme Court authority, ~~such regulation considers any regulatory objectives in GR 12 et.seq. and~~ is tailored to promote access to affordable legal and law-related services while ensuring that those whose important rights are at stake can reasonably rely on the quality, skill and ability of ~~those non-lawyers~~ the authorized legal service providers who will provide such services;

(D) that, to the extent that the activities authorized will involve the handling of client trust funds, provision has been made to ensure that such funds are handled in a manner consistent with ~~RPC 1.15A all applicable court rules,~~ including the requirement that such funds be placed in interest bearing accounts, with interest paid to the Legal Foundation of Washington; and

(E) that the recommended program, including the costs of regulation, is financially self-supporting within a reasonable period of time. ~~if any, can be effectively underwritten within the context of the proposed regulatory regime. Recommendations to authorize non-lawyers to engage in the limited practice of law pursuant to this section shall be forwarded to the Washington State Board of Governors for consideration and comment before transmission to the Supreme Court. Upon approval of such recommendations by the Supreme Court, pursuant to the procedures set out in GR 9, those who meet the requirements and comply with applicable regulatory and licensing provisions shall be deemed to be engaged in the authorized practice of law.~~

~~(2 3) Complaints. The Board may receive have jurisdiction over and shall inquire into and consider~~ complaints alleging the unauthorized practice of law in Washington by any person or entity. The Board will review and may refer complaints that allege harm to the public interest to appropriate enforcement agencies. Upon referring a matter to law enforcement or other agency, the Board may notify the complainant of such action in writing, in accordance with the procedures outlined in this rule.

~~—(3) Investigation. The Board may, on its own initiative, and without any complaint being made to it, investigate any condition or situation of which it becomes aware that may involve the unauthorized practice of law.~~

~~(1 4) Advisory Opinions. On request of any person or entity, or in connection with the consideration of any complaint or any investigation made on its own initiative, The Board may render~~ draft advisory opinions relating to concerning legal issues related to educating the public about how to receive competent legal assistance and concerning areas in which legal and law-related services could be provided by persons not currently authorized to practice law. authority of non-lawyers to perform legal and law-related services and arrange for their publication. No Such opinions shall not have the effect of adjudicating a specific legal case, but merely advise on an interpretation of law. The draft opinion shall be limited to hypothetical circumstances and

~~shall not constitute an endorsement of any entity, person or practice. No opinion may be drafted~~~~be rendered~~ if, to the Board's knowledge, the subject matter either involves or might affect a case or controversy pending in any court or quasi-judicial setting. Draft advisory opinions shall be in writing and must be transmitted to the Court for its review. At the discretion of the Court, an advisory opinion of the Board may be published in the official publication of the WSBA and on the WSBA website. An advisory opinion shall be issued by the Board in writing and shall be transmitted to the person making the inquiry. At the direction of the Board, an opinion may be published in the Washington State Bar News. Published opinions shall not, insofar as practicable, identify the party or parties making an inquiry, or the complainant or respondent.

~~(d c)~~ Expenses of the Practice of Law Board **Funding and Administration**. The Practice of Law Board shall be supported through annual commitments from the Washington State Bar Association and through a portion of other licensing fees established by the Supreme Court for non-lawyers authorized to engage in the regulated practice of law. The Board shall must be funded, administered and staffed by the Washington State Bar in accordance with GR 12 et seq. which The Bar shall pay all expenses reasonably and necessarily incurred by the Board, pursuant to a budget approved by the Board of Governors. Members of the Board members shall ~~not be~~ are not compensated for their services, but ~~shall be~~ are reimbursed for their necessary expenses incurred in connection with the Board in a manner consistent with the Association Bar's reimbursement policies.

~~(e d)~~ **Records.** All ~~records of the~~ Board records shall must be ~~filed and~~ maintained at the principal office of the Association Bar. GR 12.4 applies to access to Board records. All Board records, including unauthorized practice of law complaints are public documents except:

(1) Information made confidential by GR 22 and GR 31;

(2) Information made confidential by other statutes, court rules or legal authority, such as unredacted police reports, medical records, confidential disciplinary information, or copies of sealed pleadings;

(e) **Meetings and Procedures.** The Board may meet as necessary to complete its business. Meetings may be held in person or by videoconference and/or teleconference. All meetings of the Board and its designated committees are open and public, unless the Board meets in Executive Session.

(1) *Executive Session.* The Board may meet in Executive Session on matters within the Board's scope of work and consistent with the Bar Bylaws.

(2) *Quorum.* A majority of the Board shall constitute a quorum.

~~-(f) **Procedure.**~~

(13) *Committees.* The Board may establish such committees as the membership may deem necessary and appropriate to the performance of its assigned tasks.

(4) *Voting.* Each member shall be entitled to one vote on each matter submitted to a vote at a meeting.

~~The chairperson of the Board may appoint temporary members of the Board or a committee when a member is disqualified or unable to function on a specific matter for good cause.~~

~~—(3) Action by Board. The full jurisdiction and authority of the Board, as provided in this rule, may be exercised by a committee, except that (1) no advisory opinion may be given without the approval of a majority of the Board; (2) no determination of the unauthorized practice of law by a respondent and referral of a matter to a law enforcement or other agency may be made without the approval of a majority of the Board; and (3) the action of a committee on any matter shall be subject to review and the approval or disapproval of the Board.~~

~~—(4) Formal Complaint Procedure.~~

~~—(A) Preliminary Investigation. The investigation or review of a complaint shall be promptly instituted by the Board or by a member thereof designated by the chair of the Board. If a complaint has been filed, the investigating member shall interview the complainant and respondent and shall conduct such further investigation as is deemed appropriate.~~

~~—(B) Report and Written Agreement. Upon the conclusion of an investigation of a complaint, a report shall be made to the Board. If, after consideration of the report, the Board concludes that there has been no unauthorized practice of law, the complaint shall be dismissed and the Board shall so notify the complainant and the respondent in writing and shall close the file in the matter. If the Board concludes that there has been unauthorized practice of law, the Board shall attempt to persuade the respondent to enter into a written agreement to refrain from such conduct in the future. The written agreement may include a stipulation to penalties in the event of continued violation.~~

~~—(C) Pending Controversy. The Board may defer investigation if, to the Board's knowledge, the conduct complained of is the subject matter of or might affect a case or controversy pending in any court.~~

~~—(D) Informal Disposition. The Board may attempt to arrive at an amicable disposition of any matter within its jurisdiction with the respondent. At any time during the pendency of a matter before it, the Board may conduct an informal conference with the respondent. At the Board's discretion, an electronic recording or written transcription of the proceeding may be made. A respondent subject to an informal conference may be represented by counsel. After a finding by the Board of the unauthorized practice of law, the Board shall endeavor to have the respondent enter into a written agreement to refrain in the future from such conduct. If the respondent declines to enter into a written agreement pursuant to this rule, the Board shall refer the matter to an appropriate law enforcement or other agency in accordance with this rule.~~

~~—(g) Petitions for Review.~~

~~—(1) Notice. Within 20 days after an opinion is published, or within 30 days after any final action of the Board other than the publication of any opinion, any aggrieved member of the bar, bar association, person or entity may seek review thereof by serving on the Board a notice of petition for review by the Supreme Court and by filing the original notice with the Clerk of the Supreme Court. The notice shall set forth the petitioner's name and address and, if represented, the name and address of counsel. The notice shall designate the action of the Board sought to be reviewed and shall concisely state the manner in which the petitioner is aggrieved.~~

~~—(2) Procedure. Petitions for review to the Supreme Court shall comply with the Rules for Appellate Procedure.~~

~~—(3) Final Determination. The final determination of a petition for review may be either by written opinion or by order of the Supreme Court and shall state whether the opinion or the action of the Board is affirmed, reversed or modified or shall provide for such other final disposition as is appropriate.~~

~~—(h) Referral to Enforcement Agency.~~

~~—(1) Referral. When the Board concludes from its preliminary investigation, or from the failure of an informal conference as provided in these rules, that an amicable disposition of any matter within its jurisdiction cannot be effected with the respondent, it shall, based upon the nature of the complaint, the relief sought, and the facts as then known, refer the matter to the law enforcement or other agency the Board determines is best suited to conduct an investigation and any prosecution of such matter.~~

~~—(2) Contents of File. Upon making a determination that an amicable disposition of a matter cannot be effected, and that the matter should be referred to a particular law enforcement or other agency, the Board shall send such agency the original complaint, response, evidence or other proof, investigative report and, if an informal conference has been conducted, a transcript of such proceedings. The Board shall retain copies of all such documents for its file.~~

~~—(3) Notice to Complainant. Upon referring a matter to a law enforcement or other agency, the Board shall notify the complainant of such action in writing.~~

(f) Annual Report. The Board must file a written report and meet with the Court each year. The report must contain the following information:

(1) Board Roster, including any committees formed;

(2) Board meeting agendas;

(3) Short description of all unauthorized practice of law complaints received; whether the board closed, referred or deferred the complaint; and the name of the agencies receiving the referral;

(4) Progress report or copies of educational materials provided to the public;

(5) Progress report on recommended new legal service providers or legal service delivery mechanisms;

(6) Work plan for the fiscal year;

(7) Long range work plan.

(ig) Immunity from Suit.

(1) The members and staff of the Board shall be absolutely immune from suit, whether legal or equitable in nature, for any conduct in the performance of their official duties.

(2) Persons who bring allegations to the Board concerning any individual or entity ~~to the Board~~ shall be immune from suit, whether legal or equitable in nature, for all communications to the Board or to its staff.

(h) Regulations. The Board may adopt regulations pertinent to these ~~powers~~ responsibilities subject to the approval of the Supreme Court. Proposed Regulations should be provided to the Washington State Bar Board of Governors for informational purposes.

[Adopted effective September 1, 2001; September 1, 2006.] January 17, 2017 Draft

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PRACTICE OF LAW BOARD

(a) Board. The Practice of Law Board consists of 13 members appointed by the Supreme Court after considering nominations from the Practice of Law Board and the Board of Governors of the Washington State Bar. A minimum of five public Board members must be persons not currently authorized to practice law. Board members may be appointed to 3-year terms and no member may serve more than 2 consecutive full 3-year terms. Vacancies may be filled for the unexpired term. The Supreme Court may annually designate a chair and vice-chair, who must be members of the Board.

(b) Responsibilities. The Practice of Law Board's functions are to:

- (1) Educate the public about how to receive competent legal assistance;
- (2) Consider and recommend to the Supreme Court new avenues for persons not currently authorized to practice law to provide legal and law-related services that might otherwise constitute the practice of law as defined in GR 24. Recommendations must be forwarded to the Washington State Bar Board of Governors for consideration and comment at least 90 days before transmission to the Supreme Court. Upon approval of such recommendations by the Supreme Court, pursuant to the procedures set out in GR 9, those who meet the requirements and comply with applicable regulatory and licensing provisions shall be deemed to be engaged in the authorized practice of law. Recommendations must be accompanied by a determination:
 - (A) that access to affordable and reliable legal and law-related services consistent with protection of the public will be enhanced by authorizing the recommended legal service provider or legal service delivery model;
 - (B) that the defined activities outlined in the recommendation can be reasonably and competently provided by skilled and trained legal service providers;
 - (C) if the public interest requires regulation under Supreme Court authority, such regulation considers any regulatory objectives in GR 12 et.seq. and is tailored to promote access to affordable legal and law-related services while ensuring that those whose important rights are at stake can reasonably rely on the quality, skill and ability of the authorized legal service providers;
 - (D) that, to the extent the activities authorized will involve the handling of client trust funds, provision has been made to ensure that such funds are handled in a manner consistent with all applicable court rules including the requirement that such funds be placed in interest bearing accounts, with interest paid to the Legal Foundation of Washington; and
 - (E) that the recommended program, including the costs of regulation, is financially self-supporting within a reasonable period of time.
- (3) The Board may receive complaints alleging the unauthorized practice of law in Washington by any person or entity. The Board will review and may refer complaints that allege harm to the public interest to appropriate enforcement agencies. Upon referring a matter to law enforcement or other agency, the Board may notify the complainant of such action in writing.
- (4) The Board may draft advisory opinions concerning legal issues related to educating the public about how to receive competent legal assistance and concerning areas in which legal and law-related services could be provided by persons not currently authorized to practice law. Such opinions shall not have the effect of adjudicating a specific legal case, but merely advise on an

interpretation of law. The draft opinions shall be limited to hypothetical circumstances and shall not constitute an endorsement of any entity, person or practice. No opinion may be drafted if, to the Board's knowledge, the subject matter either involves or might affect a case or controversy pending in any court or quasi-judicial setting. Draft advisory opinions shall be in writing and must be transmitted to the Court for its review. At the discretion of the Court, an advisory opinion of the Board may be published in the official publication of the WSBA and on the WSBA website.

(c) Board Funding and Administration. The Board must be funded, administered and staffed by the Washington State Bar in accordance with GR 12 et seq. Board members are not compensated for their services, but are reimbursed for their necessary expenses incurred in connection with the Board in a manner consistent with the Bar's reimbursement policies.

(d) Records. All Board records must be maintained at the principal office of the Bar. GR 12.4 applies to access to Board records. All Board records, including unauthorized practice of law complaints are public documents except:

- (1) Information made confidential by GR 22 and GR 31;
- (2) Information made confidential by other statutes, court rules or legal authority, such as unredacted police reports, medical records, confidential disciplinary information, or copies of sealed pleadings.

(e) Meetings and Procedures. The Board may meet as necessary to complete its business. Meetings may be held in person or by videoconference and/or teleconference. All meetings of the Board and its designated committees are open and public, unless the Board meets in Executive Session.

(1) *Executive Session.* The Board may meet in Executive Session on matters within the Board's scope of work and consistent with the Bar Bylaws.

(2) *Quorum.* A majority of the Board shall constitute a quorum.

(3) *Committees.* The Board may establish such committees as the membership may deem necessary and appropriate to the performance of its assigned tasks.

(4) *Voting.* Each member shall be entitled to one vote on each matter submitted to a vote at a meeting.

(f) Annual Report. The Board must file a written report and meet with the Court each year. The report must contain the following information:

- (1) Board roster, including any committees formed;
- (2) Board meeting agendas;
- (3) Short description of all unauthorized practice of law complaints received; whether the board closed, referred or deferred the complaint; and the name of the agencies receiving the referral;
- (4) Progress report or copies of education materials provided to the public;
- (5) Progress report on recommended new legal service providers or legal service delivery models consistent with paragraph 2(A);
- (6) Work plan for the fiscal year;
- (7) Long range work plan.

(g) Immunity from Suit

- (1) The members and staff of the Board shall be absolutely immune from suit, whether legal or equitable in nature, for any conduct in the performance of their official duties.
- (2) Persons who bring allegations to the Board concerning any individual or entity shall be immune from suit, whether legal or equitable in nature, for all communications to the Board or to its staff.

(h) Regulations. The Board may adopt regulations pertinent to these responsibilities subject to the approval of the Supreme Court. Proposed Regulations should be provided to the Washington State Bar Board of Governors for informational purposes.

January 17, 2017 Draft

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WSBA

OFFICE OF THE GENERAL COUNSEL

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To: The President, President-Elect, Immediate Past President, and Board of Governors
From: Jean K. McElroy, General Counsel/Chief Regulatory Counsel
Date: January 19, 2017
Re: Petition for Referendum (**Action**)

Action: Decide whether to hold a referendum vote on the license fee petition filed with the WSBA.

BACKGROUND: At the September BOG meeting, the BOG approved lawyer license fees for 2018, 2019, and 2020. As of December 27, WSBA had received both the petitions and the signature certification documentation required in order to establish the validity of the petition signatures. It was later determined, after verifying the signatures, that the petition met the WSBA Bylaw requirements for petitions under Article VIII. The petition requested a referendum on whether the WSBA license fees for 2018, 2019, and 2020 should be rolled back and any future license fee increases be tied to the Consumer Price Index (CPI) during the calendar year ending 12 months previous to the effective date of the increase.

WSBA Bylaws Article VIII **Member Referenda and BOG Referrals to Membership** provides (a copy of WSBA Bylaws Art. VIII is attached to this memo):

1. The Board of Governors sets the policy for the Bar. The membership, through a referendum, has the opportunity to affect policy set by the BOG. Membership referenda may accomplish the following:
 - a. Reverse a final action taken by the Board of Governors;
 - b. Modify a final action taken by the Board of Governors;
 - c. Enact a resolution; or
 - d. Amend these bylaws.
2. Any Active member may file a petition for a referendum. All petitions must meet the following requirements:
 - a. The petition must set forth the exact language of the proposed resolution, bylaw amendment, or modification/reversal of the BOG action.
 - b. The petition must be signed by at least five percent of the active membership of the Bar at the time the petition is filed.

- c. The petition must comply with GR 12. The BOG will determine, within 30 days of the filing of a petition for a referendum, if the subject of the petition falls within the requirements of GR 12.
 - d. If the subject of the petition seeks to reverse or modify final action taken by the Board of Governors, then the petition must be filed with the Executive Director within 90 days of that final action.
 - e. All petitions for a referendum must be filed with the WSBA Executive Director.
3. All qualifying petitions will be put to a vote of the active membership within 90 days of the date that the petition was filed."

Art. VIII.C. describes the ballot preparation requirements, and Art. VIII.D describes the voting process, which is essentially the process for BOG Congressional District elections.

Art. VIII.E describes the effects of a vote, and E.2. provides "The BOG may not alter the effects of a member referenda that passed sooner than two years from the date of the voting results."

The requirements in sections a, d, and e were met with the filing of the petitions for the referendum.

On December 30, 2016, WSBA's General Counsel/Chief Regulatory Counsel and Membership Records Manager were able to verify the petitions contained certified signatures of at least five percent of the Active Members of the WSBA.

On January 5, 2017, the Washington Supreme Court entered an order finding that the 2018, 2019, and 2020 license fees set by the BOG are reasonable, and that the license fee rollback and the limit on future license fee increases set forth in the petition for referendum are not reasonable. A copy of the order is attached.

ATTACHMENTS:

1. Sample copy of petition filed 12/20/17
2. WSBA Bylaws Art VIII
3. GR 12.1
4. 1/5/17 Supreme Court Order
5. Correspondence with petition filer

WSBA LICENSE FEE ROLLBACK PETITION

PROPOSITION: "The increases in annual license fees voted by the Board of Governors for the years 2018 to 2020 are hereby rejected. The fee amount for a given year shall not be increased by a greater percentage than the consumer price index (CPI) shall have increased during the calendar year ending 12 months previous to the effective date of the increase. The consumer price index shall be as defined as the Seattle Area CPI for all Urban Consumers (CPI-U), issued by the U.S Bureau of Labor Statistics."

The undersigned member(s) of the WSBA hereby petition that the above proposition be submitted for vote in a membership referendum.

| | | |
|-------|------------|-----------|
| _____ | _____ | _____ |
| NAME | BAR NUMBER | SIGNATURE |

DocuSigned by:
888A5049BB174D7

BYLAWS

Washington State Bar Association

VIII. MEMBER REFERENDA AND BOG REFERRALS TO MEMBERSHIP

A. MEMBER REFERENDA

1. The Board of Governors sets the policy for the Bar. The membership, through a referendum, has the opportunity to affect policy set by the BOG. Membership referenda may accomplish the following:
 - a. Reverse a final action taken by the Board of Governors;
 - b. Modify a final action taken by the Board of Governors;
 - c. Enact a resolution; or
 - d. Amend these bylaws.
2. Any Active member may file a petition for a referendum. All petitions must meet the following requirements:
 - a. The petition must set forth the exact language of the proposed resolution, bylaw amendment, or modification/reversal of the BOG action.
 - b. The petition must be signed by at least five percent of the Active membership of the Bar at the time the petition is filed.
 - c. The petition must comply with GR 12. The BOG will determine, within 30 days of the filing of a petition for a referendum, if the subject of the petition falls within the requirements of GR 12.
 - d. If the subject of the petition seeks to reverse or modify final action taken by the Board of Governors, then the petition must be filed with the Executive Director within 90 days of that final action.
 - e. All petitions for a referendum must be filed with the WSBA Executive Director.

3. All qualifying petitions will be put to a vote of the active membership within 90 days of the date that the petition was filed.

B. BOG REFFERALS TO MEMBERSHIP

The Board of Governors may also refer a proposed resolution, bylaw amendment, or other proposal to a vote of the Active membership in accordance with the procedures set forth in these bylaws.

C. BALLOT PREPARATION

The Executive Director shall prepare ballots as directed by the BOG. The proponents of the action may submit, for inclusion with the ballot a “statement for” not to exceed 750 words and a “rebuttal of statement against” not to exceed 250 words. The opponents of the action may submit, for inclusion with the ballot, a “statement against” not to exceed 750 words and a “rebuttal of statement for” not to exceed 250 words. The Executive Director will determine the deadlines for filing all such statements with the Bar and provide notice of those deadlines. If more than one opponent statement is submitted, the WSBA President will determine which statement(s) will be submitted with the ballot.

D. VOTING PROCEDURES

The procedures set forth in the “Election of Governors from Congressional Districts” section of these bylaws shall be used as a procedural guideline. The ballot, petition, and accompanying statements shall be posted on the WSBA website, distributed electronically to Active members with e-mail addresses on record with the Bar, and mailed to all other Active members. The deadline for return of ballots shall be not less than 30 days from the date of distribution.

E. EFFECT OF VOTE

1. All member referenda and BOG referrals only require a majority of those Active members voting to pass. No unsuccessful member referenda may be resubmitted to the membership until two years have passed from the date of the voting results.
2. The BOG may not alter the effects of a member referenda that passed sooner than two years from the date of the voting results.



GR 12.1

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

(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;

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

[Adopted effective July 19, 1987; amended effective December 10, 1993; September 1, 1997; September 1, 2007; September 1, 2013.]

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For Washington State laws, visit the [Washington State Legislature](http://www.wa.gov/courts)

Inserted from <http://www.courts.wa.gov/court_rules/?fa=court_rules.display&group=ga&set=GR&ruleid=GAGR12.1>

FILED

JAN - 5 2017

WASHINGTON STATE
SUPREME COURT

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE WSBA BOARD OF
GOVERNOR'S APPROVAL OF LAWYER
LICENSE FEES FOR 2018, 2019 AND 2020, AND
THE LICENSE FEE ROLLBACK PETITION

ORDER

NO. 25700-B-571

On September 29, 2016, the Washington State Bar Association (WSBA) Board of Governors approved lawyer license fees for the years 2018 through 2020 as follows: \$449 in 2018, \$453 in 2019, and \$458 in 2020. The WSBA Bylaws provide that, within 90 days of a final decision of the Board of Governors, any active member may file a referendum to reverse or modify that decision. A license fee rollback petition was timely filed by active members of the WSBA with the Executive Director of the WSBA. The petition seeks to reject the 2018-2020 fees approved by the Board of Governors and require that the fee amount for a given year not be increased by a greater percentage than the consumer price index (CPI) increased during the calendar year ending 12 months previous to the effective date of the increase.¹ Under GR 12.1(22), the amount of any license fee is subject to review by the Supreme Court for

¹ The petition states: "The fee amount for a given year shall not be increased by a greater percentage than the consumer price index (CPI) shall have increased during the calendar year ending 12 months previous to the effective date of the increase. The consumer price index shall be as defined as the Seattle Area CPI for all Urban Consumers (CPI-U), issued by the U.S. Bureau of Labor Statistics."

IN THE MATTER OF THE WSBA BOARD OF GOVERNOR'S APPROVAL
OF LAWYER LICENSE FEES FOR 2018, 2019 AND 2020, AND THE LICENSE
FEE ROLLBACK PETITION

Order – Page Two

reasonableness and may be modified by order of the Court if the Court determines that the fee is not reasonable. After consideration of the Board's lawyer license fees approved for 2018, 2019, and 2020, and the license fee rollback petition, the Court, by majority, enters the following order pursuant to GR 12.1(22):

Now, therefore, it is hereby

ORDERED:

- (a) That the lawyer license fees approved by the WSBA Board of Governors for the years 2018, 2019, and 2020 are reasonable.
- (b) That the lawyer license fees proposed by the license fee rollback petition, if the petition were to pass, would not be reasonable both as to the level of fees that it proposes and as to the requirement that future license fee increases be tied to the consumer price index.

DATED at Olympia, Washington, this 5th day of January, 2017.

For the Court

Madson, C.J.
CHIEF JUSTICE



ANGUS LEE
LAW FIRM, PLLC

9105A NE HWY 99, Suite 200
Vancouver, WA 98665
Phone: 360-635-6464 Fax: 888-509-8268

Sunday, December 18, 2016

Paula Littlewood
Executive Director
Washington State Bar Association
1325 Fourth Avenue, Suite 600
Seattle, WA 98101-2539.

RECEIVED

DEC 20 2016

RE: PETITION

Dear Mrs. Littlewood:

Enclosed are petitions signed by approximately 2,000 members of the Washington State Bar Association. These petitions are being provided to you on a DVD in the form of a PDF. "The Washington State Bar Association (WSBA) supports the use of these Internet technologies to increase member engagement, build community, and improve access to information, resulting in greater value to our members and the public."¹

In contradiction to the WSBA's stated support for the use of internet technology, you wrote on December 5, 2016: "the petitions will need to be hard copy and either delivered to the WSBA office or sent via snail mail." Therefore, since you refused to accept electronic service, I have also enclosed the signed petitions on paper as requested.

If this correspondence is in any respect unclear, or further guidance is necessary, please contact me immediately.

Sincerely,

A handwritten signature in cursive script that reads "Angus".
D. Angus Lee

¹ Social Media Guidelines for the WSBA and Its Entities (Revised 10/19/2009).



WSBA

OFFICE OF THE EXECUTIVE DIRECTOR

Paula C. Littlewood
Executive Director

direct line: 206-239-2120
e-mail: paulal@wsba.org
fax: 206-727-8316

December 21, 2016

Mr. D. Angus Lee
Angus Lee Law Firm, PLLC
9208 NE Hwy 99, Suite 107
Vancouver WA 98665-8986

RE: WSBA Member Referendum Petition

Dear Mr. Lee,

On Tuesday December 20th, the WSBA received a box containing signed referendum petitions and a cover letter from you. Today, WSBA Regulatory Services staff will begin reviewing the petitions to determine whether there are a sufficient number (5% of the Active membership, or 1,604) signed by WSBA members who were active on the date the petition was received to require putting the proposed referendum to a vote of the full membership within 90 days of receipt of the petitions.

We will inform you of the results once the verification process has been completed. If we have any question in the meantime, we will be in touch.

Sincerely,

A handwritten signature in dark ink, appearing to read "Paula C. Littlewood", written over a horizontal line.

Paula C. Littlewood
Executive Director

cc: Robin Haynes, WSBA President

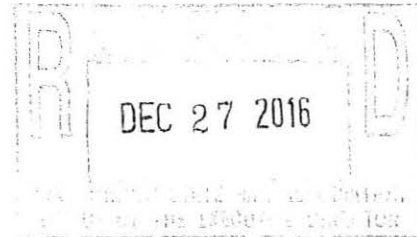


ANGUS LEE
LAW FIRM, PLLC

9105A NE HWY 99, Suite 200
Vancouver, WA 98665
Phone: 360-635-6464 Fax: 888-509-8268

Thursday, December 22, 2016

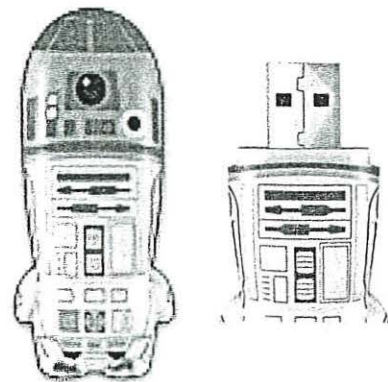
Paula Littlewood
Executive Director
Washington State Bar Association
1325 Fourth Avenue, Suite 600
Seattle, WA 98101-2539.



RE: PETITION CERTIFICATIONS

Dear Mrs. Littlewood:

As you have requested, you will find the petition certifications on both the enclosed DVD and on the enclosed R2-D2 thumb drive. They are in PDF format and labeled "Petitions to WSBA dec1716 (Certificates)." I have opened both the DVD, and the R2-D2 thumbdrive, on Apple and Windows based computers and have confirmed that the files are fully operational on either operating system.



On December 21, 2016, Jean McElroy emailed me, writing "we are requesting that you send us the [certification] file by cd so that we have a hard copy of it for our records." I trust you agree that this satisfies the request, so as to ensure that no WSBA members are disenfranchised.

If there are any other issues, please contact me immediately. Once you have downloaded the files held inside the R2 unit, please return him using the enclosed envelope and postage.

Sincerely,

Angus
D. Angus Lee



WSBA

OFFICE OF THE EXECUTIVE DIRECTOR

Paula C. Littlewood
Executive Director

direct line: 206-239-2120
e-mail: paulal@wsba.org
fax: 206-727-8316

December 27, 2017

Mr. D. Angus Lee
Angus Lee Law Firm, PLLC
9208 NE Hwy 99, Suite 107
Vancouver WA 98665-8986

RE: WSBA Member Referendum Petition

Dear Mr. Lee,

On Tuesday December 27th, the WSBA received a FedEx envelope containing a letter from you, along with a CD and an R2-D2 thumbdrive on which you have downloaded the requested petition signature certificates. WSBA Regulatory Services staff will begin reviewing the certification documentation to determine authenticity of the signatures on the petitions to determine whether there are a sufficient number (5% of the Active membership, or 1,604) signed by WSBA members who were active on the date the petition was received to require putting the proposed referendum to a vote of the full membership within 90 days of receipt of the petitions.

We will inform you of the results once the verification process has been completed and will return the R2-D2 thumbdrive to you as you requested once we are able to confirm we have the data. If we have any question in the meantime, we will be in touch.

Sincerely,

A handwritten signature in cursive script that reads "Paula C. Littlewood".

Paula C. Littlewood
Executive Director

cc: Robin Haynes, WSBA President

Working Together to Champion Justice



WSBA

OFFICE OF THE EXECUTIVE DIRECTOR

Paula C. Littlewood
Executive Director

direct line: 206-239-2120
e-mail: paulal@wsba.org
fax: 206-727-8316

January 6, 2017

Mr. D. Angus Lee
Angus Lee Law Firm, PLLC
9208 NE Hwy 99, Suite 107
Vancouver WA 98665-8986

RE: WSBA Member Referendum Petition

Dear Mr. Lee,

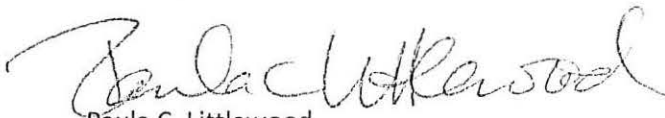
As you know, on December 20th, 2016, WSBA received from you a box containing signed referendum petitions, but the DocuSign certification file was corrupted and most of the signatures could not be authenticated at that time. At our request, you re-sent the certification information to WSBA, which we received the following week. Using that information and the signed petitions, we have confirmed that we received signed petitions from the required number of WSBA's Active members.

Yesterday, in accordance with GR 12.1(22), the Washington Supreme Court issued an order affirming that it had reviewed the 2018-2020 license fees approved by the BOG and that those fees are reasonable. The Court's order further stated that, if the petition were to pass, the fees that would be set in accordance with the petition would be unreasonable both as to the amount of the fees and as to having future fee increases tied to increases in the CPI.

At its January 26 and 27 meeting in Spokane, the Board of Governors will consider whether to put the petition to a vote of the Active membership.

As you requested, your flashdrive is being returned to you with the hard copy of this letter.

Sincerely,



Paula C. Littlewood
Executive Director

cc: Robin Haynes, WSBA President



MEMORANDUM

TO: WSBA Board of Governors

FROM: Paula Littlewood, Executive Director; Frances Dujon-Reynolds, HR Director; Terra Nevitt, Director of Advancement/Chief Development Officer

DATE: January 13, 2017

RE: Background materials for "Shifting Demographics of Our Membership"
Generative Discussion

The materials developed for the generative discussion on the Shifting Demographics of Our Membership, originally scheduled to be held at the Board of Governors meeting in November 2016, are included here. At the November 2016 board meeting, due to time constraints, the Board decided to defer the discussion until its January 2017 meeting. Attached are the materials previously provided for this discussion.



MEMORANDUM

TO: WSBA Board of Governors

FROM: Paula Littlewood, Executive Director; Frances Dujon-Reynolds, HR Director; Terra Nevitt, Director of Advancement/Chief Development Officer

DATE: November 17, 2016

RE: Background materials for "Greying of the Bar" Generative Discussion

The Greying of the Bar

For the past 10 years, the Bar has been focused on developing and offering programs and services to support those in the later stages of their career. In the [2012 WSBA Membership Survey](#) WSBA confirmed that about half of the membership will reach the age of retirement in the next 10-15 years, and it has continued to enhance its services for those already in or about to be in transition.

Greater emphasis was placed on this need by including it as one of the 2013-15 Strategic Goals adopted by the BOG which stated: **Support member transitions across the life of their practice.**

The attached outlines the compilation of programs and services offered to address this growing demographic.

| Programs and Services that support the Greying of the Bar | Program/Service Details |
|---|---|
| Practice Transition Opportunities (PTOP) – Extensive resources for members | <p>This program initially focused on buying and selling a law practice, but later broadened to include options and strategies to fit retiring lawyers with a variety of circumstances and objectives. Many resources are available online that include:</p> <ul style="list-style-type: none"> • Posting your practice for sale through the Career Center • Audio files along with supporting resources on practice transition opportunities. • Free online webinars on career transitions • <i>NWLawyer</i> articles addressing this topic • Downloadable resources, with topics including, succession planning, financial concerns, identifying new directions, managing transitions, changes in mental capacity, etc. |
| Continuing Legal Education (CLE) Recorded Seminars – available through WSBA’s online store | <p>Seminars include:</p> <ul style="list-style-type: none"> • Lawyer’s Emergency Kit – A Succession Planning Workshop • Buying and Selling a Solo or Small Law Practice • Three Firms in Transition • Leaving the Law Without Losing |
| WSBA Lending Library | <p>WSBA offers scores of resource books through its Lending Library. There is a full section on Practice Transitions, all available for free check out and return by WSBA members.</p> |
| Senior Lawyers Section | <p>Section membership is targeted toward members 55 year of age or older and/or 25 years of practice. They publish a newsletter, meet regularly, and co-sponsor an annual CLE every year. The Senior Lawyers May 2017 conference will focus specifically on the topic of transitioning out of practice and the second season of service.</p> |
| Mentorship Panels for the Moderate Means Program | <p>WSBA recruits experienced attorneys to serve on a mentorship panel for the Moderate Means Program.</p> |
| Call to Duty Program Volunteers | <p>WSBA recruits experienced attorneys to volunteer and work with newer attorneys for the Day of Service as part of the Call to Duty Program. These set days provide military veterans legal support and also provide a free CLE for those volunteering.</p> |

| | |
|------------------------|--|
| Emeritus Status | WSBA provides this limited license status to lawyers who are not currently practicing law the opportunity to practice on a volunteer basis for Qualified Legal Service Providers (QLSP). |
| Custodianships | For members who are placed in a position of having no transition plan, but no longer able to practice, WSBA offers assistance with appointing a custodian volunteer who provides assistance with returning files and records to clients in a timely manner to avoid harm to client interests. |
| WSBA Connects | Through this free, 24-hour confidential phone access WSBA offers a variety of member assistance programs, including: <ul style="list-style-type: none"> • Retirement Planning • Transition and Change • Financial Management • Mental Health support |



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Time to go. Helping lawyers retire with dignity

Volume 32 Number 6

By Clifton Barnes

An experienced, well-regarded attorney has given his heart and soul to the profession and his clients—and served them well. He's not yet ready to retire. But, due to aging, his hearing is going, his memory is spotty, and he's no longer serving his clients well.

Is that a fictional tale? A rare occurrence? No, not at all, says John T. Berry, who is Legal Division director at The Florida Bar and chairs a committee studying the issue of aging lawyers.

"Bar counsel in every state I've talked to have at least one, and usually many more, such stories about a very experienced attorney with a great reputation who has been put in a situation where they have harmed the public," Berry says.

"You certainly have to look at it on a case-by-case basis," he adds. "There are some lawyers very active at 75 and practicing better than those in their 40s. But then again, there are some in their 50s who are burned out."

The point, Berry says, is that the bar should be there to help lawyers in need. "If we just wait until something breaks, we get a serious discipline problem," he explains. "If we don't do anything, it's a disservice to the public and the individual attorney."

In chairing the NOBC and Association of Professional Responsibility Lawyers' Joint Committee on Aging Lawyers, Berry says he wanted to make sure the committee was sensitive to the needs and the feelings of the aging attorney. He says it's a normal reaction for senior lawyers to take it personally when they are told their competencies are being reduced.

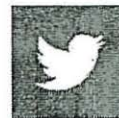
"We owe dignity to the lawyers of this generation that's getting older, and we owe them the opportunity to continue and to stay out of trouble," he says. "However, there is an obligation on you as a professional that you are being objective in your decision making. We have to protect the public, and we have to protect you from having a long-term career ruined because you don't realize it's time to slow down or to retire."

We're now seeing the beginning of the largest group of lawyers ever to retire, says Fredric Ury, past president of the Connecticut Bar Association, who spoke on the topic at the ABA Bar Leadership Institute in March. The first wave of the baby boomer generation is coming up on retirement age; Ury calls this one of the top trends in the profession, based on the sheer numbers of attorneys who are going to retire.

About *Bar Leader*

Bar Leader, published by ABA Publishing for the ABA Division for Bar Services, covers news and issues of interest to elected officers and staff members at state, local, and special-focus bar associations. Articles are intended to generate ideas readers can apply at their own bars. The opinions expressed do not necessarily represent those of the American Bar Association. ***Bar Leader* is available online to constituents of the ABA Division for Bar Services.**

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Bar Leader
c/o Marilyn Cavicchia,
editor
American Bar Association
321 N. Clark St.

For example, one statistic mentioned as part of Ury's BLI presentation is that the largest membership age group for the Vermont Bar Association is 50 to 59, and that there are more Vermont bar members in their 80s than in their 20s.

"Senior attorneys are not going to just go away," Ury believes. "They are going to hang on and practice much longer."

He says there needs to be a joint effort of lawyers' assistance programs, discipline and ethics committees, and bar associations. "Senior lawyers will need assistance in learning how to retire, how to protect their clients," Ury says. "Judges will have to learn how to handle senior lawyers who are suffering from mental infirmities."

What about mandatory retirement?

One former judge in North Carolina had to leave the bench not because of mental infirmity but because of mandatory retirement, which is still in place at many big firms and court systems. At 88, Harry Martin has practiced law for 16 years since he was forced off the bench due to age, and all indications from colleagues are that he is doing fine. After serving as chief justice of the Eastern Band of the Cherokee Nation, however, he has slowed down his work considerably.

"I am opposed to mandatory retirement based on someone's age," Martin says. "There are plenty of ways to get someone off the court or from law practice."

For example, he says, when an excellent lawyer in the western part of the state "began to fail," a judge noticed it and sat down and talked with him, and he retired shortly thereafter. "And then there was a judge down east who developed very bad hearing," he recalls, "so a friend and [state] Supreme Court justice talked with him, and he soon retired."

Since it doesn't always work that way, Martin believes state bars should have committees to delegate a group of lawyers, mostly from the local bar where the lawyer in question practices, that will visit senior lawyers who are in decline. Such a group would bring hard evidence of an ailing lawyer's condition and discuss the matter with him or her, he adds.

"If after so doing, the delegation thinks he should cease practice, they should say so to him and request that he retire from the practice," Martin says. "In so doing, the delegation would assure the lawyer that he would retire in good standing, and they would help him in closing out his office."

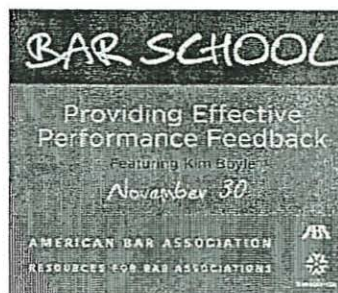
The report from the committee on aging lawyers (available at www.nobc.org/nobc-apr1.pdf) also opposes mandatory retirement and supports this sort of dialogue on solutions.

"So often we don't dialogue frankly, honestly, and caringly," Berry says. Instead, he says, the lawyer in question is avoided, as is the topic of aging altogether. Often the lawyer's firm is in denial too, he adds. "We should not act in a patronizing way, but we should dialogue sincerely," he suggests.

A recent report by the New York State Bar Association noted that mandatory retirement is required in 57 percent of that state's firms that have at least 100 lawyers, but that there's a trend toward firms dropping the policies.

Ury is also against mandatory retirement but adds that without such a blanket policy, "we as a profession are going to have to help our brethren see the light" and know when it's time to retire. He says that lawyer

Chicago, IL 60654-7598
(312) 988-6071
fax: (312) 988-6081



assistance programs are going to have to "ramp up" to handle these sensitive issues, and that bars have to be leaders in coordinating these efforts.

Bars reach out

One bar that has done an excellent job of meeting this issue head-on, Ury and Berry agree, is the New York state bar. NYSBA started a Law Practice Continuity Committee in 2002, and, in 2005, it developed and produced a "Planning Ahead Guide," which helps lawyers establish a plan to leave the practice of law. The plan is available at www.nysba.org/Content/NavigationMenu/Publications/ForSolosPlanningAheadGuide/Planning_Ahead_Guide.htm. In 2006, NYSBA formed the Special Committee on Senior Lawyers, which recently conducted a survey of senior law-yers that received 6,000 responses.

Anthony R. Palermo serves on both those committees and recently was asked to coordinate activities of the ABA Senior Lawyers Division with the ABA Division for Bar Services and other groups "to continue our mutual outreach efforts to encourage and assist state and local bar associations" with senior lawyer issues.

"This is a subject which I've worked on extensively over many years," Palermo notes. "I've witnessed increased interest in the subject at all levels, probably because of the recognition that lawyers are living longer and wish to be professionally involved longer, and the appreciation of the coming onslaught of baby boomers."

Palermo is also a member of the Monroe County (N.Y.) Bar Association, which is now studying ways to implement a resolution sponsored by the ABA Senior Lawyers Division and recently adopted by the ABA House of Delegates, which deals with the voluntary advance designation of a transition or successor lawyer. In addition to protecting the client, the resolution is aimed at helping educate lawyers regarding problems associated with a lawyer's inability to practice law. To read the resolution, visit www.abanet.org/srlawyers/resolution.html.

Some positive steps

Berry admits this can all be somewhat of a downer but says it doesn't have to be. For one thing, he notes, many senior lawyers who may need to step away from everyday practice may not need to leave the profession entirely. "First, our committee wanted to encourage the profession to find better ways to utilize the skills of an ever-increasing competent and healthy older lawyer population," he says. "We need to look at how we can better prepare the aging lawyers to serve in different ways."

With that in mind, Immediate past ABA President Karen Mathis formed the Commission on Second Season of Service (www.abanet.org/secondseason) during her presidential term to help aging lawyers who want to continue practicing law, perhaps with a new career path or by providing pro bono service.

The Florida Bar is looking at a mentoring program to connect young lawyers to senior mentors, Berry notes. He adds that law office management programs are starting to pay special attention by helping lawyers move into something slower paced or half time.

"Discipline agencies also need to be more attuned to complaints based on age," Berry says. "Even if a lot of them are dismissed cases, the agencies themselves should start paying attention."

The joint committee recommends a permanent voluntary retirement status, rather than a disciplinary action that would reflect poorly on the lawyer's overall career, if someone has a nonserious discipline complaint.

"Consideration should at least be given that you can resign and go out with some grace," he says.

Unfortunately, though, human beings tend to react to emergencies instead of preparing for them, Berry adds.

"We are raising a huge red flag here," he says. "We already have problems, and it's going to be so much worse in five or 10 years if we don't do anything about it."



WSBA

OFFICE OF THE EXECUTIVE DIRECTOR

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MEMO

TO: Board of Governors
FROM: Margaret Shane
DATE: January 11, 2017
RE: Resolution re A Day of Remembrance

Action: Approve proposed resolution re A Day of Remembrance.

Attached please find a resolution regarding A Day of Remembrance proposed by Governor James Doane, which is intended to recognize the 75th anniversary of Executive Order 9066, as well as reaffirm WSBA's mission and guiding principles.

Executive Order 9066 was signed and issued during World War II by President Roosevelt on February 19, 1942. It authorized the Secretary of War to prescribe certain areas as military zones and resulted in the deportation of Japanese Americans, Italian Americans, and German Americans to internment camps.

RESOLUTION RE: A DAY OF REMEMBRANCE

WHEREAS, WSBA's mission is to serve the public and its members, ensure the integrity of the profession, and to champion justice, and its Guiding Principles include advancing and promoting: access to the justice system; diversity, equality, and cultural understanding throughout the legal community; the public's understanding of the rule of law and its confidence in the legal system; a fair and impartial judiciary; and the ethics, civility, professionalism, and competence of the Bar;

WHEREAS, during World War II the United States government imposed curfews, removal, and incarceration on more than 120,000 Japanese Americans, including U.S. citizens, residing in Washington and other western states, citing military necessity, following President Franklin D. Roosevelt's Executive Order 9066 issued on February 19, 1942, and prosecuted those that did not comply;

WHEREAS, lawyers and courts in Washington played a role in both the imposition and enforcement of these actions, and in the efforts 40 years later to vacate the convictions and obtain judgments of governmental misconduct in the legal cases;

NOW, THEREFORE, BE IT RESOLVED:

That WSBA recognizes **February 19, 2017**, the 75th anniversary of Executive Order 9066, "A Day of Remembrance", as an opportunity to reaffirm WSBA's mission and Guiding Principles, review the lessons of the past for present and future generations of legal professionals and the public, and express its gratitude to the legal professionals and members of the public that stood up to champion justice for Japanese Americans during World War II and after, and to all legal professionals and members of the public that today continue to seek access to justice, integrity of the profession, and a fair and impartial judiciary committed to equity in the treatment of all persons.

Adopted this ____ day of _____ 2017 by the Board of Governors, Washington State Bar Association.



**Board of Governors Meeting
Gonzaga University
Spokane, WA
January 26-27, 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 item listed below is 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. November 18, 2016, Public Session Minutes 134
- b. Civil Litigation Rules Task Force Roster 139
- c. Suggested Amendments to Lesbian Gay Bisexual Transgender (LGBT) Law Section Bylaws 143

DRAFT – SUBJECT TO APPROVAL

MINUTES

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

**Seattle, WA
November 18, 2016**

The Public Session of the Board of Governors of the Washington State Bar Association (WSBA) was called to order by President Robin Haynes on Friday, November 18, 2016, at 2:50 p.m., at the WSBA Conference Center, Seattle, Washington. Governors in attendance were:

Keith M. Black
Dan W. Bridges
Mario M. Cava
Ann Danieli
Sean M. Davis
James K. Doane
Angela M. Hayes
Andrea S. Jarmon
Jill A. Karmy
Rajeev D. Majumdar
Christina A. Meserve
Athan P. Papailiou
William D. Pickett
G. Kim Risenmay

Also in attendance were President-elect Brad Furlong, Immediate Past-President Bill Hyslop, Executive Director Paula Littlewood, General Counsel/Chief Regulatory Counsel Jean McElroy, Chief Disciplinary Counsel Doug Ende, Director of Human Resources Frances Dujon-Reynolds, Chief Communications Officer Debra Carnes, Chief Operations Officer Ann Holmes, Director of Advancement/Chief Development Officer Terra Nevitt, and Executive Assistant Margaret Shane.

WELCOME AND INTRODUCTIONS

Officers, Governors, staff, liaisons, and guests introduced themselves. President Haynes welcomed the Board and everyone in attendance to the WSBA Conference Center, Seattle, Washington.

CONSENT CALENDAR

- a. July 22-23, 2016, Public Session Minutes
- b. August 23, 2016, Special Meeting Public Session Minutes
- c. 2017 Keller Deduction Schedule
- d. WSBA Committee on Mission Performance and Review (CMPR) Report
- e. Recommendations re WSBA APEX Awards
- f. WSBA Reserve Policy
- g. Construction Law Section Design Professional Model Residential Contracts
- h. Proposed Amendments to Civil Rights Law Section Bylaws
- i. Appoint Member to Continuing Legal Education (CLE) Committee
- j. Appoint Co-Chair to Pro Bono and Public Service Committee

2017 WSBA LEGISLATIVE COMMITTEE RECOMMENDATIONS – Kyle Sciuchetti, Chair (by phone), and Alison Phelan, Legislative Affairs Manager

Chair Sciuchetti described the makeup and work of the WSBA Legislative Committee and noted that the Committee voted unanimously to recommend that the BOG sponsor the two proposed bills. Legislative Affairs Manager Phelan noted that many stakeholders were canvassed for both of the proposed bills and no concerns were expressed. Michael Carrico, from the Real Property, Probate and Trust Section, explained the background and current need for the proposed bill request regarding Distribution of a Washington Trust's Assets to Another Trust. Eric DeJong, Co-Chair of the Business Law Section Corporate Act Revisions Committee, explained the background and details of the proposed bill request regarding the Business Corporation Act.

Governor Jarmon moved to bifurcate the two proposed bills for voting purposes. Motion passed unanimously. Governor Hayes moved to sponsor the bill request regarding Distribution of a Washington Trust's Assets to Another Trust as contained in the meeting materials. Motion passed unanimously. Governor Karmy moved to sponsor the proposed Business Corporation Act. Motion passed 13-0-1. Governor Jarmon abstained.

2017 WSBA LEGISLATIVE PRIORITIES – Governor Mario Cava, Chair, and Alison Phelan, Legislative Affairs Manager

BOG Legislative Committee Chair Cava explained that the proposed 2017 WSBA Legislative Priorities are based on the WSBA's Guiding Principles and are similar to past legislative priorities. One addition to the priorities this year was to highlight the Bar's commitment to state general fund support for increasing access to the justice system. Governor Danieli moved to approve the 2017 WSBA Legislative Priorities as contained in the meeting materials. Motion passed unanimously.

BOG LEGISLATIVE COMMITTEE RECOMMENDATION RE WSBA RESOLUTION FOR CIVIL JUSTICE REINVESTMENT PLAN – Governor Mario Cava, Chair, and Alison Phelan, WSBA Legislative Affairs Manager

BOG Legislative Committee Chair Cava explained the Reinvestment Plan submitted from the Office of Civil Legal Aid (OCLA) and the reason for the proposed WSBA resolution supporting funding for the Reinvestment Plan through state general fund dollars and not a tax on legal services. Discussion ensued regarding the funding mechanism for the Reinvestment Plan, and the budget process as well as timing issues in the Legislature. Governor Cava moved to approve the proposed WSBA Resolution as contained in the meeting materials. Motion passed unanimously.

PROPOSED WSBA RELIGIOUS AND SPIRITUAL PRACTICES POLICY UPDATE – Jean McElroy, General Counsel/Chief Regulatory Counsel

General Counsel McElroy reported that she had reached out to members of the Indian Law Section who had expressed interest in having input in the development of this policy, but had not had a response, likely due to the fiscal year changeover and ensuing lack of time to respond prior to the November BOG meeting. She noted that it is hoped this item will be brought back at a later date. It was suggested that additional individuals from the Civil Rights Law Section and the Loren Miller Bar Association^[PL1] be included in discussions regarding formulation of this policy.

GENERATIVE DISCUSSION: GREYING OF THE BAR

It was the consensus of the Board that this discussion be moved to the January 26-27, 2017, Board meeting.

SUGGESTED AMENDMENTS TO WSBA BYLAWS ARTICLE XI – Governor James Doane; Terra Nevitt, Director of Advancement/Chief Development Officer; and Paris Eriksen, Sections Program Manager

Governor Doane, Director Nevitt, and Manager Eriksen explained the background of the suggested amendments to WSBA Bylaws Article XI; noted that the proposed amendments are the product of the Work Group, which had reached the end of its charter, and comments received from various stakeholders; reviewed the amendments being proposed at this meeting; and highlighted feedback received from WSBA Sections. Discussion ensued regarding the proposed amendments to Article XI and concerns of various WSBA Sections.

Governor Doane moved to approve Article XI of the WSBA Bylaws as contained in the meeting materials, including a suggested amendment to change the term of at-large members of the section executive committee from three-year terms, to one-, two-, or three-year terms in (F)(3). Governor Risenmay moved to amend the motion and change “three-year terms” to “up to three years, as set by the section bylaws.” Motion to amend passed 13-1-0. Discussion ensued regarding a potential conflict between (F)(1) and (F)(3); General Counsel McElroy stated that there does not appear to be a conflict between these two sections.

Governor Davis moved to call the question. Motion failed 5-9. Governor Jarmon moved to table this item until the January 26-27, 2017, Board meeting. Discussion ensued regarding whether additional information was needed in order to make a decision at the January Board meeting. None was requested. General Counsel McElroy noted that the current amended WSBA Bylaws would go into effect on January 1, 2017, and that the existing provisions regarding active members of WSBA as voting members of Sections and as members of Section Executive Committees would continue to apply at that time. Motion passed on majority voice vote.

ADJOURNMENT

There being no further business, the Public Session portion of the meeting was adjourned at 5:25 p.m. on Friday, November 18, 2016.

Respectfully submitted,

Paula C. Littlewood
WSBA Executive Director & Secretary



To: WSBA Board of Governors
From: Robin L. Haynes, WSBA President
Ken Masters, Former WSBA BOG Member
Doug Ende, Chief Disciplinary Counsel
Re: Civil Litigation Rules Drafting Task Force Roster
Date: January 17, 2017

CONSENT: Proposed Task Force Roster for 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.

Attached is a proposed roster for the Task Force. The Association of County Clerks position is unfilled at this time, and the judicial positions await confirmation from the applicable judges' associations or chief judges; the Board is asked to approve these appointments and delegate to President Haynes and Task Force Chair Ken Masters the authority to confirm those positions and report back to the Board in March 2017 with a full roster. The Board is also asked to approve appointment of a municipal court judge in lieu of a district court judge if that is the designation of the District and Municipal Court Judges' Association.



WSBA

WASHINGTON STATE BAR ASSOCIATION

Civil Litigation Rules Drafting Task Force

| NAME/ADDRESS | PHONE | E-MAIL |
|--|--------------|--|
| Chair | | |
| Kenneth W. Masters, Chair Masters Law Group 241 Madison Ave N Bainbridge Island, WA 981110 | 206.780.5033 | ken@appeal-law.com |
| WSBA Members | | |
| Stephanie Bloomfield Gordon Thomas Honeywell PO Box 1157 Tacoma WA 98401-1157 | 253.620.6514 | sbloomfield@gth-law.com |
| Jeffrey A. Damasiewicz Attorney at Law 110 W Market St – Ste 106 Aberdeen WA 98520-6206 | 360.612.3991 | jeff.damasiewicz@mail.com |
| Nicholas Gellert Perkins Coie LLP 1201 3 rd Ave – Ste 4900 Seattle WA 98101-3099 | 206.359.8680 | ngellert@perkinscoie.com |
| Rebecca R. Glasgow Attorney General's Office PO Box 40100 Olympia, WA 98504-0100 | 360.664.3027 | rebeccag@atg.wa.gov |
| Kim Gunning Columbia Legal Services 101 Yesler Way, Suite 300 Seattle, Washington 98104 | 206.332.7144 | Kim.Gunning@columbialegal.org |
| Hillary Evans Graber Madison Park Law Offices 4020 E Madison St Ste 210 Seattle, WA 98112-3150 | 206.527.8008 | hillary@maritimeinjury.com |
| Caryn Jorgensen Mills Meyers Swartling 1000 2 nd Ave – Fl 30 Seattle WA 98104-1094 | 206.382.1000 | cjorgensen@millsmeyers.com |
| Shannon Kilpatrick Dawson Brown, PS 1000 2 nd Ave – Ste 1420 Seattle WA 98104-1033 | 206.262.1444 | shannon@dawson-brown.com |

| | | |
|--|--------------|--|
| Jane Morrow Otorowski Johnston Morrow & Golden 298 Winslow Way W Bainbridge Island, WA 98110-2510 | 206.842.1000 | jm@medilaw.com |
| Averil B. Rothrock Schwabe Williamson & Wyatt PC 1420 5th Ave Ste 3400 Seattle, WA 98101-4010 | 206.689.8121 | arothrock@schwabe.com |
| Brad E. Smith Ewing Anderson, P.S. 522 W Riverside Ave Ste 800 Spokane, WA 99201-0519 | 509.838.4261 | bsmith@ewinganderson.com |
| Michael C. Subit Frank Freed Subit & Thomas LLP 705 2nd Ave Ste 1200 Seattle, WA 98104-1798 | 206.682.6711 | msubit@frankfreed.com |
| Adam N. Tabor Orrick, Herrington & Sutcliffe LLP 701 5th Ave Ste 5600 Seattle, WA 98104-7045 | 202.763.1758 | atabor@orrick.com |
| Roger D. Wynne Seattle City Attorney's Office 701 Fifth Ave Ste 2050 Seattle, WA 98104-7097 | 206.233.2177 | roger.wynne@seattle.gov |
| Judicial | | |
| The Honorable John R. Ruhl* King County Superior Court KCC-SC-0203 516 Third Avenue – Rm C203 Seattle, WA 98104-2381 | 206.477.1373 | john.ruhl@kingcounty.gov |
| The Honorable Rebecca C. Robertson* Federal Way Municipal Court 33325 8 th Ave S Federal Way WA 98003-6325 | 253.835.3000 | rebecca.robertson@cityoffederalway.com |
| The Honorable Kevin M. Korsmo* The Court of Appeals, Division 3 500 N Cedar St Spokane, WA 99201-1905 | 509.456.4034 | kevin.korsmo@courts.wa.gov |
| The Honorable Paula L. McCandlis* U.S. Dist. Court, W.D. Wash. 1310 10 th St – Suite 104 Bellingham, WA 98227 | 360.714.0900 | pmccandlis@brettllaw.com |
| Clerks' Association | | |
| TBD | | |

| | | |
|---|--------------|--|
| BOG Liaison | | |
| Sean-Michael V. Davis WSBA Governor At Large - WYLD Pierce County Prosecutor's Office 955 Tacoma Ave S - Ste 301 Tacoma, WA 98402-2160 | 253.798.8872 | SMVD.Esq@gmail.com |
| Supreme Court Liaison | | |
| Shannon Hinchliffe Administrative Office of the Courts PO Box 41174 Olympia WA 98504-1170 | 360.357.2124 | Shannon.Hinchcliffe@courts.wa.gov |
| WSBA Staff Liaison | | |
| Kevin Bank Assistant General Counsel Washington State Bar Association 1325 Fourth Avenue, Suite 600 Seattle, WA 98101-2539 | 206.733.5909 | kevinb@wsba.org |

*Tentative designations; awaiting official confirmation from judges' association or chief judge.



WSBA

OFFICE OF THE GENERAL COUNSEL

Jean K. McElroy
General Counsel/Chief Regulatory Counsel

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To: The President, President-Elect, Immediate Past President, and Board of Governors
From: Jean K. McElroy, General Counsel/Chief Regulatory Counsel
Date: January 18, 2017
Re: LGBT Law Section Bylaw Amendments (**Consent**)

Consent: Approve proposed amendments to the LGBT Law Section bylaws.

DISCUSSION: Following the required procedures for such action, the LGBT Law Section voted to amend its bylaws. The Section has submitted a memo explaining the amendment and its approval, and a redline version of the LGBT Law Section Bylaws showing the proposed amendments. Because the proposed amendments are so minimal, a clean version of the Bylaws as amended is not being submitted with these materials.

I have reviewed the proposed amendments. The proposed amendments would explicitly state that it is possible for co-Chairs to be elected and hold office as Chair-elect, Chair, and Immediate Past Chair. I have also determined that the proposed amendments are consistent with both the current WSBA Bylaws Article XI regarding sections, and the proposed amendments to WSBA Bylaws Article XI, which is being considered by the BOG at this meeting. Although there could be some small amount of financial cost associated with these amendments, the amount would likely be minimal and the revenue associated with the Section's dues is such that it should be able to accommodate the additional cost easily.

After my review of these proposed amendments, I recommend the amendments be approved.

ATTACHMENTS:

1. Memo from LGBT Law Section
2. Redline version of LGBT Law Section Bylaws showing proposed amendments
3. Current version of LGBT Section Bylaws

January 10, 2017

The Lesbian Gay Bisexual Transgender Law Section

Dear WSBA Board of Governors:

The LGBT Law Section respectfully requests you to consider and approve the attached proposed change to the LGBT Law Section's Bylaws. This change was proposed, discussed, and approved with unanimous consent at the Section's Annual Meeting held on Thursday, November 10, 2016, at the WSBA Offices.

The amendment allows for the offices of Chairperson-Elect, Chairperson, and Immediate Past Chairperson to be jointly held by two individuals serving as Co-Chair (or Chair-Elect or Co-Immediate Past Chair) if so elected by the Section membership through the election procedures specified in the bylaws. The Section adopted this amendment in order to allow members to share the duties of these often-demanding positions while also providing extra insurance for these key positions in the event a Chair-Elect, Chair, or Immediate Past Chair has to step down or is otherwise unavailable to complete their term or fulfill the duties of office due to illness, incapacity, or other change in circumstance. Given that current Section Bylaws specify that the holders of these offices "rise through the chairs," being first elected to the position of Chairperson-Elect and then rising to the subsequent offices each following year on a three-year cycle, an unexpected vacancy in any of these positions can cause significant disruption to the operation of the Section and its ability to fulfill its goals.

The Section also anticipates this amendment will improve its ability to recruit, nominate, and retain enthusiastic and competent individuals to fill these offices while guarding against burnout.

Your approval of the proposed amendment will bring the bylaws into accord with the current composition of the Executive Committee, which currently includes Co-Chairpersons-Elect as nominated and elected at the November 10, 2016, annual meeting.

Please find enclosed for your consideration a copy of the Section's Bylaws as they appear now, along with a red-lined copy detailing the proposed amendment.

The Section thanks you for your prompt consideration.

Sincerely,

The Lesbian Gay Bisexual Transgender Law Section



Washington State Bar Association

LGBT Law Section: *Helping Lawyers Better Serve LGBT Clients*

BYLAWS

As last amended and approved by the WSBA Board of Governors on July 25, 2014.

1.0 Establishment of Section

The Lesbian Gay Bisexual Transgender Law Section (LGBT Law) of the Washington State Bar Association (hereinafter referred to as "Section") is hereby established pursuant to Article IX, Section 1 of the Bylaws of the Washington State Bar Association (hereinafter referred to as "Bar").

2.0 Purpose and Aspirations

The purpose and jurisdiction of the Section shall be to:

- Help lawyers better serve their lesbian, gay, and transgender (LGBT) clients;
- Improve understanding by members of the Bar of the legal needs of LGBT individuals in the State of Washington, which are often different from, and in addition to, those faced by the population at large;
- Support the efforts of Section members to achieve the highest standards of competence, professionalism and ethics in their practices;
- Assist LGBT residents of Washington State, and those who represent them, to better understand how their legal needs can be met;
- Promote the study of gay, lesbian, bisexual, and gender identification law, and report on laws, decisions, and governmental regulations as they may affect the rights, responsibilities, and needs of gay, lesbian, bisexual, or transgender people;
- Provide a cooperative structure through which research and publications in the field of sexual orientation and gender identification issues can serve the needs of all members of the Section and Bar;
- Provide a cooperative structure through which members of the Bar who are interested in sexual orientation and gender identification legal issues can work together to better

understand the issues in the field and to develop and implement effective problem-solving approaches;

- Act as a liaison between the Bar, its Board of Governors, state and national LGBT organizations and committees of other state bars and other organizations dedicated to serving the needs of LGBT citizens;
- Take action to raise the visibility of LGBT people and to increase the knowledge and awareness of legal issues facing the LGBT community.
- Assist the efforts of the Executive Committee in any work undertaken with the Legislature, within the scope of General Rule 12, to enact and improve laws affecting LGBT citizens and to assist the Judiciary in the administration of justice as it pertains to LGBT citizens.
- Take on tasks as requested by the Executive Committee and membership of the section to implement section goals and policies.

3.0 Membership

- 3.1 Any active member of the Bar may be a voting member of the LGBT Law Section and eligible for election to office in the LGBT Law Section upon request and payment of annual Section dues.
- 3.2 Any lawyer specially admitted to the Bar for educational purposes (APR 8(d)); as an Emeritus member (APR 8(e)); as a Foreign House Counsel (APR 8(f)); as a Military Lawyer (APR 8(g)); or authorized to practice as House Counsel pursuant to RPC 5.5(d); may be a voting member of the LGBT Law Section and eligible for election to office in the Section.
- 3.3 Law students may be nonvoting Section members at a standard annual dues fee set by the Board of Governors. Upon a majority vote of the Executive Committee as part of the Section's annual budget-drafting process, the Executive Committee may vote to subsidize all or part of the standard annual dues for nonvoting law student members.
- 3.4 As authorized by the Executive Committee of this Section, any interested person not otherwise listed in §3.1, §3.2, or §3.3 may be a nonvoting member of the LGBT Law Section and may attend Section meetings and receive Section newsletters and support the work of the Section in other ways.
- 3.5 Dues shall be paid annually in advance, in an amount to be established by the Executive Committee. Any person who fails to pay the annual dues shall cease to be a member of the Section. Changes in dues shall be effective for the fiscal year immediately following such determination.
- 3.6 The annual Section dues shall be used to support the activities of the Section according to the Bylaws of the Section, as authorized by the Executive Committee.

4.0 Meetings of the Membership

- 4.1 The Annual Meeting of the Section shall be held at a time and location determined by the Executive Committee. Finances permitting, a midyear meeting shall be held in conjunction with a major event of interest to the membership, or not later than two months prior to the Annual Meeting, to be decided by a vote of the Executive Committee.
- 4.2 Special meetings may be held at a time and place designated by the Chairperson or a majority of the Executive Committee. The membership shall be notified of the date and location of a special meeting no less than 30 days prior to the meeting.
- 4.3 Notice of the Annual Meeting, midyear meeting, and any Special Meetings shall be published in the Section newsletter and/or transmitted by mail or electronic mail to all members of the Section at least 30 days prior to the meeting.
- 4.4 Approval of any business brought before the membership at any annual, midyear, or special meeting of the Section shall be made by a majority vote of the members present in person, present telephonically, present by proxy, or who have submitted ballots by mail or electronic mail prior to the meeting date.
- 4.5 Members may cast their vote by proxy, by mail, or by electronic mail, or may appear telephonically with written notice to the Secretary of the Section. Members may request a written ballot from the Secretary of the Section no less than 5 days prior to the meeting at which a vote is to be taken. To vote by proxy, a member must send written notice to the Secretary of the Section designating another specific voting member of the Section to cast the proxy vote. Notice must be sent to the Secretary at least 5 days prior to the meeting at which a vote is to be taken.

5.0 The Executive Committee

- 5.1 The members of the Executive Committee will be elected from the voting membership to fill the following positions:
 - a. Chairperson;
 - b. Chairperson-elect;
 - c. Immediate Past Chairperson (except in the first year of existence of the Section);
 - d. Secretary;
 - e. Treasurer;
 - f. Up to 5 Trustees; and
 - f.g. The positions of Chairperson-Elect, Chairperson, or Immediate Past Chairperson may be held simultaneously by two individuals who will serve as co-chairs.;
- 5.2 The Executive Committee shall meet at least every two months, a minimum of six times per year.

- 5.3 The Executive Committee shall be vested with the powers and duties necessary for the administration of the affairs of the Section including, without limitation, the power and duty to act on behalf of the Section in connection with the activities listed in §2.0. The Executive Committee shall have sole authority to approve the content and publishing of the Section newsletter and/or website, and the adoption of the budget and approval of expenditures, and shall perform duties assigned to it by the Board of Governors of the WSBA.
- 5.4 The Executive Committee shall have the authority to determine the number and type of Section committees and sub-committees and shall appoint Chairpersons for all committees and sub-committees. All members of the Section may serve on any committee or subcommittee at the discretion of the Executive Committee.
- 5.5 A majority of the Executive Committee shall constitute a quorum, and may be present in person, by telephone or by written proxy. Action of the Executive Committee shall be determined by majority vote of the members of the Executive Committee presenting their votes in person, by telephone, or by written proxy.
- 5.6 At the request of any two members, action between meetings of the Executive Committee may be taken by a majority of all members of the Executive Committee by informal telephone or written poll.
- 5.7 Special meetings of the Executive Committee may be called to amend these Bylaws upon ten (10) days written notice of such meeting mailed to the members thereof, said notice to specify the purpose of such special meeting and the proposed amendment, as set forth in Article 10 hereof. Written notice of such meeting may be waived by 100% of those entitled to notice, by written waiver thereof. All other meetings shall be as set by the Chairperson of the Section.
- 5.8 If any officer or member of the Executive Committee fails to attend three successive meetings of the Committee, the position held by that officer or member of the Executive Committee is automatically vacated unless the Executive Committee determines by a recorded vote that good cause exists for one or more of the absences. The Executive Committee shall fill the vacancy for the unexpired term pursuant to section 5.3.
- 6.0 Officers**
- 6.1 The Officers of the Section shall be the Chairperson, Chairperson-elect, Immediate Past Chairperson, Secretary and Treasurer.
- 6.2 Any officer of the Section may be removed by a majority vote of all members of the Executive Committee whenever it is judged that the best interest of the Section would be served thereby. The Executive Committee shall have the authority to appoint a replacement pursuant to §7.5.
- 6.3 The Chairperson shall be the principal executive officer of the Section and, subject to the Executive Committee's control, shall supervise the affairs of the Section. The Chairperson shall preside at meetings of the Section and the Executive Committee.

- 6.4 On expiration of the Chairperson's term, the Chairperson-elect shall automatically become the Chairperson. The Chairperson-elect shall perform such duties as shall be assigned to him or her by the Chairperson or by the Executive Committee. The Chairperson-elect shall perform all of the duties of the Chairperson in the absence or inability to act of the Chairperson.
- 6.5 The Immediate Past Chairperson shall act as the Chair of the Nominating Committee.
- 6.6 The Secretary shall maintain minutes and records of all meetings of the Section and perform other duties as assigned by the Chairperson or Executive Committee.
- 6.7 The Treasurer shall work with the WSBA to maintain financial records of all income and expenditures for the Section and perform other duties as assigned by the Chairperson. Additionally, the Treasurer shall have the authority to approve expenditures of the Section for Section business in an amount not exceeding \$350.00 per expenditure, within the authority granted by WSBA as custodian of Section funds. Any expenditure of Section funds as authorized by the Treasurer hereunder shall be immediately reported to the Chairperson and Chairperson-elect. The fiscal year of the Section shall correspond to the fiscal year of the WSBA.
- 6.8 A Trustee shall serve in an advisory capacity to the Section and shall assist the Executive Committee as follows:
- (a) To support the efforts of Section members to achieve the highest standards of competence, professionalism and ethics in their practices;
 - (b) To assist the efforts of the Executive Committee in any work undertaken with the Legislature to enact and improve laws affecting GLBT citizens and to assist the Judiciary in the just administration of those laws; and
 - (c) To take on tasks as requested by the Executive Committee and membership of the section to implement section goals and policies.

7.0 Election of Officers

- 7.1 The Chairperson-elect, Secretary, and Treasurer, shall be elected each year at the Annual Meeting by majority vote of the membership present in person, by telephone, or by written proxy, or who have submitted a ballot prior to the meeting.
- 7.2 The term of office for all officers of the Executive Committee shall commence with their election each year at the Annual meeting and shall continue until election of Executive Committee members at the subsequent Annual Meeting.
- 7.3 The Immediate Past Chairperson shall appoint a nominating committee no later than 90 days prior to the Annual Meeting for the purpose of nominating interested qualified persons for the positions of Chairperson-elect, Secretary, and Treasurer. The nominating committee shall consist of no fewer than three members of the Section.

- 7.4 The nominating committee may nominate more than one candidate for each position. Notice containing the names of nominees selected by the nominating committee shall be mailed to voting members of the Section or published in the Section newsletter no later than 30 days prior to the Annual Meeting. The notice shall include names of persons nominated, the positions to which they have been nominated, and a statement that members of the Section may nominate persons to serve in any of these elected officer positions by written nomination to the Chairperson of the nominating committee received no later than 10 days prior to the Annual Meeting.
- 7.5 To be accepted, nominations from members must include the name of the person nominated, the position for which he or she is nominated, and shall contain the written endorsement (by signature or letter) of three members of the Section.
- 7.6 If the nominating committee has nominated only one candidate for a particular position, and if no additional nominations are received for that position by the Chairperson of the nominating committee as provided above in this Section 7.4, the person nominated by the nominating committee shall be deemed elected.
- 7.7 Vacancy of any position on the Executive Committee shall be filled by a majority vote of all members of the Executive Committee for the unexpired portion of the term.

8.0 Election of Trustees

- 8.1 Except as provided in §8.6, Trustees shall be elected at the Annual Meeting for terms of two years. Terms of all Trustees will begin at the close of the Annual Meeting at which they are elected and will end at the close of the Annual Meeting two years hence when their successor has been elected and qualified.
- 8.2 The Chairperson of the Section shall solicit nominations for Trustees from the membership prior to or during the Annual Meeting. All nominees for Trustees must be current, voting members of the Section. Nominations may be made or seconded by any voting member of the Section, in person, by proxy, or by written or electronic communication.
- 8.3 Nominees for Trustee shall be given the opportunity to address the membership during the Annual Meeting, prior to the election of the Trustees.
- 8.4 Trustees shall be elected by a majority vote of the membership present at the Annual Meeting in person, by telephone, or by written proxy.
- 8.5 The Trustees who shall be elected by a vote of the Section at the first Annual Meeting shall be elected in groups designated as A and B. The A group (two Trustees) will hold office for three years, the B group (three Trustees) will hold office for two years. Elections for the Trustees' successors shall subsequently all be for 2-year terms.
- 8.6 Vacancy of any Trustee position shall be filled by a majority vote of all members of the Executive Committee for the unexpired portion of the term.

9.0 Publications

- 9.1 The Section may publish a newsletter or other written or electronic materials and documents to further the objectives of the Section.

10.0 Amendment

- 10.1 These bylaws may be amended by either of the following means: (1) at any Annual Meeting of the Section by a majority vote of the members of the Section present in person, by telephone, or by written proxy; (2) at any regular or special meeting of the Executive Committee of the Section called for the purpose of amending the bylaws upon at least ten (10) days written notice to the members thereof, by a majority vote of all members of the Executive Committee. No amendment of these bylaws will be effective until approved by the Board of Governors of the Washington State Bar Association.

Founding bylaws adopted and approved by the WSBA Board of Governors on March 3, 2006.

Bylaws first amended and approved by the WSBA Board of Governors on April 25, 2008.

Second amended Bylaws approved by the WSBA Board of Governors on July 25, 2014.



Washington State Bar Association

LGBT Law Section: *Helping Lawyers Better Serve LGBT Clients*

BYLAWS

As last amended and approved by the WSBA Board of Governors on July 25, 2014.

1.0 Establishment of Section

The Lesbian Gay Bisexual Transgender Law Section (LGBT Law) of the Washington State Bar Association (hereinafter referred to as "Section") is hereby established pursuant to Article IX, Section 1 of the Bylaws of the Washington State Bar Association (hereinafter referred to as "Bar").

2.0 Purpose and Aspirations

The purpose and jurisdiction of the Section shall be to:

- Help lawyers better serve their lesbian, gay, and transgender (LGBT) clients;
- Improve understanding by members of the Bar of the legal needs of LGBT individuals in the State of Washington, which are often different from, and in addition to, those faced by the population at large;
- Support the efforts of Section members to achieve the highest standards of competence, professionalism and ethics in their practices;
- Assist LGBT residents of Washington State, and those who represent them, to better understand how their legal needs can be met;
- Promote the study of gay, lesbian, bisexual, and gender identification law, and report on laws, decisions, and governmental regulations as they may affect the rights, responsibilities, and needs of gay, lesbian, bisexual, or transgender people;
- Provide a cooperative structure through which research and publications in the field of sexual orientation and gender identification issues can serve the needs of all members of the Section and Bar;
- Provide a cooperative structure through which members of the Bar who are interested in sexual orientation and gender identification legal issues can work together to better

understand the issues in the field and to develop and implement effective problem-solving approaches;

- Act as a liaison between the Bar, its Board of Governors, state and national LGBT organizations and committees of other state bars and other organizations dedicated to serving the needs of LGBT citizens;
- Take action to raise the visibility of LGBT people and to increase the knowledge and awareness of legal issues facing the LGBT community.
- Assist the efforts of the Executive Committee in any work undertaken with the Legislature, within the scope of General Rule 12, to enact and improve laws affecting LGBT citizens and to assist the Judiciary in the administration of justice as it pertains to LGBT citizens.
- Take on tasks as requested by the Executive Committee and membership of the section to implement section goals and policies.

3.0 Membership

- 3.1 Any active member of the Bar may be a voting member of the LGBT Law Section and eligible for election to office in the LGBT Law Section upon request and payment of annual Section dues.
- 3.2 Any lawyer specially admitted to the Bar for educational purposes (APR 8(d)); as an Emeritus member (APR 8(e)); as a Foreign House Counsel (APR 8(f)); as a Military Lawyer (APR 8(g)); or authorized to practice as House Counsel pursuant to RPC 5.5(d); may be a voting member of the LGBT Law Section and eligible for election to office in the Section.
- 3.3 Law students may be nonvoting Section members at a standard annual dues fee set by the Board of Governors. Upon a majority vote of the Executive Committee as part of the Section's annual budget-drafting process, the Executive Committee may vote to subsidize all or part of the standard annual dues for nonvoting law student members.
- 3.4 As authorized by the Executive Committee of this Section, any interested person not otherwise listed in §3.1, §3.2, or §3.3 may be a nonvoting member of the LGBT Law Section and may attend Section meetings and receive Section newsletters and support the work of the Section in other ways.
- 3.5 Dues shall be paid annually in advance, in an amount to be established by the Executive Committee. Any person who fails to pay the annual dues shall cease to be a member of the Section. Changes in dues shall be effective for the fiscal year immediately following such determination.
- 3.6 The annual Section dues shall be used to support the activities of the Section according to the Bylaws of the Section, as authorized by the Executive Committee.

4.0 Meetings of the Membership

- 4.1 The Annual Meeting of the Section shall be held at a time and location determined by the Executive Committee. Finances permitting, a midyear meeting shall be held in conjunction with a major event of interest to the membership, or not later than two months prior to the Annual Meeting, to be decided by a vote of the Executive Committee.
- 4.2 Special meetings may be held at a time and place designated by the Chairperson or a majority of the Executive Committee. The membership shall be notified of the date and location of a special meeting no less than 30 days prior to the meeting.
- 4.3 Notice of the Annual Meeting, midyear meeting, and any Special Meetings shall be published in the Section newsletter and/or transmitted by mail or electronic mail to all members of the Section at least 30 days prior to the meeting.
- 4.4 Approval of any business brought before the membership at any annual, midyear, or special meeting of the Section shall be made by a majority vote of the members present in person, present telephonically, present by proxy, or who have submitted ballots by mail or electronic mail prior to the meeting date.
- 4.5 Members may cast their vote by proxy, by mail, or by electronic mail, or may appear telephonically with written notice to the Secretary of the Section. Members may request a written ballot from the Secretary of the Section no less than 5 days prior to the meeting at which a vote is to be taken. To vote by proxy, a member must send written notice to the Secretary of the Section designating another specific voting member of the Section to cast the proxy vote. Notice must be sent to the Secretary at least 5 days prior to the meeting at which a vote is to be taken.

5.0 The Executive Committee

- 5.1 The members of the Executive Committee will be elected from the voting membership to fill the following positions:
 - a. Chairperson;
 - b. Chairperson-elect;
 - c. Immediate Past Chairperson (except in the first year of existence of the Section);
 - d. Secretary;
 - e. Treasurer;
 - f. Up to 5 Trustees.
- 5.2 The Executive Committee shall meet at least every two months, a minimum of six times per year.
- 5.3 The Executive Committee shall be vested with the powers and duties necessary for the administration of the affairs of the Section including, without limitation, the power and duty to act on behalf of the Section in connection with the activities listed in §2.0. The Executive Committee shall have sole authority to approve the content and publishing of

the Section newsletter and/or website, and the adoption of the budget and approval of expenditures, and shall perform duties assigned to it by the Board of Governors of the WSBA.

- 5.4 The Executive Committee shall have the authority to determine the number and type of Section committees and sub-committees and shall appoint Chairpersons for all committees and sub-committees. All members of the Section may serve on any committee or subcommittee at the discretion of the Executive Committee.
- 5.5 A majority of the Executive Committee shall constitute a quorum, and may be present in person, by telephone or by written proxy. Action of the Executive Committee shall be determined by majority vote of the members of the Executive Committee presenting their votes in person, by telephone, or by written proxy.
- 5.6 At the request of any two members, action between meetings of the Executive Committee may be taken by a majority of all members of the Executive Committee by informal telephone or written poll.
- 5.7 Special meetings of the Executive Committee may be called to amend these Bylaws upon ten (10) days written notice of such meeting mailed to the members thereof, said notice to specify the purpose of such special meeting and the proposed amendment, as set forth in Article 10 hereof. Written notice of such meeting may be waived by 100% of those entitled to notice, by written waiver thereof. All other meetings shall be as set by the Chairperson of the Section.
- 5.8 If any officer or member of the Executive Committee fails to attend three successive meetings of the Committee, the position held by that officer or member of the Executive Committee is automatically vacated unless the Executive Committee determines by a recorded vote that good cause exists for one or more of the absences. The Executive Committee shall fill the vacancy for the unexpired term pursuant to section 5.3.

6.0 Officers

- 6.1 The Officers of the Section shall be the Chairperson, Chairperson-elect, Immediate Past Chairperson, Secretary and Treasurer.
- 6.2 Any officer of the Section may be removed by a majority vote of all members of the Executive Committee whenever it is judged that the best interest of the Section would be served thereby. The Executive Committee shall have the authority to appoint a replacement pursuant to §7.5.
- 6.3 The Chairperson shall be the principal executive officer of the Section and, subject to the Executive Committee's control, shall supervise the affairs of the Section. The Chairperson shall preside at meetings of the Section and the Executive Committee.
- 6.4 On expiration of the Chairperson's term, the Chairperson-elect shall automatically become the Chairperson. The Chairperson-elect shall perform such duties as shall be assigned to him or her by the Chairperson or by the Executive Committee. The

Chairperson-elect shall perform all of the duties of the Chairperson in the absence or inability to act of the Chairperson.

- 6.5 The Immediate Past Chairperson shall act as the Chair of the Nominating Committee.
- 6.6 The Secretary shall maintain minutes and records of all meetings of the Section and perform other duties as assigned by the Chairperson or Executive Committee.
- 6.7 The Treasurer shall work with the WSBA to maintain financial records of all income and expenditures for the Section and perform other duties as assigned by the Chairperson. Additionally, the Treasurer shall have the authority to approve expenditures of the Section for Section business in an amount not exceeding \$350.00 per expenditure, within the authority granted by WSBA as custodian of Section funds. Any expenditure of Section funds as authorized by the Treasurer hereunder shall be immediately reported to the Chairperson and Chairperson-elect. The fiscal year of the Section shall correspond to the fiscal year of the WSBA.
- 6.8 A Trustee shall serve in an advisory capacity to the Section and shall assist the Executive Committee as follows:
 - (a) To support the efforts of Section members to achieve the highest standards of competence, professionalism and ethics in their practices;
 - (b) To assist the efforts of the Executive Committee in any work undertaken with the Legislature to enact and improve laws affecting GLBT citizens and to assist the Judiciary in the just administration of those laws; and
 - (c) To take on tasks as requested by the Executive Committee and membership of the section to implement section goals and policies.

7.0 Election of Officers

- 7.1 The Chairperson-elect, Secretary, and Treasurer, shall be elected each year at the Annual Meeting by majority vote of the membership present in person, by telephone, or by written proxy, or who have submitted a ballot prior to the meeting.
- 7.2 The term of office for all officers of the Executive Committee shall commence with their election each year at the Annual meeting and shall continue until election of Executive Committee members at the subsequent Annual Meeting.
- 7.3 The Immediate Past Chairperson shall appoint a nominating committee no later than 90 days prior to the Annual Meeting for the purpose of nominating interested qualified persons for the positions of Chairperson-elect, Secretary, and Treasurer. The nominating committee shall consist of no fewer than three members of the Section.
- 7.4 The nominating committee may nominate more than one candidate for each position. Notice containing the names of nominees selected by the nominating committee shall be mailed to voting members of the Section or published in the Section newsletter no later

than 30 days prior to the Annual Meeting. The notice shall include names of persons nominated, the positions to which they have been nominated, and a statement that members of the Section may nominate persons to serve in any of these elected officer positions by written nomination to the Chairperson of the nominating committee received no later than 10 days prior to the Annual Meeting.

- 7.5 To be accepted, nominations from members must include the name of the person nominated, the position for which he or she is nominated, and shall contain the written endorsement (by signature or letter) of three members of the Section.
- 7.6 If the nominating committee has nominated only one candidate for a particular position, and if no additional nominations are received for that position by the Chairperson of the nominating committee as provided above in this Section 7.4, the person nominated by the nominating committee shall be deemed elected.
- 7.7 Vacancy of any position on the Executive Committee shall be filled by a majority vote of all members of the Executive Committee for the unexpired portion of the term.

8.0 Election of Trustees

- 8.1 Except as provided in §8.6, Trustees shall be elected at the Annual Meeting for terms of two years. Terms of all Trustees will begin at the close of the Annual Meeting at which they are elected and will end at the close of the Annual Meeting two years hence when their successor has been elected and qualified.
- 8.2 The Chairperson of the Section shall solicit nominations for Trustees from the membership prior to or during the Annual Meeting. All nominees for Trustees must be current, voting members of the Section. Nominations may be made or seconded by any voting member of the Section, in person, by proxy, or by written or electronic communication.
- 8.3 Nominees for Trustee shall be given the opportunity to address the membership during the Annual Meeting, prior to the election of the Trustees.
- 8.4 Trustees shall be elected by a majority vote of the membership present at the Annual Meeting in person, by telephone, or by written proxy.
- 8.5 The Trustees who shall be elected by a vote of the Section at the first Annual Meeting shall be elected in groups designated as A and B. The A group (two Trustees) will hold office for three years, the B group (three Trustees) will hold office for two years. Elections for the Trustees' successors shall subsequently all be for 2-year terms.
- 8.6 Vacancy of any Trustee position shall be filled by a majority vote of all members of the Executive Committee for the unexpired portion of the term.

9.0 Publications

- 9.1 The Section may publish a newsletter or other written or electronic materials and

documents to further the objectives of the Section.

10.0 Amendment

- 10.1 These bylaws may be amended by either of the following means: (1) at any Annual Meeting of the Section by a majority vote of the members of the Section present in person, by telephone, or by written proxy; (2) at any regular or special meeting of the Executive Committee of the Section called for the purpose of amending the bylaws upon at least ten (10) days written notice to the members thereof, by a majority vote of all members of the Executive Committee. No amendment of these bylaws will be effective until approved by the Board of Governors of the Washington State Bar Association.

Founding bylaws adopted and approved by the WSBA Board of Governors on March 3, 2006.

Bylaws first amended and approved by the WSBA Board of Governors on April 25, 2008.

Second amended Bylaws approved by the WSBA Board of Governors on July 25, 2014.



WSBA

BOARD OF GOVERNORS

Angela M. Hayes
Governor, Fifth District

phone: 509.777.2671
e-mail: ahayes@aiin.com

ACTIVITY REPORT November 3, 2016 – January 11, 2017

WSBA and BOG COMMITTEE MEETINGS:

| | |
|-------------------|---|
| November 7, 2016 | Attend Annual Fall Section Leaders meeting, Seattle WA |
| December 7, 2016 | Attend BOG Legislative Primer meeting, WSBA Office, Seattle WA |
| December 12, 2016 | Attend BOG Personnel Committee meeting, telephonic |
| December 13, 2016 | Participate in two member outreach calls regarding license fee petition |
| January 5, 2017 | Attend Executive Committee meeting, telephonic |
| January 6, 2017 | Attend Legislative Committee meeting, telephonic |

SPECIALTY, COUNTY AND MINORITY BARS OUTREACH:

| | |
|------------------|--|
| November 4, 2016 | Attend Spokane County Bar Association lunch meeting, Spokane, WA |
| January 6, 2017 | Attend Spokane County Bar Association lunch meeting, presentation by Jay Doran, Spokane WA |



WSBA

BOARD OF GOVERNORS

Ann Danieli, *Governor, Seventh North District*
WASHINGTON STATE BAR ASSOCIATION
3518 Fremont Avenue North, 299
Seattle, WA 98103
(206) 919-3667

ACTIVITY REPORT OCTOBER-NOVEMBER 2016

LIAISON DUTIES:

| | |
|-------------------|--|
| December 14, 2016 | Council on Public Defense by Phone 12-2:30 |
|-------------------|--|

WSBA and BOG COMMITTEE MEETINGS:

| | |
|-------------------|--|
| December 8, 2016 | WSBA Outreach Training by phone |
| December 12, 2016 | WSBA Executive Committee 10-12 WSBA |
| December 12, 2016 | Personnel Committee 2-4 WSBA |
| December 12, 2016 | Member Outreach by Phone 4-5 |
| December 14, 2016 | Member Outreach by Phone 8:30-9:30 |
| December 14, 2016 | Member Outreach on line 8:30-9:30 |
| December 14, 2016 | Member Outreach by Phone 4-5 |
| December 15, 2016 | Nominations Committee 9-10 by phone |
| January 5, 2017 | Executive Committee 10-12 by phone |
| January 5, 2017 | Budget & Audit Committee 2-4 by phone |
| January 17, 2017 | Personnel Committee 10:30-11:30 by phone |
| January 25, 2017 | BOG Dinner Spokane 6:30-10:30 |
| January 26, 2017 | BOG Meeting Spokane 8-5 |
| January 26, 2017 | Local Bar Lunch Spokane 12-1 |
| January 26, 2017 | BOG Dinner Spokane 6-9 |

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| | |
|------------------|--|
| January 27, 2017 | BOG Meeting Spokane 8-12 |
| January 30, 2017 | Meeting with Frances Dujon-Reynolds, Paula Littlewood, and Patsy Clark 9:30-10:30 by phone |

SPECIALTY, COUNTY AND MINORITY BARS OUTREACH:

| | |
|------------------|---|
| January 13, 2017 | KCBA Martin Luther King Jr. Lunch 12-1 Sheraton |
|------------------|---|



WSBA

BOARD OF GOVERNORS

Athan P. Papailiou
Governor, At-Large

phone: 206.245.1700
e-mail: athan.papailiou@pacificallawgroup.com

ACTIVITY REPORT 11/2/16 – 1/13/17

LIAISON DUTIES:

| | |
|----------|---|
| 12/21/16 | BOG Member Engagement Conference Call |
| 12/8/16 | Judicial Recommendation Committee Meeting (cancelled) |

WSBA and BOG COMMITTEE MEETINGS:

| | |
|----------|---|
| 11/17/16 | WSBA Foundation Board of Trustees Meeting |
| 11/17/16 | Board of Governors Dinner |
| 11/18/16 | Board of Governors Meeting |
| 12/7/16 | BOG Legislative Primer |
| 12/8/16 | BOG Prep Call |
| 1/5/17 | B&A Committee Meeting |
| 1/6/17 | BOG Legislative Committee Meeting |
| 1/12/17 | Coffee meeting with Paula Littlewood |

SPECIALTY, COUNTY AND MINORITY BARS OUTREACH:

| | |
|---------|-------------------|
| 1/13/17 | KCBA MLK Luncheon |
|---------|-------------------|

*Note that this is not an exhaustive list of all duties completed and meetings attended.

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WSBA

BOARD OF GOVERNORS

William D. Hyslop
Immediate Past President

phone: 509.455.9555
e-mail: whyslop@lukins.com

ACTIVITY REPORT October 1, 2016 – January 27, 2017

IMMEDIATE PAST PRESIDENT DUTIES:

| | |
|-------------------|--|
| October 4, 2016 | BOG Officers meeting with the Supreme Court |
| October 28, 2016 | 50-Year Member WSBA Tribute Luncheon |
| November 8, 2016 | Conference Call on Governance Training |
| November 16, 2016 | Conference Call on Governance Training |
| November 17, 2016 | BOG Dinner |
| November 18, 2016 | BOG Meeting |
| November 22, 2016 | Escalating Cost of Civil Litigation (ECCL) Presentation to King County Superior Court |
| December 7, 2016 | BOG Member Engagement Prep. Conference Call |
| December 12, 2016 | Meeting with Civil Legal Aid Oversight Committee Co-Chairs and BOG Executive Committee |
| December 13, 2016 | WSBA Member Engagement Conference Call |
| December 14, 2016 | WSBA Member Engagement Conference Call |
| December 15, 2016 | WSBA Member Engagement Conference Call |
| January 4, 2017 | Conference Call on Governance Training |
| January 13, 2017 | Conference Call on Governance Training |
| January 25, 2017 | Officers Meeting with Spokane Superior Court |
| January 25, 2017 | Officers Meeting with Spokane County Bar Association Trustees |
| January 25, 2017 | WSBA BOG Dinner |
| January 26, 2017 | WSBA BOG Meeting |
| January 27, 2017 | WSBA BOG Meeting |

WSBA and BOG COMMITTEE MEETINGS:

| | |
|-------------------|---|
| October 12, 2016 | BOG Budget and Audit Committee Meeting |
| October 13, 2016 | BOG Executive Committee Meeting |
| October 21, 2016 | BOG Legislative Committee telephone conference |
| October 31, 2016 | BOG Legislative Committee telephone conference |
| November 10, 2016 | BOG Personnel Committee Meeting |
| November 17, 2016 | Washington State Bar Foundation Board of Trustees Meeting |
| December 7, 2016 | BOG Legislative Committee: 2017 Session Primer |
| December 12, 2016 | BOG Executive Committee Meeting |
| December 12, 2016 | BOG Personnel Committee Meeting |
| January 5, 2017 | BOG Executive Committee Meeting |
| January 5, 2017 | BOG Budget & Audit Committee Meeting |
| January 12, 2016 | Washington State Bar Foundation Board of Trustees Meeting |
| January 13, 2017 | BOG Legislative Committee Conference Call |
| January 20, 2017 | BOG Legislative Committee Conference Call |

SPECIALTY, COUNTY AND MINORITY BARS/LAW SCHOOLS/ ATJ ACTIVITIES AND OUTREACH:

| | |
|-------------------|---|
| October 7, 2016 | Spokane County Bar Association luncheon |
| October 13, 2016 | We Imagine Justice Reception - Columbia Legal Services |
| October 20, 2016 | Gonzaga School of Law Community Summit |
| October 20, 2016 | Open Sections Night / Spokane |
| October 21, 2016 | Legal Foundation of Washington Campaign Spokane Kickoff Event |
| October 27, 2016 | Evening of Justice at Wing Luke – Northwest Immigrant Rights Project (NWIRP) 2016 Outstanding Community Partner Award Reception |
| December 30, 2016 | Swearing In Ceremony of Whitman County Superior Court Judge Gary Libey |
| January 6, 2017 | Spokane County Bar Association luncheon |



WSBA

BOARD OF GOVERNORS

Bradford E. Furlong
President-elect

phone: 360.336.6508
e-mail: brad.wsba@furlongbutler.com

ACTIVITY REPORT 11/01/16 – 01/06/17

LIAISON DUTIES:

| | |
|----------|---|
| 12/7/16 | BOG Legislative Committee |
| 12/12/16 | Meeting with Office of Civil Legal Aid (OCLA) Board |
| 01/05/17 | Meeting with Governor Majumdar |

WSBA and BOG COMMITTEE MEETINGS:

| | |
|----------|---|
| 11/04/16 | Annual WSBA Legislative Stakeholder Meeting |
| 11/10/16 | Personnel Committee Meeting |
| 11/18/16 | BOG Meeting |
| 12/07/16 | Legislative Committee 2017 Session Primer |
| 12/12/16 | Civil Legal Aid Oversight Committee Co-Chairs and BOG Executive Committee Meeting |
| 12/12/16 | Executive Committee Meeting |
| 12/12/16 | Personnel Committee Meeting |
| 12/14/16 | Meeting with Pam Inglesby re Nominations Committee Meeting |
| 12/15/16 | Nominations Committee Meeting |
| 01/05/17 | Executive Committee Meeting |
| 01/05/17 | Budget and Audit Committee Meeting |

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| | |
|----------|-------------------------------|
| 01/06/17 | Legislative Committee Meeting |
|----------|-------------------------------|

SPECIALTY, COUNTY AND MINORITY BARS OUTREACH:

| | |
|----------|---|
| 11/01/16 | Amicus Committee Meeting |
| 11/07/16 | Annual Fall Sections Leadership Meeting |
| 12/12/16 | Skagit County Bar Dinner |

Working Together to Champion Justice

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WSBA

BOARD OF GOVERNORS

Christina A. Meserve
Governor, Tenth District

phone: 360.943.6747
e-mail: MeserveBOG@yahoo.com

ACTIVITY REPORT

November 11, 2016 thru January 11, 2017

LIAISON DUTIES:

| <u>Date</u> | <u>Event</u> |
|--------------------|---------------------|
|--------------------|---------------------|

| | |
|----------|--|
| 11/04/16 | Letters to sections and specialty bars |
| 01/05/17 | Environmental & Land Use Section meeting (via phone) |

WSBA and BOG COMMITTEE MEETINGS:

| <u>Date</u> | <u>Event</u> |
|--------------------|---------------------|
|--------------------|---------------------|

| | |
|---------------|---|
| 11/17/16 & 18 | BOG Meeting and dinner |
| 12/07/16 | BOG Member Engagement Prep. Conference Call |
| 12/07/16 | BOG Legislative Committee |
| 01/06/17 | BOG Legislative Committee (via phone) |

SPECIALTY, COUNTY AND MINORITY BARS OUTREACH:

| <u>Date</u> | <u>Event</u> |
|--------------------|---------------------|
|--------------------|---------------------|

| | |
|----------|---|
| 11/08/16 | Thurston County Bar Family Law Section |
| 12/09/16 | Thurston County Bar Association holiday lunch |
| 12/13/16 | Thurston County Bar Association Family Law Section holiday party |
| 12/14/16 | WSBA Member Engagement Conference Call |
| 12/14/16 | Washington Women Lawyers meeting (via phone) |
| 12/15/16 | WSBA Member Engagement Conference Call |
| 01/06/17 | Thurston County Bar Association Judicial retirements and swearing ins |
| 01/09/17 | Thurston County Bar Association Judicial retirements and swearing ins |
| 01/10/17 | Thurston County Bar Association Family Law Section meeting |
| 01/11/17 | Washington Women Lawyers meeting (via phone) |



WSBA BOARD OF GOVERNORS

Dan Bridges
Governor, Ninth District

phone: 425 462 4000
e-mail: danBOG@mcbdlaw.com

ACTIVITY REPORT November 18, 2016 to January 28, 2017

Liaison Duties

I am the liaison to the litigation section and attended the only meeting it held since I was assigned. The section discussed the fee referendum and other routine matters of business such as yearly functions.

I am the liaison to the Cordozo Society. It has not met since I was assigned but I have spoken on the phone at length to both co-chairs of that society and had extended email communications providing WSBA scheduling information and answering general questions.

WSBA, Board, and Committee Duties

I am on both the budget and audit committee, and personnel committee. I have attended personally and participated in all those meetings since being appointed to them.

I participated in three "town hall meeting" phone calls regarding the fee referendum.

County Outreach

I have made repeated phone calls and left messages to many King County Bar Association leaders as my Ninth District is squarely within King County. Despite that, I have not received a single returned phone call. I will continue my efforts to contact those individuals to forge a relationship with them as it relates to the WSBA.

I had several emails with the leader of the east side King County Bar Association.

Member Outreach

I have had various communications from and with members about the referendum, and perhaps surprisingly, things having nothing to do with the referendum. I typically conclude every such contact urging them to attend meetings and run for the Board.

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3131 Western Avenue, Suite 410 Seattle, Washington, 98121



WSBA

BOARD OF GOVERNORS

Rajeev D. Majumdar
Governor, Second District

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ACTIVITY REPORT Nov. 2016 to Jan. 2017

LIAISON DUTIES:

| | |
|--------|---|
| 1/9/17 | E-mail w/ Health Law Section Executive Committee re: Annual meeting and agenda and issues I can assist with |
|--------|---|

WSBA and BOG COMMITTEE MEETINGS:

| | |
|----------------|--|
| 11/7/16 | Communications w/ Diversity Committee Seattle U 1-L activity leader |
| 11/17-11/18/16 | BoG Meeting |
| 11/30/16 | Diversity Committee Meeting in Seattle |
| 12/8/16 | Discussion w/ Diversity Committee Member re: taking a position of referendum |
| 12/15/16 | BoG Member Phone Call re: Fee Petition |
| 1/18/17 | Diversity Committee Meeting (anticipated) |
| 1/26-27/17 | BoG Meeting in Spokane (anticipated) |

SPECIALTY, COUNTY AND MINORITY BARS OUTREACH:

| | |
|-----------------|-----------------------------|
| 11/2/16, 1/4/17 | Whatcom County Bar meetings |
|-----------------|-----------------------------|

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WSBA

BOARD OF GOVERNORS

James K. Doane

Governor, District 7-South

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e-mail: jamesdoane@me.com

ACTIVITY REPORT James K. Doane, District 7-South November 7, 2016 to January 11, 2017

| | |
|------------|---|
| 11/7/2016 | WSBA Fall Section Leaders Meeting in Seattle |
| 11/10/2016 | Corporate Counsel Section Executive Committee Meeting and Dinner |
| 11/16/2016 | BOG Conference Call with Staff re Outreach Calls Concerning License Fees |
| 11/17/2016 | Washington State Bar Foundation Board of Trustees |
| 11/18/2016 | BOG training, executive session, BOG public session |
| 12/2/2016 | Urban League Metropolitan Seattle 16th Annual Breakfast |
| 12/6/2016 | WSBA Business Law Section Executive Committee Meeting |
| 12/07/2016 | ISO 37001 meeting at Microsoft with in-house lawyers from leading local companies |
| 12/08/2016 | K & L Gates holiday reception |
| 12/09/2016 | ABAW Holiday Dinner in Chinatown |
| 12/12/2016 | BOG Executive Meeting |
| 12/12/2016 | BOG Personnel Meeting |
| 12/13/2016 | Seattle University Law School Holiday Reception |
| 12/13/2016 | Let's Talk License Fees BOG outreach |
| 12/14/2016 | WSBA Intellectual Property Section Executive Committee Meeting |
| 12/14/2016 | Let's Talk License Fees BOG outreach (2) |

| | |
|---|--|
| 12/15/2016 | Let's Talk License Fees BOG outreach |
| 12/15/2016 | BOG Nominating Committee |
| 12/20/2016 | Let's Talk License Fees BOG outreach with MBAs |
| 01/05/2017 | WSBA Executive Committee Meeting |
| 01/05/2017 | WSBA Budget and Audit Committee Meeting |
| Various | Miscellaneous drafting projects and related coordination including liaison with Animal, Business, and Intellectual Property sections and ABAW, and with my Corporate Counsel Section Executive Committee which I belong to as immediate past chair, correspondence, and year-end update to my District |
| Addition of 09/29/2016 previously omitted | WSBA Annual APEX Awards Dinner in Seattle and final BOG meeting of fiscal year |



WSBA

BOARD OF GOVERNORS

Jill A. Karmy
Treasurer & Governor, Third District

phone: 360.887.6910
e-mail: jillkarmy@karmylaw.com

ACTIVITY REPORT

November 18, 2016 to January 28, 2017

LIAISON DUTIES:

| | |
|------------------|--|
| December/January | Emails with Senior Lawyer Section re: Aging of the Bar topic |
|------------------|--|

WSBA and BOG COMMITTEE MEETINGS:

| | |
|------------------|---|
| 12-7-16 | BOG Legislative Primer (via phone) |
| 12-12-16 | Executive Committee Meeting (via phone) |
| 1-5-17 | Executive Committee Meeting, Seattle |
| 1-5-17 | Budget & Audit Meeting, Seattle |
| 1-6-17 | BOG Legislative Committee (via phone) |
| 1-12-17 | Bar Foundation Meeting (via phone) |
| 1-13-17 | BOG Legislative Committee (via phone) |
| 1-20-17 | BOG Legislative Committee (via phone), <i>anticipated</i> |
| 1-25-17 | Officer meeting with Spokane County Bar, <i>anticipated</i> |
| 1-26-17; 1-27-17 | BOG Meeting, Spokane, <i>anticipated</i> |

SPECIALTY, COUNTY AND MINORITY BARS OUTREACH:

| | |
|---------------------------------|---|
| 12-6-16 | Coffee with District 3 potential BOG candidate (see recruitment report for more activities) |
| 12-13-16; 12-20-16; 12-21-16 | WSBA Conference call with members re: license fee petition (x4) |

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PO Box 58/ Vancouver, WA / fax: 360.887-6913



WSBA

BOARD OF GOVERNORS

Keith M. Black
Governor, Sixth District

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ACTIVITY REPORT November 17, 2016 – January 27, 2017

WSBA AND BOG COMMITTEE MEETINGS:

| | |
|---------------------------|--|
| November 17-18, 2016 | Attended all Regular Session and Functions of BOG November Meetings, Seattle |
| November 2016 | BOG Legislative Committee Conference Call |
| December 7, 2016 | BOG Legislative Committee Meeting, Seattle |
| December 8, 2016 | BOG Conference Call with Staff re Outreach Calls Concerning License Fees |
| December 10, 2016 | Letter to District 6 Members re Highlights of BOG November Meeting |
| December 12, 2016 | BOG Personnel Committee Meeting, Seattle |
| December 13, 2016 | BOG Outreach Conference Calls (2) to Members re License Fees |
| January 6, 13, & 20, 2017 | BOG Weekly Legislative Committee Conference Calls |
| January 25-27, 2017 | Attend all Regular Sessions and Functions of BOG January Meetings, Spokane |

SPECIALTY, COUNTY AND MINORITY BARS OUTREACH:

| | |
|-------------------|--|
| December 20, 2016 | Attended Tacoma-Pierce County Bar Association Board of Trustees Meeting and Christmas Dinner, Tacoma |
| January 3, 2017 | Recruitment Committee Formed to Seek and Encourage Qualified Candidates to File for BOG Position in District 6 |
| January 12, 2017 | Attend Swearing-in of Pierce County Superior Court Justices, Tacoma |
| January 2017 | Letters Sent to Presidents and Bar Leaders of Local Bar Associations within District 6 re Opening of BOG Seat in 2017, Filing, Election Process, and Deadlines |
| January 2017 | Numerous Individual Recruitment Calls to Bar Leaders and Prospective Candidates for BOG District 6 Seat |



WSBA

BOARD OF GOVERNORS

G. Kim Risenmay
Governor, First District

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ACTIVITY REPORT November 1, 2016 – January 12, 2017

LIAISON DUTIES:

| | |
|------------|---|
| 11-4-2016 | Attend Access to Justice Board meeting |
| 12-2-2016 | Attend Access to Justice Board meeting |
| 12-13-2016 | Participate in Limited Practice Board meeting via telephone |
| 12-13-2016 | Attend Tax Section's State and Local Taxes (SALT) Quarterly meeting |
| 1-6-2017 | Attend Access to Justice Board meeting |

WSBA and BOG COMMITTEE MEETINGS:

| | |
|------------------|--|
| 11-16 & 17- 2016 | Attend November Board of Governors meetings |
| 12-14-2016 | Participate in WSBA telephone conference with members to answer their questions regarding the license fee increases and the current referendum on that subject |
| 1-5-2017 | Attend WSBA Executive Committee Meeting and give report on work group activities |
| 1-5-2017 | Attend WSBA Budget and Audit Committee Meeting to discuss development of the 2018 Budget and investment results for WSBA's investments of its reserve funds |
| 1-9-2017 | Prepare analysis of alternative investment options for WSBA reserve funds for use by Budget and Audit Committee Chairperson Jill Karmy |

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10103 167th Place NE / Redmond, WA 98052 / fax: 425.636.8290



WSBA

BOARD OF GOVERNORS

Mario M. Cava
Governor, At-Large (B)

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e-mail: Mario.Cava@gmail.com

ACTIVITY REPORT

January 8, 2017

WSBA Sections & Committees

| | |
|------------|----------------------------------|
| 2016.12.12 | WSBA Sections Legislative Primer |
|------------|----------------------------------|

WSBA and BOG COMMITTEE MEETINGS:

| | |
|------------|--|
| 2016.11.18 | WSBA BOG Meeting |
| 2016.12.06 | WSBA BOG Legislative Primer |
| 2017.01.05 | WSBA BOG Executive Committee Meeting |
| 2017.01.06 | WSBA BOG Legislative Committee Meeting |

SPECIALTY, COUNTY AND MINORITY BARS OUTREACH:

| | |
|------------|---|
| 2016.12.10 | Office of Civil Legal Aid Oversight Committee General Meeting |
| 2016.12.14 | Member Engagement Call re: Licensing Fees |
| 2016.12.20 | MBA Member Engagement Call re: Licensing Fees |

COMMENTS

1. Please see my At-Large Governor Reports, which are being provided via email as part of the regular diversity stakeholder updates.

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WSBA

BOARD OF GOVERNORS

Mario M. Cava
Governor, At-Large (B)

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January 6, 2017

Greetings Presidents and Chairs:

You are being contacted because you are identified as a leader of a Minority Bar Association (MBA) or preside as Chair to one of the WSBA entities with which I serve as your Board of Governors (BOG) Liaison. If your organization has changed leadership, please let me know.

Enclosed please find my current **Interim Activity Report** as well as proposed **Agenda** for the BOG meeting set to occur in Spokane from **January 26, 2016-January 27, 2016**. When the BOG convenes later this month, we will discuss issues of importance to the MBA community. My Activity Reports are available in the Public Session Materials for each BOG meeting. A summary of each meeting is also available on the WSBA website (www.wsba.org) and included in my updates to the Diversity Stakeholders Listserv.

Day of Remembrance Resolution. Through Executive Order 9066 issued on February 19, 1942, the United States government imposed curfews, removal, and incarceration on more than 120,000 Japanese Americans, including U.S. citizens, residing in Washington and other western states, citing military necessity and prosecuted those that did not comply. Lawyers and courts in Washington played a role in both the imposition and enforcement of these actions and in the efforts 40 years later to vacate the convictions and obtain judgments of governmental misconduct in the legal cases. Through a proposed Resolution, the WSBA will recognize The Day of Remembrance, February 19, 2017, the 75th anniversary of Executive Order 9066. This Resolution presents an opportunity to reaffirm WSBA's Mission and Guiding Principles, to review the lessons of the past for present and future generations of legal professionals and the public, and to express gratitude to all legal professionals and members of the public who continue to seek access to justice, integrity of the profession, and a fair and impartial judiciary committed to equity in the treatment of all persons.

Religious & Spiritual Policy. As many of you are aware, the BOG has engaged in numerous public discussions regarding the establishment of a clear Religious and Spiritual Practices Policy. A Religious and Spiritual Practices Policy is necessary to provide clear guidance to WSBA staff and WSBA entities with regard to the types of religious activities considered appropriate for WSBA functions. The BOG is considering a series alternative proposals, all of which are available here for your reference. Action on any such policy is tabled pending further stakeholder input.

Shifting Membership Demographics. For the past three years, the BOG has been holding "generative discussions" about broader policy issues facing the legal profession. We have set aside

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some time to discuss the coming generational shift in practice going on both in Washington and throughout the country.

Article XI – Section Policy Workgroup Recommendations. Proposed By-Laws revisions from the Section Policy Workgroup were considered at the September 29-30, 2016 BOG Meeting. The proposed changes create minimum governance standards and clarify that Sections are entities of the WSBA and are obligated to comply with the Bar's By-laws and Policies. Based upon member feedback regarding other By-Laws changes that occurred at the same meeting, the BOG agreed that more time was needed for discussion and to receive comments. Feedback from the Sections was received in writing and in person during Public Session on November 18, 2016. Needing more time to consider the feedback received during the November session, the BOG again tabled the Sections By-Laws discussion for consideration at the meeting in Spokane this month.

Please feel free to contact me if you have further questions regarding this letter or its enclosures.

Very truly,



Mario M. Cava
Governor At-Large

Enclosures.

cc: Robin Haynes, WSBA President
Paula Littlewood, WSBA Executive Director
Sean Davis, WSBA Governor At-Large
Athan Papailiou, WSBA Governor At-Large

MMC/mc

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WSBA

BOARD OF GOVERNORS

Robin L. Haynes
President

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e-mail: robin@mcnicicewheeler.com

ACTIVITY REPORT November 3, 2016 – January 11, 2017

WSBA and BOG COMMITTEE MEETINGS:

| | |
|----------|--|
| 11/03/16 | WSBA Legislative Stakeholders Meeting (Seattle) |
| 11/07/16 | WSBA Section Leaders Fall Meeting (Seattle) |
| 11/08/16 | Prep Call with Governance Trainer Lauren Glickman (Call) |
| 11/15/16 | President's Call with Executive Director (Call) |
| 11/16/16 | Prep Call with Governance Trainer Lauren Glickman (Call) |
| 11/17/16 | BOG Dinner (Seattle) |
| 11/18/16 | BOG Training, Executive Session, and Meeting (Seattle) |
| 11/22/16 | President's Call with Executive Director (Call) |
| 12/01/16 | President's Call with Executive Director (Call) |
| 12/07/16 | Member Engagement Call Prep Meeting (Seattle) |
| 12/07/16 | BOG Legislative Committee Primer (Seattle) |
| 12/08/16 | Member Engagement Call Prep Meeting (Call) |
| 12/12/16 | Executive Committee Meeting (Seattle) |
| 12/12/16 | WSBA Sections Legislative Primer (Seattle) |
| 12/12/16 | BOG Personnel Committee Meeting (Seattle) |
| 12/13/16 | Member Engagement Call 9-10 a.m. (Call) |
| 12/13/16 | President's Call with Executive Director (Call) |
| 12/13/16 | Member Engagement Call 4:30-5:30 p.m. (Call) |

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| | |
|----------|---|
| 12/14/16 | Member Online Chat (Seattle) |
| 12/14/16 | Member Engagement Call (Call) |
| 12/16/16 | Council on Public Defense Meeting (Seattle) |
| 12/20/16 | Minority Bar Association (MBA) Member Engagement Call (Call) |
| 12/21/16 | Washington Young Lawyers Committee (WYLC) Member Engagement Call (Call) |
| 12/27/16 | President's Call with Executive Director (Call) |
| 01/03/17 | President's Call with Executive Director (Call) |
| 01/04/17 | Prep Call with Governance Trainer Lauren Glickman (Seattle) |
| 01/04/17 | Touch Base with Executive Management Team Meeting (Seattle) |
| 01/05/17 | Executive Committee Meeting (Seattle) |
| 01/05/17 | Budget and Audit Committee Meeting (Seattle) |
| 01/06/17 | BOG Legislative Committee Meeting (Call) |
| 01/10/17 | President and Executive Director Meeting (Seattle) |
| 01/10/17 | Meeting with <i>NW Lawyer</i> Editor and Executive Director (Seattle) |
| 01/10/17 | Touch base with Executive Management Team Meeting (Seattle) |

SPECIALTY, COUNTY, AND MINORITY BARS, AND COMMUNITY OUTREACH:

| | |
|----------|--|
| 11/03/16 | Federal Magistrate McCandlis Investiture (Bellingham) |
| 11/17/16 | Presentation to OAC (Spokane) |
| 11/17/16 | Washington Vets Will Clinic Board Meeting (Call) |
| 11/17/16 | Spokane County Young Lawyers Division Intro to Courts CLE (Lunch Speaker, Spokane) |
| 11/29/16 | National Conference of Bar President's Social Media Presentation Conference Call |
| 12/05/16 | Washington State Association for Justice (WSAJ) & Supreme Court Meeting re Escalating Cost of Civil Litigation (Olympia) |
| 12/07/16 | Spokane County Bar Association Holiday Party (Spokane) |
| 12/09/16 | Meeting with Gonzaga University Professor Brooks Holland (Spokane) |
| 12/12/16 | WSBA & Civil Legal Aid Meeting (Seattle) |
| 12/14/16 | Washington Women Lawyers (WWL) Spokane Holiday Party (Spokane) |

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| | |
|----------|--|
| 01/09/17 | Supreme Court Swearing In: Chief Fairhurst, Justices Wiggins, Madsen, and Yu (Olympia) |
| 01/09/17 | Meeting with Attorney Roeder (former WDTL President) (Seattle) |
| 01/10/17 | Meeting with King County Bar Association President, KCBA Executive Director, and WSBA Executive Director (Seattle) |
| 01/10/17 | Meeting with Attorney Nelson (former WSAJ President) (Seattle) |

MENTORING & OTHER:

| | |
|----------|---|
| 12/01/16 | Washington State Association for Justice (WSAJ) Mentoring Night (Spokane) |
| 12/16/16 | Board for Judicial Administration Meeting (SeaTac) |
| 12/16/16 | Meeting with Washington Leadership Institute (WLI) Grad (Seattle) |
| 12/22/16 | Global Confex Speaker's Call (Call) |
| 12/27/16 | Meeting with former WSBA Treasurer |
| 01/04/17 | Supreme Court En Banc Meeting (Seattle) |
| 01/10/17 | University of Washington Black Law Students Association (BLSA) Pre-Law Presentation (Seattle) |

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WSBA

WASHINGTON STATE BAR ASSOCIATION

EXECUTIVE DIRECTOR'S REPORT

January 20, 2017

WSBA Staff Auction Raises \$6,218.50 for the Northwest Immigrant Rights Project!

The WSBA staff held their annual auction in early December and raised a total of \$6,218.50 for the Northwest Immigrant Rights Project (NWIRP). For over three decades, NWIRP has defended and advanced the rights of immigrants. As always, there was a wide variety of items up for bid in both a silent auction and a live auction. The sale of “Jeans Stickers” (which allow staff to dress down on non-Fridays) was a huge money maker this year as well! As in recent years, most items auctioned off were made or prepared by WSBA staff – staff-hosted functions seemed to be the big sellers this year, with a hosted game night by Sections Program Lead Joe Terrenzio being so popular that two of them were sold! A Sounders package also went for high dollars – and that was even before they won the MLS! Thanks to all the staff and Board members who participated this year and made the auction festivities so successful once again for this charity!

Legislative update

The 2017 session began January 9th and is scheduled to last 105 days. Legislators have significant issues to tackle including a multi-billion dollar budget deficit, fully funding basic education under the 2012 *McCleary* decision, mental health obligations, and addressing other emergent public policy needs.

Adopted by the Board of Governors (BOG) in November 2016, the Bar's legislative agenda includes:

- Bar-request legislation
 - **Senate Bill 5011** (prime sponsored by Sen. Jamie Pedersen, D-43): amends Washington's Business Corporation Act to make our state more business-friendly through process efficiencies and modernization of outdated statutory provisions
 - **Senate Bill 5012** (prime sponsored by Sen. Jamie Pedersen, D-43): creates a non-judicial process for amending or replacing irrevocable trust documents
- Adequate state funding for Washington's court system
- Adequate state funding for civil legal aid services

Both Bar-request bills were heard on January 10th in the Senate Law and Justice Committee. Representatives from the WSBA Business Law and Real Property, Probate and Trust Sections testified in support of these bills. In addition to Senator Pedersen, other sponsors of these bills include Senators Padden, R-4; Frockt, D-46; and Fain, R-47.

Market Shifts in Continuing Legal Education (CLE)

CLE has recently started experiencing market impacts that we believe are tied to the MCLE rules changes effective January 1, 2016, which eliminated the requirement of live attendance at CLEs. The drop in live registrations began in August 2016 and increased dramatically between October to December of 2016, which is typically our best performing period for CLEs. Year to date (through December 31, 2016), registration for live attendance is down 45%. If the trend holds, we would expect a \$751,500 revenue loss for FY17 for live registrations. However, while the rule changes may be contributing to this negative impact to live seminar registrations, they may have had a positive impact on recorded product sales. Year to date (through December 31, 2016), product sales are up 37% as compared to product sales during this same time last year. If these trends continue, we project a 30% increase in product sales for FY17, which will result in a \$402,571 increase in product revenue over FY16.

CLE is budgeted to a positive net of \$272,213 in FY17. If the current market impacts hold we will end up with a net loss of \$76,716 under our current model. Thanks to our success last year, the CLE Reserve Fund is currently at \$456,000 so we would be able to absorb the projected loss and still maintain a healthy reserve fund. The CLE team is taking proactive steps to optimize efficiency within the operation to save costs. Additionally, we are looking at the marketing of WSBA CLEs to ensure we have the optimal product mix and most efficient delivery models given the shifts in market demand. We are confident that with operational efficiency gains we will be effectively responding to these market changes.

Licensing Statistics to Date for 2017

The licensing season is coming into its final months. Of note, the online payment rate is about 10% higher than last year, most likely because of Electronic Funds Transfer (new this year), which is the second highest method of payment next to Visa. Below are some statistics as of January 20th:

- Number of people who have paid their licensing fees **17,928**
- Number of people who have paid through *mywsba* **8,744**
- Percent of people who have taken the Keller Deduction **11%**
- Percent of people who have contributed to LAW Fund **13%**
- Total amount contributed to LAW Fund in dollars **\$120,888**
- Percent of people who have contributed to WSBF **9%**
- Total amount contributed to WSBF in dollars **\$84,497**
- Percent of people who have contributed to both **8%**
- Number of people opting for payment plan **65**
- Number of people granted hardship waiver **42**
- Average number of people visiting *mywsba* on a daily basis:
 - Avg. per week-day: **4,797**
 - Avg. per week-end: **1,190**

Executive Director Activity Report (attached)

WSBA Demographics Report (attached)

Correspondence and Other Informational Items (attached)

Update on Various Court Rules (attached)



WSBA

OFFICE OF THE EXECUTIVE DIRECTOR

Paula C. Littlewood
Executive Director

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ACTIVITY REPORT

November 30, 2016 – January 27, 2017

Current Service on Boards and Committees

Local: Board for Judicial Administration (BJA) Policy and Planning Committee; 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

| | |
|---|--------|
| Board for Judicial Administration Meeting | Dec 16 |
| Board for Judicial Administration Policy and Planning Committee Meeting | Dec 16 |
| Executive Directors Luncheon | Dec 12 |
| Legal Community Leaders | 14 |
| New Lawyers and Law Students | 7 |
| Other | 3 |

WSBA- and BOG-Related Meetings:

| | |
|--|-----------|
| BOG Executive Committee Meeting | Jan 5 |
| BOG Meeting in Spokane | Jan 26-27 |
| BOG Meetings with Local Bar and Bench in Spokane | Jan 25 |
| BOG Personnel Committee Meeting | Dec 12 |
| BOG President Weekly Calls | 7 |
| Disciplinary Advisory Round Table (DART) | Jan 13 |
| Meeting with Civil Legal Aid Oversight Committee Co-Chairs and BOG Executive Committee | Dec 12 |
| Meeting with Supreme Court and President Haynes | Jan 4 |
| Member Engagement Conference Calls: Let's Talk License Fees | 6 |
| Member Engagement Online Chat: Let's Talk License Fees | Dec 14 |

| | |
|---|--------|
| Practice of Law Board Meeting | Dec 15 |
| Washington State Bar Foundation Board of Trustees Meeting | Jan 12 |
| WSBA Budget & Audit Committee Meeting | Jan 5 |
| Other | 6 |

Staff-Related Meetings:

| | |
|---|--------|
| All-Manager Meeting | Jan 3 |
| All-Staff Meeting | Jan 10 |
| Coffees with New Staff | 4 |
| Executive Management Team Meetings | 7 |
| New Hire Lunch | Dec 17 |
| Staff Advisory Forum for Employees (S.A.F.E.) | Jan 12 |
| Weeklies with Communications Core Team | 4 |
| Weeklies with Staff Direct Reports | 20 |
| WSBA Holiday Auction | Dec 1 |
| WSBA After Holiday Party | Jan 6 |
| Other | 9 |

National/International-Related Meetings:

| | |
|---|---|
| International Institute of Law Association Chief Executives (IILACE) Executive Committee Conference Calls | 2 |
|---|---|

Presentations

| | |
|---|--------|
| Welcome to "Race, Equity & Access To Justice" Attendees | Dec 2 |
| Futures Presentation to Barreau du Quebec, Montreal | Nov 30 |

Organizational Events

| | |
|---|--------|
| Seattle University School of Law Annual Holiday Reception | Dec 13 |
| Supreme Court Justices Swearing-in | Jan 9 |

WSBA Demographics Report* 1/3/17 9:07:49 AM GMT-08:00

| By Years Licensed** | | By Firm Size | | By Practice Area | | By Languages Spoken | |
|---------------------|-------|--------------------------|-------|--------------------------|-------|---------------------|-------|
| Under 6 | 8,095 | Solo | 5,244 | Administrative/regulator | 1,993 | Afrikaans | 4 |
| 6 to 10 | 5,566 | Solo in Shared Office or | 1,528 | Agricultural | 195 | Akan /twi | 4 |
| 11 to 15 | 5,186 | Government/ Public Secto | 4,393 | Animal Law | 99 | Albanian | 1 |
| 16 to 20 | 4,232 | In House Counsel | 2,567 | Antitrust | 267 | American Sign Lanqu | 6 |
| 21 to 25 | 4,043 | 2-5 Lawyers in Firm | 4,443 | Appellate | 1,419 | Amharic | 12 |
| 26 to 30 | 3,436 | 6-10 Lawyers in Firm | 1,799 | Aviation | 112 | Arabic | 42 |
| 31 to 35 | 2,912 | 11-20 Lawyers in Firm | 1,274 | Banking | 402 | Armenian | 5 |
| 36 to 40 | 2,518 | 21-35 Lawyers in Firm | 826 | Bankruptcy | 1,049 | Bengali | 11 |
| 41 and Over | 2,463 | 36-50 Lawyers in Firm | 514 | Business/ Commercial | 4,706 | Bosnian | 5 |
| Total: 38,451 | | 51-100 Lawyers in Firm | 651 | Civil Litigation | 4,812 | Bulgarian | 12 |
| | | 100+ Lawyers in Firm | 1,936 | Civil Rights | 903 | Burmese | 2 |
| | | | | Collections | 541 | Cambodian | 6 |
| | | | | Communications | 205 | Cantonese | 85 |
| | | | | Constitutional | 551 | Cebuano | 2 |
| | | | | Construction | 1,219 | Chamorro | 3 |
| | | | | Consumer | 687 | Croatian | 17 |
| | | | | Contracts | 3,717 | Czech | 6 |
| | | | | Corporate | 3,122 | Danish | 17 |
| | | | | Criminal | 3,736 | Dari | 1 |
| | | | | Debtor-creditor | 924 | Dutch | 20 |
| | | | | Disability | 621 | Egyptian | 1 |
| | | | | Dispute Resolution | 1,252 | Farsi/persian | 49 |
| | | | | Education | 422 | Filipino | 1 |
| | | | | Elder | 869 | Finnish | 7 |
| | | | | Employment | 2,543 | French | 620 |
| | | | | Entertainment | 291 | French Creole | 1 |
| | | | | Environmental | 1,243 | Fukienese | 1 |
| | | | | Estate Planning/ Probate | 3,309 | Ga/kwa | 1 |
| | | | | Family | 2,743 | German | 394 |
| | | | | Foreclosure | 518 | Greek | 26 |
| | | | | Forfeiture | 68 | Gujarati | 11 |
| | | | | General | 2,769 | Hebrew | 34 |
| | | | | Government | 2,502 | Hindi | 74 |
| | | | | Guardianships | 832 | Hmong | 1 |
| | | | | Health | 846 | Hungarian | 10 |
| | | | | Housing | 247 | Ibo | 4 |
| | | | | Human Rights | 278 | Ilocano | 8 |
| | | | | Immigration & Naturaliza | 905 | Indonesian | 8 |
| | | | | Indian | 539 | Italian | 137 |
| | | | | Insurance | 1,588 | Japanese | 191 |
| | | | | Intellectual Property | 2,012 | Kannada/canares | 1 |
| | | | | International | 840 | Korean | 206 |
| | | | | Judicial Officer | 310 | Lao | 6 |
| | | | | Juvenile | 826 | Latvian | 5 |
| | | | | Labor | 1,008 | Lithuanian | 3 |
| | | | | Landlord/ Tenant | 1,176 | Malay | 2 |
| | | | | Land Use | 712 | Malavalam | 6 |
| | | | | Legal Ethics | 247 | Mandarin | 285 |
| | | | | Legal Research & Writing | 580 | Marathi | 3 |
| | | | | Legislation | 343 | Monqolian | 1 |
| | | | | Litigation | 4,087 | Navaio | 1 |
| | | | | Lobbying | 148 | Nepali | 3 |
| | | | | Malpractice | 726 | Norwegian | 35 |
| | | | | Maritime | 257 | Not listed | 10 |
| | | | | Military | 345 | Oromo | 3 |
| | | | | Municipal | 855 | Other | 23 |
| | | | | Non-profit/tax Exempt | 484 | Persian | 18 |
| | | | | Not Actively Practicing | 1,553 | Polish | 32 |
| | | | | Oil, Gas & Energy | 152 | Portuguese | 103 |
| | | | | Patent/ Trademark/ Copyr | 1,183 | Punjabi | 48 |
| | | | | Personal Injury | 3,155 | Romanian | 12 |
| | | | | Real Property | 2,092 | Russian | 203 |
| | | | | Real Property/ Land Use | 2,194 | Samoan | 7 |
| | | | | Securities | 721 | Serbian | 15 |
| | | | | Sports | 143 | Serbo-croatian | 4 |
| | | | | Subrogation | 52 | Sign Language | 20 |
| | | | | Tax | 1,223 | Singhalese | 1 |
| | | | | Torts | 1,923 | Slovak | 2 |
| | | | | Traffic Offenses | 698 | Spanish | 1,550 |
| | | | | Workers' Compensation | 671 | Spanish Creole | 7 |
| | | | | | | Swahili | 1 |
| | | | | | | Swedish | 48 |
| | | | | | | Taqalog | 55 |
| | | | | | | Taiwanese | 13 |
| | | | | | | Tamil | 6 |
| | | | | | | Telugu | 3 |
| | | | | | | Thai | 13 |
| | | | | | | Tigrinya | 3 |
| | | | | | | Tongan | 1 |
| | | | | | | Turkish | 8 |
| | | | | | | Ukrainian | 33 |
| | | | | | | Urdu | 31 |
| | | | | | | Vietnamese | 77 |
| | | | | | | Yoruba | 6 |

| | |
|---------------------------------|--|
| Respondents 25,175 | |
| No Response 13,289 | |
| All License Types 38,464 | |

| By Ethnicity | |
|---------------------------------|--------|
| American Indian / Alaska Native | 214 |
| Asian | 1,045 |
| Black/African descent | 534 |
| Caucasian | 21,639 |
| Hispanic/Latina/o | 540 |
| Multi Racial | 568 |
| Other | 168 |
| Pacific Islander | 43 |
| Respondents 24,751 | |
| No Response 13,713 | |
| All License Types 38,464 | |

| By Gender | | By Disabled Status | |
|---------------------------------|--------|--------------------|-------|
| FEMALE | 10,313 | N | 5,709 |
| MALE | 15,729 | Y | 590 |
| Respondents 26,042 | | | |
| No Response 12,422 | | | |
| All License Types 38,464 | | | |

| By LGBT | |
|---------|-------|
| N | 5,657 |
| Y | 644 |

| By Age | All * | Active |
|----------------------|-------|---------------|
| 21 to 30 | 2,061 | 1,996 |
| 31 to 40 | 8,873 | 8,028 |
| 41 to 50 | 9,201 | 7,814 |
| 51 to 60 | 8,404 | 6,956 |
| 61 to 70 | 7,584 | 5,868 |
| 71 to 80 | 1,771 | 1,212 |
| Over 80 | 570 | 131 |
| Total: 38,464 | | 32,005 |

* Includes active, educational purposes, emeritus, house counsel, foreign law consultant, honorary, inactive, indigent representative, judicial, non-member emeritus, and military.

** Includes active, emeritus, house counsel, foreign law consultant, honorary, inactive, judicial, non-member emeritus, and military.

WSBA Licensing Counts*

1/4/17 11:27:39 AM GMT-08:00

| By Section ** | | | All | Previous Year | By State and Province | | By WA County | | By Admit Yr | |
|---|--|--|-------|---------------|----------------------------------|--------|--------------|--------|-------------|-------|
| Administrative Law | | | 136 | 233 | Alabama | 22 | Adams | 15 | 1940 | 3 |
| Alternative Dispute Resolution | | | 162 | 388 | Alaska | 214 | Asotin | 25 | 1941 | 2 |
| Animal Law | | | 56 | 109 | Alberta | 10 | Benton | 383 | 1942 | 1 |
| Antitrust, Consumer Protection and Unfair Business Practice | | | 104 | 211 | Arizona | 309 | Chelan | 235 | 1944 | 1 |
| Business Law | | | 582 | 1,368 | Arkansas | 12 | Clallam | 140 | 1945 | 1 |
| Civil Rights Law | | | 82 | 140 | Armed Forces Americas | 2 | Clark | 826 | 1946 | 2 |
| Construction Law | | | 218 | 518 | Armed Forces Europe, Middle East | 21 | Columbia | 7 | 1947 | 6 |
| Corporate Counsel | | | 532 | 1,076 | Armed Forces Pacific | 21 | Cowlitz | 132 | 1948 | 9 |
| Creditor Debtor Rights | | | 249 | 590 | British Columbia | 89 | Douglas | 24 | 1949 | 20 |
| Criminal Law | | | 210 | 505 | California | 1,635 | Ferry | 12 | 1950 | 18 |
| Elder Law | | | 292 | 690 | Colorado | 235 | Franklin | 54 | 1951 | 30 |
| Environmental and Land Use Law | | | 324 | 850 | Connecticut | 53 | Garfield | 3 | 1952 | 29 |
| Family Law | | | 464 | 1,331 | Delaware | 4 | Grant | 129 | 1953 | 30 |
| Health Law | | | 200 | 387 | District of Columbia | 336 | Grays Harbor | 102 | 1954 | 29 |
| Indian Law | | | 142 | 328 | Florida | 229 | Island | 132 | 1955 | 20 |
| Intellectual Property | | | 379 | 964 | Georgia | 71 | Jefferson | 90 | 1956 | 44 |
| International Practice | | | 127 | 290 | Guam | 20 | King | 16,271 | 1957 | 36 |
| Juvenile Law | | | 97 | 203 | Hawaii | 127 | Kitsap | 722 | 1958 | 43 |
| Labor and Employment Law | | | 458 | 1,030 | Idaho | 407 | Kittitas | 76 | 1959 | 42 |
| Legal Assistance to Military Personnel | | | 49 | 104 | Illinois | 138 | Klickitat | 28 | 1960 | 33 |
| Lesbian, Gay, Bisexual, Transgender (LGBT) Law | | | 61 | 221 | Indiana | 32 | Lewis | 105 | 1961 | 30 |
| Litigation | | | 493 | 1,235 | Iowa | 34 | Lincoln | 13 | 1962 | 36 |
| Low Bono | | | 51 | 120 | Kansas | 28 | Mason | 85 | 1963 | 36 |
| Real Property Probate and Trust | | | 1,016 | 2,352 | Kentucky | 22 | Okanogan | 98 | 1964 | 45 |
| Senior Lawyers | | | 136 | 291 | Louisiana | 47 | Pacific | 25 | 1965 | 60 |
| Solo and Small Practice | | | 431 | 1,018 | Maine | 12 | Pend Oreille | 22 | 1966 | 71 |
| Taxation | | | 275 | 648 | Maryland | 118 | Pierce | 2,192 | 1967 | 71 |
| World Peace Through Law | | | 47 | 103 | Massachusetts | 84 | San Juan | 75 | 1968 | 107 |
| | | | | | Michigan | 71 | Skagit | 257 | 1969 | 117 |
| | | | | | Minnesota | 99 | Skamania | 11 | 1970 | 128 |
| | | | | | Mississippi | 6 | Snohomish | 1,476 | 1971 | 141 |
| | | | | | Missouri | 58 | Spokane | 1,842 | 1972 | 218 |
| | | | | | Montana | 151 | Stevens | 49 | 1973 | 314 |
| | | | | | Nebraska | 19 | Thurston | 1,504 | 1974 | 296 |
| | | | | | Nevada | 136 | Wahkiakum | 10 | 1975 | 379 |
| | | | | | New Hampshire | 12 | Walla Walla | 106 | 1976 | 454 |
| | | | | | New Jersey | 62 | Whatcom | 525 | 1977 | 451 |
| | | | | | New Mexico | 63 | Whitman | 78 | 1978 | 503 |
| | | | | | New York | 222 | Yakima | 454 | 1979 | 545 |
| | | | | | North Carolina | 82 | | | 1980 | 561 |
| | | | | | North Dakota | 11 | | | 1981 | 581 |
| | | | | | Northern Mariana Islands | 6 | | | 1982 | 561 |
| | | | | | Nova Scotia | 1 | | | 1983 | 600 |
| | | | | | Ohio | 74 | | | 1984 | 686 |
| | | | | | Oklahoma | 24 | | | 1985 | 484 |
| | | | | | Ontario | 13 | | | 1986 | 746 |
| | | | | | Oregon | 2,594 | | | 1987 | 646 |
| | | | | | Pennsylvania | 75 | | | 1988 | 608 |
| | | | | | Puerto Rico | 3 | | | 1989 | 646 |
| | | | | | Quebec | 1 | | | 1990 | 788 |
| | | | | | Rhode Island | 11 | | | 1991 | 780 |
| | | | | | Saskatchewan | 1 | | | 1992 | 772 |
| | | | | | South Carolina | 26 | | | 1993 | 814 |
| | | | | | South Dakota | 9 | | | 1994 | 830 |
| | | | | | Tennessee | 46 | | | 1995 | 845 |
| | | | | | Texas | 316 | | | 1996 | 776 |
| | | | | | Trust Territories | 1 | | | 1997 | 884 |
| | | | | | Utah | 156 | | | 1998 | 823 |
| | | | | | Vermont | 16 | | | 1999 | 869 |
| | | | | | Virginia | 286 | | | 2000 | 878 |
| | | | | | Virgin Islands | 2 | | | 2001 | 951 |
| | | | | | Washington | 29,139 | | | 2002 | 1,026 |
| | | | | | West Virginia | 7 | | | 2003 | 1,056 |
| | | | | | Wisconsin | 40 | | | 2004 | 1,073 |
| | | | | | Wyoming | 24 | | | 2005 | 1,078 |
| | | | | | | | | | 2006 | 1,125 |
| | | | | | | | | | 2007 | 1,198 |
| | | | | | | | | | 2008 | 1,113 |
| | | | | | | | | | 2009 | 1,023 |
| | | | | | | | | | 2010 | 1,106 |
| | | | | | | | | | 2011 | 1,089 |
| | | | | | | | | | 2012 | 1,131 |
| | | | | | | | | | 2013 | 1,282 |
| | | | | | | | | | 2014 | 1,429 |
| | | | | | | | | | 2015 | 1,762 |
| | | | | | | | | | 2016 | 1,400 |

* Includes active, educational purposes, emeritus, house counsel, foreign law consultant, honorary, inactive, indigent representative, judicial, non-member emeritus, and military.

** 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.

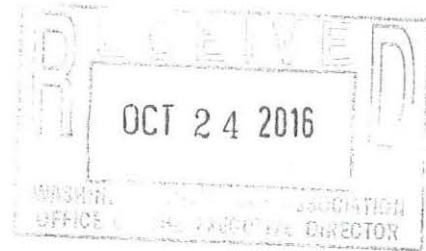
*** Per WSBA Bylaws 'Members' include active, emeritus, honorary, inactive and judicial license types.

MICHAEL JACOBSEN ✎ U.S. IMMIGRATION LAW

Washington State Bar Association & Law Society of British Columbia

October 16, 2016

Paula C. Littlewood
Executive Director
Washington State Bar Association
1325 Fourth Avenue, Suite 600
Seattle, Washington 98101



RE: 50 Year Luncheon

Dear Ms. Littlewood:

Thank you for your invitation to the 50 year luncheon. While I would very much like to attend I cannot make the event.

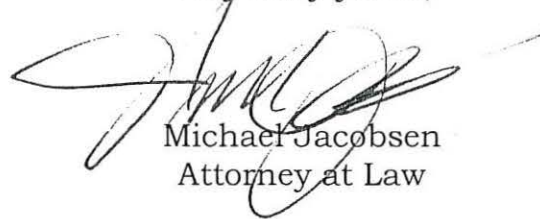
I'm sure it will be a gathering of distinguished members of the profession. To labor in the legal vineyard for 50 years is a significant accomplishment.

I have fond memories of the bar office. [I was the initial general counsel from 1972-1975—notable for the Watergate era and two WSBA members with involvement in the matter].

I look forward to the certificate and pin.

Kind regards.

Very truly yours,



Michael Jacobsen
Attorney at Law

November 2016

Michael,

Congratulations again!
And thank you for your
note - I imagine it was an
interesting time to be GC
at WSBA during that era!

I suspect, as you know,
working at WSBA in any
era is interesting - just
peppered with different
issues over time - is

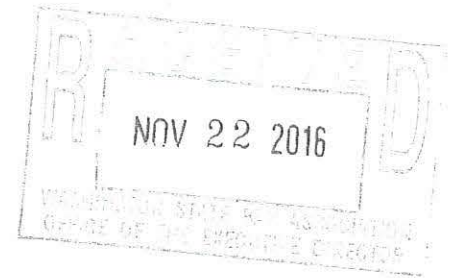
I hope you will
display the enclosed certificate
and wear the pin proudly!
It is indeed a significant
accomplishment!

Sincerely,
Paula Littlewood



THE CANADIAN
BAR ASSOCIATION
L'ASSOCIATION DU
BARREAU CANADIEN

INFLUENCE. LEADERSHIP. PROTECTION.



November 10, 2016

Paula Littlewood
Executive Director
Washington State Bar Association
1325 Fourth Ave., Suite 600
Seattle, WA 98101-2539

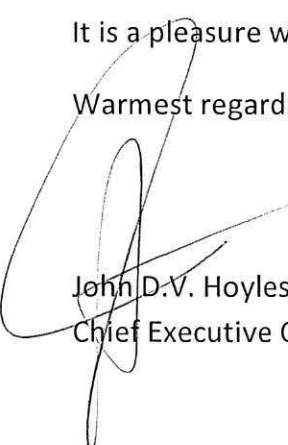
Dear Paula,

I wanted to write you a note to thank you so much for chairing the Program Committee for the Wellington conference.

As you know the conference was outstanding and the reception was excellent and that is in no small part due to your leadership.

It is a pleasure working with you, and I look forward to doing so over the next number of years.

Warmest regards,


John D.V. Hoyles
Chief Executive Officer

JDVH/ew

P.s. Paula, ILAIE is lucky to have you!

J.



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.

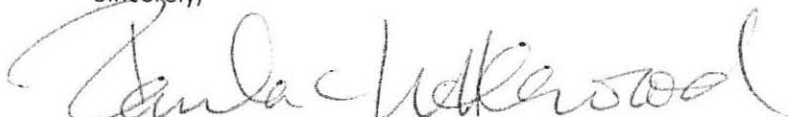
Other significant changes are contained in the amendments to Article IV Governance, which creates three new at-large seats on the Board – one seat for either a LLLT or LPO member, and two seats for members of the public at large; these amendments then necessitated changes to Article VI Elections, to 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



WSBA

OFFICE OF THE EXECUTIVE DIRECTOR

Paula C. Littlewood
Executive Director

direct line: 206-239-2120
e-mail: paulal@wsba.org
fax: 206-727-8316

December 13, 2016

Hon. Barbara Madsen
Chief Justice
Washington Supreme Court
Temple of Justice
PO Box 40929
Olympia, WA 98504-0929

Hon. Charles Johnson
Associate Chief Justice
Washington Supreme Court
Temple of Justice
PO Box 40929
Olympia, WA 98504-0929

RE: Suggested Amendments to Title 15 of the Rules for Enforcement of Limited Practice Officer Conduct

Dear Justices Madsen and Johnson,

Enclosed are materials regarding suggested amendments to Title 15 of the Rules for the Enforcement of Limited Practice Officer Conduct (ELPOC) for consideration by the Supreme Court Rules Committee. The WSBA Board of Governors reviewed and approved these suggested amendments at its November 2016 meeting.

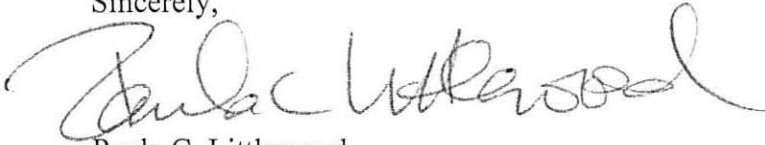
As you are aware, the WSBA is currently in the process of a regulatory coordination project to coordinate the administrative and regulatory functions related to the admission, license renewal, and continuing education of lawyers, limited license legal technicians (LLLTs), and limited practice officers (LPOs). A part of this effort includes suggested amendments to the Admission and Practice Rules (APR) that are now pending with the Court.

The attached suggested amendments to ELPOC 15.5 and the repeal of the LPO trust account regulations are necessitated by the suggested amendments for the coordination project. Accordingly, it would be very helpful for the coordination project if the attached suggested amendments can be considered in conjunction with and on a similar timeline to the pending suggested amendments to the APR.

Working Together to Champion Justice

If I can answer any questions or provide any additional information regarding the proposed changes, please don't hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Paula C. Littlewood".

Paula C. Littlewood
Executive Director

Enclosures: GR 9 cover sheet
Redline version of suggested amendments to ELPOC 15.5
Redline version of suggested repeal of Disciplinary Regulations Applicable to
ELPOC Title 15
Clean version of suggested ELPOC 15.5

cc: Jean McElroy, WSBA General Counsel
Robin Haynes, WSBA President
Shannon Hinchcliffe, AOC Legal Services & Appellate Court Support Manager



DEC 14 2016

M. Laurie Flinn Connelly
President

Kara R. Masters
Vice President

John A. Goldmark
Secretary

Gerald T. Schley
Treasurer

Russell M. Aoki

Judge Johanna Bender

Mark A. Griffin

Peter J. Grabicki

Mark A. Johnson

December 14, 2016

Ms. Kim Wyman
Washington Secretary of State
Legislative Building
PO Box 40220
Olympia, WA 98504-0220

Dear Secretary Wyman:

We are pleased to inform you that the Legal Foundation of Washington Board of Trustees voted on November 19, 2016 to extend board terms from two 2 year terms to two 3 year terms.

The Legal Foundation of Washington's revised Articles of Incorporation are enclosed for filing with your office.

If you have any questions, please do not hesitate to contact me.

Kind regards,

Joanne Walby
Office Manager

Cc: Supreme Court Chief Justice Mary Fairhurst
Keith Swenson, Director Boards and Commissions, Office of the Governor
Paula Littlewood, Executive Director WSBA Board of Governors

Charles A. Goldmark
Trustee 1984-1986

Caitlin W. Davis
Executive Director

**ARTICLES OF AMENDMENT
TO THE
RESTATED ARTICLES OF INCORPORATION
OF THE
LEGAL FOUNDATION OF WASHINGTON**

In accordance with the Washington Non-Profit Corporation Act ("Act") and as authorized by Article IX of the Restated Articles of Incorporation of the Legal Foundation of Washington ("Corporation"), the undersigned officers of the Corporation hereby execute these Articles of Amendment pursuant to RCW 24.03.170.

1. The name of the Corporation is the Legal Foundation of Washington.
2. The amendment as adopted restates in its entirety Subsection (3) of Article VII of the Restated Articles of Incorporation to read as follows:

(3) Trustee Terms. Trustees shall serve three (3) year terms of office, except for trustees appointed to fill unexpired terms. A trustee appointed to fill an unexpired term shall serve the balance of the term vacated. Trustees may serve no more than two (2) consecutive full three (3) year terms of office. A trustee appointed to fill an unexpired term may serve no more than two (2) full three (3) year terms of office following the expiration of such unexpired term.

An individual who has previously served as a trustee shall be eligible to again serve as a trustee after the expiration of at least two (2) years since the conclusion of such individual's last term of office as a trustee.

The term of office for a trustee shall commence on the later of January 1 or the effective date of appointment, and shall end on the later of the close of business on December 31 three (3) years thereafter or when their successor is appointed.

The terms of office for currently serving trustees shall be adjusted as follows:

(a) The term of office of currently serving trustees in their second term of office, which would currently end on December 31, 2016, or thereafter when their successor was appointed, shall have such term extended for two (2) years, concluding on December 31, 2018, or thereafter when their successor is appointed.

(b) The term of office of currently serving trustees in their second term of office, which would currently end on December 31, 2017, or thereafter when their successor was appointed, , shall have such term extended for two (2) years,

concluding on December 31, 2019, or thereafter when their successor is appointed.

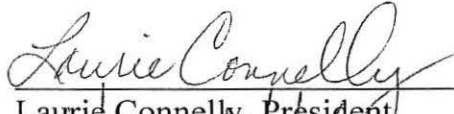
(c) The term of office of currently serving trustees in their first term of office, which would currently end on December 31, 2016, or thereafter when their successor was appointed, shall have such term extended for one (1) year, concluding on December 31, 2017, or thereafter when their successor is appointed, and shall be eligible to serve a second consecutive three (3) year term.

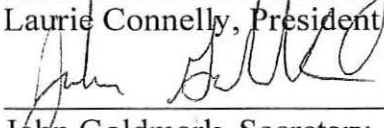
(d) The term of office of currently serving trustees in their first term of office, which would currently end on December 31, 2017, or thereafter when their successor was appointed, shall have such term extended for one (1) year, concluding on December 31, 2018, or thereafter when their successor is appointed, and shall be eligible to serve a second consecutive three (3) year term.

3. There are no Members of the Corporation. The date of the meeting of the Board of Trustees of the Corporation at which the amendment was adopted is November 19, 2016. Such amendment received the unanimous, affirmative vote of all trustees in office. All trustees were present at such meeting.

4. These Articles of Amendment will be effective upon filing.

DATED this 19th day of November, 2016.


Laurie Connelly, President


John Goldmark, Secretary

F:\Users\PJ\Legal Foundation of Washington\ArticlesAmendment-RestatedArticles-111616.docx

**RESOLUTION OF THE BOARD OF TRUSTEES
OF THE
LEGAL FOUNDATION OF WASHINGTON**

The undersigned, being all of the Members of the Board of Trustees of the Legal Foundation of Washington, a Washington non-profit corporation, at the regular meeting of the Board of Trustees held commencing at 9:00 a.m. on November 19, 2016, at the offices of the Legal Foundation of Washington, 1325 Fourth Avenue, Suite 1335, Seattle, Washington 98101, with all nine trustees being in attendance, unanimously enacted the following resolution:

RESOLVED, that the Restated Articles of Incorporation of the Legal Foundation of Washington, as previously amended, are hereby further amended by the Board of Trustees, as authorized by Article IX of the Restated Articles of Incorporation, by restating in its entirety Subsection (3) of Article VII of the Restated Articles of Incorporation to read as follows:

(3) Trustee Terms. Trustees shall serve three (3) year terms of office, except for trustees appointed to fill unexpired terms. A trustee appointed to fill an unexpired term shall serve the balance of the term vacated. Trustees may serve no more than two (2) consecutive full three (3) year terms of office. A trustee appointed to fill an unexpired term may serve no more than two (2) full three (3) year terms of office following the expiration of such unexpired term.

An individual who has previously served as a trustee shall be eligible to again serve as a trustee after the expiration of at least two (2) years since the conclusion of such individual's last term of office as a trustee.

The term of office for a trustee shall commence on the later of January 1 or the effective date of appointment, and shall end on the later of the close of business on December 31 three (3) years thereafter or when their successor is appointed.

The terms of office for currently serving trustees shall be adjusted as follows:

(a) The term of office of currently serving trustees in their second term of office, which would currently end on December 31, 2016, or thereafter when their successor was appointed, shall have such term extended for two (2) years, concluding on December 31, 2018, or thereafter when their successor is appointed.

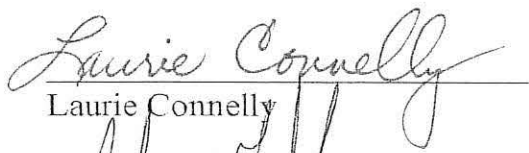
(b) The term of office of currently serving trustees in their second term of office, which would currently end on December 31, 2017, or thereafter when their successor was appointed, shall have such term extended for two (2) years, concluding on December 31, 2019, or thereafter when their successor is appointed.

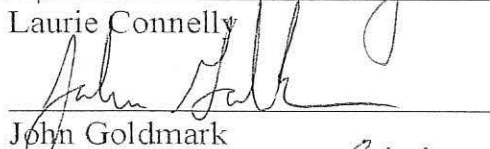
(c) The term of office of currently serving trustees in their first term of office, which would currently end on December 31, 2016, or thereafter when their successor was appointed, shall have such term extended for one (1) year, concluding on December 31, 2017, or thereafter when their successor is appointed, and shall be eligible to serve a second consecutive three (3) year term.

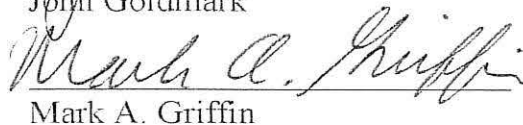
(d) The term of office of currently serving trustees in their first term of office, which would currently end on December 31, 2017, or thereafter when their successor was appointed, shall have such term extended for one (1) year, concluding on December 31, 2018, or thereafter when their successor is appointed, and shall be eligible to serve a second consecutive three (3) year term.

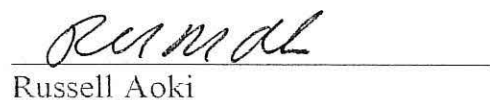
The President and Secretary of the Corporation are authorized and directed to execute Articles of Amendment to the Restated Articles of Incorporation and file the same with the Washington Secretary of State.

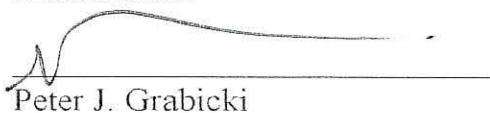
DATED this 19th day of November, 2016.


Laurie Connelly

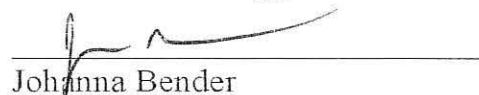

John Goldmark

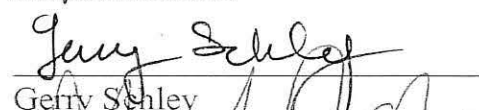

Mark A. Griffin


Russell Aoki


Peter J. Grabicki


Kara Masters


Johanna Bender


Gerry Schley


Mark A. Johnson

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WSBA

OFFICE OF THE EXECUTIVE DIRECTOR

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December 22, 2016

Hon. Charles Johnson
Associate Chief Justice
Washington Supreme Court
Temple of Justice
P.O. Box 40929
Olympia, WA 98504-0929

Re: Suggested Amendment to CR 11(b)

Dear Justice Johnson:

Thank you for your letter dated November 10, 2016, requesting the comments of the Limited License Legal Technician (LLLT) Board regarding a suggested amendment to Superior Court Civil Rule (CR) 11 submitted to the Supreme Court by proponent Ruth Edlund. The suggested amendment seeks to add Limited License Legal Technicians (LLLTs) to the provisions of CR 11(b). The LLLT Board discussed the proposal at its meeting on November 17, 2016.

The Board has a number of concerns about inclusion of LLLTs in CR 11 that arise from the purpose of CR 11(b), the nature of the LLLT license, and the requirements of Admission and Practice Rule (APR) 28 (G)(5). It is the recommendation of the LLLT Board that under GR 9(f)(3) the Supreme Court reject the suggested rule without publication. Alternatively, to the extent the Court concludes there are meritorious aspects to the proposal, the LLLT Board requests an opportunity to evaluate whether a different approach would better achieve the Court's purposes.

The GR 9 statement submitted by the proponent identifies, as the primary purpose of the suggested amendment, "to clarify the ethical obligations" of LLLTs in CR 11(b), a rule that at present applies only to "attorneys."¹

The Civil Rules, however, do not create ethical obligations; only the Rules of Professional Conduct set forth the ethical obligations imposed on those licensed to practice law. The civil rules "govern the procedure in the superior court" in civil suits. See CR 1. If it is LLLT ethics that is the issue, the LLLT RPC already make it clear that in a matter relating to a pending proceeding, an LLLT shall not counsel or assist a client in conduct involving assertion of a

¹ CR 11(b), adopted in 2002, provides generally that when a lawyer helps to draft court documents filed by an otherwise self-represented person, the lawyer certifies that the lawyer has read the document and formed a belief after reasonable inquiry that it is well grounded in fact, warranted by existing law, and not interposed for an improper purpose.

position that is frivolous or lacks a good faith basis in law and fact” LLLT RPC 3.1(a)(1). There is no need to regulate LLLT ethics in the Civil Rules.

In seeking to clarify an LLLT’s supposed ethical obligations, the suggested amendment does so by establishing an equivalency between lawyers and LLLTs under CR 11(b). That rule is designed to enable lawyers to provide a form of limited scope representation without the need to enter a formal appearance in superior court.² Unlike lawyers, LLLTs do not require a special civil rule to enable them to provide limited scope representation, because by the very nature of the license, an LLLT provides a client with only limited scope legal services, and an LLLT may not appear in court. See, e.g., APR 28(B)(4) (definition of Limited License Legal Technician: “The legal technician does not represent the client in court proceedings . . . , but provides limited legal assistance as set forth in this rule to a pro se client.”). The purpose of CR 11(b) is not served by this amendment.

Moreover, the amendment would create a false and untenable equivalency, because the relationship of lawyers to the superior court is fundamentally different from the relationship of LLLTs to the superior court, and the obligation of a lawyer with respect to lawyer-prepared documents filed by otherwise self-represented persons is also different from the obligation of an LLLT in those circumstances.

The APR require that “a document prepared by an LLLT” must be signed by the LLLT (and include the LLLT’s name and license number). APR 28(G)(5). Thus, any document prepared by an LLLT for a client, certainly including a document prepared with the expectation that it will be filed with the superior court, must be signed by the LLLT. An LLLT’s identity is always disclosed and known.

By contrast, as applied to lawyers, CR 11(b) permits the lawyer to provide drafting assistance to an otherwise pro se client, but it does not require the lawyer to sign the document. Under CR 11(b), in “helping to draft” a pleading, motion, or document filed by an otherwise pro se individual, “the attorney certifies” that the attorney has read the pleading, made a reasonable inquiry, and so forth. The rule does not, however, require the lawyer to sign the document filed by the unrepresented person or require that the lawyer’s assistance be otherwise disclosed. Indeed it was the express intent of the drafters, as part of the rule’s purpose to promote use of unbundled legal services, that lawyers not be required to sign documents or be identified when “helping to draft” pro se pleadings.³

In sum, under the rules as they are, in providing drafting assistance to pro se persons, LLLTs are required to sign documents and identify themselves, but lawyers are not. This makes sense,

² See Purpose Statement, Proposed Amendment to CR 11, 145 Wn.2d at Proposed 194-95 (April 16, 2002), available at <http://lawfilesexternal.wa.gov/law/wsr/2002/08/02-07-006.htm> [hereinafter 2002 Purpose Statement]. A copy of the 2002 Purpose Statement is attached to this letter.

³ “In preparing this suggested rule change, extensive consideration was given whether a lawyer should be required to sign the pleadings, motions or documents, or whether the client should be required to disclose assistance [I]t was concluded that such certifications as to assistance received by others should not be required through this suggested rule since the benefits of having a pleading, motion or document prepared by a lawyer outweigh the need to know on the face of the document whether lawyer assistance was provided.” 2002 Purpose Statement at Proposed 195.

because when a lawyer is authorized to provide drafting assistance that is undisclosed to the opposing party and the court, a court rule should put the lawyer on notice of and emphasize the lawyer's procedural responsibilities to take reasonable measures to prevent abuses. Because LLLTs can never provide drafting assistance secretly, such an obligation is unnecessary. Indeed amending CR 11(b) in this way may be a source of confusion to LLLTs, as it might wrongly suggest to LLLTs that, like lawyers, they are not obligated to sign LLLT-prepared documents filed by otherwise self-represented persons, when in fact they are.

In the LLLT Board's view, it would be improvident to subject an LLLT to an isolated procedural obligation in the Civil Rules that was not designed to regulate LLLT conduct. Additionally, to do so would potentially subject a LLLT to the imposition of sanctions by a tribunal in which the LLLT otherwise has no ability to appear as a representative. For these reasons, we request that the Court reject the suggested rule without publication or request that the LLLT Board submit an alternative proposal.

Thanks you for your consideration of these comments. Don't hesitate to contact us if you have additional questions.

Sincerely,



Paula C. Littlewood
WSBA Executive Director



Stephen R. Crossland
LLLL Board Chair

Encl.

cc: Robin L. Haynes, WSBA President
Jean K. McElroy, WSBA General Counsel/Chief Regulatory Counsel
Douglas J. Ende, WSBA Chief Disciplinary Counsel
Shannon Hinchcliffe, AOC Office of Legal Services and Appellate Court Support

Official Advance Sheets

Washington Reports

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the order to the county sheriff of the county of my residence and to the state patrol within 5 days of the entry of the order. RCW 9A.44.130(7).

Defendant's signature

PROPOSED RULES OF COURT

(Published for comment *only*)

[Pursuant to orders of the Supreme Court dated March 6, 2002, and in accordance with GR 9(f), the following proposed changes to the Rules of Court are published for comment by any interested party. Comments should be submitted to the Clerk of the Supreme Court by either U.S. mail or Internet e-mail no later than July 15, 2002. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, WA 98504-0929, or Lisa.Bausch@courts.wa.gov. Comments submitted by e-mail may not exceed 1,500 words.

The cover sheet information as to purpose required by GR 9(d) is included herein solely for information purposes.

Proposed *adoptions* of rules, rule sets, or sections of rules are: **GR** 28; **APR** 20, 21, 21.1, 21.2, 21.3, 21.4, 21.5 and 21.6; **RPC** 6.5; the Enforcement of Lawyer Conduct (ELC) rule set; **CR** 4.2 and 70.1; **ARLJ** 13; **CRLJ** 4.2 and 70.1.

Proposed *amendments* are: **GR** 1 and 15; **APR** 3, 8, 9, 11, 12.1, 14, 16, 17 and 18; **RPC** 1.2, 1.14, 4.2, 5.5, 8.1, 8.4 and 8.5; **CR** 11, 43, 47 and 51; **CrR** 6.8 and 6.15; **CRLJ** 11, 38, 43 and 51; **CrRLJ** 6.8 and 6.15.

Additions and deletions are indicated by underlining and lining out respectively, except where the entire rule is new.]

PROPOSED AMENDMENTS TO AND ADOPTION OF GENERAL RULES

GR 1

CLASSIFICATION SYSTEM FOR COURT RULES

PART I: RULES OF GENERAL APPLICATION

General Rules
 Code of Judicial Conduct

GR
 CJC

other documents upon the attorney under CR 5(b). Representation of the person by the attorney at any proceeding before a judge, magistrate, or other judicial officer on behalf of the person constitutes an entry of appearance pursuant to RCW 4.28.210 and CR 4(a)(3), except to the extent that a limited notice of appearance as provided for under CR 70.1 is filed and served prior to or simultaneous with the actual appearance. The attorney's violation of this Rule may subject the attorney to the sanctions provided in CR 11(a).

Purpose

The proponents suggest that the Court adopt a new Rule 4.2 of the Superior Court Civil Rules (CR), and a new Rule 4.2 of the Civil Rules for Courts of Limited Jurisdiction (CRLJ), which would clarify that a lawyer's provision of limited scope legal representation to a client does not of itself constitute an entry of appearance for that client, and clarify that pleadings should still be served on and delivered to the client and not the lawyer. The text of the suggested two rules, one for Superior Court and the other for courts of limited jurisdiction, is identical other than as to references to rules. For ease of reference, it is suggested that both rules be numbered 4.2 although the Civil Rules for Courts of Limited Jurisdiction have no rule 4.1; that rule number should simply be reserved.

The suggested new rules are loosely based on Section 11(b), and on a comment on adoption of Section 1-1, of the Colorado Rules of Civil Procedure. They provide that an attorney may provide limited representation to a pro se party in accordance with the requirements of Colorado's civil rules and Rules of Professional Conduct, that providing limited representation to a pro se party in accordance with Colorado rules does not constitute an entry of appearance, and that such limited representation does not require or authorize the service of a pleading of paper upon the attorney.

Although the suggested rules partially duplicate the suggested new Rule 70.1 of the Superior Court Civil Rules and the suggested new Rule 70.1 of the Civil Rules for Courts of Limited Jurisdiction, both the suggested new CR 4.2/CRLJ 4.2 and the suggested new CR 70.1/CRLJ 70.1 seem useful to inform the lawyer providing limited scope representation and any opposing lawyers of the procedural consequences of limited scope representation.

CR 11

SIGNING AND DRAFTING OF PLEADINGS, MOTIONS, AND LEGAL MEMORANDA; SANCTIONS

(a) Every pleading, motion, and legal memorandum of a party represented by an attorney shall be dated and signed by at least one attorney of record in the attorney's individual name, whose address and Washington State Bar Association membership number shall be stated. A party who is not represented by an attorney shall sign and date the party's pleading, motion, or legal memorandum and state the party's address. Petitions for dissolution of marriage, separation, declarations concerning the validity of a marriage, custody, and modification of decrees issued as a result of any of the foregoing petitions shall be verified. Other pleadings need not, but may be, verified or accompanied by affidavit. The signature of a party or of an attorney constitutes a certificate by the party or attorney that the party or attorney has read the pleading, motion, or legal memorandum; that to the best of the party's or attorney's knowledge, information, and belief, formed after reasonable inquiry it is well grounded in fact and is warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law, and that it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation. If a pleading, motion, or legal memorandum is not signed, it shall be stricken unless it is signed promptly after the omission is called to the attention of the pleader or movant. If a pleading, motion, or legal memorandum is signed in violation of this rule, the court, upon motion or upon its own initiative, may impose upon the person who signed it, a represented party, or both, an appropriate sanction, which may include an order to pay to the other party or parties the amount of the reasonable expenses incurred because of the filing of the pleading, motion, or legal memorandum, including a reasonable attorney fee.

(b) In helping to draft a pleading, motion or document filed by the otherwise self-represented person, the attorney certifies that the attorney has read the pleading, motion, or paper, that to the best of the attorney's knowledge, information, and belief, formed after reasonable inquiry it is well grounded in fact and is warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law, and that it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation. The attorney in providing such drafting assistance may rely on the otherwise self-represented person's representation of facts, unless the attorney has reason to believe that such representations are false or materially insufficient, in which instance the attorney shall make an independent reasonable inquiry into the facts.

Purpose

Clients often cannot afford to hire a lawyer to represent them fully throughout the course of litigation yet might be able to afford to hire a lawyer to represent them in discrete parts of the litigation. One of the discrete parts of litigation most amenable to limited task representation is the preparation of pleadings, motions or other documents related to the litigation. Such assistance can benefit both parties to the litigation and the court itself by more precisely defining the legal issues and more clearly stating the facts. A lawyer merely providing such drafting assistance in litigation should be given guidance as to the lawyer's responsibilities of inquiry as to the grounds for and purposes of the litigation, yet, in recognition of the lawyer's limited role, should be allowed to rely on the client's representations. To protect against persons seeking to abuse the system, however, where a lawyer has reason to believe the client's representations are false, the lawyer should be obligated to make independent inquiry. Even in such a case, however, the other party and the court would benefit from the likely more professionally drafted documents. The suggested amendments of CR 11 and CRLJ 11 provide the guidance needed by a lawyer providing such drafting assistance. The suggested amendments of CR 11 and of CRLJ 11 are identical in text other than rule cites in the suggested CR 11 amendments refer to the CRs whereas the rule cites in the suggested CRLJ 11 amendments refer to the CRLJs.

The proponents suggest the Court amend existing Rule 11 of the Superior Court Civil Rules, and existing Rule 11 of the Civil Rules for Courts of Limited Jurisdiction, first by inserting in their respective titles "and drafting" to reflect the revised rules provisions also apply to drafting assistance, and, second, by designating the existing CR 11 and

CRLJ 11, respectively, as CR 11(a) and CRLJ 11(a), without change of text, and by adding new section (b) to each of the rules. The suggested sections (b) are based on Section 11(b) of Colorado's Rules of Civil Procedure, but are modified to reflect differences in Washington's existing CR 11 and CRLJ 11.

The drafting by a lawyer on a limited representation basis of pleadings, motions or documents which are not signed by the lawyer and on which the lawyer's name as drafter does not appear is sometimes referred to as ghost-writing. In preparing this suggested rule change, extensive consideration was given whether a lawyer should be required to sign the pleadings, motions or documents, or whether the client should be required to disclose assistance (whether from a lawyer or a non-lawyer) on the face of the pleading, motion or document by requiring, for example, a signed certification by the person receiving limited representation as to any assistance the person received in drafting pleadings, motions or other documents. One form of certification considered was loosely based on Oregon's Uniform Trial Court Rule 2.101(7). On reconsideration, however, it was concluded that such certifications as to assistance received by others should not be required through this suggested rule since the benefits of having a pleading, motion or document prepared by a lawyer outweigh the need to know on the face of the document whether lawyer assistance was provided. Practical reasons also negate the need since a lawyer likely has no control over the pleading, motion or document once it is given to the client and nothing prevents a client from thereafter modifying the language of the pleading, motion or document. Further, the perceived need for such a certification varies on whether the pleading, motion or document was a mandatory form or not, on whether the assistance was provided by a lawyer or a nonlawyer, and on the extent of any assistance rendered, thus making any certification unduly complex. Rather, it was concluded that the suggested CR 11(b) and CRLJ 11(b) adequately put the lawyer on notice of the lawyer's responsibilities and that information on drafting assistance could still be acquired, if deemed relevant, by, for example, the court simply directly inquiring of the otherwise self-represented person whether any assistance was obtained in drafting the pleadings, motions or other documents.

CR 43

TAKING OF TESTIMONY

(a) - (j) [No Change].

(k) Juror Questions for Witnesses. The court shall permit jurors to submit to the court written questions directed to witnesses. Counsel shall be given an opportunity to object to such questions in a manner that does not inform the jury that an objection was made. The court shall



WSBA

WASHINGTON STATE BAR ASSOCIATION

Paula C. Littlewood
Executive Director

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January 3, 2017

Hon. Barbara A. Madsen
Chief Justice, Washington Supreme Court
Temple of Justice
P.O. Box 40929
Olympia, WA 98504-0929

RE: Suggested Amendments to Rules of Professional Conduct 1.0A, 1.10, and 1.11

Dear Chief Justice Madsen,

Enclosed are materials containing proposed amendments to RPC 1.0A, 1.10, and 1.11, which were originally submitted to the Court in December 2015. The Court reviewed the amendments in early 2016 and found that they needed to be conformed (renumbered) due to the changes made to the lawyer RPC after the LLLT amendments were incorporated. Our staff made the technical corrections to RPC 1.0A (formerly 1.0) and RPC 1.10. No changes were necessary to RPC 1.11. The GR 9 Cover Sheet was also revised to reflect these changes. We apologize for the inadvertent delay in submitting the revised materials to the Court.

If you have any questions regarding the enclosed materials, please direct them to Jean Marie Clavere, WSBA Professional Responsibility Counsel and Staff Liaison to the WSBA Committee on Professional Ethics, at (206) 727-8298, or Mark Fucile, Chair of the WSBA Committee on Professional Ethics, at (503) 224-4895.

Sincerely,

A handwritten signature in cursive script, reading "Paula C. Littlewood".

Paula C. Littlewood
Executive Director

Enclosure:

GR 9 Cover Sheet
Suggested Amendments to RPC 1.0A, 1.10, 1.11

Honorable Barbara A. Madsen
Chief Justice
Page 2
January 3, 2017

cc (w/enclosures):

Robin Haynes, President, WSBA
William Hyslop, Immediate Past President, WSBA
Mark Fucile, Chair, WSBA Committee on Professional Ethics
Jeanne Marie Clavere, WSBA Professional Responsibility Counsel/Staff Liaison
Shannon Hinchcliffe, Administrative Office of the Courts



WSBA
BOARD OF GOVERNORS

Mario M. Cava
Governor, At-Large (B)

phone: 206.830.5684
e-mail: mario.cava@gmail.com

January 10, 2017

Via E-Mail Only

Ms. Eileen Farley
4616 25th Ave., NE #164
Seattle, WA 98105-4183
efarley-mtvb@outlook.com

Via E-Mail Only

Mr. Daryl Rodrigues
Thurston County Office of Assigned Counsel
926 24th Way SW
Olympia, WA 98502-6002
rodrigd@co.thurston.wa.us

Greetings Eileen and Daryl:

Thank you for presenting to the BOG Legislative Committee (BLC) on Friday January 6, 2017 on behalf of the Council on Public Defense (CPD). We appreciate your ongoing collaboration with the Legislative Affairs Manager, Alison Phelan, and your attention to the WSBA Legislation and Court Rule Comment Policy.

The BLC carefully considered CPD's written materials as well as information offered during our discussion on Friday. We understand that CPD has been asked to join other agencies and individuals as part of a coalition endorsing Disability Rights Washington's "Guiding Principles," which call for the creation of an independent ombudsperson to serve as a resource for and investigate issues raised by state prison inmates, inmate families, and Department of Corrections staff.

While the BLC unanimously agreed that this request satisfies the threshold requirements of GR 12.1(c)(2), authorization for public comment is respectfully withheld until legislation is introduced. CPD is invited to present before the BLC after a bill is introduced and a vote by your executive committee is taken. The BLC wants to ensure that when a public comment is made, all information is available to CPD and considered.

The BLC appreciates the work of the Council and looks forward to continuing to work collaboratively regarding emergent policy issues. Please feel free to contact me directly with any questions regarding this decision.

Very truly yours,

Mario M. Cava
Chair, BOG Legislative Committee

Working Together to Champion Justice

1001 Fourth Avenue, 9th Floor / Seattle, WA 98101

cc: WSBA BOG Legislative Committee
Alison Phelan, WSBA Legislative Affairs Manager
Robin Haynes, WSBA President
Paula Littlewood, WSBA Executive Director
Diana Singleton, WSBA Staff Liaison (CPD)
Ann Danieli, WSBA BOG Liaison (CPD)

MMC/mc

Working Together to Champion Justice

1001 Fourth Avenue, 9th Floor / Seattle, WA 98101



WSBA
BOARD OF GOVERNORS

Robin L. Haynes
President

phone: 509.928.4141
e-mail: robin@mcneicewheeler.com

December 22, 2016

Larry Zeigler
Franklin County Office of Public Defense
1016 North Fourth Avenue
Pasco, WA 99301-3706

Re: Standards for Indigent Defense (SID)

Dear Mr. Zeigler:

I have received your letter dated December 8, 2016, regarding Standards for Indigent Defense (SID) and will be forwarding it on to the Chair of our Council on Public Defense.

Thank you for taking the time to share your opinion and insight on this important matter.

Sincerely,

A handwritten signature in dark ink, appearing to be "RLH", with a long, sweeping horizontal line extending to the right.

Robin L. Haynes

Working Together to Champion Justice

PO Box 14758 / Spokane Valley, WA 99206 / fax: 509.928.9166



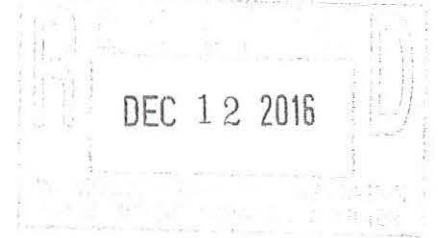
FRANKLIN COUNTY

OFFICE OF PUBLIC DEFENSE

LARRY W. ZEIGLER
OFFICE OF PUBLIC DEFENSE MANAGER

December 8, 2016

WSBA-President Robin Haynes
1325 4th Ave Ste. 600
Seattle, WA 98101-2539



RE: Standards for Indigent Defense (SID)

Dear President Robin Haynes,

As an attorney who served as a felony public defender for almost 35 years and a newly minted administrator to two public defense systems I feel it necessary to comment on what I consider to be a well-intentioned, but badly thought out policy. As the United States Supreme Court noted in U.S. vs Cronin, 466U.S.648,104S.Ct.2039,80L.Ed.2D657(1984) "...every experienced criminal defense attorney once tried his first criminal case..."

The SID effectively sees to it that in terms of probability many, if not most, of our newly admitted members won't get that opportunity. In a word, the standards appear to be not only unrealistic, but patently unfair. Every year we admit new law school students and graduates to the Bar, knowing that most of them will labor under crushing burdens of debt and face abysmal prospects in terms of securing legal employment. The SID then effectively necessitates that they work for free as second chairs, or not work at all as public defenders. In a word, neither the Court, the law schools nor the Bar appear to have realistically examined the legal job market before implementing the SID.

In all my years of practice public defenders have been regarded as little more than second class attorneys. The SID only reinforces the stereotype. For example: Assume A and B graduate from the same law school in the top 10% of their class. Neither has Rule 9 experience and cannot find employment as attorneys after passing the Bar. Two months after passing the bar C and D are arrested for felony theft. C retains A, which eliminates the

SID as a factor. The Court cannot appoint B to represent D who is indigent even though his or her handling of the case might well prove superior in the end to A's performance. Thus, two attorneys similarly situated are treated completely differently with only one bearing the punitive cost. This is as pernicious as it is discriminatory which is to say that the Court and the Bar have effectively created a two-tier system in how they treat criminal defense practitioners.

The bottom line is that the Court and Bar should seriously reexamine the SID. In my many years of service as a public defender I can honestly say that I have personally observed some of the finest practitioners in our profession particularly as regards trial work. Until recently, none of them was burdened by the SID and they indeed at some point in time had to try their first case. Accepting the need for some standards or guidance should prompt us to change our focus and craft a system that facilitates rather than bars entry. There is simply far too much young, trainable talent that is going to waste.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Larry W. Zeigler', with a long horizontal flourish extending to the right.

Larry W. Zeigler

LLLT FAMILY LAW ADVISORY COMMITTEE RECOMMENDATION

The Family Law Advisory Committee of the Limited License Legal Technician (LLLT) Board has approved the following recommendation for the LLLT Board. If adopted, the scope of the domestic relations practice area will be altered as follows:

| Outline of Changes to Domestic Relations Practice Area | |
|---|---|
| Subject | Recommendation |
| Third Party Declarations | <ul style="list-style-type: none"> • LLLTs do not have to sign third party declarations, as long as they are drafted with the third party and signed by them. |
| Major Modifications | <ul style="list-style-type: none"> • LLLTs may work with contested major modifications up to the point of the adequate cause hearing. |
| Nonparental Custody | <ul style="list-style-type: none"> • LLLTs may work with contested or uncontested nonparental custody to the point of the adequate cause hearing. |
| Retirement Assets | <ul style="list-style-type: none"> • LLLTs shall not advise or assist clients with the preparation of QDROs, supplemental orders dividing retirement assets, or include language within a decree of dissolution to effectuate division of retirement assets when funds would be transferred from the account holder to another party. LLLTs may advise as to retirement asset allocation. |
| Real Estate Division | <ul style="list-style-type: none"> • LLLTs may advise on property division and divide single family residential dwellings which have no more than twice the homestead exemption in equity (currently \$125, 000 – see RCW 6.13.030). LLLTs may also assist with gathering information on the value and potential encumbrances on a home. |
| Alternative Dispute Resolution | <ul style="list-style-type: none"> • LLLTs may attend mediation, arbitration and settlement conferences and prepare paperwork related to the conferences. |
| Negotiations | <ul style="list-style-type: none"> • LLLTs may communicate with opposing parties or third parties regarding procedural issues. If communicating with a pro se opposing party, they should do so in writing. LLLTs may negotiate on behalf of their client if they have prior written consent from the client defining the parameters the negotiation. |
| Appearances in Court and Administrative Tribunals | <ul style="list-style-type: none"> • LLLTs may present agreed, uncontested and default orders on the ex parte or motion calendar and attend trial setting calendar hearings. • LLLTs may represent clients at administrative hearings if the hearing relates to an issue within the permitted scope. • LLLTs may appear and assist clients with a motion hearing for the issues that are within the scope of their practice. They would be permitted to speak to factual or legal issues. Permitted hearings would include: <ul style="list-style-type: none"> ➤ Protection Orders ➤ Hearings on Motion for Temporary Orders ➤ Enforcement of Orders ➤ Modification of Child Support/Post-Secondary Child Support |



WSBA

OFFICE OF THE GENERAL COUNSEL

Kevin Bank
Assistant General Counsel

direct line: 206-733-5909
fax: 206-727-8314
e-mail: kevinb@wsba.org

To: The President, President-elect, Immediate Past-President, and Board of Governors
From: Kevin Bank, Assistant General Counsel
Date: January 11, 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 |
| CrRLJ 2.1 | Remove provisions allowing for citizen complaints | Approved for submission to the Court at BOG's September 2014 meeting. | 10/23/14: No Court action yet; the proposed rule change was submitted to the Court by WSBA via letter dated 10/02/14. 11/6/14: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than April 30, 2015. |

| SUGGESTED RULE AMENDMENTS SUBMITTED BY WSBA TO SUPREME COURT | | | |
|---|--|--|--|
| RULE | SUBJECT | BOG ACTION | COURT ACTION |
| Proposed Amendments to Lawyer Rules of Professional Conduct –various suggested by LLLT Board | Proposed Amendments to Rules of Professional Conduct RPC 1.0B – Terms, and New Comments to RPC 1.5, RPC 1.8 – Conflict of Interest, RPC 1.10 – Imputation of Conflicts of Interest: General Rule, RPC 1.15A(h)(9) – Safeguarding Property, RPC 1.17 – Sale of Law Practice, Title 3 – Advocate, Title 4 – Transactions with Persons Other Than Clients, RPC 5.8 – Misconduct Involving Disbarred, Suspended, Resigned, and Inactive Lawyers, New RPC 5.9 and 5.10 – Lawyers Associated in a Law Firm with LLLTs, Title 7 – Information about Legal Services and Title 8 – Maintaining the Integrity of the Profession. | 11/14/2014: Approved submission to Court. | 3/24/2015: Court adopted rules effective 4/14/2015. Court also ordered WSBA to solicit and gather feedback on these rules and provide it to the court by 1/14/2016. |
| APR 28 Regulation 4 | Proposed amendments to APR 28 Regulation 4 – Limited Practice Rule for Limited License Legal Technicians –Limited Time Waivers. | 7/2016: Submitted as information only. | 11/2/16: The Court adopted the rule. |
| <i>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</i> | <i>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,</i> | <i>7/22/16: Approved submission to Court.</i> | <i>12/7/16: The Court published for comment. Comment period ends 4/30/17.</i> |

SUGGESTED RULE AMENDMENTS SUBMITTED BY WSBA TO SUPREME COURT

| RULE | SUBJECT | BOG ACTION | COURT ACTION |
|---|--|---|---|
| | <i>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.</i> | | |
| <i>GR 12.1, GR 12.2, GR 12.3, GR 12.4, GR 15.5</i> | <i>Proposed amendments to GR 12.1 – Regulatory Objectives, GR 12.2 – WSBA Purposes, Authorized Activities, and Prohibited Activities, GR 12.3 – WSBA Administration of Supreme Court-Created Board and Committees, GR 12.4 – WSBA Access to Records, and GR 12.5 – Immunity.</i> | <i>9/29/16: Approved submission to Court.</i> | <i>12/7/16: The Court published for comment. Comment period ends 4/30/17.</i> |
| <i>APR 1-9; APR 11-17; APR 19; APR 20.1; APR 21; APR 22.1-22.2; APR 23; APR 23.1-23.2; APR 23.4-23.5; APR 24.1-24.3; APR 25.1-25.6; APR 26-</i> | <i>In the Matter of Proposed Amendments to the APR (related to Coordinated Systems for WSBA Administered Licenses to Practice Law)</i> | <i>9/29/16: Approved submission to Court.</i> | <i>12/7/16: The Court published for comment. Comment period ends 4/30/17.</i> |

| SUGGESTED RULE AMENDMENTS SUBMITTED BY WSBA TO SUPREME COURT | | | |
|--|---------|------------|--------------|
| RULE | SUBJECT | BOG ACTION | COURT ACTION |
| 28; <i>APR Regulations 28; APR 28 Appendix.</i> | | | |

SUGGESTED RULE AMENDMENTS SUBMITTED BY OTHERS

| | | |
|--------------------------------|---|---|
| JISCR 13 | Judicial Information System Committee (JISC) proposed amendments to this rule to define “electronic court record system,” to clarify that JISC approval is required for all electronic court record systems, to provide for increased notice of proposed systems, and to require courts with alternative electronic court record systems to comply with the JIS Data Standards for Alternative Electronic Court Record Systems. | 12/3/14: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than 30 days from the date of publication (Jan. 23, 2015). |
| CrR 8.10 and CrRLJ 8.13 | Amendments to Post Trial Contact with Jurors Rules suggested by Washington Association of Criminal Defense Lawyers. | 4/2/2015: Court published for Comment. Comment period ends 4/30/2016. 3/16/16: The Court amended the previous Order and extended the comment period to 5/31/16. |
| APR 11 | The Superior Court Judges’ Association recommended the Proposed Amendments to APR 11 – Continuing Legal Education. | 11/4/15: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than April 30, 2016. |
| CrRLJ 3.2 | The District and Municipal Court Judges’ Association recommended the suggested amendments to CrRLJ 3.2 – Release of Accused. | 12/2/15: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than April 30, 2016. |
| GR 28 | Judge Joh Antosz recommended the proposed amendment to GR 28 – Jury Service Postponement, Excusal, and Disqualification. | 3/30/16: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than June 30, 2016. |
| New Rule GR 36 | The Trial Court Advisory Board recommended the proposed amendment to New Rule GR 36 – Trial Court Security. | 3/30/16: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than June 30, 2016. |

SUGGESTED RULE AMENDMENTS SUBMITTED BY OTHERS

| | | |
|--|---|---|
| RAP 9.2(b) | The Office of Public Defense recommended the proposed amendment to RAP 9.2(b) – Verbatim Report of Proceedings. | <p>4/12/16: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than June 30, 2016.</p> <p>11/2/16: The Court adopted the rule.</p> |
| RAP 14.2 | The Appellate Cost Workgroup recommended the proposed amendments to RAP 14.2 – Who is Entitled to Costs. | <p>6/2/16: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than August 20, 2016.</p> <p><i>1/4/17: The Court adopted the rule.</i></p> |
| CR 28(d), CR 28(e), CR 30(b)(1), and CR 80(d) | The Washington Court Reporters Association recommended the proposed amendments to CR 28(d), and new subsection (e) – Persons before whom Depositions may be taken, CR 30(b)(1) – Depositions Upon Oral Examination, and CR 80(d) – Court Reporters. | <p>6/2/16: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than August 20, 2016.</p> <p>11/2/16: The Court adopted CR 28(e).</p> |
| CrR 3.4, CrRLJ 3.4 | The SB 5177 Court Video Testimony Work Group recommended the proposed amendments to CrR 3.4 – Presence of the Defendant, and – CrRLJ 3.4 – Presence of the Defendant. | 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. |
| New Rule GR 36 | 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. |
| GR 17, GR 30 | The Court Management Council recommended the proposed amendments to GR 17 – Facsimile Transmission, and GR 30 – Electronic Filing and Service. | 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. |

SUGGESTED RULE AMENDMENTS SUBMITTED BY OTHERS

| | | |
|---------------------|---|--|
| RAP Form 12A | <i>The Supreme Court Clerk's Office recommended the proposed amendments to RAP Form 12A – Findings of Indigency.</i> | <i>12/7/16: The Court adopted the rule.</i> |
| IRLJ 3.5 | <i>The District and Municipal Court Judges' Association recommended the proposed amendments to IRLJ 3.2 – Decision on Written Statement (Local Option).</i> | <i>12/7/16: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than April 30, 2017.</i> |
| CR 23 | <i>The Legal Foundation of Washington recommended the proposed amendments to CR 23 – Class Actions.</i> | <i>12/7/16: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than April 30, 2017.</i> |
| RAP 15.2(c) | <i>Judge Stan Rumbaugh recommended the proposed amendments to RAP 15.2(c).</i> | <i>12/7/16: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than April 30, 2017.</i> |
| RAP 9.2 | <i>The Appellate Costs Workgroup recommended the proposed amendments to RAP 9.2 – Verbatim of Proceedings.</i> | <i>1/4/17: The Court adopted the rule.</i> |
| RAP 9.6 | <i>The Appellate Costs Workgroup recommended the proposed amendments to RAP 9.6 – Designation of Clerk's Papers and Exhibits.</i> | <i>1/4/17: The Court adopted the rule.</i> |
| RAP 15.2 | <i>The Appellate Costs Workgroup recommended the proposed amendments to RAP 15.2 – Determination of Indigency and Rights of Indigent Party.</i> | <i>1/4/17: The Court adopted the rule.</i> |

**POTENTIAL AGENDA ITEMS FOR THE 2017 MIDYEAR MEETING
OF THE HOUSE OF DELEGATES OF THE AMERICAN BAR ASSOCIATION**

NOTE: This list includes issues that may be presented for consideration at the 2017 Midyear Meeting or a future meeting of the House of Delegates. Please remember that, with the exception of state and local bar associations, the filing deadline for submission of Resolutions with Reports by Association entities and affiliated organizations is **Wednesday, November 16, 2016.**

CRIMINAL JUSTICE

1. FDA Deferment

Urges repeal of the deferment on gay men donating blood. This resolution addresses the outdated science behind the FDA deferment on gay men donating blood, in the wake of the Orlando terrorist attack and impact on victims. **Criminal Justice Section**. Contacts: Sara Elizabeth Dill**, Phone: 202/662-1511, E-mail: sara.dill@americanbar.org; Kevin Scruggs**, Phone: 202/662-1503, E-mail: kevin.scruggs@americanbar.org.

2. Conviction Integrity Processes of Prosecutor Offices

Addresses the vacating of convictions following wrongful conviction claims and the decision making process involved in whether to file new criminal charges. **Criminal Justice Section**. Contacts: Sara Elizabeth Dill**, Phone: 202/662-1511, E-mail: sara.dill@americanbar.org; Kevin Scruggs**, Phone: 202/662-1503, E-mail: kevin.scruggs@americanbar.org.

3. Microscopic Hair Analysis

Calls for review of cases involving microscopic hair analysis, permitting post-conviction claims, and calling for corrective action or training of forensic laboratories also calls for notice to defendants and defense counsel of any potential errors that may have led to conviction. **Criminal Justice Section**. Contacts: Sara Elizabeth Dill**, Phone: 202/662-1511, E-mail: sara.dill@americanbar.org; Kevin Scruggs**, Phone: 202/662-1503, E-mail: kevin.scruggs@americanbar.org.

DISABILITY RIGHTS

4. Rights of Parents and Prospective Parents with Disabilities

Urges state, local, territorial, and tribal governments to enact legislation and implement public policy providing that adoption, foster care, custody and visitation/access shall not be denied or restricted, nor shall a child be removed or parental rights be terminated, based on a parent's or prospective parent's disability, absent a showing—supported by clear and convincing evidence—that the disability is causally related to a harm or an imminent risk of harm to the child that cannot be alleviated with appropriate services, support and other reasonable modifications. **Commission on Disability Rights**. Contact: Amy L. Allbright**, Phone: 202/662-1575, E-mail: Amy.Allbright@americanbar.org.

*American Bar Association, Chicago Office, 321 N. Clark Street, Chicago, IL 60654

**American Bar Association, Washington Office, 1050 Connecticut Avenue, NW, Washington, DC 20036

DISASTER RESPONSE & PREPAREDNESS

5. Community Resilience

Urges states, territories, and local governments, businesses, and legal and other professional and nonprofit organizations to develop programs, adopt standards, guidance and best practices, and consider regulatory systems that will make communities more resilient to loss and damage from foreseeable hazards while recognizing the property rights, affordable risk mitigation, interest of taxpayers and protection of the environment. Bar associations are also urged to advocate for and participate in community resilience initiatives. **Standing Committee on Disaster Response and Preparedness and the Section of State and Local Government Law**. Contacts: Chauntis Jenkins-Floyd, Chair, Standing Committee on Disaster Preparedness, 100 Professional Place, Suite 202, Carrollton, Ga 30116, Phone: 504/259-1971, E-mail: cjenkins@philaw.com; Robert Horowitz**, Phone: 202/662-1742, E-mail: bob.horowitz@americanbar.org; Ellen F. Rosenblum, Chair, Section of State and Local Government Law, Oregon Department of Justice, 1162 Court St NE, Salem, OR 97301-4095, E-mail: ellen.rosenblum@gmail.com; Tamara Edmonds Askew*, Phone: 312/988-5652, E-mail: tamara.edmondsaskew@americanbar.org.

FAMILY LAW

6. US Citizenship for Children Born Abroad Via ART

Urges the United States Department of State to permit U.S. citizen parents to transmit citizenship to their children born abroad but conceived through assisted reproductive technologies when their parent-child relationship is legally recognized by the country of the child's birth. **Section of Family Law**. Contacts: Anita Ventrelli, Esq., Schiller, DuCanto & Fleck, LLP, 200 N. LaSalle Street, Suite 3000, Chicago, IL 60601-1098, Phone: 312/609-5506, E-mail: aventrelli@sdfllaw.com; Marshall Wolf, Esq., Wolf & Akers, 2200 One Cleveland Center, Cleveland, OH 44114-1739, Phone: 216/623-9999, E-mail: mjwolf@sprintmail.com; Richard Vaughn, Esq., International Fertility Law Group, 5757 Wilshire Blvd., Suite 645, Los Angeles, CA 90036-3651, Phone: 323/331-9343, E-mail: rich@iflg.net.

INTERNATIONAL LAW

7. Arms Trade Treaty ("ATT")

Encourages Congress to help curb illicit international weapons transfers to war-torn countries, terrorist organizations, and murderous regimes, a benefit not only to international peace and security but also to U.S. interests. If ratified by the U.S., the Arms Trade Treaty ("ATT") will be a critical foreign policy tool. It creates concrete, enforceable obligations and builds cooperation and oversight mechanisms. The ATT does not constrain U.S. foreign policy, does not impinge upon the Second Amendment of the U.S. Constitution, or require changes to U.S. weapons import/export regulations. On the other hand, failure to ratify the ATT could compromise U.S. leadership in the international operation of the Treaty and jeopardize universalization and enforcement of the Treaty. **Section of International Law**. Contact: Luke Wilson, Prides Crossing, MA, Luke Paris Hitchcock Wilson Esq., PO Box 214, Prides Crossing, MA 01965-0214, Phone: 781/799-9780, E-mail:

*American Bar Association, Chicago Office, 321 N. Clark Street, Chicago, IL 60654

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LEGAL EDUCATION

8. Model Rules for Minimum Continuing Legal Education

Adopts the Model Rule for Minimum Continuing Legal Education (MCLE) and Comments dated February 2017, to supplant the Model Rule for MCLE and Comments which was adopted by the ABA in 1988 and subsequently amended. This Model Rule was drafted after a multi-year, comprehensive review of the existing Model Rule by the Standing Committee on Continuing Legal Education. Many substantive provisions remain the same, but the new Model Rule is reorganized and contains new provisions that recognize advances in technology and changes in the legal profession and continuing legal education. **Standing Committee on Continuing Legal Education**. Contact: Gina Roers-Liemandt*, Phone: 312/988-6215, Email: gina.roers-liemandt@americanbar.org.

9. Restrictions on Federal Student Aid Eligibility

Urges Congress to repeal 20 U.S.C. § 1091(r), a provision of the Higher Education Act that denies eligibility for federal educational aid to students convicted of drug offenses (referred to as the "Aid Elimination Penalty"). The Resolution also urges that (1) the question about drug convictions on the Free Application for Federal Student Aid ("FAFSA") be removed, and that (2) once the Aid Elimination Penalty is repealed, colleges and universities be required to inform students who were ruled ineligible under the Penalty (and who have not regained their eligibility) that they are now eligible for federal aid. **Section of Litigation**. Contact: Don Bivens, Snell & Wilmer, LLP, One Arizona Center, 400 East Van Buren, Suite 1900, Phoenix, AZ 85004, Phone: 602/382-6549, E-mail: dbivens@swlaw.com.

10. Standards and Rules of Procedure

Concurs in the action of the Council of the Section of Legal Education and Admissions to the Bar in making revisions to the *ABA Standards and Rules of Procedure for Approval of Law Schools*, to clarify certain requirements and correct inadvertent changes or deletions made as part of the comprehensive review of the Standards and Rules. **Section of Legal Education and Admissions to the Bar**. Contacts: Barry A. Currier*, Phone: 312/988-6744, Cell: 310/400-2702, Email: barry.currier@americanbar.org.

PARALEGAL EDUCATION

11. Paralegal Education Programs

Grants approval, reapproval, withdrawal and/or extension of the term of approval to several paralegal education programs. **Standing Committee on Paralegals**. Contact: Peggy C. Wallace*, 312/988-5618, E-mail: peggy.wallace@americanbar.org.

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UNIFORM ACTS

12. Uniform Employee and Student Online Privacy Protection Act

Approves the Uniform Employee and Student Online Privacy Protection Act (UESOPPA) to enable employees and students to make choices about whether, and when, to provide employers and educational institutions with access to their personal online accounts. **National Conference of Commissioners on Uniform State Laws.** Contacts: Katie Robinson, Uniform Law Commission, 111 N. Wabash Ave., Suite 1010, Chicago, IL 60602, Phone: 312/450-6616, E-mail: krobinson@uniformlaws.org; Frank H. Langrock, P.O. Drawer 351, 111 S. Pleasant St., Middlebury, VT 05753-1479, Phone: 802/388-6356, E-mail: flangrock@langrock.com; Peter J. Gillespie, Fisher & Phillips LLP, Ste. 3450, 10 S. Wacker Dr., Chicago, IL 60606-7592, Phone: 312/580-7802, E-mail: pgillespie@laborlawyers.com; Heather A. Morgan, 515 S. Flower St., Suite 2500, Los Angeles, CA 90071-2228, Phone: 213/683-6188, E-mail: heathermorgan@paulhastings.com.

13. Uniform Family Law Arbitration Act

Approves the Uniform Family Law Arbitration Act (UFLAA) to create a statutory scheme for the arbitration of family law disputes. **National Conference of Commissioners on Uniform State Laws.** Contacts: Katie Robinson, Uniform Law Commission, 111 N. Wabash Ave., Suite 1010, Chicago, IL 60602, Phone: 312/450-6616, E-mail: krobinson@uniformlaws.org; Phyllis G. Bossin, 105 E. 4th St., Suite 1300, Cincinnati, OH 45202-4054, Phone: 513/421-4420, E-mail: pbossin@bossinlaw.com; Helen E. Casale, 401 Dekalb St., 4th Floor, Norristown, PA 19401-4907, Phone: 610/313-1672, E-mail: hec@hangle.com; Dolly Hernandez, 2665 S. Bayshore Dr., Suite 1204, Miami, FL 33133, Phone: 305/567-9400, E-mail: dolly.hernandez@rafool.com; Larry R. Rute, 212 SW 8th Ave., Suite 102, Topeka, KS 66603.

14. Uniform Unsworn Declarations Act

Approves the Uniform Unsworn Declarations Act (UUDA) to allow the use of unsworn declarations made under penalty of perjury in state court proceedings. **National Conference of Commissioners on Uniform State Laws.** Contacts: Katie Robinson, Uniform Law Commission, 111 N. Wabash Ave., Suite 1010, Chicago, IL 60602, Phone: 312/450-6616, E-mail: krobinson@uniformlaws.org; Richard W. Morefield, 11814 W. 135th St., Overland Park, KS, 66221.

15. Uniform Unsworn Domestic Declarations Act

Approves the Uniform Unsworn Domestic Declarations Act (UDDA) to allow the use of unsworn declarations made under penalty of perjury in state court proceedings. **National Conference of Commissioners on Uniform State Laws.** Contacts: Katie Robinson, Uniform Law Commission, 111 N. Wabash Ave., Suite 1010, Chicago, IL 60602, Phone: 312/450-6616, E-mail: krobinson@uniformlaws.org; Richard W. Morefield, 11814 W. 135th St., Overland Park, KS, 66221.

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**American Bar Association, Washington Office, 1050 Connecticut Avenue, NW, Washington, DC 20036

16. Uniform Wage Garnishment Act

Approves the Uniform Wage Garnishment Act (UWGA) to provide a standard process for wage garnishment to collect debt after a creditor obtains a judgment.

National Conference of Commissioners on Uniform State Laws. Contacts: Katie Robinson, Uniform Law Commission, 111 N. Wabash Ave., Suite 1010, Chicago, IL 60602, Phone: 312/450-6616, E-mail: krobinson@uniformlaws.org; Garth Jacobson, 520 Pike St., Suite 985, Seattle, WA 98101; Phone: 206/390-8274, E-mail: garth.jacobson@wolterskluwer.com; Denise M. Clark, 1250 Connecticut Ave. NW, Suite 200, Washington, DC, 20036, Phone: 202/293-0015, E-mail: dmclark@benefitcounsel.com; Robyn B. Klinger, 84 Adella Ave., Newton, MA 02465.

*American Bar Association, Chicago Office, 321 N. Clark Street, Chicago, IL 60654

**American Bar Association, Washington Office, 1050 Connecticut Avenue, NW, Washington, DC 20036



To: Board of Governors

From: Executive Management Team






Re: Q1 FY 2017 Management Report


Date: January 16, 2017

Attached are annotated FY2017 Operational Priorities, which score the organization's progress through Q1 in achieving FY2017 priorities that are linked to WSBA's Mission Focus area and Strategic Goals.

Also attached is the Organizational Context Chart, which provides background information about the WSBA from FY2004-FY2016, 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 ¹ | | | REPORTING QUARTER | | | | |
|--|-----------------------------|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 1 | 2 | 3 | 4 | |
| Regulation & Licensing | | | | | | | | |
| <ul style="list-style-type: none">Plan for and begin implementation of coordinated admission and licensing systems for legal professionals | | | X |  | | X | X | Q1: 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. |
| <ul style="list-style-type: none">Research Online Admissions Program systems and identify viable options to be considered for adoption and use for all admission and readmission processes | X | | X | | X | | X | Q1: Not reported in Q1. |
| <ul style="list-style-type: none">Develop coordinated discipline system proposal | | | X |  | | X | X | Q1: 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. |
| Member Benefits & Professional Development | | | | | | | | |
| <ul style="list-style-type: none">Determine the appropriate mechanisms and tools for measuring and communicating ROI on WSBA programs and services | X | | | | X | | X | Q1: Not reported in Q1. |
| <ul style="list-style-type: none">Analyze, adapt and extend WSBA benefits for all legal professionals licensed by WSBA | X | | | | X | | X | Q1: Not reported in Q1. |
| Public Service & Diversity/Inclusion | | | | | | | | |
| <ul style="list-style-type: none">Provide members with a menu of public service and pro bono opportunities with WSBA and with our partners across the state | X | X | X |  | X | X | X | Q1: 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. |
| <ul style="list-style-type: none">Institutionalize systems for reviewing policies, practices, procedures, and programs with a race equity lens | | X | | | X | | X | Q1: Not reported in Q1. |
| Engagement & Outreach | | | | | | | | |
| <ul style="list-style-type: none">Complete WSBA.org website redesign to improve user experience and value for key audiences (members, public, stakeholders) | X | X | X |  | X | | X | Q1: Website redesign continues to move forward, with design compositions and navigation finalized. Training and content migration to occur in Q2. |
| <ul style="list-style-type: none">Enhance collaboration with volunteers through standardized recruitment, training, engagement, and inclusion | X | X | |  | | | X | Q1: 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. |
| <ul style="list-style-type: none"> Coordinate outreach to all local, minority and specialty bars that ensures ongoing/meaningful connections with WSBA during the year | X | X | X |  | X | X | X | <p>Q1: 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> |
| <ul style="list-style-type: none"> Improve connections with the public through focused engagement and communications efforts | | | X | | X | | X | <p>Q1: Not reported in Q1.</p> |
| Organization & Infrastructure | | | | | | | | |
| <ul style="list-style-type: none"> Engage in management discussion, training and development in order to foster an environment that promotes employee engagement and input | X | X | X | | X | | X | <p>Q1: Not reported in Q1.</p> |
| <ul style="list-style-type: none"> Implement paperless accounts payable system | | | | | | X | X | <p>Q1: Not reported in Q1.</p> |
| <ul style="list-style-type: none"> Upgrade membership data management platform | X | X | X | | X | | X | <p>Q1: Not reported in Q1.</p> |

2016-18 Strategic Goals

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

| 784 MEMBERS | | FY2004 | FY2005 | FY2006 | FY2007 | FY2008 | FY2009 | FY2010 | FY2011 | FY2012 | FY2013 | FY2014 | FY2015 | FY2016 |
|-------------|--|------------------|-------------|-------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| | Total / Median Age ⁱ | 29,199 / 47 | 30,061 / 47 | 30,963 / 48 | 31,912 / 48 | 32,635 / 48 | 33,444 / 49 | 34,034 / 49 | 34,554 / 49 | 35,023 / 49 | 35,477 / 50 | 36,296 / 50 | 37,373 / 50 | 38,162 / 48 |
| | Active / Median Age | 24,449 / 46 | 25,186 / 47 | 25,912 / 47 | 26,781 / 47 | 27,398 / 47 | 27,880 / 47 | 28,520 / 48 | 28,815 / 48 | 29,190 / 48 | 29,731 / 48 | 30,487 / 48 | 31,437 / 48 | 31,998 / 48 |
| | Inactive / Median Age | 3,671 / 48 | 3,740 / 49 | 3,875 / 50 | 3,920 / 50 | 4,001 / 51 | 4,279 / 51 | 4,208 / 52 | 4,416 / 52 | 4,676 / 53 | 4,628 / 53 | 4,695 / 54 | 4,834 / 55 | 5,073 / 55 |
| | Voluntary Resignations / Median Age | 204 / 50 | 168 / 52 | 181 / 53 | 246 / 56 | 277 / 58 | 255 / 58 | 391 / 57 | 405 / 62 | 440 / 60 | 454 / 63 | 488 / 63 | 524 / 63 | 606 / 64 |
| | <i>Pro Hac Vice</i> | data unavailable | 380 | 517 | 480 | 488 | 506 | 481 | 664 | 623 | 624 | 590 | 638 | 365 |
| | Section Members: | 8,236 | 8,324 | 8,132 | 8,739 | 7,747 | 7,770 | 9,497 | 9,815 | 9,861 | 9,968 | 10,196 | 10,150 | 10,617 |
| | Reported <i>Pro Bono</i> Hours ⁱⁱ | data unavailable | | | 4,831 / 286,562 | 4,226 / 296,776 | 5,415 / 359,728 | 5,639 / 371,578 | 3,905 / 282,575 | 3,712 / 261,402 | 4,370 / 280,176 | 5,515 / 351,935 | 6,051 / 362,846 | 4,795 / 327,933 |
| Volunteers: | WSBA Volunteer Positions | data unavailable | | | | | | 1,151 | 1,039 | 912 | 895 | 827 | 850 | 784 |
| | WSBA Public Service ⁱⁱⁱ | data unavailable | | | | | | | | 1,176 | 1,439 | 1,878 | 2,106 | 2,503 |

| REGULATORY FUNCTIONS | | FY2004 | FY2005 | FY2006 | FY2007 | FY2008 | FY2009 | FY2010 | FY2011 | FY2012 | FY2013 | FY2014 | FY2015 | FY2016 |
|--|---|-----------------|---------------|---------------|-----------------|---------------|---------------|---------------|---------------|---------------|---------------|------------------|-----------------------------------|-----------------------|
| Admissions: | All applicants | 1,765 | 1,772 | 1,821 | 1,771 | 1,736 | 1,674 | 1,739 | 1,713 | 1,694 | 1,855 | 2,091 | 1,956 | 1,751 |
| | Admissions (exam / by motion / transfer) | 939 / 248 / 0 | 987 / 270 / 0 | 951 / 263 / 0 | 1,116 / 302 / 0 | 973 / 243 / 0 | 982 / 235 / 0 | 948 / 249 / 0 | 926 / 229 / 0 | 932 / 246 / 0 | 880 / 292 / 9 | 1,023 / 393 / 65 | 893 / 726 / 87 | 833 / 559 / 96 |
| Licensing (calendar year): | MCLE Form 1: ^{iv} | 17,399 | 15,675 | 15,777 | 16,313 | 18,104 | 20,041 | 18,472 | 19,147 | 19,536 | 19,002 | 19,794 | 19,330 | 21,954 |
| | Hardship - Exemptions | introduced FY11 | | | | | | | 169 | 130 | 140 | 115 | 107 | 115 |
| | Payment Plan | introduced FY13 | | | | | | | | 46 | 61 | 59 | 54 | |
| Discipline (calendar year): ^v | Consumer Affairs ^{vi} | 13,575 | 11,525 | 11,379 | 11,646 | 11,379 | 10,360 | 7,851 | 6,409 | 5,098 | 8,503 | 6,608 | 6,694 | 5,652 |
| | Grievances | 1,938 | 1,935 | 1,847 | 2,029 | 1,904 | 1,769 | 2,144 | 2,156 | 2,329 | 2,228 | 2,165 | 2,081 | 1,830 |
| | Diversions | 32 | 74 | 69 | 63 | 43 | 22 | 38 | 42 | 34 | 30 | 32 | 28 | 15 |
| | Actions Imposed (total/disbarments/suspensions) | 76 / 19 / 24 | 83 / 13 / 32 | 69 / 23 / 26 | 73 / 25 / 26 | 81 / 18 / 26 | 62 / 16 / 20 | 93 / 26 / 24 | 74 / 28 / 18 | 85 / 32 / 21 | 95 / 32 / 31 | 71 / 23 / 34 | 74/ 19/ 27 | 70 / 21 / 31 |
| Random Exams: (# lawyers per Cal. Yr.) | | 69 | 54 | 78 | 40 | 6 | 59 | 100 | 45 | 20 | 0 | 0 | 121 | 79 |
| Other Legal Professionals: | Limited Practice Officers | 1,250 | 1,300 | 1,349 | 1,403 | 1,370 | 1,291 | 1,207 | 1,130 | 1,069 | 1,027 | 1,003 | 968 | 963 |
| | Rule 9 Interns | 497 | 376 | 413 | 424 | 479 | 393 | 397 | 432 | 464 | 405 | 378 | 322 | 312 |
| | LLLTs | introduced 2015 | | | | | | | | | | | 3 | 16 |
| Law Clerks: | | 36 | 49 | 47 | 42 | 41 | 44 | 49 | 57 | 60 | 60 | 67 | 71 | 72 |
| Lawyers' Fund Client Protection: | Approved Applications | 84 | 47 | 66 | 34 | 43 | 33 | 78 | 72 | 39 | 45 | 44 | 58 | 44 |
| | Payments ^{vii} | \$313,721 | \$147,247 | \$468,696 | \$539,789 | \$899,672* | \$449,050 | \$554,270 | \$1,003,458* | \$378,574 | \$423,508 | \$337,160 | \$495,230.41 | 239,842.26 |
| Unauthorized Practice of Law: | Complaints (filed / dismissed) | 46/19 | 37/4 | 41/13 | 32/10 | 34/20 | 54/18 | 60/19 | 61/31 | 43/15 | 62/28 | 52 / 34 | no data available ^{viii} | 44 / 49 ^{ix} |
| | Referral / Deferral Letters ^x | 9 / 15 / 0 | 17 / 4 / 1 | 6 / 2 / 2 | 9 / 4 / 1 | 9 / 13 / 3 | 16 / 8 / 1 | 11 / 5 / 2 | 17 / 3 / 7 | 9 / 8 / 2 | 10 / 1 / 0 | 4 / 4 / 0 | | 29 / 3 ^{xi} |

| ENGAGEMENT & OUTREACH | | FY2004 | FY2005 | FY2006 | FY2007 | FY2008 | FY2009 | FY2010 | FY2011 | FY2012 | FY2013 | FY2014 | FY2015 | FY2016 |
|-----------------------|--|------------------|---------|------------------|--------|--------|---------|--------|-----------|--------------|-----------------|-----------------|-----------------|-----------------|
| | Service Center Contacts (calls / emails): ^{xii} | 90,850 / NA | *76,152 | data unavailable | | | *76,188 | 70,774 | 62,340 | 49,957 | 46,474 / 17,319 | 45,093 / 20,540 | 38,588 / 21,187 | 35,828 / 17,970 |
| | wsba.org site visits: | data unavailable | | | | | | | 3,628,474 | 3,447,088 | 3,697,123 | 3,512,168 | 3,527,824 | 3,184,834 |
| | wsba.org home page visits: | data unavailable | | | | | | | 1,379,144 | 1,305,263 | 1,235,479 | 1,166,862 | 1,100,229 | 1,560,284 |
| | Lawyer Directory visits: | data unavailable | | | | | | | 1,769,558 | 1,613,296 | 1,520,793 | 1,354,613 | 1,238,116 | 1,392,694 |
| | Facebook Likes / Twitter Followers: | introduced FY12 | | | | | | | | 450 / NA | 859 / 1,443 | 1,378 / 1,905 | 1,741 / 2,389 | 2,115 / 3,059 |
| | Job Target site visits / postings: | introduced FY12 | | | | | | | | 60,795 / 112 | 185,099 / 357 | 351,102 / 465 | 340,660 / 544 | 307,296 / 632 |
| | NWSidebar (subscribers; visits/month): | introduced FY13 | | | | | | | | | 258 / 7,462 | 415 / 8,042 | 493 / 8,530 | 659 / 8,686 |
| | | | | | | | | | | | | | | |

| MEMBER BENEFITS & PROF. DEV. | | FY2004 | FY2005 | FY2006 | FY2007 | FY2008 | FY2009 | FY2010 | FY2011 | FY2012 | FY2013 | FY2014 | FY2015 | FY2016 | |
|-----------------------------------|--|--|---------------|----------------|----------------|----------------|----------------|------------------|----------------|------------------|------------------|--------------------|------------------|------------------|-----------------|
| WSBA-Sponsored Benefits: | Ethics Outreach: Calls/presentations | data unavailable | | | | | 2,133 | 2,795 | 3,629 | 3,370 | 3,147 | 3,241 / 35 | 2,939 / 34 | 2,803 / 35 | |
| | Law Office Mgmt. Assist. Program: Consultations (initial / paid) | | | | | | | | | data unavailable | 101 | 41 ^{xiii} | 100 | 82 | |
| | | Presentations / attendees ^{xiv} | | | | | | data unavailable | | | 27 / 1,235 | 28 / 1,010 | 27 / 557 / 4,784 | 29 / 746 / 4,589 | 17 / 418 |
| | Lawyer Assist. Program: | Consultations | | | | | | data unavailable | | | 688 | 765 | 212 | 172 | 298 |
| | | Presentations / attendees | | | | | | data unavailable | | | 11 / 640 | 15 / 850 | 12 / 591 | 4 / 4,250 | 9 / 5,495 |
| | | Member Asst. Prog Consults ^{xv} | | | | | | | | | introduced FY14 | | 15 / 43 | 34 / 53 | 39 / 55 |
| | | Legal Research (Case Maker) ^{xvi} | | | | | | data unavailable | | | 22,504 | 22,012 | 22,506 | 22,844 | 25,874 / 10,561 |
| | | Insurance programs | | | | | | | | | data unavailable | 2,610 | 2,554 | discontinued | |
| | | Docket System (# firms) | | | | | | | | | data unavailable | 148 | discontinued | | |
| | | The Form Tool | | | | | | | | | introduced FY12 | 9 | 4 | 8 / discontinued | |
| | | ABA Ret Funds (plans /participants) | | | | | | | | | introduced FY12 | to be provided | to be provided | 81 / 470 | 88 / 526 |
| | | WA Daily Decisions (WDDS) | | | | | | | | | introduced FY13 | 76 | 143 | to be provided | out of business |
| | | Writing software (Word Rake) | | | | | | | | | introduced FY13 | 55 | 107 | 39 | 199 |
| | | ABA Books for Bars | | | | | | | | | | | introduced FY15 | 19 | 8 |
| | | ALPS (# firms/lawyers) | | | | | | | | | | | introduced FY15 | 307 / 616 | 492 / 921 |
| | | Bill4Time | | | | | | | | | | | introduced FY15 | 3 | 10 |
| | | Citrix ShareFile | | | | | | | | | | | introduced FY15 | 8 | 14 |
| | | Client Conflict Check | | | | | | | | | | | introduced FY15 | 1 | 5 |
| | | Clio | | | | | | | | | | | introduced FY15 | 23 | 52 |
| | | LawPay | | | | | | | | | | | introduced FY15 | 60 | 258 |
| Ruby Receptionist | | | | | | | | | | | | introduced FY15 | 8 | 9 | |
| Worldox | | | | | | | | | | | introduced FY15 | 0 | 3 | | |
| CLE Seminars: | Programs / credits offered | 116 | 118 / 697.75 | 122 / 717.75 | 120 / 649.50 | 112 / 657.75 | 129 / 658.25 | 107 / 632.25 | 110 / 645.75 | 101 / 662.25 | 79 / 518 | 60 / 409.25 | 54 / 402.75 | 58 / 389.25 | |
| | Attendees ^{xvii} | 5,287 / 11,047 | 5,170 / 9,868 | 5,942 / 11,566 | 5,501 / 10,252 | 5,885 / 10,848 | 6,040 / 10,600 | 6,269 / 10,974 | 6,275 / 11,602 | 6,349 / 10,938 | 6,111 / 9,644 | 4,959 / 7,489 | 5,368 / 7,171 | 4,291 / 5,890 | |
| Mini CLEs: | Programs / credits offered | 3 / 3.5 | 13 / 30.5 | 21 / 41.5 | 26 / 52.5 | 35 / 72.5 | 57 / 110.75 | 37 / 50.5 | 41 / 57 | 36 / 67.75 | 41 / 86.5 | 43 / 105 | 39 / 52.25 | 54 / 60 | |
| | Attendees | 79 | 665 | 847 | 989 | 1,254 | 1,572 | 1,245 | 1,327 | 1,196 | 1,591 | 1,854 | 2,451 | 2,528 | |
| New Lawyer Education: | Programs / credits offered | introduced FY11 | | | | | | | 3 / 14.75 | 3 / 16.75 | 4 / 29.0 | 9 / 41.75 | 12 / 56.75 | 9 / 43.25 | |
| | Attendees | | | | | | | | 513 | 216 | 261 | 673 | 1,233 | 880 | |
| Legal Lunchbox ^{xviii} : | Programs / credits offered | introduced FY14 | | | | | | | | | | 12 / 16.25 | 12 / 18 | 12 / 18 | |
| | Attendees | | | | | | | | | | | 6,785 / 14,837 | 7,007 / 22,025 | 5,220 / 17,079 | |
| Product Sales: | Recorded seminars ^{xix} | 1,124 | 1,535 | 2,957 | 4,050 | 4,622 | 5,639 | 5,697 | 4,825 | 6,087 | 5,909 | 6,624 | 6,518 | 6,498 | |
| | Desk books / course books | 211 / 147 | 695 / 795 | 1,828 / 983 | 1,432 / 893 | 492 / 829 | 864 / 674 | 970 / 627 | 949 / 511 | 713 / 443 | 700 / 474 | 546 / 443 | 936 / 288 | 650 / 324 | |

| OPERATIONS | | FY2004 | FY2005 | FY2006 | FY2007 | FY2008 | FY2009 | FY2010 | FY2011 | FY2012 | FY2013 | FY2014 | FY2015 | FY2016 |
|-----------------|--|--------------|------------------|--------------|--------------|--------------|---------------|--------------|--------------|-------------------|-----------------|-------------------|-------------------|--------------------|
| H R | Budgeted FTE | 123.9 | 126.0 | 134.3 | 138 | 140.75 | 142.87 | 144.12 | 146.1 | 143.9 | 140.7 | 139.95 | 145.95 | 144.45 |
| | Turnover | 20% | data unavailable | 15% | 12% | 19% | 7% | 8% | 12% | 18% ^{xx} | 14% | 18% | 22% | 16% |
| F I N A N C E S | Licensing: Active Fee ^{xxi} LFCP Assessment Keller Deduction ^{xxii} License Fee Revenues | \$375 | \$383 | \$391 | \$399 | \$407 | \$415 | \$450 | \$450 | \$450 | \$325 | \$325 | \$325 | \$385 |
| | | \$13 | \$13 | \$13 | \$15 | \$15 | \$15 | \$30 | \$30 | \$30 | \$30 | \$30 | \$30 | \$30 |
| | | \$1.94 (10%) | \$3.70 (11%) | \$2.14 (10%) | \$3.80 (10%) | \$3.15 (10%) | \$3.45 (9%) | \$3.95 (13%) | \$4.40 (14%) | \$6.00 (17%) | \$6.40 (17%) | \$4.70 (16%) | \$4.40 (13%) | \$3.50 |
| | | \$9,229,118 | \$9,626,927 | \$10,119,412 | \$10,612,853 | \$11,115,256 | \$11,568,669 | \$13,040,395 | \$13,628,445 | \$13,878,419 | \$11,390,193 | \$10,761,000 | \$11,133,170 | \$12,,819,372 |
| | # Donors to WSBF / WSBF grant to WSBA : | NA | | | | | | | | | 127 / \$110,000 | 5,160 / \$275,136 | 3,172 / \$207,125 | 3,072 / \$177,621 |
| | General Fund Revenues: Budgeted Actual | \$11,835,371 | \$12,429,364 | \$13,157,970 | \$13,840,420 | \$14,935,591 | \$15,251,745 | \$16,594,854 | \$16,991,025 | \$17,112,690 | \$15,137,529 | \$14,562,325 | \$14,757,180 | \$16,420,637 |
| | | \$12,043,769 | \$13,218,235 | \$13,980,849 | \$14,611,383 | \$14,612,599 | \$15,071,222 | \$17,077,440 | \$17,308,336 | \$17,797,242 | \$15,349,822 | \$15,335,749 | \$15,266,002 | \$16,937,121 |
| | General Fund Expenses: Budgeted Actual | \$11,592,829 | \$12,429,304 | \$13,157,487 | \$14,717,511 | \$15,190,916 | \$17,202,812 | \$16,184,798 | \$16,667,875 | \$16,934,743 | \$15,594,088 | \$16,562,819 | \$17,904,053 | \$18,757,977 |
| | | \$11,051,897 | \$12,069,956 | \$13,077,385 | \$14,011,799 | \$14,795,034 | \$16,559,591 | \$15,520,074 | \$16,028,974 | \$16,323,442 | \$15,097,982 | \$16,493,451 | \$17,966,538 | \$18,121,119 |
| | General Fund Net Income/(Loss): Budgeted Actual | \$242,542 | \$60 | \$483 | (\$877,091) | (\$255,325) | (\$1,951,067) | \$410,0586 | \$323,150 | \$177,947 | (\$456,559) | (\$3,146,873) | (\$3,146,873) | (\$2,337,340) |
| | | \$991,873 | \$1,148,279 | \$903,464 | \$599,584 | (\$182,435) | (\$1,488,369) | \$1,557,366 | \$1,279,362 | \$1,473,800 | \$251,840 | (\$1,157,702) | (\$2,700,536) | (\$1,183,998) |
| R E S E R V E S | General Fund: Operating Reserve Facilities Reserve Other Reserves Unrestricted Total Balance | \$994,344 | \$1,052,599 | \$1,200,000 | \$1,234,601 | \$1,500,000 | \$1,450,000 | \$1,500,000 | \$1,500,000 | \$1,500,000 | \$1,500,000 | \$1,500,000 | \$1,500,000 | \$1,500,000 |
| | | 0 | 0 | 1,802,599 | 1,445,000 | 2,500,000 | 2,500,000 | 2,710,000 | 3,340,000 | 3,340,000 | 3,340,000 | 3,340,000 | 3,286,096 | \$2,114,427 |
| | | 994,344 | 1,052,599 | 750,000 | 775,000 | 675,000 | 475,000 | 414,162 | 562,196 | 445,642 | 409,457 | 337,582 | 316,438 | \$304,109 |
| | | 735,636 | 1,815,150 | 1,071,215 | 1,968,797 | 565,962 | 9,586 | 1,367,795 | 1,869,124 | 3,459,475 | 3,711,315 | 2,625,488 | 0 | \$0 |
| | | \$2,724,324 | \$3,920,348 | \$4,823,814 | \$5,423,398 | \$5,240,962 | \$4,434,586 | \$5,991,957 | \$7,271,320 | \$8,745,117 | \$8,960,772 | \$7,803,070 | \$5,102,534 | \$3,978,864 (est.) |
| | Lawyers’ Fund for Client Protection Balance: | 632,477 | 821,669 | 796,155 | 699,239 | 231,804 | 184,640 | 434,823 | 261,318 | 791,399 | 1,213,602 | 1,746,010 | 2,144,289 | \$2,646,222 |
| | Continuing Legal Education Fund Balance: | 1,436,141 | 1,585,026 | 1,954,241 | 1,991,838 | 1,947,887 | 1,079,796 | 1,408,491 | 1,351,464 | 1,341,266 | 1,192,124 | 458,415 | 53,090 | \$456,568 |
| | Sections Fund Balance: | 832,805 | 780,129 | 878,817 | 896,930 | 805,101 | 711,521 | 677,666 | 773,328 | 904,933 | 1,028,539 | 1,074,417 | 1,229,705 | \$1,212,,637 |
| | Western States Bar Conference: | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 11,113 | \$10,958 |
| | TOTAL FUND BALANCES: | \$5,625,747 | \$7,107,172 | \$8,453,027 | \$9,011,405 | \$8,225,754 | \$6,410,543 | \$8,512,937 | \$9,657,430 | \$11,782,715 | \$12,395,037 | 11,081,912 | \$8,540,731 | \$8,244,922 |

| MILESTONES | FY2004 | FY2005 | FY2006 | FY2007 | FY2008 | FY2009 | FY2010 | FY2011 | FY2012 | FY2013 | FY2014 | FY2015 | FY2016 |
|------------|--|-------------------------------|---|---|---|---|---|---|--|--|---|--|--|
| | WLI founded TIMSS Member Database | Case Maker offered to members | New Mission Statement & Guiding Principles ABA Report on Discipline System New Character & Fitness rules Sunsetting of ADR Program, LAP & LOMAP Committees | New Executive Director Mandatory reporting of insurance requirements WSBA move to Puget Sound Plaza | 2008-2011 Strategic Goals adopted Program Reviews Application fees increase Online MCLE tracking | Live webcasting Program Reviews Limited Practice Officer rules/on-line tracking mywsba.org revamped \$1.5M gift to Law Fund | New WSBF mission statement; 2010-2013 Strategic Goals adopted; Comprehensive WSBA Bylaw changes Program Reviews Online licensing rolled out Online filing of grievances implemented CLE Conference Center opened Law Fund check off begins Home Foreclosure Program initiated DART introduced Spokane Bar Exam offered through FY2012 | Mission Focus Areas adopted Licensing: Hardship exemption added WSBA.org redesigned Moderate Means Program initiated CPLE becomes independent 501(c)(3) | Member Referendum; Listening Tours introduced Online admissions rolled out Job Target Introduced Initial Membership Demographic Study Completed | 2013-2015 Strategic Goals adopted First UBE LLLT Rule adopted by Supreme Court Licensing: Payment Plan introduced/ WSBF check-off added Job Target enhanced (Practice Transition Opportunities & Contract Lawyer) Home Foreclosure Project ends Diversity Plan adopted NWSidebar introduced Disaster Recovery Plan revised YLC integration WLI to UW Law School BOG Diversity Committee and Committee for Diversity Merged | Quarterly Dashboards introduced Amendments to ELCs and APRs Document Management System launched GR12.4 – public records Legal Lunchbox introduced Migrated to single platform for all recorded products (video, MP3, coursebooks) Call to Duty Program launched First Responders Will Clinic becomes independent 501(c)(3) Low Bono Section created Disaster Recovery: Recovery Site established; First Table Top Exercise New Professionalism Plan implemented | Board Governance Task Force and Self-Evaluation Amendments to MCLE rules LLLT: first licenses issued and RPCs adopted Implemented WSBA intranet Evaluation of CLE models New LOMAP delivery system model and expanded member benefits Implemented MentorLink Phase 2 of membership study: Diversity literature review & intersectionality report WSBA lease renewal and facilities renovation | 2016-2018 Strategic Goals adopted ECCL Policy Decisions Amendments to APRs Amendments to WSBA Bylaws Amendments to Character & Fitness rules Sections policies MCLE system upgrade Website Redesign Webinar capacity launched CLE Faculty Database ATJ / CPD summits |

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- i Includes Active, Emeritus, Honorary, Inactive and Judicial members.
- ii First figure represents number of lawyers; second, number of *pro bono* hours reported on annual licensing form.
- iii Lawyer mentors/participants in WSBA Public Service programs (Moderate Means, Home Foreclosure).
- iv Does not include ~2,000 forms per year that are returned or reprocessed because incomplete or incorrect.
- v Preliminary calendar-year end data through September 30, 2015.
- vi Years 2004-2012 include oral contacts only, not e-mail communications. Year 2013 includes oral contacts and e-mail communications. Starting in calendar year 2015, this figure includes all Spanish language contacts with Consumer Affairs.
- vii Asterisk indicates prorated payout of authorized awards.
- viii The Washington Supreme Court suspended this Board from 11/2014 – 7/2015. The Board is currently being reconstituted and has been directed to consider the focus for its future work.
- ix The Court suspended the Board on November 11, 2014 and reconstituted the Board on July 8, 2015. The reconstituted Board reviewed cases that was put on hold during the suspension.
- x First figure represents number of Cease & Desist letters issued without referral to prosecutor or ODC; second represents number of letters issued and referred to prosecutor; third represents number of letters issued and referred to ODC. The Court reconstituted the Board on July 8, 2015 and the reconstituted Board only dismisses or refers cases.
- xi This figure represents referrals only. The Board does not issue cease and desist letters.
- xii Incomplete data in years marked with *; full year calculated using average monthly data.
- xiii We have moved away from paid one-on-one consultations as part of the plan to expand accessibility of LOMAP services to more members. In addition to greater outreach through webcast programming, LOMAP currently offers free phone consultations for up to 30 minutes.
- xiv First figure represents number of presentations; second represents attendees at LOMAP presentations *excluding* Legal Lunchbox seminars presented by LOMAP; third represents total attendees at LOMAP presentations, *including* Legal Lunchbox seminars presented by LOMAP.
- xv First figure represents clients provided counseling; second figure represents number of sessions provided. Data currently only available for Q1-3 in 2015
- xvi First figures represents member access; second figure represents number of users.
- xvii First figure represents unduplicated member registrants; second represents total registrants (including non-members).
- xviii Includes attendees at 9 live webcasts for credit, 1 live webcast without credit, and 2 months AV downloads.
- xix Recorded seminar sales via CDs, MP3s and Legal Span.
- xx Includes Referendum layoffs.
- xxi Board of Governors set three year fee structures in July 1999 (2001-2003), May 2002 (2004-2006), and 2005 (2007-2009); two year fee structure in 2008 (2010-2011).
- xxii First figure represents amount; second represents percent of members taking deduction.



WASHINGTON STATE BAR ASSOCIATION

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Seattle, WA 98101-2539
206-727-8200

Lawyers Fund for Client Protection

Trustees' Annual Report: Fiscal Year 2016

Submitted December 2016

Lawyers' Indemnity Fund est. 1960 • Lawyers' fund for Client Protection est. 1994

PURPOSE OF THE LAWYERS' FUND FOR CLIENT PROTECTION

"The purpose of this rule is to create a Lawyers' Fund for Client Protection, to be maintained and administered as a trust by the Washington State Bar Association (WSBA), in order to promote public confidence in the administration of justice and the integrity of the legal profession. [...] Funds accruing and appropriated to the Fund may be used for the purpose of relieving or mitigating a pecuniary loss sustained by any person by reason of the dishonesty of, or failure to account for money or property entrusted to, any member of the WSBA as a result of or directly related to the member's practice of law (as defined in GR 24), or while acting as a fiduciary in a matter directly related to the member's practice of law. Such funds may also, through the Fund, be used to relieve or mitigate like losses sustained by persons by reason of similar acts of an individual who was at one time a member of the WSBA but who was at the time of the act complained of under a court ordered suspension." Admission and Practice Rules 15(a) and (b).

**Washington State Bar Association
LAWYERS' FUND FOR CLIENT PROTECTION
FISCAL YEAR 2016**

| FY 2016 TRUSTEES | |
|--|------------|
| William Hyslop, President | Spokane |
| Robin Lynn Haynes, President-elect | Spokane |
| Karen Wilson | Mt. Vernon |
| Keith Black | Gig Harbor |
| Philip Brady | Olympia |
| Mario Cava | Seattle |
| Ann Danieli | Seattle |
| Sean Davis | Tacoma |
| James Doane | Issaquah |
| Elijah Forde | Olympia |
| Bradford Furlong | Mt. Vernon |
| Angela Marnel Haynes, LFCP Board Liaison | Spokane |
| Andrea Jarmon | Tacoma |
| Jill Karmy | Ridgefield |
| William Pickett | Yakima |
| Kim Risenmay | Redmond |

| LAWYERS' FUND FOR CLIENT PROTECTION BOARD FY 2016 | |
|--|------------------|
| Kathryn Herrmann, Chair | Tacoma |
| Chach Duarte White, Vice Chair | Mercer Island |
| Pamela Anderson | Olympia |
| Tracy Flood | Port Orchard |
| Beverly Fogle | Vancouver |
| Katrine Frank | Seattle |
| Matthew Honeywell | Seattle |
| Efrem Krisher | Seattle |
| Rich Meyer | Bothell |
| Gloria Ochoa-Bruck | Spokane |
| Carrie Umland | University Place |
| Allen Unzelman | Chehalis |
| Jamal Whitehead | Seattle |

| WSBA STAFF TO THE LFCP BOARD | |
|-------------------------------------|---|
| Kevin Bank | Assistant General Counsel; LFCP Liaison/Secretary |
| Brenda Jackson | LFCP Analyst |

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APPENDICES

- A. FY 2016 Final Audited Income and Expense Report and September 30, 2016, Fund Balance Sheet (audited).

I. HISTORY AND ESTABLISHMENT OF THE LAWYERS' FUND FOR CLIENT PROTECTION

Washington is fortunate to have a history of maintaining a stable, well-funded Lawyers' Fund for Client Protection (LFCP) that is strongly supported by the Washington State Supreme Court and the Washington State Bar Association. Washington was one of the first states to establish what was then called a Lawyers' Indemnity Fund in 1960. Since that time, the lawyers of this state have compensated victims of the few dishonest lawyers who have misappropriated or failed to account for client funds or property.

The current LFCP was established by the Washington State Supreme Court in 1994 at the request of the WSBA by the adoption of [Rule 15](#) of the Admission to Practice Rules (APR), now called the Admission and Practice Rules. Prior to the adoption of that rule, the WSBA had voluntarily maintained a clients' security or indemnity fund out of the Bar's general fund. Every jurisdiction in the United States, as well as Canada, Australia, New Zealand, and other countries, maintains such funds.

The LFCP helps accomplish important concerns shared by our Court and WSBA members – client protection, public confidence in the administration of justice, and maintaining the integrity of the legal profession. Under APR 15, LFCP payments are gifts, not entitlements. A \$30 annual assessment from lawyers licensed in Washington finances all LFCP gifts; no public funds are involved. Currently, all WSBA members on active status, all lawyers with *pro hac vice* admissions, and in-house counsel lawyers make these contributions. The following chart shows the experience of the past 10 years as the WSBA membership has increased.

| FISCAL YEAR | # OF LAWYERS | # OF LAWYERS WITH APPROVED APPLICATIONS ¹ | # OF APPLI-CATIONS RECEIVED | # OF APPLI-CATIONS APPROVED | GIFTS PAID |
|-------------|---------------------|--|-----------------------------|-----------------------------|-------------|
| 2006 | 26,084 | 26 | 139 | 66 | \$468,696 |
| 2007 | 27,761 | 16 | 69 | 34 | \$539,789 |
| 2008 | 27,786 | 18 | 125 | 43 ² | \$899,672 |
| 2009 | 27,819 | 13 | 80 | 33 | \$449,050 |
| 2010 | 28,534 | 23 | 161 | 78 | \$554,270 |
| 2011 | 28,676 | 15 | 179 | 72 ³ | \$1,002,683 |
| 2012 | 29,184 | 17 | 137 | 39 | \$378,574 |
| 2013 | 29,682 ⁴ | 18 | 130 | 45 | \$423,508 |
| 2014 | 31,495 | 14 | 141 | 44 | \$337,160 |
| 2015 | 31,335 | 20 | 79 | 59 ⁵ | \$495,218 |
| 2016 | 33,742 | 16 | 56 | 44 | \$253,228 |

¹ Multiple applications concerning a single lawyer may have been approved in more than one fiscal year.

² One lawyer was responsible for 24 approved applications totaling \$695,409 in 2008.

³ One lawyer was responsible for 25 approved applications totaling \$1,092,222 in 2011; payments were prorated.

⁴ Through December 31, 2013, the assessment was only paid by members on Active status. Effective January 1, 2014, the assessment is also paid by *pro hac vice* and in-house counsel lawyers.

⁵ One lawyer was responsible for 27 approved applications.

II. FUND PROCEDURES

The LFCP is governed by [Admission and Practice Rule \(APR\) 15](#) and Procedural Rules adopted by the Board of Governors and approved by the Supreme Court. These can be found at:

http://www.courts.wa.gov/court_rules/?fa=court_rules.display&group=ga&set=APR&ruleid=gaapr15

http://www.courts.wa.gov/court_rules/?fa=court_rules.display&group=ga&set=APR&ruleid=gaapr15p

Administration: The members of the Board of Governors of the WSBA serve during their terms of office as Trustees for the LFCP. The Trustees appoint and oversee the LFCP Board, comprised of 11 lawyers and 2 non-lawyers. This Board is authorized to consider all LFCP claims, make LFCP reports and recommendations to the Trustees, submit an annual report on Board activities to the Trustees, and make such other reports and publicize Board activities as the Court or the Trustees may deem advisable. Two WSBA staff members help Board members ensure the smooth functioning of the Board's work: WSBA Lawyers' Fund for Client Protection Analyst Brenda Jackson performs a wide variety of tasks to help members of the public and the Board in the processing and analyzing of LFCP claims. WSBA Assistant General Counsel Kevin Bank acts as WSBA staff liaison to the Board, provides legal advice to the Board and also serves as Secretary to the Board.

Application: Anyone who files a grievance with the WSBA that alleges a dishonest taking of, or failure to account for, funds or property by a Washington lawyer, in connection with that lawyer's practice of law, can receive an application form for the LFCP. An applicant to the Fund must also file a disciplinary grievance against the lawyer with the Office of Disciplinary Counsel, unless the lawyer is disbarred or deceased. Because most applications involve lawyers who are the subject of disciplinary grievances and proceedings, action on Fund applications normally awaits resolution of the disciplinary process.⁶ This means that some applicants wait years for the discipline process to be complete before the Fund Board reviews their application.

Eligibility: In order to be eligible for payment, an applicant must show by a clear preponderance of the evidence that he or she has suffered a loss of money or property through the dishonest acts of, or failure to account by, a Washington lawyer. Dishonesty includes, in addition to theft, embezzlement, and conversion, the refusal to return unearned fees as required by Rule 1.16 of the Rules of Professional Conduct.

⁶ Fund Rule 6(H). In addition, Rule 3.4(i) of the Rules for Enforcement of Lawyer Conduct provides that otherwise confidential information obtained during the course of a disciplinary investigation may be released to the Lawyers' Fund for Client Protection concerning applications pending before it. Such information is to be treated as confidential by the Fund Board and Trustees.

When an application is received, it is initially reviewed to determine whether it appears eligible for recovery from the Fund. If the application is ineligible on its face, the applicant is advised of the reasons for its ineligibility. If the application passes the initial intake process and appears potentially eligible for payment, Fund staff investigates the application. When the application is ripe for consideration by the Board, a report and recommendation is prepared by Fund staff.

Board and Trustee Review: On applications for less than \$25,000, or where the recommendation for payment is less than \$25,000, the Board's decision is final. Board recommendations on applications where the applicant seeks more than \$25,000, or where the Board recommends payment of more than \$25,000, are reviewed by the Trustees.

Payments regarding any single application were limited to a maximum of \$75,000 in fiscal year 2016 (this amount has been increased to \$150,000 beginning in fiscal year 2017). There is no limit on the aggregate amount that may be paid on claims regarding a single lawyer. Any payments from the Fund are gifts and are at the sole discretion of the Fund Board and Trustees.

Attorney Fees: Lawyers may not charge a fee for assisting with an application to the Fund, except with the consent and approval of the Trustees.

Assignment of Rights and Restitution: In exchange for a gift from the Fund, applicants are required to sign a subrogation agreement for the amount of the gift. The Fund attempts to recover its payments from the lawyers or former lawyers on whose behalf gifts are made, when possible; however, recovery is generally successful only when it is a condition of a criminal sentencing, or when a lawyer petitions for reinstatement to the Bar after disbarment.⁷ To date, the Fund (and its predecessors) has recovered approximately \$377,673.

Difficult Claims: One of the more difficult claim areas for the Board and Trustees involves fees paid to a lawyer for which questionable service was performed. Because the Fund Board is not in a position to evaluate the quality of services provided, or to determine whether the fee charged was reasonable, the Board and Trustees have historically applied a "bright line" one paper rule: if the lawyer produced even one document on behalf of the client, or spent any time at all on the client, the application is generally denied as a fee dispute. (The denial may also include other bases, such as malpractice or negligence.) However, where it appears that there is a pattern of conduct which establishes that a lawyer knew or should have known at the time the lawyer accepted fees from a client that the lawyer would be unable to perform the service for which he or she was employed, or the lawyer simply performs no service of value to the

⁷ Admission to Practice Rule 25.1(d) provides that no disbarred lawyer may petition for reinstatement until amounts paid by the Fund to indemnify against losses caused by the conduct of the disbarred lawyer have been repaid to the Fund, or a payment agreement has been reached.

client, and does not return unearned fees, the Board has concluded that such conduct may be either dishonesty or failure to account within the context of the purposes of the Fund, and will consider such applications. Similarly, if a lawyer withdraws from representing a client or abandons a client's case without refunding any unearned fee, the Board may conclude that the lawyer has engaged in dishonest conduct or has failed to account for client funds.

Another difficult claim area is those applications concerning loans or investments made to or through lawyers. In instances where there is an existing client/attorney relationship through which the lawyer learns of his or her client's financial information, persuades the client to loan money or to invest with the lawyer without complying with the disclosure and other requirements of RPC 1.8,⁸ and does not return the client's funds as agreed, the Board may consider that to constitute a dishonest act for purposes of the Fund.

The Fund is not available to compensate for lawyer malpractice or professional negligence. It also cannot compensate for loan, investment, or other business transactions unrelated to the lawyer's practice of law.

⁸ In relevant part, RPC 1.8 provides:

(a) A lawyer shall not enter into a business transaction with a client or knowingly acquire an ownership, possessory, security or other pecuniary interest adverse to a client unless:

- (1) the transaction and terms on which the lawyer acquires the interest are fair and reasonable to the client and are fully disclosed and transmitted in writing in a manner that can be reasonably understood by the client;
- (2) the client is advised in writing of the desirability of seeking and is given a reasonable opportunity to seek the advice of independent legal counsel on the transaction; and
- (3) the client gives informed consent, in a writing signed by the client, to the essential terms of the transaction and the lawyer's role in the transaction, including whether the lawyer is representing the client in the transaction.

(b) A lawyer shall not use information relating to representation of a client to the disadvantage of the client unless the client gives informed consent, except as permitted or required by these Rules.

III. FINANCES

The Fund is financed by an assessment as described above. The Fund is maintained as a trust, separate from other funds of the WSBA. In addition, interest on those funds accrues to the Fund, and any restitution paid by lawyers is added to the Fund balance. The Fund is self-sustaining; administrative costs of the Fund, such as Board expenses and Bar staff support, are paid from the Fund.

| | Fund beginning balance | Fund revenues received | Board expenses and overhead⁹ | Restitution received | Gifts Paid |
|--|---------------------------------------|---------------------------------------|--|---------------------------------|-------------------------|
| FY 2012 Pending applications at start of fiscal year: \$2,421,848 | \$261,318 | \$893,487 | \$27,654 | \$5,942 | \$326,800 |
| FY 2013 Pending applications at start of fiscal year: \$1,615,062.10 | \$791,399 | \$914,547 | \$72,430 | \$10,674 | \$416,870 |
| FY 2014 Pending applications at start of fiscal year: \$1,814,266.45 | \$1,213,602 | \$949,965 | \$70,196 | \$3,668 | \$339,161 |
| FY 2015 Pending applications at start of fiscal year: \$1,229,864.06 | \$1,746,010 | \$990,037 | \$90,315 | \$3,703 | \$490,357 |
| FY 2016 Pending applications at start of fiscal year: \$13,203,652.93 | \$2,144,289 | \$1,001,198 | \$129,553 | \$2,970 | \$371,452 ¹⁰ |

⁹ Board expenses and overhead include WSBA staff time to administer the Fund, including processing of applications, helping members of the public, and making recommendations to the Board regarding whether an applicant's claim meets the APR requirements for making a gift. It is important for the Fund to maintain a sufficient balance to meet anticipated future needs. It is impossible to predict from year to year how many meritorious claims will be made by injured applicants.

¹⁰ This amount reflects gifts approved for payment by the fund in fiscal year 2016 plus payments approved in previous years and paid in fiscal year 2016 that were not distributed earlier due to inability to locate the applicant, delays in applicants returning subrogation agreements, or other factors.

IV. BOARD AND TRUSTEE MEETINGS

Fund Board: The Lawyers' Fund for Client Protection Board met four times this past fiscal year: November 2, 2015; February 1, 2016; May 2, 2016; and August 1, 2016. The Board considered 81 applications to the Fund involving 38 lawyers, and approved 44 applications involving 16 lawyers.

Fund Trustees: The Trustees reviewed and voted on all the Board's recommendations on applications for more than \$25,000, or for payment of more than \$25,000, and approved the 2015 Annual Report for submission to the Supreme Court pursuant to APR 15(g).

Other Activities: In September 2016, the WSBA Trustees approved the Fund Board's recommendation to increase the gift limit to \$150,000.

Public Information: The Lawyers' Fund for Client Protection maintains a website at <http://www.wsba.org/Legal-Community/Committees-Boards-and-Other-Groups/Lawyers-Fund-for-Client-Protection-Board> that provides information about the Fund, its procedures, and an application form that can be downloaded. The Fund information is also available in Spanish, but applications and materials must be submitted in English.

V. APPLICATIONS AND PAYMENTS

At the beginning of FY 2016, there were 108 pending applications to the Fund. During FY 2016, 56 additional applications were received. The Board and Trustees acted on 81 applications concerning 38 lawyers and approved 44 applications concerning 16 lawyers. The total amount in approved payments is \$253,228. A summary of Board and Trustee actions is shown below

| | |
|--|-------------------------|
| Applications Pending as of October 1, 2016 | 108¹¹ |
| Applications Received During FY 2016 | 56 |
| Applications Acted Upon by Board and Trustees | 81 |
| Applications Carried Over to FY 2017 | 83 |

| | |
|--|-----------|
| Applications Approved for Payment in FY 2016 | 44 |
| Applications approved for payment arose from the lawyer's dishonest acts such as theft or conversion, failure to return or account for unearned legal fees, and investments or loans with lawyers. | |

| | |
|--|-----------|
| Applications Denied in FY 2016 | 37 |
| Applications were denied for reasons such as fee disputes, no evidence of dishonesty, malpractice, restitution already paid in full, no attorney client relationship, and other reasons. | |

¹¹ Applications received or pending are still in investigation, not yet ripe, or temporarily stayed. All approved applications receive initial payments of up to \$5,000, with the balance reserved for possible proration against 75% of the Fund balance at fiscal year-end.

APPROVED APPLICATIONS

| ATTORNEY | Number of Applications Approved | Dollar Amount of Applications Approved | Page Number |
|-----------------------------------|---------------------------------|--|-------------|
| CALLOW, EDWARD, WSBA #41966 | 2 | \$79,943.00 | 10 |
| FRANZEN, RODNEY, WSBA #11818 | 1 | \$2,000.00 | 10 |
| IRVINE HEATH, WSBA #32237 | 2 | \$23,239.00 | 11 |
| JONES, ERIC, WSBA #31048 | 3 | \$12,466.00 | 11 |
| KALANTAR, SIAMACK, WSBA #39681 | 1 | \$6,000.00 | 12 |
| KOK, KENT, WSBA #29650 | 6 | \$12,997.00 | 12 |
| LABARE, FRANK, WSBA #22873 | 1 | \$3,500.00 | 13 |
| MAGAN, LAURIE, WSBA #34086 | 4 | \$6,376.00 | 15 |
| MANNEKEE, NATE, WSBA #5268 | 1 | \$15,128.00 | 15 |
| MOSLEY, KIRK, WSBA #29683 | 1 | \$3,000.00 | 15 |
| NAKKOUR, ALI, WSBA #33547 | 6 | \$28,385.00 | 15 |
| PENFIELD, ROBERT, WSBA #25081 | 2 | \$7,000.00 | 17 |
| SO, JAE, WSBA #29915 | 6 | \$27,500.00 | 17 |
| TOUCHI, SHAUNA, WSBA #36609 | 1 | \$1,450.00 | 19 |
| WHITE, REBECCA, WSBA #26932 | 1 | \$725.00 | 19 |
| WITCHLEY, STEVEN, WSBA #20106 | 6 | \$23,519.00 | 19 |
| TOTAL: | | \$253,228.00 | |

The following summarizes the gifts and recommendations made by the Fund Board:

CALLOW, EDWARD, # 41966 – DISBARRED

Applicant 16-001 – Decision: Pay \$75,000

In 2010, applicant hired Callow to represent her in a personal injury matter following a car accident. Applicant had a Nationwide Insurance (Nationwide) Policy that covered uninsured and under insured motorists, under which applicant filed an insurance claim for her injuries. Callow conspired with a Nationwide claims' adjuster to steal most of applicant's settlement funds. First, Callow requested and received an advance of \$25,000 from Nationwide, claiming that applicant's husband had been laid off from his job. Applicant was never made aware of the request of payment. Callow later settled applicant's claim with Nationwide and the at-fault driver's insurance, and received a settlement in the amount of \$500,000. Callow told applicant that Nationwide would only agree to settle for \$250,000. Applicant signed a fraudulent settlement document prepared by Callow. Callow stole \$360,000 of the settlement proceeds. In October 2012, applicant discovered the loss after she was contacted by an investigator at WSBA. The investigation concluded that Callow had stolen applicant's settlement funds, and led to his disbarment. The Fund Board approved payment of the maximum gift limit of \$75,000.

Applicant 16-016 – Decision: Pay \$4,943.09

Applicant hired Callow to represent her in a personal injury matter. Callow began pursuing a settlement with Farmers Insurance, the at-fault parties' insurance company. During this time, applicant was accepted into a college in Massachusetts. Applicant made several attempts to contact Callow to check the status of her case while in Massachusetts, with no response. She knew her medical bills needed to be paid, but her only income was financial aid. Applicant was contacted by a medical provider informing her that she had an outstanding bill and threatened to sue for non-payment. Applicant made more attempts to contact Callow with no response. The medical provider sued applicant and obtained a judgement of \$5,000. Applicant later discovered that Callow had been disbarred and that he had fled the country. She received documentation from Farmers showing a settlement for her of \$8,611.21, with a copy of a check issued to Callow in the amount of \$7,813.21 (the difference in the amount of the settlement and the check reflected a medical bill Farmers had paid directly to a medical provider). Callow had forged applicant's signature on the settlement documents. Because Callow performed the work to obtain a settlement, he was entitled to a contingent fee of 33.33%. The Fund Board approved payment of \$4,943.09.

FRANZEN, RODNEY, #11818 – DECEASED

Applicant 16-03 - Decision: Pay \$2,000

Applicant hired Franzen to represent her husband on driving without interlock and probation violation charges. Franzen passed away before any work could be completed on the case. On July 3, 2014, Applicant filed a creditor's claim against Franzen's estate in the amount of \$2,000. The claim was accepted on September 6, 2014, by Lydia Franzen, wife and personal representative of Franzen's estate. On August 14, 2014, Franzen's estate was

declare insolvent due to the numerous creditor claims filed and accepted, which exceeded the value of the estate's assets. The Fund Board approved payment of \$2,000.

IRVINE, HEATH, #32237 – RESIGNED IN LIEU OF DISCIPLINE

Applicant 15-065 – Decision: Pay \$18,000

In 2012, applicant hired Irvine to represent her in personal injury matter on a contingent fee basis. In June 2014, applicant signed a settlement release for the amount of \$45,000. Irvine deposited the \$45,000 into his trust account. The parties agreed to a 40 percent contingent fee; therefore, applicant was owed \$27,000. Irvine paid himself \$18,000 for his legal fees. Over the next six months, he paid the applicant a total of \$9,000. Irvine converted the remainder of the settlement proceeds. The Fund Board approved payment of \$18,000.

Applicant 16-011 – Decision: Pay \$5,238.97

In 2008, applicant hired Irvine to represent her in a personal injury matter on a contingent fee basis, with a thirty-three percent contingent fee. In November 2013, applicant signed a settlement release for the amount of \$15,000. Irvine deposited the \$15,000 into his trust account. Irvine paid himself \$5,000 for legal fees and paid applicant \$4,761.03. He converted the remainder of the applicant's settlement. The Fund Board approved payment of \$5,238.97.

JONES, ERIC, # 31048 - DISBARRED

Applicants 15-007 – Decision: Pay \$4,000

Applicants hired Eric Jones to represent the husband in completing the process of obtaining his permanent residency. Applicants paid an advance fee of \$4,000 to Jones, which should have been deposited into his trust account until the fees were earned. Jones converted the advance fees for his own use, but failed to file any of the required documents to obtain permanent residency. The applicants later discovered that Jones was on interim suspension from practicing immigration law. He never returned their file or any fees. Applicants' file was discovered among other client files that had been abandoned by Jones after he was disbarred. The Fund Board approved payment of \$4,000.

Applicant 15-077 – Decision: Pay \$1,600

Applicant hired Jones to represent him in filing documents relating to his application to become a permanent resident. The applicant paid an advance fee of \$1,600, which Jones deposited in his trust account. Jones withdrew all of the funds without applicant's knowledge or authorization, but did no work on the case. Three years later, applicant terminated Jones' representation, and requested a refund and the return of his client file. Although he eventually received the file, he never received a refund. The Fund Board approved payment of \$1,600.

Applicants 16-008 – Decision: Pay \$6,866

Applicants hired Jones to represent the husband in seeking his permanent residency. Jones charged the applicants a fee of \$7,000. Between March and December 2012, the applicants paid \$6,900 in advance fees, which Jones deposited in this trust account. Jones converted these fees for his own use. The applicants later paid Jones \$100 as additional fees, which Jones also used for himself. Jones never filed any documents and never completed the matter. After learning that Jones had been suspended from the practice of immigration law, applicants sent Jones an email demanding a refund and return of their client file. Jones responded and acknowledged applicants' frustration but did not return the fee. The Fund Board approved payment of \$7,000.

KALANTAR, SIAMACK #39681 – RESIGNED IN LIEU OF DISBARMENT

Applicant 15-073 – Decision: Pay \$6,000

Applicant hired Kalantar to represent her and her husband in obtaining an investor visa. Kalantar assured them that he was working on the application. During the representation, Kalantar resigned in lieu of disbarment due to misconduct in another immigration matter. Applicant discovered that Kalantar had never filed the applications or performed any useful work for her prior to his disbarment. The Fund Board approved payment of \$6,000.

KOK, KENT, #29650 – DISBARRED

Applicant 14-094 – Decision: Pay \$500

Applicant hired Kok to represent him in a litigation matter that needed to be filed by February 12, 2014. He paid Kok \$500. Approximately one month before the filing deadline, applicant met with Kok and discovered that Kok had done no work. On January 24, 2014, applicant received an email from Kok informing him that he was closing his office and that his file had been transferred to another lawyer. The other lawyer never received the file. On February 6, 2014, applicant settled his case on his own without any information from his file. The Fund Board approved payment of \$500.

Applicant 14-102 – Decision: Pay \$2,800

Applicant hired Kok to represent him in a dissolution matter, paying a fee of \$3,500. During the course of the representation, applicant received one invoice for \$575, covering work performed in April and May 2015. This left a balance of \$2,925 in the trust account. On October 25, 2013, applicant met with Kok for 30 minutes, which at Kok's hourly fee of \$250 would have been billed at \$125. This would have left a balance of \$2,800 in the trust account. In January 2014, applicant received a letter from Kok's office notifying him that Kok was closing his law practice due to illness. Applicant hired a new lawyer who wrote a letter to Kok requesting a refund of the \$2,800, with no response. The Fund Board approved payment of \$2,800.

Applicant 15-015 – Decision: Pay \$3,447

Applicant hired Kok to represent him in a parenting plan modification. Applicant paid Kok

\$2,000. In addition, applicant's previous attorney wrote Kok a \$1,447 check for the balance of unearned fees from her IOLTA account. Kok thus received a total of \$3,447 in fees for applicant's case. Kok did not perform any work and did not appear at a motion hearing as promised. Applicant did not find out that Kok failed to appear until months later. Applicant never received a billing statement and was not refunded the unearned fees; he eventually hired new counsel to complete his case. The Fund Board approved payment of \$3,447.

Applicants 15-035 – Decision: Pay \$250

Applicants hired Kok to resolve a minor construction matter. They paid him \$250. Kok never performed any work on the matter. Applicants never received any billing statements, accountings or refunds. The Fund Board approved payment of \$250.

Applicant 16-010 – Decision: Pay \$1,100

Applicant hired Kok to represent her in a dissolution matter, paying him \$1,500. Shortly after, applicant decided not to file the dissolution and requested a refund of unearned fees. No work had been performed. Kok agreed to refund the fees in payments. Applicant received two payments totaling \$400, but no further refunds. The Fund Board approved payment of \$1,100.

Applicants 16-026 – Decision: Pay \$4,900

Applicants hired Kok to represent their son in a family law matter to obtain visitation for his son, paying Kok \$5,000. Soon after, Kok informed applicants that he was sick and could not continue. After a period of time, Kok reopened his office and informed them that he needed an additional \$4,000. The applicants paid the \$4,000. He also informed the applicants of a \$900 credit from the first \$5,000. Kok performed no more work after receiving the \$4,000, and then closed his office. Kok admitted he earned only \$4,100 of the first \$5,000 payment. In his stipulation to disbarment, Kok agreed to pay restitution to the applicants in the amount of \$4,900 but never did so. The Fund Board approved payment of \$4,900.

LABARE, FRANK, #22873 – DECEASED

Applicant 16-030 – Decision: Pay \$3,500

Applicant hired LaBare to represent her in a dissolution matter. She met with LaBare one time for a free consultation and on another occasion to discuss preparing some divorce documents. LaBare passed away before he could perform any substantive work for the applicant. The Fund Board approved payment of \$3,500.

MAGAN, LAURIE # 34086 – DISBARRED

Applicant 15-011 – Decision: Pay \$1,420

Applicant hired Magan to represent him in seeking a child support modification in a dissolution matter. Magan charged the applicant advance fees and costs of \$1,420. Magan prepared the initial draft pleadings, sent them to applicant, who returned them signed. Magan never filed the pleadings or did any other work on the case. Applicant hired new counsel, who sent Magan a letter requesting an accounting of funds and a refund of unearned fees. Magan never responded and never returned the client file. Magan did not perform any useful work for applicant. In her Stipulation to Disbarment, Magan agreed to refund the unearned fees directly to applicant, which never occurred. The Fund Board approved payment of \$1,420.

Applicants 15-013 – Decision: Pay \$1,800

Applicants hired Magan to represent them in a lawsuit against the previous owners of their home. At the time Magan was employed with Bollinger Group. When Magan left Bollinger Group to start her own firm, the applicants' matter, as well as the advance fees they had paid, was transferred to her. During the course of representation Magan provided the applicants with two billing statements reflecting services in the amount of \$412.50. The applicants discovered that this amount was less than the advance fees they had paid and requested an accounting from Magan. Magan did not provide the accounting. Several months later, Magan sent applicants an email informing them they would be receiving a settlement check directly from the opposing party's lawyer, which they did; however, Magan still did not provide the accounting. In her Stipulation to Disbarment, Magan admitted that she had taken advance fees from the applicants' without earning them. She agreed to pay applicants \$1,800 but never did. The Fund Board approved payment of \$1,800.

Applicant 15-016 – Decision: Pay \$656

Applicant hired Magan to represent him in a collection matter, while she was employed with Bollinger Group. Applicant later terminated Bollinger Group and decided to hire Magan, who had by this time started her own firm. Bollinger Group transferred \$656 of unearned advance fees to Magan's trust account. Magan did not pursue the collection matter and did not keep applicant informed of the status. Applicant terminated Magan. Magan did not return the client file or provide an accounting. In her Stipulation to Disbarment, Magan agreed to refund the \$656 to applicant, but never did. The Fund Board approved payment of \$652.

Applicant 15-021 – Decision: Pay \$2,500

Applicant hired Magan to represent him in seeking a child support modification. Magan charged Warren advance fees of \$2,500. She provided no services, despite repeated promises to do so. In her Stipulation to Disbarment, Magan agreed to pay applicant \$2,500, but never did. The Fund Board approved payment of \$2,500.

MANNEKEE, NATE, # 5268 – RESIGNED IN LIEU OF DISCIPLINE

Applicant 15-054 – Decision: Pay \$15,127.66

Applicant hired Mannakee to represent him in a Worker's Compensation matter on a contingency fee basis. Mannakee obtained an award for applicant but misrepresented the amount that was due to applicant. Mannakee had applicant sign a "Client Settlement Approval" accepting \$35,200. Applicant was actually due \$50,327.66. Mannakee took \$15,127.66 for his own use, which he later admitted. The Fund Board approved payment of \$15,127.66

MOSLEY, KIRK, #29683 - DISBARRED

Applicant 15-001 – Decision: Pay \$3,000

Applicant hired Kirk Mosley to represent her in a Driving Under the Influence matter. Applicant paid Mosley \$3,000. Thereafter, Mosely asked for a continuance of several court dates, and then did not appear for two court dates. At one of applicant's court dates she sat in court until her name was called and was informed by a public defender that Mosley was in another trial; at another court date she was informed that he was disbarred. Mosley never communicated with applicant on either occasion. To proceed with her case, applicant obtained a public defender. Mosley never provided the public defender with the case file. The Fund Board approved payment of \$3,000.

NAKKOUR, ALI, #33547 – DISBARRED

Applicant 15-034 – Decision: Pay \$2,500

In December 2013, applicant hired Nakkour to represent her regarding a driving under the influence charge. Applicant paid Nakkour a flat fee of \$2,500. Nakkour did not perform the work he was hired to do. He repeatedly continued court dates for his own benefit, and in one instance neglected to tell applicant that a court date had been continued, leaving applicant to appear by herself. Thereafter, applicant made attempts to contact Nakkour, by phone, text, and in person. She finally went to his office in Edmonds, only to discover that Nakkour was no longer at that address. The Fund Board approved payment of \$2,500.

Applicant 15-045 – Decision: Pay \$9,000

Applicant hired Nakkour to represent him in a criminal matter. Applicant's mother paid Nakkour \$9,000 to represent her son, as Nakkour had represented the family on another matter the prior year. The following week Nakkour moved to Loomis, WA, without informing applicant, but later promised that he would continue to represent him. Nakkour did not keep this promise. He made no court appearances, and ceased communicating with applicant or his mother. Nakkour did call them before the final court date, stating that he would not be appearing, and promising to refund unearned fees. By that time, applicant had a public defender. Applicant never received any refund. The Fund Board approved payment of \$9,000.

Applicant 15-053 – Decision: Pay \$4,500

On August 7, 2013, applicant hired Nakkour to represent him in an RALJ appeal scheduled to be heard in December 2014. He paid him \$4,500. In August 2014, Nakkour told applicant that his brief had been filed. When applicant tried to contact Nakkour to prepare for the appeal, the office and cell phone number were no longer in service. Applicant went to Nakkour's office and was informed by a tenant that Nakkour had moved on November 1, 2014. Later, applicant learned from another attorney that no brief was ever filed and that his case was scheduled to be dismissed on December 8, 2014. Applicant hired new counsel to complete his case. The Fund Board approved payment of \$4,500.

Applicant 15-58 – Decision: Pay \$12,885.23

In mid-2013, applicant hired Nakkour to represent him on a felony robbery matter in Snohomish County. While that case was still pending, applicant hired Nakkour to represent him in a DUI matter in Whatcom County on September 22, 2014. Nakkour charged \$11,800 for the felony matter (\$10,000 flat fee plus \$1,800 in costs to hire an investigator) and \$4,000 for the DUI matter. Applicant paid a total of \$12,885.23. Applicant was arraigned in the felony matter in February 2014. On February 20, 2014, Nakkour filed a Notice of Appearance. According to applicant's subsequent counsel, Nakkour performed no other services for applicant. Similarly, Nakkour performed no work for applicant on his Whatcom County DUI case other than filing a notice of appearance. Shortly after applicant made the \$4,000 payment for the DUI case on September 22, 2014, Nakkour disappeared. Applicant subsequently hired the new counsel to represent him on that matter as well. The Fund Board approved payment of \$12,885.23.

Applicant 15-074 – Decision: Pay \$2,500

In May 2014, applicant hired Nakkour to represent him in a driving under the influence charge, paying Nakkour a flat fee of \$2,500 in cash. In June 2014, Nakkour appeared at the first hearing in the matter, at which he requested a continuance. Thereafter, applicant appeared for the rest of his hearings without counsel because Nakkour failed to appear. Eventually, a public defender was appointed to represent applicant. Nakkour did not perform any substantive work for applicant. The Fund Board approved payment of \$2,500.

Applicant 15-076 – Decision: Pay \$1,000

In September 2014, applicant hired Nakkour to represent him in a driving with a suspended license charge. Applicant paid Nakkour \$1,000. On November 4, 2014, when Nakkour told applicant he could not appear in court, he assured him that a "public defender" would be present to substitute for him. When applicant approached the attorney supposedly substituting for Nakkour, the attorney stated that he was unaware of applicant's case and therefore could not substitute for Nakkour. On December 8, 2014, Nakkour again failed to appear in court on applicant's behalf. When applicant attempted to contact Nakkour, both his personal and office phones numbers had been disconnected. On December 31, 2014, applicant sent Nakkour an email requesting a refund of unearned fees. On January 8, 2015, Nakkour sent a response to applicant's email, stating that he would be in contact with applicant to discuss the refund. No money was refunded. The Fund Board approved payment of \$1,000.

PENFIELD, ROBERT, WSBA # 25081 – RESIGNED IN LIEU OF DISCIPLINE

Applicant 14-129 – Decision: Pay \$4,000

Applicant hired Penfield to file a lawsuit to set aside a foreclosure obtained by her bank, which Penfield said he would use as leverage in applicant's negotiations with the bank. Penfield filed a Notice of Appearance in the foreclosure case but did nothing further. He also failed to appear as promised at applicant's eviction hearing in Pierce County Superior Court or at any subsequent hearings on that matter. Applicant eventually hired another lawyer to represent her in the foreclosure matter. The Fund Board approved payment of \$4,000.

Applicants 15-029 – Decision: Pay \$3,000

Applicants hired Penfield to represent them in suing their mortgage company for mortgage fraud. They paid Penfield \$3,000 and provided him with the documents he requested. Penfield told the applicants that he would have a "forensic audit" of their documentation done, which applicants later discovered was untrue. After a few months it became difficult for applicants to communicate with Penfield, who stopped returning phone calls or emails. When applicants learned that Penfield had been disbarred, they made several attempts to contact him to get their documents and to demand a refund. Penfield did not perform any work on the case, and never returned applicants' documents or unearned fees. The Fund Board approved payment of \$3,000.

SO, JAE, #29915 - DISBARRED

Applicants 14-126 – Decision: Pay \$3,500

In September 2012, applicants hired Jae So, of Seattle Law Group, to represent them in an immigration matter. The applicants signed a "Contract for Legal Services" and paid So \$5,500 for the case. So performed services under this contract. At the end of the initial case, So asked for another \$3,500 specifically for representing one of the applicants in an interview with Citizen and Immigration Services and to continue representing the applicant in master calendar hearings. The applicants signed a second "Contract for Legal Services" and paid an additional \$3,500. The interview and hearings never occurred but So refused to refund the unearned fees. The Fund Board approved payment of \$3,500.

Applicant 14-130 – Decision: Pay \$3,500

Applicant hired So to represent him in a Driving Under the Influence case. So's disbarment was pending but was not final at the time applicant hired him. So did not perform any work on the case. When applicant learned of So's disbarment, he sent So a letter requesting a refund of the unearned fees. Applicant received no response. The Fund Board approved payment of \$3,500.

Applicant 15-004 – Decision: Pay \$3,000

Applicant hired So to represent him in an immigration matter. Applicant signed a contract for legal services and paid So \$3,000. The only work So performed for applicant prior to his disbarment was the filing of a standard Freedom of Information Act request. The Fund Board approved payment of \$3,000.

Applicant 15-022 – Decision: Pay \$6,000

Applicant hired So in late 2013 after being arrested following a Driving Under the Influence stop. Applicant did not have legal status in the U.S. and was transferred to Immigration and Customs Enforcement, who detained him. Applicant made three separate payments to So of \$2,500 each by online transfers to So's IOLTA account. There was no fee agreement. At the time So took on Applicant as a client, he knew that his disbarment was imminent as he had signed a Stipulation to Disbarment on October 10, 2013, which was in the process of being approved by the Disciplinary Board and Supreme Court.

So represented applicant at an immigration bond hearing in mid-December 2013 and was successful in having applicant released on an immigration bond. So's standard charge for a bond hearing was \$1,500. So did no further work in applicant's removal proceeding after the bond hearing and did not earn the remaining fee of \$6,000. So never told applicant that he was in the process of being disbarred when applicant hired him. Applicant did not hear about So's disbarment until months later. The Fund Board approved payment of \$6,000.

Applicants 15-025 – Decision: Pay \$2,500

Applicant and her husband hired So to represent them in an immigration application. They paid So a \$2,500 fee to handle the matter. The applicants provided So with all the documents he requested for the immigration application and paid him an additional \$1,000 for application fees. So told them he would send out the application and fee to the U.S. Consulate in Mexico. Several weeks later, applicants learned that neither the documents nor the application fee were sent to the U.S. consulate. They also learned that So was in the process of being disbarred. So later refunded the applicants \$965 of the application fee. He never returned the unearned fee of \$2,500. The Fund Board approved payment of \$2,500.

Applicant 15-050 – Decision: Pay \$9,000

Applicant hired Jae So to represent her in petitioning for permanent residency. She signed a "Contract for Legal Services" and paid So \$7,500, as well as \$1,500 in application fees. Applicant later learned that So never filed her petition. He never notified applicant that he had not moved forward with her petition. Applicant made several attempts to contact So, with no response. The Fund Board approved payment of \$9,000.

TOUCHI, SHAUNA, # 36609 – RESIGNED IN LIEU OF DISBARMENT

Applicants 15-006 – Decision: Pay \$1,450

Touchi operated Evergreen Law Offices (ELO) with a lawyer licensed in California. ELO purported to represent homeowners in mortgage loan modifications. Other companies handled the marketing of the mortgage modification services to clients. All clients signed an ELO fee agreement that included Touchi's name and signature, but paid the other companies by pre-authorized bank or credit card drafts. The marketing companies paid Touchi a bi-monthly salary. Between January and July of 2013, Touchi received \$28,000 in salary for the use of her name as the lawyer associated with the companies. Touchi did not perform any legal work for her "clients," was unaware of clients' names, and did not know how much they paid for her purported services. In July 2013, the Federal Trade Commission filed a complaint against ELO and the marketing companies and appointed a receiver. The FTC seized clients' files and funds; however, the financial harm to the clients far exceeded the seized assets.

Applicants hired one of the companies, United Home Advocates (UHA), for their mortgage loan modification. Applicants completed documents authorizing UHA to withdraw payments directly from their bank accounts and to obtain their mortgage loan information. They authorized a funds transfer to pay UHA a first installment of \$1,450 for its services. Applicants did not receive any services from UHA or Touchi. Although Touchi never received fee payments directly from applicants, they signed a fee agreement with ELO and believed they were purchasing legal services. The Fund Board approved a gift of \$1,450.

WHITE, REBECCA, #26932 – DISABILITY INACTIVE

Applicant 13-128 – Decision: Pay \$725

On February 13, 2013, applicant hired White for a fee of \$750 to represent her in completing I-130 petitions for her family members. She paid White \$725 in advance fees. Applicant later discovered that White had not filed anything, and began to experience difficulties in communicating with White. She made several attempts to contact her by phone and email with no response. The Fund Board approved payment of \$750.

WITCHLEY, STEVEN, #20106 – RESIGNED IN LIEU OF DISCIPLINE

Applicants 15-046 – Decision: Pay \$11,000

Applicants, husband and wife, hired Witchley to represent the husband in a Court of Appeals case and Personal Restraint Petition (PRP), paying Witchley \$7,500 and \$2,500. Applicants also paid Witchley an additional \$1000 to hire a private investigator for the case. They later discovered that Witchley took \$500 of the funds for himself and paid the investigator the remainder. Witchley did not maintain regular communication, failed to appear at planned visits to Stafford Creek Correctional Center, where the husband was incarcerated, and did not return emails and voicemails. Witchley missed court deadlines for filing the appellant's brief, resulting in the court reminding him to file a request for an extension. After receiving several extensions but still failing to file the brief, the Court of Appeals removed Witchley from the case. Witchley failed to notify applicants of his

removal. Witchley did not perform any substantive work on behalf of applicants. The Fund Board approved payment of \$11,000.

Applicant 15-048 – Decision: Pay \$1,150

Applicant hired Witchley to conduct a post-conviction review of his case. Applicant paid Witchley \$2,500 for the post-conviction review. Witchley performed work by conducting a review of applicant's case and determined that there might be a basis for filing a PRP based on newly discovered evidence. Applicant agreed to pay Witchley \$5,000 to prepare and file the PRP, but ultimately paid only \$1,150 of that amount. Witchley did not prepare the PRP, and no PRP was filed. The Fund Board approved payment of \$1,150.

Applicant 15-051 – Decision: Pay \$2,100

In April 2014, applicant hired Witchley to represent him in a clemency hearing before the clemency board. Applicant and Witchley agreed on a flat fee of \$5,000. In June 2014, Witchley told applicant that the clemency hearing would take place by September 2014, but it never occurred. In March 2015, applicant terminated representation. At that time, applicant had paid Witchley \$3,600 of the \$5,000 flat fee. Applicant states that he stopped making payments after he realized that nothing was happening in his case. Applicant sent Witchley an email regarding a refund and Witchley responded, agreeing that a refund of \$2,100 was due. Witchley never followed through and applicant never received the refund. The Fund Board approved payment of \$2,100.

Applicant 15-067 – Decision: Pay \$2,000

Applicant hired Witchley to represent him in filing a motion and brief relating to a community custody issue, paying him \$2,000. Witchley never performed any work. Applicant made several attempts to continue to work with Witchley by giving Witchley the opportunity to perform work or refund the unearned fees. Witchley agreed to refund the fees, but never did so. The Fund Board approved payment of \$2,000.

Applicant 15-078 – Decision: Pay \$4,268.52

Applicant hired Witchley to represent him in reviewing his case in preparation for the possible filing of a Personal Restraint Petition. Applicant's mother paid Witchley \$4,500 for the representation. Applicant's mother and sister handled communications with Witchley as applicant was incarcerated. In August 2014, applicant's sister sent Witchley emails to inquire about the status of her brother's case, but received no response. Several months later, Witchley sent the sister a statement of services provided in the case. The statement listed only two services, totaling \$231.48. Witchley performed no further work on applicant's case. The Fund Board approved payment of \$4,268.52.

Applicant 16-031 – Decision: Pay \$3,500

On October 2011, applicant, who was incarcerated, hired Witchley to file a Personal Restraint Petition. Applicant's mother paid Witchley \$1,500 to review documents and consult with applicant regarding possible issues to include in the PRP. Both applicant and his mother signed the fee agreement. Witchley reviewed the case and determined there

was a basis for filing a PRP. In December 2012, Witchley asked for \$3,500 in additional fees. Applicant and his mother executed a second fee agreement in December 2012. They agreed to pay an additional \$3,500 in installments for services to include preparation and filing of the PRP and associated pleadings. Thereafter, Witchley strung applicant and his family along for almost two years but never produced a PRP. The Fund Board approved payment of \$3,500.

APPENDIX A

Fund Balance Sheet

Washington State Bar Association Lawyers Fund for Client Protection

Statement of Financial Position

| | Audited As of September 30, 2016 |
|---|--|
| <u>Assets</u> | |
| Wells Fargo Checking Account | \$ 773,978 |
| Accrued Interest Receivable | - |
| Wells Fargo Money Market | 2,223,116 |
| Wells Fargo Investments | - |
| Morgan Stanley Money Market | 102,557 |
| Total Assets | <u><u>\$ 3,099,651</u></u> |
| <u>Liabilities and Net Assets</u> | |
| Approved gifts to injured clients payable | \$ 344,425 |
| Liability to WSBA general fund | 109,002 |
| Net Assets | 2,646,224 |
| Total liabilities and net assets | <u><u>\$ 3,099,651</u></u> |

Statement of Activities

| | Audited As of September 30, 2016 |
|--------------------------|--|
| <u>Revenue</u> | |
| Restitution | \$ 2,970 |
| Member Assessment | 994,738 |
| Interest | 6,460 |
| Total Revenue | <u><u>\$ 1,004,168</u></u> |
| <u>Expenses</u> | |
| Gifts to Injured Clients | \$ 371,452 |
| LFCP Board | 1,366 |
| Misc. | 1,229 |
| Indirect (overhead) | 128,187 |
| Total Expense | <u><u>\$ 502,235</u></u> |
| Net Income (Expense) | \$ 501,933 |

Statement of Changes in Net Assets

| | |
|---|----------------------------|
| Balance at September 30, 2015 | \$ 2,144,291 |
| Net Income for the twelve months end September 30, 2016 | <u>501,933</u> |
| Balance at September 30, 2016 | <u><u>\$ 2,646,224</u></u> |

Washington State Bar Association
Statement of Activities
For the Period from September 1, 2016 to September 30, 2016
100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---|-----------------------|--------------------|---------------------|----------------------|---------------------|
| LAWYERS FUND FOR CLIENT PROTECTION | | | | | |
| REVENUE: | | | | | |
| LFCP RESTITUTION | 1,000.00 | 93.83 | 2,969.68 | (1,969.68) | 296.97% |
| LFCP MEMBER ASSESSMENTS | 945,000.00 | 9,103.00 | 994,738.00 | (49,738.00) | 105.26% |
| INTEREST INCOME | 500.00 | 690.99 | 6,460.19 | (5,960.19) | 1292.04% |
| TOTAL REVENUE: | 946,500.00 | 9,887.82 | 1,004,167.87 | (57,667.87) | 106.09% |
| DIRECT EXPENSES: | | | | | |
| GIFTS TO INJURED CLIENTS | 500,000.00 | 96,916.95 | 371,452.47 | 128,547.53 | 74.29% |
| LFCP BOARD EXPENSES | 1,500.00 | 41.14 | 1,366.38 | 133.62 | 91.09% |
| BANK FEES - WELLS FARGO | 800.00 | 93.96 | 1,129.44 | (329.44) | 141.18% |
| STAFF MEMBERSHIP DUES | 225.00 | - | 100.00 | 125.00 | 44.44% |
| TOTAL DIRECT EXPENSES: | 502,525.00 | 97,052.05 | 374,048.29 | 128,476.71 | 74.43% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (1.16 FTE) | 75,029.00 | 5,752.45 | 75,039.12 | (10.12) | 100.01% |
| BENEFITS EXPENSE | 27,423.00 | 2,151.12 | 25,889.16 | 1,533.84 | 94.41% |
| OTHER INDIRECT EXPENSE | 27,768.00 | 2,788.38 | 27,258.80 | 509.20 | 98.17% |
| TOTAL INDIRECT EXPENSES: | 130,220.00 | 10,691.95 | 128,187.08 | 2,032.92 | 98.44% |
| TOTAL ALL EXPENSES: | 632,745.00 | 107,744.00 | 502,235.37 | 130,509.63 | 79.37% |
| NET INCOME (LOSS): | 313,755.00 | (97,856.18) | 501,932.50 | | |



WSBA

BOARD OF GOVERNORS

Ann Danieli, *Governor, Seventh North District*
WASHINGTON STATE BAR ASSOCIATION
3518 Fremont Avenue North, 299
Seattle, WA 98103
(206) 919-3667

To Whom It May Concern:

This will serve to update the WSBA and my fellow Board members on the status of my recruitment efforts for the next Governor from District 7N. The events listed below are in addition to the blast emails and NW Lawyer announcements placed by WSBA staff.

- Emails sent to Washington Defender Association, Washington Association of Criminal Defense Attorneys, and all sections I was or am a liaison to and to all Minority Bar Associations.
- Enlisted a Recruitment Committee consisting of members of above groups.
- Received correspondence from an interested candidate and met to discuss.
- Currently setting up telephone calls with interested candidates via WSBA Communications Department to take place the last week of January and first week of February

Sincerely,
Ann Danieli

Working Together to Champion Justice

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

Margaret Shane

From: WSBA Diversity <diversity@wsba.org>
Sent: Thursday, January 19, 2017 1:02 PM
To: Diversity Stakeholders
Subject: [diversity-stakeholders] Letter from Governor Andrea Jarmon

Greetings,

Please find below: a letter from Governor Andrea S. Jarmon (Eighth District) detailing her experience and impact serving as a dedicated Governor in District 8.



Andrea S. Jarmon
Governor, Eighth District

phone: 253.292.0248
e-mail: jarmonlaw@hotmail.com

January 11, 2017

My fellow colleagues and peers:

It has been an absolute pleasure to serve you and the members of our public as your Governor from District 8. District 8 is an incredibly diverse district, comprising South King County, Kittitas, Chelan, and North Pierce County. It has been a remarkable learning experience and one from which I have grown both professionally and personally. I sought to be involved with our bar association because like some of the comments that I hear from a few members, the bar association seemed disconnected from my every day experience and practice as an attorney. I did not have any immediate investment in the policies and agenda because I was not clear about how they impacted me and/or I was of the general impression that it was unlikely that anyone at the bar association cared about whether such impacted me. So when I went knocking at the WSBA's door for the open seat in District 8, I came with a perspective and admittedly, perhaps, with "a bone to pick."

I have learned many things, but I think one of the most valuable and insightful things that I learned was that the people with whom I serve are nothing short of the most committed, dedicated, and selfless individuals that I have ever met. They are regular practitioners—government lawyers, of counsel in firms, public defense attorneys, civil attorneys, solo practitioners. And when asked to consider policies and changes, every Governor was always immediately invested in considering and contextualizing the impact of that policy or change, leading with the question of "how does this impact our members and the members of our community." Exploring that question at a multi-layered axis, Governors were also always asking and considering how additional factors might have additional or different impacts upon members—parents, attorneys practicing with disabilities, minorities, new and young lawyers, those retiring from the profession, those seeking to change their area of practice.

In the current midst of conversations and debates about license fees, referendums, and religious policies, many of us will do as I did for a long time—be inattentive, dismissive, or critique and criticize from afar. There are five positions on the WSBA Board of Governors open for election in 2017. Be better than me—get involved sooner. Do it now. This is your bar association. Your members need you, your voice, your perspective.

For those of you thinking about the time commitment, I will share with you that I manage a solo practice, teach as an adjunct faculty member at a community college, and I am the mother of small children. Yet, I served. In my service to the members of our bar association, I have had the pleasure and honor of meeting so many of our members and on each occasion, it has only cemented for me what a truly humbling and rewarding experience it is to work with and on behalf of such profound and respectable professionals.

Please take a look at the attached information for the WSBA Board of Governors. Please let me know if you are interested and/or if you have any questions. You can email me, text me, message me on Facebook. (I'm sorry...I haven't quite gotten down the whole Twitter thing, but by all means, I am willing to learn that too, if it works best for you!)

Thank you so much for the opportunity to be of service to you. I am excited to assist you in joining the leadership of your bar association.

ANDREA S. JARMON
DISTRICT 8 GOVERNOR



Diversity, Inclusion, and Equity Program Team

Washington State Bar Association | 206.727.8311 | fax 206-727-8318 | diversity@wsba.org

1325 Fourth Avenue, Suite 600 | Seattle, WA 98101-2539 | www.wsba.org

The WSBA is committed to full access and participation by persons with disabilities. If you have questions about accessibility or require accommodation please contact joyw@wsba.org.

You are currently subscribed to diversity-stakeholders as: margarets@wsba.org.

To unsubscribe click here:

<http://list.wsba.org/u?id=13100103.5f9ab0cff913a50726163c32ee026eff&n=T&l=diversity-stakeholders&o=175980>

(It may be necessary to cut and paste the above URL if the line is broken)



WSBA

BOARD OF GOVERNORS

Jill A. Karmy
Treasurer & Governor, Third District

phone: 360.887.6910
e-mail: jillkarmy@karmylaw.com

January 10, 2017

To Whom It May Concern:

This will serve to update the WSBA and my fellow Board members on the status of my recruitment efforts for the next Governor from District 3. The events listed below are in addition to the blast emails and NW Lawyer announcements placed by WSBA staff.

- Emails sent to Clark, Cowlitz and Lewis County Bar Presidents announcing deadlines and asking for emails to be circulated to membership
- Attended Clark County Bar Association meeting and addressed membership regarding the position
- Enlisted a Recruitment Committee consisting of former Governors Loren Etengoff (Clark County) and Brian Kelly (Lewis County)
- Received correspondence from an interested candidate and met for coffee to discuss duties
- Received notification of the first District 3 applicant, Amber Rush. Ms. Rush currently serves on the Practice of Law Board and has served in leadership positions within the Clark County Bar Association
- Currently setting up telephone calls with interested candidates via WSBA Communications Department to take place the last week of January and first week of February

Sincerely,

Jill Karmy
Jill Karmy

Working Together to Champion Justice

PO Box 58 / Ridgefield, WA 98642



Keith M. Black
Governor, Sixth District

phone: 253.851.7401
e-mail: keithmblack.law@gmail.com

To: President Robin Haynes and Members of the Board of Governors

From: Keith M. Black, WSBA Governor, Sixth District

Re: Candidate Recruitment Report

In accord with established responsibilities of a third year Governor, I am writing each of you to report on the work I have undertaken to date, regarding the recruitment of well qualified candidates to file for my position on the Board.

In this regard, I have formed a Committee to assist me in the recruitment of prospective candidates throughout the Sixth District, which is comprised of six counties, including Tacoma-Pierce County, Kitsap, Jefferson, Mason, Clallam and Grays Harbor.

Those offering to serve on my Committee include, *Vern Harkins* of Tacoma and former Governor for the Sixth District, *Diane Clarkson*, former Liaison for the Pierce County Minority Bar, and In-Coming President of the Tacoma/Pierce County Bar Association, *Jeff Tolman*, former Sixth District Governor from Kitsap County, well respected lawyer and Judge, and *Patrick Palace*, former President of the WSBA, and Governor from the Sixth District.

In addition to the collective work by members of the Committee, I have formally written each of the local Bar Presidents and other Bar Leaders within the Sixth District, informing them of the opening of my Seat on the Board, the filing and election process, and associated deadlines applicable to each phase of the process.

I have also made numerous personal calls to prospective candidates whom I believe would be well qualified to serve, including those during my term who have expressed a potential interest in serving, one of whom previously ran as a candidate.

I will of course, along with my Committee and other members, continue in the recruitment of candidates and trust a good successor will come forth. I would of course welcome any and all support and good counsel you might be prompted to off

Sincere Regards,
Keith M. Black

Working Together to Champion Justice

10001 Cherry Lane NW / Gig Harbor, WA 98332



Keith M. Black
Governor, Sixth District

phone: 253.851.7401
e-mail: keithmblack.law@gmail.com

Matthew H. Thomas
President, Tacoma/Pierce County Bar Assoc.

Dear Matt,

As a member of the Board of Governors for the Sixth Congressional District, I am writing you in your capacity as President of the Tacoma/Pierce County Bar Association. My term on the BOG will come to an end on September 29th of this year, and the process for interested candidates to succeed me has now begun.

In that regard, I would greatly appreciate your assistance in notifying the members of the TPCBA that interested candidates may now submit a statement of interest. The filing deadline is 5 pm, February 16, 2017. A Candidate forum will be held in Seattle on March 1, 2017. Voting within our 6th District will be conducted by the WSBA, commencing March 15th and ending on April 3rd, 2017. I recommend any interested candidate refer to the website at (<http://www.wsba.org/elections>) for the specifics of the election process, and filing deadlines.

Many former Governors for the 6th District have come from within our local bar and I would strongly encourage anyone who may have a sincere interest to apply. Although serving on the Board of Governors constitutes a serious commitment, it most assuredly is richly rewarding and provides one with a great opportunity to serve and steward our great profession.

I would gladly welcome the opportunity to visit with any prospective and interested candidate. I want to thank you, the Board of Trustees, and each of our members who have so willingly given me their support, good counsel, and genuine friendship as I continue to finish out my final year on the Board of Governors.

Sincere and Best Regards,

Keith M. Black (WSBA Governor, 6th District)

cc: Kit Kasner, Executive Director, TPCBA

Working Together to Champion Justice

10001 Cherry Lane NW / Gig Harbor, WA 98332



WSBA

TO: Board of Governors

FROM: Joy Williams, WSBA Diversity Program Manager
Robin Nussbaum, WSBA Inclusion & Equity Specialist

RE: Diversity and Inclusion Events

DATE: January 18, 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, January 24 | Continuing the Conversation for Staff The Paradox of Inclusion | 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 Feb 9 | WSBA Community Networking Event - Bremerton | Attend if in the area | Joy |
| Friday Feb 10 | Latino/a Bar Association (LBAW) Annual Gala | Attend | Joy or Margaret |
| Thursday Feb 16 | WSBA Community Networking Event - Tacoma | Attend if in the area | Joy |

| | | | |
|----------------------|--|-----------------------|--------------------|
| Thursday Feb 23 | WSBA Community Networking Event - Vancouver | Attend if in the area | Joy |
| Thursday March 23 | WSBA Community Networking Event - Olympia | Attend if in the area | Joy |
| Thursday March 23 | Korean American Bar Association (KABAW) Annual Dinner | Attend | Joy or Margaret |
| Thursday April 13 | WSBA Community Networking Event - Bellingham | Attend if in the area | Joy |

Contact Information

Joy: joyw@wsba.org or 206.733.5952

Dana: danab@wsba.org or 206.733.5945

Robin: robinn@wsba.org or 206.727.8322

Margaret: margarets@wsba.org or 206.727.8244

Frances: francesd@wsba.org or 206.727.8222

Terra: terran@wsba.org or 206.727.8282

Presentation to the Budget and Audit Committee of



Washington State Bar Association

January 5, 2017

Mitch Hansen
mhansen@clarknuber.com
425.709.6697

Matt Sutorius
msutorius@clarknuber.com
425.635.4557

Service Scope and Deliverables For the Year Ended September 30, 2016

- Financial statement audit
- Agreed-upon procedures over the Special Report on Budget Summary
- Other services
 - Preparation of draft financial statements in conjunction with the audit
 - Routine management advice, as requested

Financial Statement Audit

Purpose

- Issue an opinion (*“audit report”*) that accompanies your annual financial statements
- Gives assurance to users of the financial statements (*lenders, funders, Board of Directors, etc.*) that the information you have reported in the financial statements is materially correct

Process

| PLANNING | RISK ASSESSMENT | TESTING PROCEDURES | COMPLETION |
|--|--|--|--|
| <ul style="list-style-type: none">• Operating environment• Organization• Internal controls | <ul style="list-style-type: none">• Internal control evaluation• Brainstorming• Develop audit plan | <ul style="list-style-type: none">• Internal control testing• Testing of financial statement balances and disclosures• Fraud procedures• Complete all audit steps | <ul style="list-style-type: none">• Finalize audit• Discuss results• Issue reports• Discuss required communications |



Financial Statement Audit Results This Year

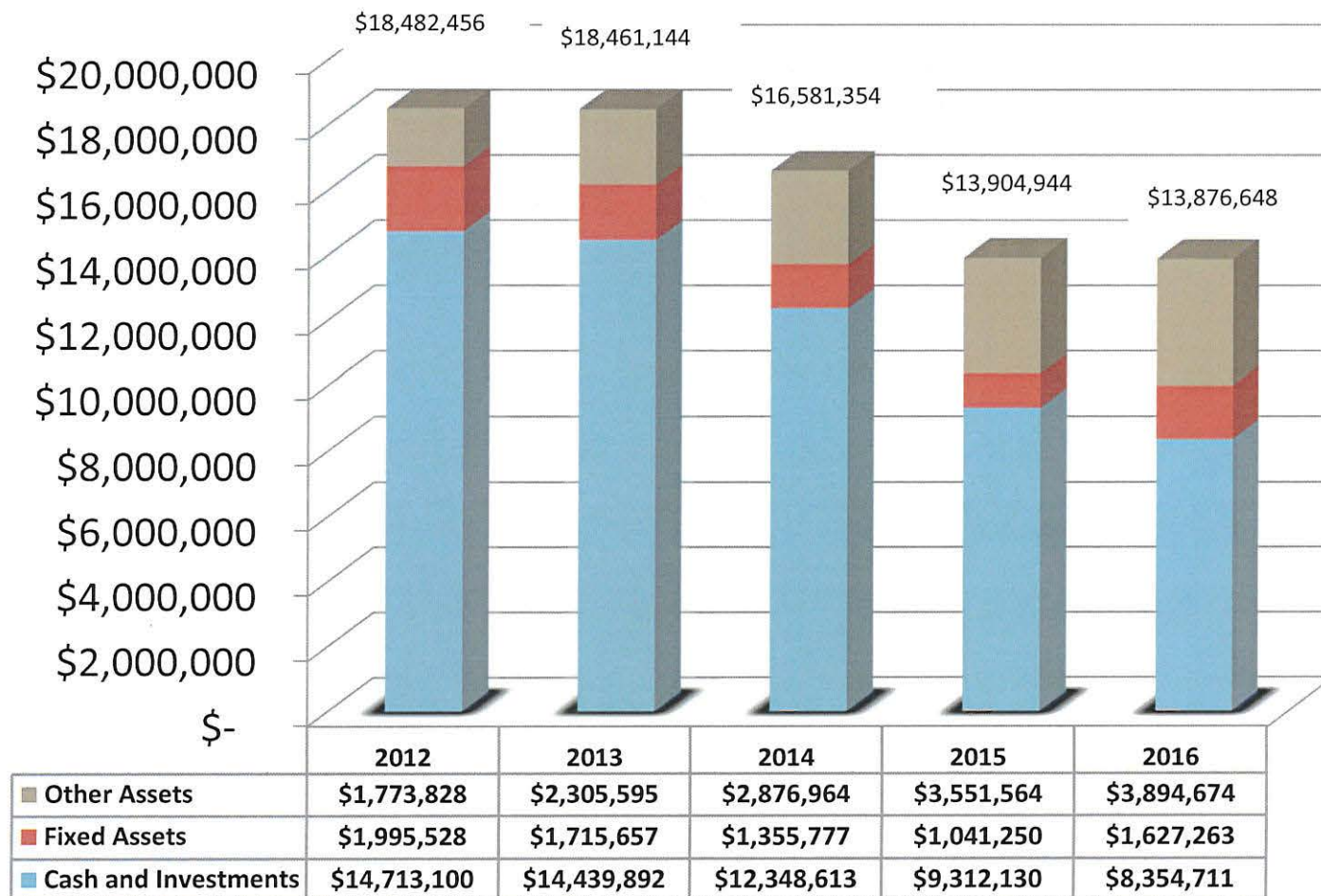
- “Unmodified” opinion issued
 - Indicates the financial statements are materially correct and we did not find any reason to modify our opinion
- Audit adjustments
 - No auditor-proposed adjustments or uncorrected misstatements
- Internal control deficiencies
 - No material weaknesses in accounting controls or information systems noted



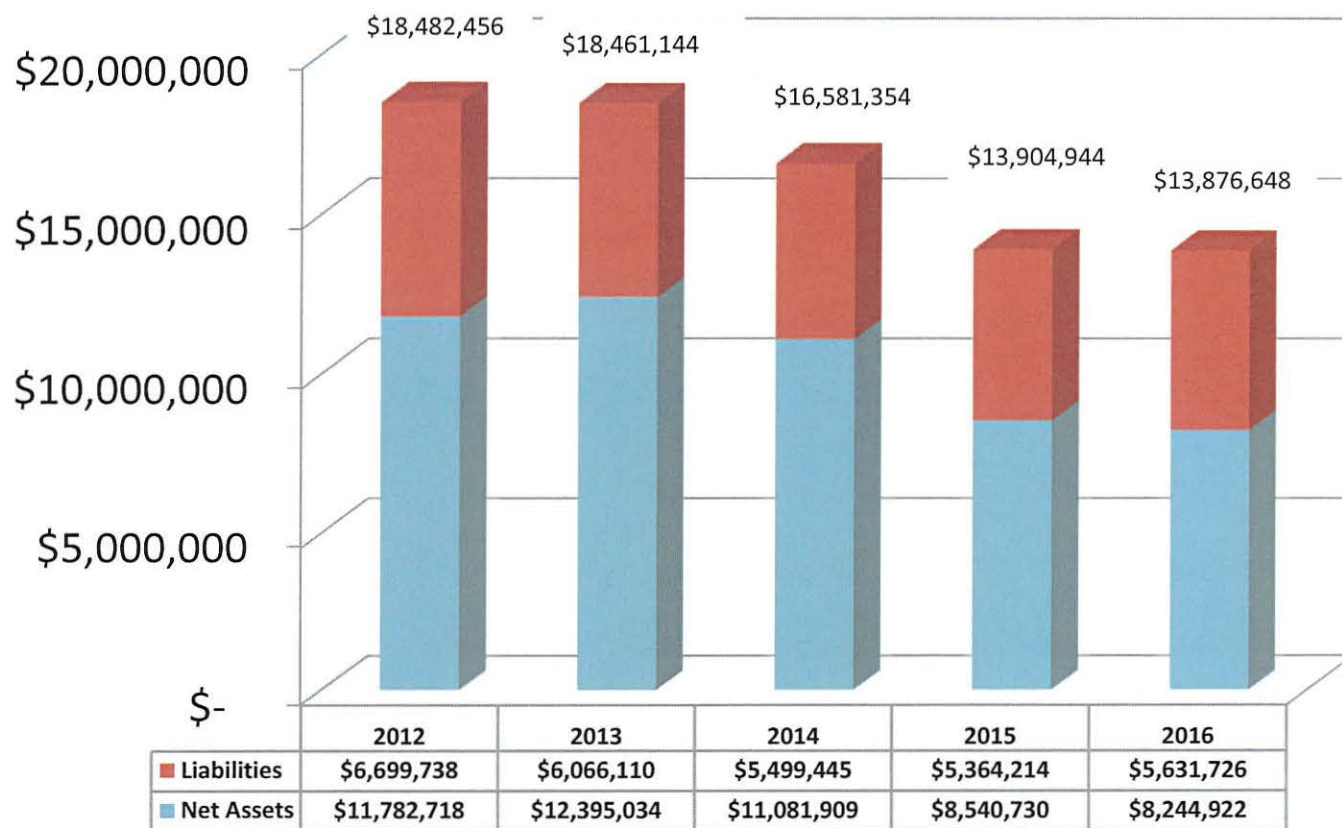
Areas of Financial Statement Audit Emphasis

- Critical Audit Areas
 - Revenue recognition
- Financial Statement Estimates
 - Valuation and collectability of receivables
 - Fixed asset lives
 - Functional allocation of expenses
- Internal Controls in the Following Areas
 - Revenue, receivables, and cash receipts
 - Accounts payable, payroll, and related disbursements
 - Information technology
 - Financial reporting and closing
 - Entity level controls

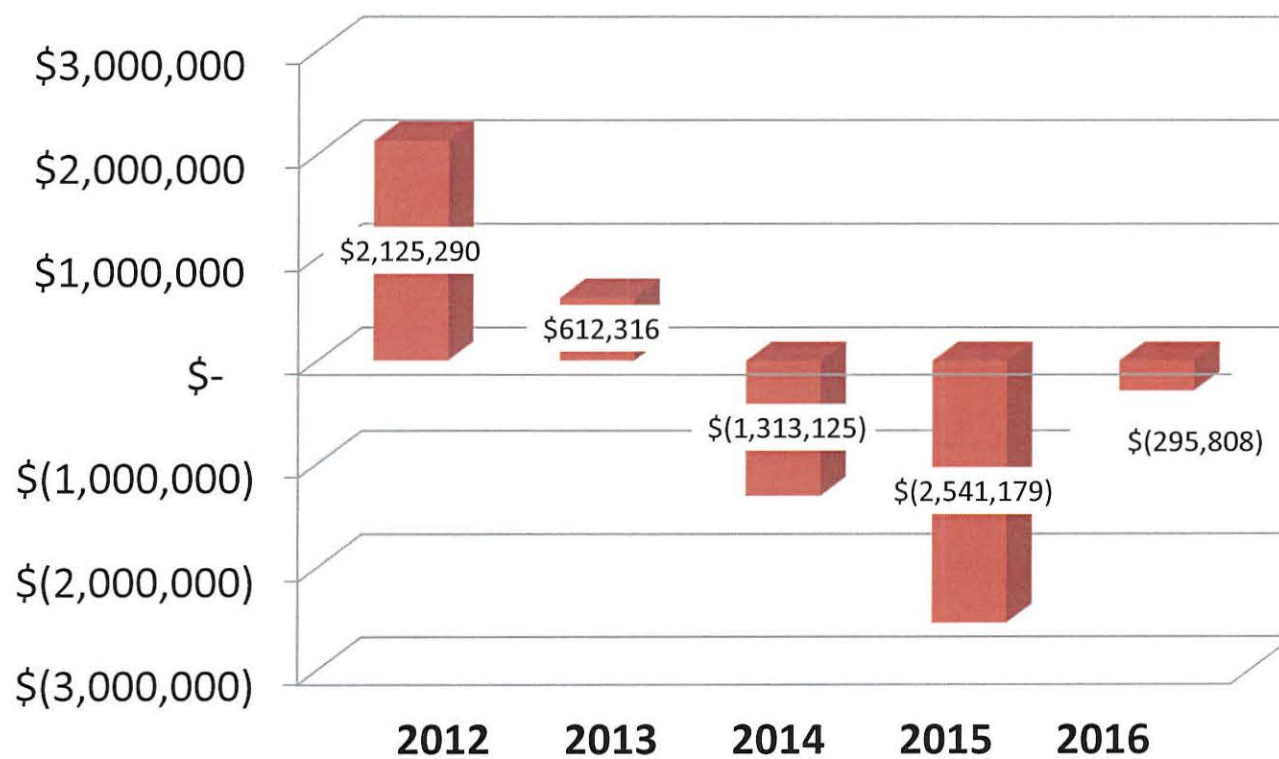
Total Assets



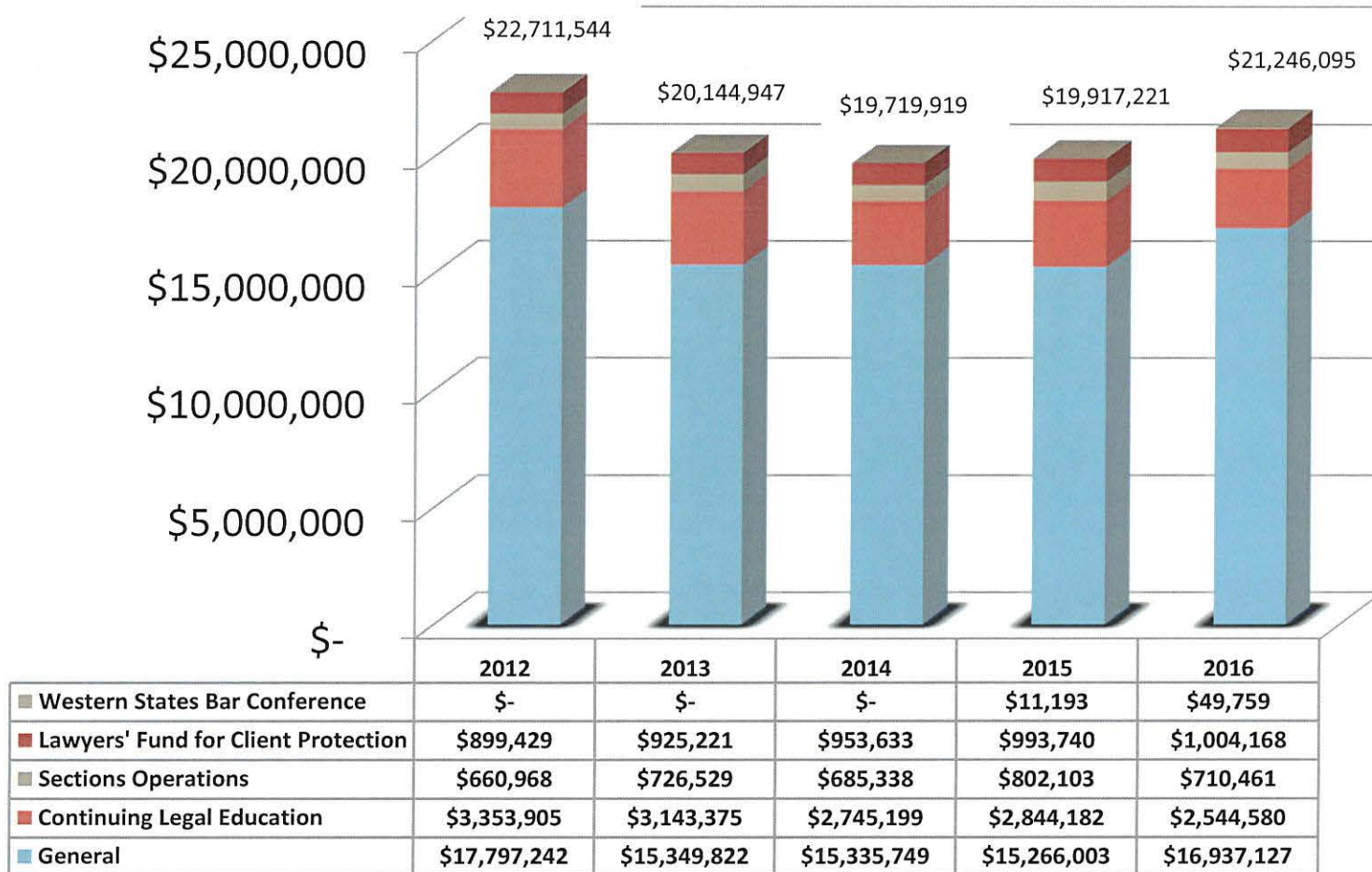
Liabilities & Net Assets



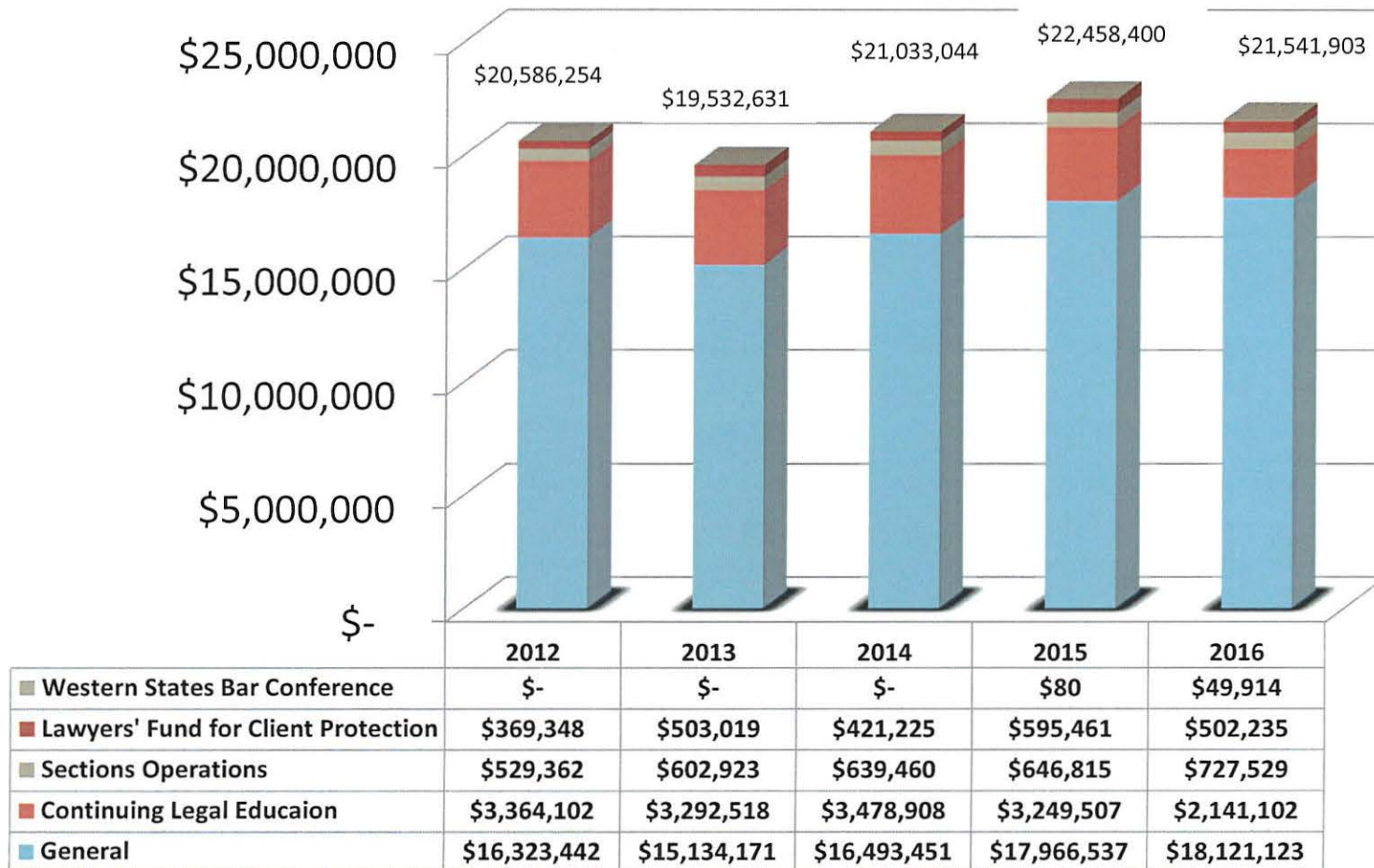
Change in Net Assets



Revenues



Expenses



Other Required Communications

Professional standards established by the AICPA require independent auditors to communicate certain matters directly to those charged with governance. This report presents a brief explanation of each of the communication requirements and our response as it relates to your organization.

| Items to be Communicated | Auditor's Response |
|---|--|
| Auditor's responsibility under U.S. Auditing Standards. | Communicated in engagement letter. |
| Representations requested from management. | Communicated in representation letter. |
| Significant difficulties encountered during audit. | None. |
| Disagreements with management. | None. |
| Major issues discussed prior to retention. | None. |
| Consultation with other accountants. | None we are aware of. |
| Fraud or noncompliance with laws and regulations. | No such matters came to our attention. |



Other Required Communications

| Items to be Communicated | Auditor's Response |
|---|---|
| Consideration of entity's ability to continue as a going concern. | No such matters require disclosure. |
| Other information in documents containing audited financial statements. | We are not aware of any plans to include the audited financial statements in other documents. |
| Qualitative aspects of accounting practices. | Policies and procedures and estimates are consistent with prior years and with practices we see at similar organizations. |
| Significant audit issues. | No matters were discussed. |
| Significant audit adjustments or uncorrected misstatements. | None were identified. |



Comments and Recommendations

Material Weaknesses

- None Noted

Other Comments

- All “other” comments (not significant) were discussed with management during audit fieldwork



Accounting and Financial Reporting Changes

ASU 2014-09 - Revenue from Contracts with Customers

- Provides a new framework that brings consistency between industry groups and with international standards.
- Applies to contracts with customers.
- Recognizes revenue when (or as) the entity satisfies a performance obligation in the contract.
- Applicability to Federal awards is being examined by standard setters and AICPA.
- Applicable to calendar year ending 2019, fiscal year ending 2020 for non-public companies and non-profit organizations.
- Early application is not permitted.

ASU 2013-270 - Leases

- Elimination of operating type leases. All but short-term leases will be recorded on the balance sheet.
- Applicable to calendar year ended 2020, fiscal year ended 2021 for non-public companies and non-profit organizations.
- Early application is permitted.

ASU 2015-230 - Presentation of Financial Statements of Not-for-Profit Entities

- Net assets going from 3 classes to 2.
- Reporting expenses by both nature and function.
- Increased disclosures of designations and liquidity.
- Intermediate operating measure disclosures required, if used.
- Expected to be issued in 2 phases with the first to be issued in mid-2016.
- Implementation for calendar year ended 2018, fiscal year ended 2019.

Your Engagement Team

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Opportunities for Continuing Education

We offer external educational opportunities, including a variety of events and training sessions that can provide added benefit to you.

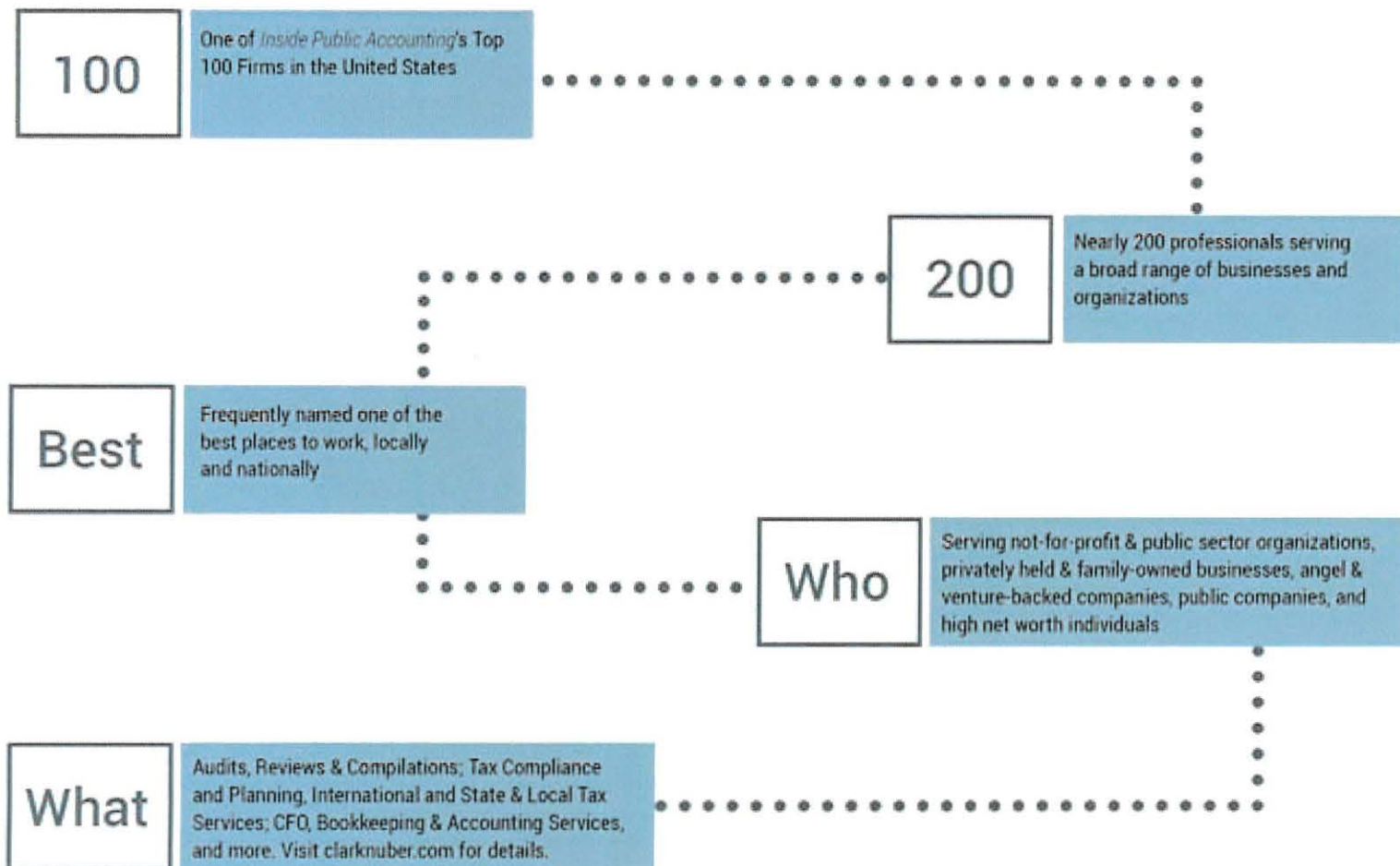


Upcoming Events

- Not-For-Profit Basics – January 2017

For more information visit www.clarknuber.com/news

About Clark Nuber



WASHINGTON STATE BAR ASSOCIATION

Financial Statements

For the Years Ended September 30, 2016 and 2015

Table of Contents

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| Statements of Activities | 4 - 5 |
| Statements of Changes in Net Assets | 6 |
| Statements of Cash Flows | 7 |
| Notes to Financial Statements | 8 - 16 |

Independent Auditor's Report

To the Board of Governors
Washington State Bar Association
Seattle, Washington

We have audited the accompanying financial statements of Washington State Bar Association (WSBA), which comprise the statements of financial position as of September 30, 2016 and 2015, and the related statements of activities, changes in net assets and cash flows for the years then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.



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98004

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Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of WSBA as of September 30, 2016 and 2015, and the results of its operations and its cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.



Certified Public Accountants
January 5, 2017

WASHINGTON STATE BAR ASSOCIATION

Statements of Financial Position
September 30, 2016 and 2015

| | 2016 | 2015 |
|--|----------------------|----------------------|
| Assets | | |
| Cash and cash equivalents | \$ 4,244,364 | \$ 4,213,625 |
| Restricted cash and cash equivalents | 3,110,208 | 2,766,452 |
| Receivables, net | 59,984 | 38,984 |
| Prepaid expenses | 233,020 | 256,621 |
| Desk and course books | 403,372 | 401,345 |
| Deferred seminar costs | 88,090 | 88,162 |
| Investments | 4,110,347 | 5,098,505 |
| Property and equipment, net | 1,627,263 | 1,041,250 |
| Total Assets | \$ 13,876,648 | \$ 13,904,944 |
| Liabilities and Net Assets | | |
| Liabilities: | | |
| Accounts payable | \$ 629,769 | \$ 853,022 |
| Accrued expenses | 444,177 | 447,305 |
| Lawyers' Fund for Client Protection, committed gifts | 344,425 | 533,578 |
| Deferred licensing fees | 3,247,447 | 2,723,693 |
| Deferred lease obligation and incentive | 761,627 | 552,438 |
| Other deferred revenue | 204,281 | 254,178 |
| Total Liabilities | 5,631,726 | 5,364,214 |
| Net Assets: | | |
| Unrestricted- | | |
| General | 3,918,535 | 5,102,531 |
| Continuing legal education | 456,568 | 53,090 |
| Sections operations | 1,212,638 | 1,229,706 |
| Western States Bar Conference | 10,958 | 11,113 |
| Lawyers' Fund for Client Protection | 2,646,223 | 2,144,290 |
| Total Net Assets | 8,244,922 | 8,540,730 |
| Total Liabilities and Net Assets | \$ 13,876,648 | \$ 13,904,944 |

See accompanying notes.

WASHINGTON STATE BAR ASSOCIATION

Statements of Activities

For the Years Ended September 30, 2016 and 2015

| | 2016 | | | 2015 | | |
|--|----------------------|----------------------|--------------------------------------|----------------------|----------------------|--------------------------------------|
| | Revenues | Expenses | Revenues Over (Under) Expenses | Revenues | Expenses | Revenues Over (Under) Expenses |
| Unrestricted - General: | | | | | | |
| Access to justice board | \$ 1,400 | \$ 231,652 | \$ (230,252) | \$ 29,044 | \$ 269,727 | \$ (240,683) |
| Administration | 185,558 | 1,006,069 | (820,511) | 19,583 | 1,023,779 | (1,004,196) |
| Admissions/bar exam | 1,297,048 | 1,150,944 | 146,104 | 1,343,400 | 1,155,713 | 187,687 |
| Board of governors and office of the executive director | | 779,044 | (779,044) | | 806,990 | (806,990) |
| Communications | 25,290 | 1,599,578 | (1,574,288) | 44,337 | 1,518,388 | (1,474,051) |
| Discipline | 155,100 | 5,485,110 | (5,330,010) | 153,018 | 5,370,275 | (5,217,257) |
| Diversity | 93,719 | 401,809 | (308,090) | 103,676 | 347,851 | (244,175) |
| Foundation | | 145,243 | (145,243) | | 160,837 | (160,837) |
| Human resources | | 353,185 | (353,185) | | 345,149 | (345,149) |
| Law clerk program | 104,825 | 66,600 | 38,225 | 97,800 | 134,757 | (36,957) |
| Law office management assistance program | 6,199 | 299,228 | (293,029) | 7,072 | 338,348 | (331,276) |
| Lawyer assistance program | 12,080 | 159,210 | (147,130) | 17,064 | 159,451 | (142,387) |
| Legislative | | 226,436 | (226,436) | | 225,545 | (225,545) |
| Licensing fees | 12,819,376 | | 12,819,376 | 11,133,170 | | 11,133,170 |
| Licensing and membership records | 265,784 | 532,204 | (266,420) | 295,424 | 672,702 | (377,278) |
| Limited license legal technician | 11,706 | 207,684 | (195,978) | 8,181 | 162,500 | (154,319) |
| Limited practice officers | 134,903 | 194,286 | (59,383) | 132,562 | 155,143 | (22,581) |
| Mandatory continuing legal education administration | 835,160 | 618,358 | 216,802 | 762,463 | 548,384 | 214,079 |
| Member benefits | 16,753 | 72,098 | (55,345) | 46,169 | 72,999 | (26,830) |
| Mentorship program | | 138,543 | (138,543) | | 116,345 | (116,345) |
| New lawyer education | 61,403 | 295,225 | (233,822) | 119,062 | 262,193 | (143,131) |
| NW Lawyer | 519,051 | 607,861 | (88,810) | 548,424 | 586,967 | (38,543) |
| Office of general counsel | 414 | 671,211 | (670,797) | 264 | 653,026 | (652,762) |
| Office of general counsel disciplinary board | | 361,943 | (361,943) | | 266,869 | (266,869) |
| Practice of law board | | 96,488 | (96,488) | | 93,302 | (93,302) |
| Professional responsibility program | | 162,009 | (162,009) | | 212,725 | (212,725) |
| Public service programs | 72,833 | 470,800 | (397,967) | 107,125 | 445,349 | (338,224) |
| Sections administration | 318,525 | 401,628 | (83,103) | 298,165 | 405,738 | (107,573) |
| Technology | | 1,386,677 | (1,386,677) | | 1,455,485 | (1,455,485) |
| Total Unrestricted - General | \$ 16,937,127 | \$ 18,121,123 | \$ (1,183,996) | \$ 15,266,003 | \$ 17,966,537 | \$ (2,700,534) |

See accompanying notes.

WASHINGTON STATE BAR ASSOCIATION

Statements of Activities (Continued)
For the Years Ended September 30, 2016 and 2015

| | 2016 | | | 2015 | | |
|--|----------------------|----------------------|--------------------------------------|----------------------|----------------------|--------------------------------------|
| | Revenues | Expenses | Revenues Over (Under) Expenses | Revenues | Expenses | Revenues Over (Under) Expenses |
| Unrestricted - Continuing Legal Education: | | | | | | |
| Products | \$ 1,048,818 | \$ 663,101 | \$ 385,717 | \$ 895,653 | \$ 790,587 | \$ 105,066 |
| Seminars | 1,495,762 | 1,478,001 | 17,761 | 1,948,529 | 2,458,920 | (510,391) |
| Total Unrestricted - Continuing Legal Education | \$ 2,544,580 | \$ 2,141,102 | \$ 403,478 | \$ 2,844,182 | \$ 3,249,507 | \$ (405,325) |
| Unrestricted - Sections Operations | \$ 710,461 | \$ 727,529 | \$ (17,068) | \$ 802,103 | \$ 646,815 | \$ 155,288 |
| Western States Bar Conference | \$ 49,759 | \$ 49,914 | \$ (155) | \$ 11,193 | \$ 80 | \$ 11,113 |
| Lawyers' Fund for Client Protection | \$ 1,004,168 | \$ 502,235 | \$ 501,933 | \$ 993,740 | \$ 595,461 | \$ 398,279 |
| Unrestricted - General | \$ 16,937,127 | \$ 18,121,123 | \$ (1,183,996) | \$ 15,266,003 | \$ 17,966,537 | \$ (2,700,534) |
| Unrestricted - Continuing Legal Education | 2,544,580 | 2,141,102 | 403,478 | 2,844,182 | 3,249,507 | (405,325) |
| | 19,481,707 | 20,262,225 | (780,518) | 18,110,185 | 21,216,044 | (3,105,859) |
| Unrestricted - Sections Operations | 710,461 | 727,529 | (17,068) | 802,103 | 646,815 | 155,288 |
| Western States Bar Conference | 49,759 | 49,914 | (155) | 11,193 | 80 | 11,113 |
| Lawyers' Fund for Client Protection | 1,004,168 | 502,235 | 501,933 | 993,740 | 595,461 | 398,279 |
| Total Change in Net Assets - All Activities | \$ 21,246,095 | \$ 21,541,903 | \$ (295,808) | \$ 19,917,221 | \$ 22,458,400 | \$ (2,541,179) |

See accompanying notes.

WASHINGTON STATE BAR ASSOCIATION

Statements of Changes in Net Assets
For the Years Ended September 30, 2016 and 2015

| | Unrestricted | | | | | |
|--|---------------------|----------------------------------|------------------------|-------------------------------------|--|---------------------|
| | General | Continuing Legal Education | Sections Operations | Western States Bar Conference | Lawyers' Fund for Client Protection | Total |
| Balance, September 30, 2014 | \$ 7,803,065 | \$ 458,415 | \$ 1,074,418 | \$ - | \$ 1,746,011 | \$ 11,081,909 |
| Unrestricted revenues over (under) expenses | (2,700,534) | (405,325) | 155,288 | 11,113 | 398,279 | (2,541,179) |
| Balance, September 30, 2015 | 5,102,531 | 53,090 | 1,229,706 | 11,113 | 2,144,290 | 8,540,730 |
| Unrestricted revenues over (under) expenses | (1,183,996) | 403,478 | (17,068) | (155) | 501,933 | (295,808) |
| Balance, September 30, 2016 | \$ 3,918,535 | \$ 456,568 | \$ 1,212,638 | \$ 10,958 | \$ 2,646,223 | \$ 8,244,922 |

See accompanying notes.

WASHINGTON STATE BAR ASSOCIATION

Statements of Cash Flows

For the Years Ended September 30, 2016 and 2015

| | 2016 | 2015 |
|--|---------------------|-----------------------|
| Cash Flows From Operating Activities: | | |
| Cash received from licensing fees | \$ 13,343,130 | \$ 11,191,559 |
| Cash received from CLE products and seminars | 2,528,848 | 2,511,542 |
| Cash received from other activities | 5,786,230 | 5,928,366 |
| Cash paid to employees | (10,528,374) | (10,582,763) |
| Cash paid to vendors | (10,835,517) | (10,958,119) |
| Interest received | 40,744 | 29,562 |
| Net Cash Provided by (Used in) Operating Activities | 335,061 | (1,879,853) |
| Cash Flows From Investing Activities: | | |
| Change in restricted cash and cash equivalents | (343,756) | (644,725) |
| Proceeds from sale of investments | 7,816,710 | 9,522,634 |
| Purchase of investments | (6,670,344) | (8,369,085) |
| Acquisition of property and equipment | (1,106,932) | (505,333) |
| Net Cash (Used in) Provided by Investing Activities | (304,322) | 3,491 |
| Net Change in Cash and Cash Equivalents | 30,739 | (1,876,362) |
| Cash and cash equivalents, beginning of year | 4,213,625 | 6,089,987 |
| Cash and Cash Equivalents, End of Year | \$ 4,244,364 | \$ 4,213,625 |
| Reconciliation of Change in Net Assets to Net Cash Flows | | |
| From Operating Activities: | | |
| Change in net assets | \$ (295,808) | \$ (2,541,179) |
| Adjustments to reconcile change in net assets to net cash flows from operating activities- | | |
| Depreciation | 454,292 | 556,015 |
| Amortization of deferred lease incentive | | (52,646) |
| Unrealized (gain) loss on investments | (158,208) | 6,572 |
| Loss on disposal of property and equipment | | 330,472 |
| Change in operating assets and liabilities: | | |
| Receivables | (21,000) | 10,897 |
| Desk and course books | (2,027) | (61,331) |
| Deferred seminar costs and prepaid expenses | 23,673 | 20,559 |
| Accounts payable and accrued expenses | (348,907) | 311,374 |
| Deferred licensing fees | 523,754 | 58,389 |
| Deferred lease obligation and incentive | 209,189 | (193,497) |
| Other deferred revenue | (49,897) | (325,478) |
| Net Cash Provided by (Used in) Operating Activities | \$ 335,061 | \$ (1,879,853) |
| Supplementary Disclosure of Cash Flow Information: | | |
| Property and equipment purchases included in accounts payable | \$ - | \$ 66,627 |

See accompanying notes.

WASHINGTON STATE BAR ASSOCIATION

Notes to Financial Statements

For the Years Ended September 30, 2016 and 2015

Note 1 - Nature of Operations and Significant Accounting Policies

Nature of Operations - The Washington State Bar Association ("the WSBA") is an instrumentality of the State of Washington operating under the supervisory authority of the Washington Supreme Court. Operations consist of regulating the practice of law in the state and providing various law-related services to the members and public. Lawyers must be active members of the WSBA in order to practice law in Washington State. A primary source of revenues of the WSBA is license fees which members must pay in order to maintain their membership. License fees follow a pro-rated schedule based on the attorney's years of practice. For 2016, the license fee was set at \$385 for all attorneys in practice for three years or more, and a pro-rated lower fee for those in practice for fewer than three years. For 2015, the license fee was set at \$325 and fees followed the same pro-rated schedule as 2016. The WSBA members are primarily Washington State residents.

The WSBA's financial statements are not consolidated with those of the Washington State Bar Foundation ("the Foundation"), as the organizations are not financially interrelated.

Cash and Cash Equivalents and Investments - Cash and cash equivalents include money market funds and bank deposits. Bank deposits are maintained for ongoing operating expenses and are sometimes in excess of federally insured limits. Certificates of deposit are all federally insured. The WSBA maintains its cash and cash equivalents in bank accounts that may exceed federally insured limits at times during the year. The WSBA has not experienced any losses in these accounts.

Unrealized gains and losses, if any, are reported in the statements of activities as increases or decreases in net assets. Investment balances include common stocks, federally insured certificates of deposit, corporate bonds, municipal bond funds and US treasury funds.

Restricted cash and cash equivalents relate to funds restricted for the Western States Bar Conference and for the Lawyers' Fund for Client Protection (see Note 2). Part of the restricted cash and cash equivalents are amounts paid by the general fund on behalf of the Lawyers' Fund for Client Protection.

The composition of cash balances and investments are included in Notes 3 and 4, respectively.

Receivables - Receivables are generally from members and result from *NW Lawyer* advertising, consulting fees and unpaid fees related to continuing legal education programs. Receivables are unsecured and do not bear interest. Management reviews receivables on a periodic basis and determines the amount estimated to be uncollectible. A reserve for doubtful accounts is then established. Accounts that are determined to be uncollectible are written off against this reserve.

Desk and Course Books - Inventory of desk books and audio compact discs is stated at lower of cost (first-in, first-out method) or market.

Property and Equipment - Property and equipment is stated at cost. Depreciation and amortization is computed over the estimated useful lives of the assets, using the straight-line method. The capitalization policy threshold is \$2,500.

| | |
|---|---------------|
| Leasehold improvements | Life of lease |
| Equipment, furniture, software and fixtures | 1 to 10 years |

WASHINGTON STATE BAR ASSOCIATION

Notes to Financial Statements

For the Years Ended September 30, 2016 and 2015

Note 1 - Continued

The WSBA follows the provisions outlined by accounting standards to account for costs of computer software developed or obtained for internal use. The WSBA capitalizes certain direct costs incurred in developing internal use software.

Deferred Seminar Costs/Unearned Seminar Revenue - Deferred seminar costs are primarily costs associated with seminar planning and the production of seminar materials. Recognition of these expenses is deferred until the related seminars are presented.

Unearned seminar revenue relates to fees collected for seminars to be conducted in subsequent years. Seminar registration fees are recognized as revenue when the related seminars are presented.

Deferred Licensing Fees - Licensing fees are recognized ratably over the applicable calendar year membership period. Accordingly, fees collected during the WSBA's fiscal year that relate to the fourth quarter of the calendar membership period are included as deferred revenue in these financial statements.

Income Taxes - The WSBA is an organization exempt from federal income taxes because it is an instrumentality of the State of Washington exercising a governmental function.

Classification of Expenses - The accompanying statements of activities present expenses by natural classification. The classification of expenses into program and general and administrative is based upon time records, direct program expenses, and estimates made by the management of WSBA. The classification of expenses by function is as follows for the years ended September 30:

| | <u>2016</u> | <u>2015</u> |
|------------------------|-----------------------------|-----------------------------|
| Program services | \$ 19,403,604 | \$ 20,282,483 |
| Management and general | <u>2,138,299</u> | <u>2,175,917</u> |
| | <u><u>\$ 21,541,903</u></u> | <u><u>\$ 22,458,400</u></u> |

Net Assets - The WSBA Board of Governors has directed that portions of the WSBA's unrestricted net assets be designated for Sections Operations and for Continuing Legal Education. The total of revenues over expenses for all sections (which represent specialized legal interests) is included in the Sections Operations designated balance. The difference between revenues and expenses for Continuing Legal Education products and seminars is included in the Continuing Legal Education designated balance ("CLE Reserve Fund").

WASHINGTON STATE BAR ASSOCIATION

Notes to Financial Statements

For the Years Ended September 30, 2016 and 2015

Note 1 - Continued

The WSBA has also designated a portion of its general unrestricted net assets at September 30 as follows:

| | 2016 | 2015 |
|----------------------------|---------------------|---------------------|
| Operating reserve fund | \$ 1,500,000 | \$ 1,500,000 |
| Facilities reserve fund | 2,114,427 | 3,286,096 |
| Capital reserve fund | 250,316 | 262,645 |
| Board program reserve fund | 53,793 | 53,790 |
| | <u>\$ 3,918,536</u> | <u>\$ 5,102,531</u> |

The Operating Reserve Fund provides unrestricted funds for any general, unanticipated, but necessary, expenses that may be incurred throughout the year. The goal is to ensure that funds are available in the event of an emergency or an unanticipated decline in revenue.

The Facilities Reserve Fund was used for refurbishment of existing leased space or costs to move to another space after the prior lease ended. In FY 2015 and 2016, the WSBA extended its lease on space at the Puget Sound Plaza building and made leasehold improvements. Effective October 2016 the minimum reserve of this fund was designated by the board to be \$200,000 to fund refurbishment of existing leased space or costs to move to another space when the current lease expires in December 2026.

The Capital Reserve Fund was established to fund short and long-term capital expenditures such as computers, office equipment and replacement of major software. Effective October 2016, this fund is eliminated because WSBA builds capital needs in to the annual operating budget.

The Board Program Reserve Fund was established to cover unanticipated over-expenditures on programs initiated by the Board of Governors and to fund new programs throughout the year that have not been included in the annual budget. Effective October 2016, this fund is eliminated.

Use of Estimates - The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Reclassifications of Prior Year Balances - Certain reclassifications have been made to prior year accounts to conform to the presentation in the current year consolidated financial statements. The reclassifications have no effect on the previously reported change in net assets or net asset balances.

Subsequent Events - The WSBA has evaluated subsequent events through January 5, 2017, the date on which the financial statements were available to be issued.

WASHINGTON STATE BAR ASSOCIATION

Notes to Financial Statements

For the Years Ended September 30, 2016 and 2015

Note 2 - Lawyers' Fund for Client Protection

In 1995, the Washington Supreme Court and the WSBA created the Lawyers' Fund for Client Protection ("the Fund"). The Fund currently receives a \$30 mandatory annual assessment from each active member of the WSBA. The Fund may be used only for the purpose of relieving or mitigating a loss sustained by any person due to the dishonesty of, or failure to account for money or property entrusted to, any member of the WSBA in connection with the member's practice of law, or while acting as a fiduciary in a matter related to the member's practice of law. The Fund receives a mandatory annual assessment from each active member of the WSBA. As the WSBA's use of the funds is restricted as described above, it is shown as restricted cash and cash equivalents in the assets section of the statements of financial position.

Note 3 - Cash and Cash Equivalents

Cash and cash equivalents consist of the following at September 30:

| | 2016 | 2015 |
|--|---------------------|---------------------|
| Unrestricted Cash and Cash Equivalents: | | |
| Bank deposits | \$ 591,897 | \$ 429,443 |
| Money market funds | 3,652,467 | 3,784,182 |
| | <u>\$ 4,244,364</u> | <u>\$ 4,213,625</u> |
| Restricted Cash and Cash Equivalents: | | |
| Bank deposits | \$ 784,535 | \$ 1,046,181 |
| Money market funds | 2,325,673 | 1,720,271 |
| | <u>\$ 3,110,208</u> | <u>\$ 2,766,452</u> |

Note 4 - Investments

Investments consist of the following at September 30:

| | 2016 | 2015 |
|--------------------------------------|---------------------|---------------------|
| Certificates of deposit | \$ 750,000 | \$ 1,730,000 |
| Common stock (through managed funds) | | 714,422 |
| Bonds | 494,757 | 635,753 |
| Mutual bonds and treasury funds | 2,865,590 | 2,018,330 |
| | <u>\$ 4,110,347</u> | <u>\$ 5,098,505</u> |

WASHINGTON STATE BAR ASSOCIATION

Notes to Financial Statements For the Years Ended September 30, 2016 and 2015

Note 4 - Continued

The following schedule summarizes the returns from investments (and cash balances):

| | 2016 | 2015 |
|--------------------------------|-------------------|------------------|
| Interest income - unrestricted | \$ 32,388 | \$ 29,691 |
| Interest income - restricted | 6,460 | 1,387 |
| Realized and unrealized gains | 163,798 | 3,014 |
| Fees | (5,590) | (9,586) |
| Total Investment Return | \$ 197,056 | \$ 24,506 |

Investment income is included as revenue in the following categories in the statements of activities:

| | 2016 | 2015 |
|-------------------------------------|-------------------|------------------|
| Administration | \$ 185,241 | \$ 19,553 |
| Sections operations | 5,355 | 3,566 |
| Lawyers' Fund for Client Protection | 6,460 | 1,387 |
| | \$ 197,056 | \$ 24,506 |

Note 5 - Property and Equipment

Property and equipment consist of the following at September 30:

| | 2016 | 2015 |
|---|---------------------|---------------------|
| Leasehold improvements | \$ 663,252 | \$ 683,137 |
| Furniture | 1,045,074 | 1,036,314 |
| Office equipment | 1,825,596 | 1,901,455 |
| Software | 3,584,899 | 2,546,928 |
| | 7,118,821 | 6,167,834 |
| Less accumulated depreciation and amortization | (5,711,183) | (5,652,729) |
| Leasehold improvements and software not yet placed into service | 219,625 | 526,145 |
| | \$ 1,627,263 | \$ 1,041,250 |

WASHINGTON STATE BAR ASSOCIATION

Notes to Financial Statements For the Years Ended September 30, 2016 and 2015

Note 6 - Qualified Employee Benefit Plan

The WSBA participates in the Washington State Public Employees' Retirement System ("PERS"), a series of defined benefit/defined contribution employee benefit plans sponsored and managed by the State of Washington Department of Retirement Systems ("DRS"). The funding of the plan is analyzed and rates are proposed by the Office of the State Actuary ("OSA") per RCW, Chapter 41.45, and all rates are approved by the legislature. There is a pension funding council that consults with the economic and revenue forecast supervisor and the executive director of the state investment board, for guidance on long-term economic assumptions that are proposed by the OSA. In accordance with PERS, the WSBA and the WSBA's employees make contributions to the plan based on rates established by DRS. Employer contributions for the years ended September 30, 2016 and 2015, were \$1,139,017 and \$978,360, respectively.

Note 7 - Fair Value Measurements

Accounting standards establish a framework for measuring fair value. That framework provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (Level 1) and the lowest priority to unobservable inputs (Level 3).

The three levels of the fair value hierarchy are described as follows:

Level 1 - Unadjusted quoted prices available in active markets for identical assets or liabilities;

Level 2 - Inputs other than Level 1 that are observable, either directly or indirectly, such as quoted prices in active markets for similar assets or liabilities, quoted prices for identical or similar assets or liabilities in markets that are not active, or other inputs that are observable or can be corroborated by observable market data for substantially the full term of the assets or liabilities; or

Level 3 - Unobservable inputs that are significant to the fair value measurement.

A financial instrument's level within the fair value hierarchy is based upon the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs.

Following is a description of the valuation methodologies used for assets and liabilities measured at fair value. There have been no changes in the methodologies used at September 30, 2016 and 2015.

Common Stock - Common stocks are valued at the closing price reported on the active market on which the securities are traded.

Mutual Bonds and Treasury Funds - Mutual bonds and treasury funds are valued at closing prices in active markets, which represent the net asset value of shares held by WSBA at year end.

Municipal and Other Bonds - Bonds are valued using bid evaluations from similar instruments in actively quoted markets.

WASHINGTON STATE BAR ASSOCIATION

Notes to Financial Statements
For the Years Ended September 30, 2016 and 2015

Note 7 - Continued

Fair Values Measured on a Recurring Basis - Fair values of assets measured on a recurring basis at September 30, 2016, and 2015, were as follows:

| Fair Value Measurements at September 30, 2016 | | | | |
|---|---------------------|-------------------|-------------|---------------------|
| | Level 1 | Level 2 | Level 3 | Total |
| Mutual bonds and treasury funds | \$ 2,865,590 | \$ - | \$ - | \$ 2,865,590 |
| Municipal bonds | | 494,757 | | 494,757 |
| | <u>\$ 2,865,590</u> | <u>\$ 494,757</u> | <u>\$ -</u> | <u>\$ 3,360,347</u> |
| Fair Value Measurements at September 30, 2015 | | | | |
| | Level 1 | Level 2 | Level 3 | Total |
| Common stock- | | | | |
| Finance/Banking | \$ 175,610 | \$ - | \$ - | \$ 175,610 |
| Information technology | 95,622 | | | 95,622 |
| Energy | 64,458 | | | 64,458 |
| Pharmaceuticals | 63,985 | | | 63,985 |
| Other industries | 314,747 | | | 314,747 |
| Total common stock | 714,422 | | | 714,422 |
| Mutual bonds and treasury funds | 2,018,330 | | | 2,018,330 |
| Other bonds | | 635,753 | | 635,753 |
| | <u>\$ 2,732,752</u> | <u>\$ 635,753</u> | <u>\$ -</u> | <u>\$ 3,368,505</u> |

A reconciliation of the investment assets measured at fair value on a recurring basis to total investments follows as of September 30:

| | 2016 | 2015 |
|---|----------------------------|----------------------------|
| Investments recorded at fair value on a recurring basis | \$ 3,360,347 | \$ 3,368,505 |
| Investments recorded at cost | 750,000 | 1,730,000 |
| Total Investments | <u>\$ 4,110,347</u> | <u>\$ 5,098,505</u> |

WASHINGTON STATE BAR ASSOCIATION

Notes to Financial Statements For the Years Ended September 30, 2016 and 2015

Note 8 - Lease Commitments

The WSBA signed a lease extension for office space effective March 1, 2015. The lease is an operating lease agreement expiring during the year ending September 30, 2027. The lease calls for escalating rent payments each year, resulting in a liability for the differences between the rent payments and rent calculated on a straight-line basis.

In FY 2011, the WSBA signed a lease for office space in Olympia, Washington to house the WSBA's legislative division. The lease is an operating lease agreement that expired in September 30, 2016.

Future minimum rental payments under noncancelable operating leases are as follows:

For the Years Ended September 30,

| | |
|--------------------------------------|-----------------------------|
| 2017 | \$ 1,503,989 |
| 2018 | 1,554,579 |
| 2019 | 1,605,169 |
| 2020 | 1,655,759 |
| 2021 | 1,698,981 |
| Thereafter | <u>9,747,007</u> |
| Total Minimum Rental Payments | <u>\$ 17,765,484</u> |

Rent expense (net of amortization of deferred lease incentive) under all lease agreements totaled \$1,682,460 and \$1,345,473 for the years ended September 30, 2016 and 2015, respectively.

Note 9 - Commitments and Contingencies

Contingencies - The WSBA is subject to various legal proceedings and claims which arise in the ordinary course of its business. Management believes that the final disposition of such matters will not have a material adverse effect on the financial position or results of operations of the WSBA.

Commitments - The WSBA is obligated to provide counsel for respondents in disability proceedings, pursuant to the Rule for Enforcement of Lawyer Conduct (ELC) 8.3. Legal fees are incurred as a result of this obligation. In FY 2016, the WSBA paid a total of \$133,570 for outside counsel to represent various respondents in disability proceedings. The WSBA has liability for future legal fees related to ongoing and new disability proceedings, but the future cost is not determinable due to the nature of the proceedings. However, the liability is significant enough to mention in the Notes to Financial Statements.

As of September 30, 2016, approximately \$250,000 has been budgeted for FY 2017 as grants payable to various organizations, including approximately \$190,000 to Gonzaga University School of Law and Seattle University School of Law for the Moderate Means Program.

WASHINGTON STATE BAR ASSOCIATION

Notes to Financial Statements
For the Years Ended September 30, 2016 and 2015

Note 10 - Indirect Expenses

The WSBA programs, services and functions are assigned to functional categories for purposes of budgeting and reporting revenues and expenses. Each category includes direct revenues and expenses for activities within that category and an allocation of indirect expenses which are broken down into three areas: salaries, benefits and overhead. Salaries are allocated based on the categories in which the employees work. The allocation of benefit expenses are based on the total salaries allocated to the category, and the allocation of expenses for overhead is based on the number of full time equivalent employees assigned to each category. The composition of indirect expenses and total direct expenses is as follows:

| | 2016 | 2015 |
|--|----------------------|----------------------|
| Indirect expenses- | | |
| Salaries | \$ 10,503,069 | \$ 10,514,813 |
| Employee benefits and payroll taxes | 3,571,781 | 3,489,355 |
| Rent (net of amortization of deferred lease incentive) | 1,587,480 | 1,216,681 |
| Technology and telephone | 816,000 | 697,033 |
| Depreciation and amortization | 281,931 | 406,695 |
| Professional fees | 120,616 | 125,942 |
| Human resources | 108,432 | 101,317 |
| Insurance | 103,136 | 107,285 |
| Supplies and equipment | 78,558 | 71,128 |
| Remodel expense | 78,149 | 151,810 |
| Postage | 36,221 | 36,730 |
| Furniture, maintenance, and leasehold improvements | 23,027 | 22,378 |
| Bank fees | 17,167 | 17,172 |
| Meeting supports expenses | 14,658 | |
| Business taxes | 12,923 | 15,183 |
| Copying and production services | 9,736 | 31,284 |
| Loss on assets | | 321,712 |
| | 17,362,884 | 17,326,518 |
| Direct expenses | 4,179,019 | 5,131,882 |
| Total Expenses | \$ 21,541,903 | \$ 22,458,400 |

WASHINGTON STATE BAR ASSOCIATION

Special Report on the Fiscal Year 2017 Budget Summary

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Independent Accountant's Report on Applying Agreed-Upon Procedures

**To the Board of Governors
Washington State Bar Association
Seattle, Washington**

At your request, we have performed certain agreed-upon procedures, as enumerated below, with respect to the Washington State Bar Association (WSBA) Fiscal Year 2017 Budget Summary for the year ending September 30, 2017. These procedures, which were agreed to by management of the WSBA, were performed solely to assist you in evaluating the consistency of the presentation of the Fiscal Year 2017 Budget Summary of revenues and expenses by budget category (2017 Budget) included in Exhibit A, with presentation of the Fiscal Year 2016 Budget Summary of revenues and expenses for the fiscal year ended September 30, 2016 (2016 Budget) included in Exhibit B, and the presentation of revenues and expenses in the audited Statement of Activities for the fiscal year ended September 30, 2015 (2015 Statement of Activities) included in Exhibit C. This report is prepared to comply with *Keller vs. State Bar of California*, 496 U.S. 1 (1990) which prohibits using compulsory fees of any member who objects to that use for political or ideological activities that are not germane, or reasonably related, to regulating the legal profession or improving the quality of legal services ("nonchargeable" activities). Objecting members are offered a "Keller deduction" that represents the estimated portion of fees that is used for "nonchargeable" activities. The Keller deduction is calculated prospectively based on the coming year's budget and the previous year's political activity. The Special Report on the Budget Summary reports on the presentation of the coming year's budget, which is used to compute the Keller deduction, with the previous year's financial statements and current year budget by explaining differences in categories, budgeting methodologies, and significant revenues and expenses. The WSBA's management is responsible for the 2017 and 2016 Budgets and the 2015 Statement of Activities.

This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of the WSBA. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

Our procedures and findings are as follows:

1. We totaled all columns and rows of the 2017 and 2016 Budgets and the 2015 Statement of Activities to verify the mathematical accuracy.

Findings
None.



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2. We compared the 2017 Budget category descriptions to the 2016 Budget and the 2015 Statement of Activities category descriptions and explained differences.

Findings

The WSBA added the following category in the 2017 Budget compared to the 2016 Budget:

Continuing Legal Education (CLE) - This new cost center was established in the 2017 Budget to reflect the coordination of Continuing Legal Education programming by combining the Continuing Legal Education - Seminars (CLES) and Continuing Legal Education - Products (CLEP) cost centers.

The WSBA added the following categories in the 2017 Budget compared to the 2015 Statement of Activities:

Continuing Legal Education (CLE) - This new cost center was established in the 2017 Budget to reflect the coordination of Continuing Legal Education programming by combining the Continuing Legal Education - Seminars (CLES) and Continuing Legal Education - Products (CLEP) cost centers.

3. We inquired of management if there were any differences in the methodology used to budget for revenue and expense amounts for each category for the 2017 Budget as compared to the methodology used to budget for revenue and expense amounts for each category for the 2016 Budget and to account for revenue and expenses in the 2015 Statement of Activities.

Findings

The WSBA noted no differences in the methodology used to budget for revenue or expense amounts for each category for the 2017 Budget as compared to the methodology used to budget for revenue and expense amounts for each category for the 2016 Budget and to account for revenues and expenses in the 2015 Statement of Activities.

4. We compared total revenues and total expenses by category in the 2017 Budget to the total revenues and total expenses by category in the 2016 Budget and noted differences in amounts both greater than \$100,000 and 20%. We also compared the total revenues and total expenses by category in the 2017 Budget to total revenues and total expenses by category reported on the 2015 Statement of Activities and noted differences in amounts both greater than \$100,000 and 20%. We inquired of management for an explanation of those differences.

Findings

The following categories showed differences greater than \$100,000 and 20%:

Comparison of 2017 Budget to 2016 Budget

| | 2017 Budget | 2016 Budget | Difference | |
|--|----------------|----------------|--------------|------------|
| | | | Amount | Percentage |
| Law Office Management Assistance Program | | | | |
| a. Expense | \$ 202,902 | \$ 358,375 | \$ (155,473) | -43% |
| Professional Responsibility Program | | | | |
| b. Expense | \$ 280,851 | \$ 177,183 | \$ 103,668 | 59% |

Management's explanations for the differences are as follows:

- a. The reduction in expense is related to salaries, benefits, and overhead as a result of reducing the budgeted staffing allocated to the Law Office Management Assistance Program (LOMAP) by 1.81 FTE, consistent with reduced programming.
- b. The increase in expense is related to salaries, benefits, and overhead as a result of increasing budgeted staffing allocated in 2017 to the Professional Responsibility Program by .77 FTE, consistent with an increase in these activities.

Comparison of 2017 Budget to 2015 Statement of Activities

| | 2017 Budget | 2015 SOA | Difference | |
|--|----------------|--------------|--------------|------------|
| | | | Amount | Percentage |
| Admissions / Bar Exam | | | | |
| a. Revenue | \$ 1,070,000 | \$ 1,343,400 | \$ (273,400) | -20.4% |
| Law Office Management Assistance Program | | | | |
| b. Expense | \$ 202,902 | \$ 338,348 | \$ (135,446) | -40.0% |
| Mandatory CLE Administration | | | | |
| c. Expense | \$ 735,390 | \$ 548,384 | \$ 187,006 | 34.1% |
| Office of General Counsel | | | | |
| d. Expense | \$ 792,970 | \$ 653,026 | \$ 139,944 | 21.4% |
| Continuing Legal Education | | | | |
| e. Expense | \$ 2,302,587 | \$ 3,249,507 | \$ (946,920) | -29.1% |
| Sections Operations | | | | |
| f. Expense | \$ 904,833 | \$ 646,815 | \$ 258,018 | 39.9% |

Management's explanations for the differences are as follows:

- a. The 2017 budget for admission revenue reflects the declining trend in the number of bar exam applicants. We saw a 9.7% reduction in exam applicants from 2015 to 2016 and anticipate that trend to continue.
- b. The reduction in expense is related to salaries, benefits, and overhead as a result of reducing the number of FTEs allocated to the Law Office Management Assistance Program (LOMAP) by 1.7 (from 3.2 in 2015 to 1.5 in 2017), consistent with reduced programming.
- c. The increase in expense is related to depreciation on the new continuing legal education tracking and reporting software. This is partially offset by a reduction in expense related to salaries, benefits, and overhead as a result of reducing .63 FTEs driven by efficiency gains of the new software.
- d. The increase in expense is related to salaries, benefits, and overhead as a result of allocating an additional 1.1 FTE in 2017. The increase in public records requests required the addition of a Public Records officer. An increase in the volume of applications to the Lawyers Fund for Client Protection required the addition of a part time analyst.
- e. The reduction in expense is a result of decreased direct expenses related to reduced programming, completion of the WSBA's lease for an offsite conference center, and indirect expenses from a reduction in budgeted staffing of 4.9 FTEs, consistent with reduced programming.
- f. Section budgets and actual spending are linked to their work plans, which can differ each year. For 2017, the expenses have increased as a result of normal changes in those work plans through direct expenses. Additionally, the reimbursement from Sections to the WSBA for the Per-Member Charge which covers administrative support to Sections increased from \$17.75 to \$18.75 between 2015 and 2017.

We were not engaged to and did not conduct an examination; the objective of which would be the expression of an opinion on the accompanying 2017 and 2016 Budgets. Accordingly, we do not express an opinion on whether the budgets are presented in conformity with AICPA presentation guidelines or on whether the underlying assumptions provide a reasonable basis for the presentation. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you. Furthermore, there will usually be differences between the budgets and actual results as events and circumstances frequently do not occur as expected and those differences may be material. We expressed an unmodified opinion on the WSBA's financial statements as of and for the year ended September 30, 2015. We have no responsibility to update this report for events and circumstances occurring after the date of this report.

This report is intended solely for the information and use of management and members of the WSBA and is not intended to be and should not be used by anyone other than these specified parties.

Clark Nuber P.S.

Certified Public Accountants
January 5, 2017

EXHIBIT A

WASHINGTON STATE BAR ASSOCIATION

Fiscal Year 2017 Budget Summary - Final

| Cost Centers | Revenue | Expense | Net |
|---|----------------------|----------------------|-----------------------|
| Access to Justice | \$ 8,000 | \$ 259,763 | \$ (251,763) |
| Administration | 55,000 | 1,029,756 | (974,756) |
| Admissions / Bar Exam | 1,070,000 | 1,161,290 | (91,290) |
| Board of Governors and Office of the Executive Director | | 782,596 | (782,596) |
| Communications | 44,250 | 1,700,658 | (1,656,408) |
| Discipline | 140,000 | 5,602,671 | (5,462,671) |
| Diversity | 100,374 | 394,269 | (293,895) |
| Foundation | | 167,949 | (167,949) |
| Human Resources | | 257,819 | (257,819) |
| Law Clerk Program | 97,000 | 106,435 | (9,435) |
| Law Office Management Assistance Program | 2,500 | 202,902 | (200,402) |
| Lawyer Assistance Program | 15,750 | 174,202 | (158,452) |
| Legislative | | 263,265 | (263,265) |
| Licensing | 13,204,000 | | 13,204,000 |
| Licensing and Membership Records | 247,800 | 587,467 | (339,667) |
| Limited License Legal Technician | 13,400 | 235,064 | (221,664) |
| Limited Practice Officers | 132,700 | 202,487 | (69,787) |
| Mandatory CLE Administration | 711,000 | 735,390 | (24,390) |
| Member Benefits | 3,000 | 75,000 | (72,000) |
| Mentorship Program | | 201,473 | (201,473) |
| New Lawyer Programs | 80,000 | 307,891 | (227,891) |
| NW Lawyer | 573,450 | 624,208 | (50,758) |
| Office of General Counsel | | 792,970 | (792,970) |
| Office of General Counsel Disciplinary Board | | 257,747 | (257,747) |
| Practice of Law Board | | 115,371 | (115,371) |
| Professional Responsibility Program | | 280,851 | (280,851) |
| Public Service Programs | 85,000 | 432,000 | (347,000) |
| Sections Administration | 307,000 | 460,156 | (153,156) |
| Technology | | 1,475,919 | (1,475,919) |
| Total General Fund | 16,890,224 | 18,887,569 | (1,997,345) |
| Operating Loss for FY 2017 | | | (1,997,345) |
| Percent Increase Over FY16 Budget | 3% | 1% | |
| Depreciation | | | (12,257) |
| Straight Line Rent | | | 194,225 |
| Capital Labor | | | (140,700) |
| Net Cash Flow From FY 2017 Operations | | | (1,956,077) |
| Continuing Legal Education | 2,574,800 | 2,302,587 | 272,213 |
| Operating Gain for FY 2017 | | | 272,213 |
| Percent Increase Over FY 2016 Budget | 6% | -5% | |
| Sections Operations | 688,611 | 904,833 | (216,222) |
| Lawyers Fund for Client Protection | 986,000 | 616,221 | 369,779 |
| Western States Bar Conference | 50,000 | 50,000 | |
| | \$ 21,189,635 | \$ 22,761,210 | \$ (1,571,575) |

EXHIBIT B

WASHINGTON STATE BAR ASSOCIATION

Fiscal Year 2016 Budget Summary - Final Amended

| Cost Centers | Revenue | Expense | Net |
|---|----------------------|----------------------|-----------------------|
| Access to Justice Board | \$ | \$ 249,146 | \$ (249,146) |
| Administration | 78,000 | 1,008,707 | (930,707) |
| Admissions/Bar Exam | 1,221,920 | 1,169,683 | 52,237 |
| Board of Governors and Office of the Executive Director | | 757,003 | (757,003) |
| Communications | 45,250 | 1,601,599 | (1,556,349) |
| Discipline | 106,750 | 5,546,166 | (5,439,416) |
| Diversity | 98,592 | 452,155 | (353,563) |
| Foundation | | 168,950 | (168,950) |
| Human Resources | | 247,159 | (247,159) |
| Law Clerk Program | 92,400 | 76,064 | 16,336 |
| Law Office Management Assistance Program | 6,500 | 358,375 | (351,875) |
| Lawyer Assistance Program | 18,000 | 166,377 | (148,377) |
| Legislative | | 289,217 | (289,217) |
| Licensing | 12,545,000 | | 12,545,000 |
| Licensing and Membership Records | 275,500 | 540,561 | (265,061) |
| Limited License Legal Technician | 11,325 | 227,683 | (216,358) |
| Limited Practice Officers | 130,700 | 187,512 | (56,812) |
| Mandatory CLE Administration | 699,000 | 656,916 | 42,084 |
| Member Benefits | 3,000 | 73,000 | (70,000) |
| Mentorship Program | | 186,567 | (186,567) |
| New Lawyer Education | 125,000 | 330,919 | (205,919) |
| NW Lawyer | 567,450 | 617,478 | (50,028) |
| Office of General Counsel | | 686,512 | (686,512) |
| Office of General Counsel Disciplinary Board | | 298,924 | (298,924) |
| Practice of Law Board | | 82,114 | (82,114) |
| Professional Responsibility Program | | 177,183 | (177,183) |
| Public Service Programs | 85,000 | 496,761 | (411,761) |
| Sections Administration | 311,250 | 418,288 | (107,038) |
| Technology | | 1,551,997 | (1,551,997) |
| Total General Fund | 16,420,637 | 18,623,016 | (2,202,379) |
| Use of Capital Reserve for Technology Projects | | | 11,772 |
| Operating Loss for FY 2016 | | | (2,190,607) |
| Percent Increase Over FY15 Budget | 11.3% | 4.0% | |
| Depreciation | | | 460,493 |
| Straight Line Rent | | | 244,815 |
| Capital Labor | | | (33,900) |
| Net Cash Flow From FY 2016 Operations | | | (1,519,199) |
| CLE - Products | 824,750 | 689,158 | 135,592 |
| CLE - Seminars | 1,613,500 | 1,740,030 | (126,530) |
| Total CLE | 2,438,250 | 2,429,188 | 9,062 |
| Operating Gain for FY 2016 | | | 9,062 |
| Percent Decrease Over FY15 Budget | -18.2% | -24.6% | |
| Sections Operations | 680,712 | 878,915 | (198,203) |
| Lawyers Fund for Client Protection | 946,500 | 631,809 | 314,691 |
| Western States Bar Conference | 50,000 | 50,000 | |
| | \$ 20,536,099 | \$ 22,612,928 | \$ (2,076,829) |

EXHIBIT C

WASHINGTON STATE BAR ASSOCIATION

Statement of Activities
For the Year Ended September 30, 2015

| | Revenues | Expenses | Revenues Over (Under) Expenses |
|--|----------------------|----------------------|--------------------------------------|
| Unrestricted - General: | | | |
| Access to Justice Board | \$ 29,044 | \$ 269,727 | \$ (240,683) |
| Administration | 19,583 | 1,023,779 | (1,004,196) |
| Admissions / Bar Exam | 1,343,400 | 1,155,713 | 187,687 |
| Board of Governors and Office of the Executive Director | | 806,990 | (806,990) |
| Communications | 44,337 | 1,518,388 | (1,474,051) |
| Discipline | 153,018 | 5,370,275 | (5,217,257) |
| Diversity | 103,676 | 347,851 | (244,175) |
| Foundation | | 160,837 | (160,837) |
| Human Resources | | 345,149 | (345,149) |
| Law Clerk Program | 97,800 | 134,757 | (36,957) |
| Law Office Management Assistance Program | 7,072 | 338,348 | (331,276) |
| Lawyer Assistance Program | 17,064 | 159,451 | (142,387) |
| Legislative | | 225,545 | (225,545) |
| Licensing Fees | 11,133,170 | | 11,133,170 |
| Licensing and Membership Records | 295,424 | 672,702 | (377,278) |
| Limited License Legal Technician | 8,181 | 162,500 | (154,319) |
| Limited Practice Officers | 132,562 | 155,143 | (22,581) |
| Mandatory Continuing Legal Education Administration | 762,463 | 548,384 | 214,079 |
| Member Benefits | 46,169 | 72,999 | (26,830) |
| Mentorship Program | | 116,345 | (116,345) |
| New Lawyer Education | 119,062 | 262,193 | (143,131) |
| NW Lawyer | 548,424 | 586,967 | (38,543) |
| Office of General Counsel | 264 | 653,026 | (652,762) |
| Office of General Counsel Disciplinary Board | | 266,869 | (266,869) |
| Practice of Law Board | | 93,302 | (93,302) |
| Professional Responsibility Program | | 212,725 | (212,725) |
| Public Service Programs | 107,125 | 445,349 | (338,224) |
| Sections Administration | 298,165 | 405,738 | (107,573) |
| Technology | | 1,455,485 | (1,455,485) |
| Total Unrestricted - General | \$ 15,266,003 | \$ 17,966,537 | \$ (2,700,534) |
| Unrestricted - Continuing Legal Education: | | | |
| Products | \$ 895,653 | \$ 790,587 | \$ 105,066 |
| Seminars | 1,948,529 | 2,458,920 | (510,391) |
| Total Unrestricted - Continuing Legal Education | \$ 2,844,182 | \$ 3,249,507 | \$ (405,325) |
| Unrestricted - Sections Operations | \$ 802,103 | \$ 646,815 | \$ 155,288 |
| Western States Bar Conference | \$ 11,193 | \$ 80 | \$ 11,113 |
| Lawyers' Fund for Client Protection | \$ 993,740 | \$ 595,461 | \$ 398,279 |



WSBA Financial Reports

(Audited)

Year to Date September 30, 2016

Prepared by Mark Hayes, Controller

Submitted by

Ann Holmes, Chief Operations Officer

December 15, 2016



To: Board of Governors
Budget and Audit Committee

From: Mark Hayes, Controller

Re: Key Financial Benchmarks for the Fiscal Year to Date (YTD) through September 30, 2016

Date: November 3, 2016

| | % of Year | Current Year % YTD | Current Year \$ Difference ¹ | Prior Year YTD | Comments |
|----------------------------|-----------|-----------------------|--|-------------------|---|
| Salaries | 100% | 96.58% | \$371,984 (Under budget) | 97.52% | Under budget (due to open positions) |
| Benefits | 100% | 92.19% | \$292,637 (Under budget) | 95.32% | Under budget (due to open positions) |
| Other Indirect Expenses | 100% | 98.54% | \$50,339 (Under budget) | 112.57% | Under budget |
| Total Indirect Expenses | 100% | 96.05% | \$714,961 (Under budget) | 99.74% | Under budget overall |

| | | | | | |
|---------------------------------|------|---------|-----------------------------|---------|---|
| General Fund Revenues | 100% | 103.15% | \$516,484 (Over budget) | 103.45% | Over budget (mainly from license fees) |
| General Fund Direct Expenses | 100% | 95.65% | \$102,697 (Under budget) | 99.54% | Under budget |

| | | | | | |
|--------------------------|------|---------|-----------------------------|---------|--|
| CLE Revenue | 100% | 104.36% | \$106,330 (Over budget) | 95.47% | Over budget (mainly from MP3 and video sales) |
| CLE Direct Expenses | 100% | 86.59% | \$119,595 (Under budget) | 110.85% | Under budget |
| CLE Indirect Expenses | 100% | 88.43% | \$179,196 (Under budget) | 93.93% | Under budget (due to open positions) |

¹ 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 September 30, 2016 (12 months into the fiscal year).

Washington State Bar Association Financial Summary
Year to Date as of September 30, 2016 100% of Year
Compared to Fiscal Year 2016 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 Board | 1,400 | - | 207,375 | 221,864 | 24,277 | 28,815 | 231,652 | 250,679 | (230,252) | (250,679) |
| Administration | 185,556 | 78,000 | 1,002,602 | 1,005,167 | 3,468 | 9,925 | 1,006,069 | 1,015,092 | (820,514) | (937,092) |
| Admissions/Bar Exam | 1,297,048 | 1,221,920 | 788,050 | 789,769 | 362,894 | 385,500 | 1,150,944 | 1,175,269 | 146,104 | 46,651 |
| Board of Governors | - | - | 482,436 | 465,501 | 296,608 | 293,480 | 779,044 | 758,981 | (779,044) | (758,981) |
| Communications | 25,290 | 45,250 | 1,487,337 | 1,493,639 | 112,240 | 119,382 | 1,599,578 | 1,613,021 | (1,574,288) | (1,567,771) |
| Discipline | 155,100 | 106,750 | 5,251,192 | 5,301,790 | 233,918 | 274,954 | 5,485,110 | 5,576,744 | (5,330,010) | (5,469,994) |
| Diversity | 93,719 | 98,592 | 384,340 | 433,861 | 17,469 | 21,200 | 401,809 | 455,061 | (308,090) | (356,469) |
| Foundation | - | - | 132,652 | 149,559 | 12,592 | 20,400 | 145,243 | 169,959 | (145,243) | (169,959) |
| Human Resources | - | - | 353,185 | 249,161 | - | - | 353,185 | 249,161 | (353,185) | (249,161) |
| Law Clerk Program | 104,825 | 92,400 | 59,808 | 69,063 | 6,793 | 7,550 | 66,600 | 76,613 | 38,225 | 15,787 |
| Law Office Management Asst.Prog | 6,199 | 6,500 | 295,168 | 352,952 | 4,060 | 8,095 | 299,228 | 361,047 | (293,028) | (354,547) |
| Lawyers Assistance Program | 12,080 | 18,000 | 124,108 | 120,309 | 35,102 | 46,770 | 159,210 | 167,079 | (147,130) | (149,079) |
| Legislative | - | - | 189,924 | 237,458 | 36,512 | 53,252 | 226,436 | 290,710 | (226,436) | (290,710) |
| Licensing Fees | 12,819,372 | 12,545,000 | - | - | - | - | - | - | 12,819,372 | 12,545,000 |
| License and Membership Records | 265,784 | 275,500 | 497,168 | 520,919 | 35,031 | 23,000 | 532,199 | 543,919 | (266,416) | (268,419) |
| Limited License Legal Technician | 11,706 | 11,325 | 169,162 | 179,681 | 38,522 | 49,100 | 207,684 | 228,781 | (195,978) | (217,456) |
| Limited Practice Officers | 134,903 | 130,700 | 186,667 | 181,623 | 7,619 | 7,100 | 194,286 | 188,723 | (59,383) | (58,023) |
| Mandatory CLE | 835,160 | 699,000 | 507,739 | 578,399 | 110,619 | 112,820 | 618,358 | 691,219 | 216,803 | 7,781 |
| Member Benefits | 16,753 | 3,000 | - | - | 72,098 | 73,000 | 72,098 | 73,000 | (55,345) | (70,000) |
| Mentorship Program | - | - | 136,195 | 164,139 | 2,348 | 23,558 | 138,543 | 187,697 | (138,543) | (187,697) |
| New Lawyer Education | 61,403 | 125,000 | 263,703 | 297,616 | 31,522 | 35,240 | 295,225 | 332,856 | (233,822) | (207,856) |
| NW Lawyer | 519,051 | 567,450 | 224,761 | 227,231 | 383,100 | 391,700 | 607,861 | 618,931 | (88,810) | (51,481) |
| Office of General Counsel | 414 | - | 663,379 | 669,776 | 7,831 | 20,700 | 671,211 | 690,476 | (670,796) | (690,476) |
| OGC-Disciplinary Board | - | - | 186,519 | 189,142 | 175,424 | 111,000 | 361,943 | 300,142 | (361,943) | (300,142) |
| Practice of Law Board | - | - | 78,928 | 78,523 | 17,560 | 4,100 | 96,488 | 82,623 | (96,488) | (82,623) |
| Professional Responsibility Program | - | - | 157,286 | 171,732 | 4,724 | 6,500 | 162,009 | 178,232 | (162,009) | (178,232) |
| Public Service Programs | 72,833 | 85,000 | 258,565 | 278,719 | 212,235 | 219,979 | 470,800 | 498,698 | (397,967) | (413,698) |
| Sections Administration | 318,525 | 311,250 | 390,670 | 410,400 | 10,959 | 11,100 | 401,628 | 421,500 | (83,103) | (110,250) |
| Technology | - | - | 1,386,677 | 1,561,764 | - | - | 1,386,677 | 1,561,764 | (1,386,677) | (1,561,764) |
| Subtotal General Fund | 16,937,121 | 16,420,637 | 15,865,596 | 16,399,757 | 2,255,523 | 2,358,220 | 18,121,119 | 18,757,977 | (1,183,998) | (2,337,340) |
| Expenses using reserve funds | | | | | | | 18,121,119 | | 12,329 | 11,772 |
| Total General Fund - Net Result from Operations | | | | | | | | | (1,171,669) | (2,325,568) |
| Percentage of Budget | 103.15% | | 96.74% | | 95.65% | | 96.60% | | | |
| CLE-Products | 1,048,818 | 824,750 | 502,783 | 530,495 | 160,318 | 162,393 | 663,101 | 692,888 | 385,718 | 131,862 |
| CLE-Seminars | 1,495,762 | 1,613,500 | 866,318 | 1,017,802 | 611,684 | 729,203 | 1,478,001 | 1,747,005 | 17,761 | (133,505) |
| Total CLE | 2,544,580 | 2,438,250 | 1,369,101 | 1,548,297 | 772,001 | 891,596 | 2,141,102 | 2,439,893 | 403,478 | (1,643) |
| Percentage of Budget | 104.36% | | 88.43% | | 86.59% | | 87.75% | | | |
| Total All Sections | 710,461 | 680,712 | - | - | 727,529 | 889,483 | 727,529 | 889,483 | (17,068) | (208,771) |
| Lawyers Fund for Client Protection-Restricted | 1,004,168 | 946,500 | 128,187 | 130,220 | 374,048 | 502,525 | 502,235 | 632,745 | 501,933 | 313,755 |
| Western States Bar Conference | 49,759 | 50,000 | - | - | 49,914 | 50,000 | 49,914 | 50,000.00 | (155) | - |
| Totals | 21,246,090 | 20,536,099 | 17,362,883 | 18,078,274 | 4,179,016 | 4,691,824.42 | 21,541,899 | 22,770,098 | (295,810) | (2,233,999) |
| Percentage of Budget | 103.46% | | 96.04% | | 89.07% | | 94.61% | | | |

| Summary of Fund Balances: | Fund Balances Sept. 30, 2015 | Fund Balances Year to date | 2016 Budgeted Fund Balances |
|---|------------------------------|----------------------------|-----------------------------|
| Restricted Funds: | | | |
| Lawyers Fund for Client Protection | 2,144,289 | 2,646,222 | 2,458,044 |
| Western States Bar Conference | 11,113 | 10,958 | 11,113 |
| Board-Designated Funds (Non-General Fund): | | | |
| CLE Fund Balance | 53,090 | 456,568 | 51,446 |
| Section Funds | 1,229,705 | 1,212,637 | 1,020,934 |
| Board-Designated Funds (General Fund): | | | |
| Operating Reserve Fund | 1,500,000 | 1,500,000 | 1,500,000 |
| Facilities Reserve Fund | 3,286,096 | 2,114,427 | 960,528 |
| Capital Reserve Fund | 262,645 | 250,316 | 250,873 |
| Board Program Reserve Fund | 53,793 | 53,793 | 53,793 |
| Unrestricted Funds (General Fund): | | | |
| Unrestricted General Fund | - | - | - |
| Total Fund Balance | 8,540,731 | 8,244,922 | 6,306,732 |
| Net Change In Fund Balance | | (295,810) | (2,233,999) |

Washington State Bar Association

Statement of Activities

For the Period from September 1, 2016 to September 30, 2016

100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|-----------------------|-------------------------------|----------------------------|-----------------------------|------------------------------|-----------------------------|
| LICENSE FEES | | | | | |
| REVENUE: | | | | | |
| LICENSE FEES | <u>12,545,000.00</u> | <u>1,098,641.28</u> | <u>12,819,372.01</u> | <u>(274,372.01)</u> | <u>102.19%</u> |
| TOTAL REVENUE: | <u>12,545,000.00</u> | <u>1,098,641.28</u> | <u>12,819,372.01</u> | <u>(274,372.01)</u> | <u>102.19%</u> |

Washington State Bar Association
Statement of Activities
For the Period from September 1, 2016 to September 30, 2016
100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|---------------------|----------------------|---------------------|
| ACCESS TO JUSTICE BOARD | | | | | |
| REVENUE: | | | | | |
| CONFERENCES & INSTITUTES | - | - | 1,400.00 | (1,400.00) | |
| TOTAL REVENUE: | - | - | 1,400.00 | (1,400.00) | |
| DIRECT EXPENSES: | | | | | |
| ATJ BOARD RETREAT | 2,000.00 | - | 1,062.81 | 937.19 | 53.14% |
| LEADERSHIP TRAINING | 2,000.00 | - | - | 2,000.00 | 0.00% |
| ATJ BOARD EXPENSE | 11,000.00 | 5,295.24 | 14,133.20 | (3,133.20) | 128.48% |
| ATJ BOARD COMMITTEES EXPENSE | 6,000.00 | 754.69 | 4,415.99 | 1,584.01 | 73.60% |
| CONSULTING SERVICES | 5,000.00 | - | - | 5,000.00 | 0.00% |
| STAFF TRAVEL/PARKING | 1,165.00 | 304.95 | 978.45 | 186.55 | 83.99% |
| STAFF MEMBERSHIP DUES | 150.00 | - | - | 150.00 | 0.00% |
| SUBSCRIPTIONS | - | - | 427.50 | (427.50) | |
| RECEPTION/FORUM EXPENSE | 1,500.00 | - | 3,258.71 | (1,758.71) | 217% |
| TOTAL DIRECT EXPENSES: | 28,815.00 | 6,354.88 | 24,276.66 | 4,538.34 | 84.25% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (1.90 FTE) | 129,853.00 | 14,167.66 | 117,210.32 | 12,642.68 | 90.26% |
| BENEFITS EXPENSE | 46,529.00 | 4,374.81 | 45,182.47 | 1,346.53 | 97.11% |
| OTHER INDIRECT EXPENSE | 45,482.00 | 4,601.51 | 44,982.23 | 499.77 | 98.90% |
| TOTAL INDIRECT EXPENSES: | 221,864.00 | 23,143.98 | 207,375.02 | 14,488.98 | 93.47% |
| TOTAL ALL EXPENSES: | 250,679.00 | 29,498.86 | 231,651.68 | 19,027.32 | 92.41% |
| NET INCOME (LOSS): | (250,679.00) | (29,498.86) | (230,251.68) | | |

Washington State Bar Association
Statement of Activities
For the Period from September 1, 2016 to September 30, 2016
100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|---------------------|----------------------|---------------------|
| ADMINISTRATION | | | | | |
| REVENUE: | | | | | |
| INTEREST INCOME | 28,000.00 | (3,408.99) | 27,032.22 | 967.78 | 96.54% |
| GAIN/LOSS ON INVESTMENTS | 50,000.00 | 9,869.75 | 158,208.37 | (108,208.37) | 316.42% |
| MISCELLANEOUS | - | 130.00 | 314.92 | (314.92) | |
| TOTAL REVENUE: | 78,000.00 | 6,590.76 | 185,555.51 | (107,555.51) | 237.89% |
| DIRECT EXPENSES: | | | | | |
| CREDIT CARD MERCHANT FEES | 7,000.00 | 1,459.52 | 357.75 | 6,642.25 | 5.11% |
| STAFF TRAVEL/PARKING | 2,500.00 | 1,213.00 | 2,427.00 | 73.00 | 97.08% |
| STAFF MEMBERSHIP DUES | 425.00 | - | 260.00 | 165.00 | 61.18% |
| MISCELLANEOUS | - | - | 422.87 | (422.87) | |
| TOTAL DIRECT EXPENSES: | 9,925.00 | 2,672.52 | 3,467.62 | 6,457.38 | 34.94% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (7.91 FTE) | 609,726.00 | 42,773.44 | 620,972.41 | (11,246.41) | 101.84% |
| BENEFITS EXPENSE | 206,091.00 | 16,906.87 | 194,862.20 | 11,228.80 | 94.55% |
| OTHER INDIRECT EXPENSE | 189,350.00 | 19,105.81 | 186,767.08 | 2,582.92 | 98.64% |
| TOTAL INDIRECT EXPENSES: | 1,005,167.00 | 78,786.12 | 1,002,601.69 | 2,565.31 | 99.74% |
| TOTAL ALL EXPENSES: | 1,015,092.00 | 81,458.64 | 1,006,069.31 | 9,022.69 | 99.11% |
| NET INCOME (LOSS): | (937,092.00) | (74,867.88) | (820,513.80) | | |

Washington State Bar Association
Statement of Activities
For the Period from September 1, 2016 to September 30, 2016
100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|------------------------------------|-----------------------|---------------------|---------------------|----------------------|---------------------|
| ADMISSIONS/BAR EXAMS | | | | | |
| REVENUE: | | | | | |
| EXAM SOFT REVENUE | 42,000.00 | - | 36,997.73 | 5,002.27 | 88.09% |
| BAR EXAM FEES | 1,170,000.00 | 46,290.00 | 1,214,770.00 | (44,770.00) | 103.83% |
| SPECIAL ADMISSIONS | 9,920.00 | 4,925.00 | 45,280.00 | (35,360.00) | 456.45% |
| TOTAL REVENUE: | 1,221,920.00 | 51,215.00 | 1,297,047.73 | (75,127.73) | 106.15% |
| DIRECT EXPENSES: | | | | | |
| FACILITY, PARKING, FOOD | 80,000.00 | 284.66 | 67,030.02 | 12,969.98 | 83.79% |
| EXAMINER FEES | 32,500.00 | (125.50) | 34,374.50 | (1,874.50) | 105.77% |
| UBE EXMINATIONS | 140,000.00 | 86,234.00 | 132,146.00 | 7,854.00 | 94.39% |
| BOARD OF BAR EXAMINERS | 25,000.00 | 14,833.53 | 24,177.87 | 822.13 | 96.71% |
| BAR EXAM PROCTORS | 30,000.00 | - | 27,647.00 | 2,353.00 | 92.16% |
| CHARACTER & FITNESS BOARD | 18,000.00 | 3,211.46 | 19,374.00 | (1,374.00) | 107.63% |
| DISABILITY ACCOMMODATIONS | 18,000.00 | - | 17,703.55 | 296.45 | 98.35% |
| CHARACTER & FITNESS INVESTIGATIONS | 1,000.00 | - | 562.83 | 437.17 | 56.28% |
| LAW SCHOOL VISITS | 600.00 | 41.00 | 913.33 | (313.33) | 152.22% |
| COURT REPORTERS | 15,000.00 | 2,862.31 | 15,248.38 | (248.38) | 101.66% |
| DEPRECIATION-SOFTWARE | 10,000.00 | - | 9,942.23 | 57.77 | 99.42% |
| POSTAGE | 1,500.00 | 281.45 | 3,149.29 | (1,649.29) | 209.95% |
| STAFF TRAVEL/PARKING | 12,500.00 | 11.86 | 8,977.15 | 3,522.85 | 71.82% |
| STAFF MEMBERSHIP DUES | 200.00 | - | 200.00 | - | 100.00% |
| SUPPLIES | 1,200.00 | - | 1,447.44 | (247.44) | 120.62% |
| TOTAL DIRECT EXPENSES: | 385,500.00 | 107,634.77 | 362,893.59 | 22,606.41 | 94.14% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (6.92 FTE) | 458,058.00 | 38,869.55 | 469,693.70 | (11,635.70) | 102.54% |
| BENEFITS EXPENSE | 166,060.00 | 12,804.69 | 155,149.09 | 10,910.91 | 93.43% |
| OTHER INDIRECT EXPENSE | 165,651.00 | 16,694.94 | 163,207.47 | 2,443.53 | 98.52% |
| TOTAL INDIRECT EXPENSES: | 789,769.00 | 68,369.18 | 788,050.26 | 1,718.74 | 99.78% |
| TOTAL ALL EXPENSES: | 1,175,269.00 | 176,003.95 | 1,150,943.85 | 24,325.15 | 97.93% |
| NET INCOME (LOSS): | 46,651.00 | (124,788.95) | 146,103.88 | | |

Washington State Bar Association
Statement of Activities
For the Period from September 1, 2016 to September 30, 2016
100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|---------------------|----------------------|---------------------|
| BOG/OED | | | | | |
| REVENUE: | | | | | |
| TOTAL REVENUE: | - | - | - | - | |
| DIRECT EXPENSES: | | | | | |
| BOG MEETINGS | 120,000.00 | 20,826.19 | 143,548.67 | (23,548.67) | 119.62% |
| BOG COMMITTEES' EXPENSES | 30,000.00 | 2,028.65 | 33,451.56 | (3,451.56) | 111.51% |
| WASHINGTON LEADERSHIP INSTITUTE | 60,000.00 | - | 60,000.00 | - | 100.00% |
| BOG CONFERENCE ATTENDANCE | 16,500.00 | 960.40 | 13,012.95 | 3,487.05 | 78.87% |
| BOG TRAVEL & OUTREACH | 50,000.00 | 3,267.79 | 29,829.09 | 20,170.91 | 59.66% |
| ED TRAVEL & OUTREACH | 5,000.00 | 554.73 | 5,571.07 | (571.07) | 111.42% |
| BOG ELECTIONS | 5,000.00 | - | 3,976.59 | 1,023.41 | 79.53% |
| STAFF TRAVEL/PARKING | 4,000.00 | 328.00 | 4,386.00 | (386.00) | 109.65% |
| STAFF MEMBERSHIP DUES | 1,680.00 | 150.00 | 1,822.10 | (142.10) | 108.46% |
| TELEPHONE | 1,300.00 | 143.31 | 1,009.81 | 290.19 | 77.68% |
| TOTAL DIRECT EXPENSES: | 293,480.00 | 28,259.07 | 296,607.84 | (3,127.84) | 101.07% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (2.45 FTE) | 315,529.00 | 26,684.09 | 339,068.96 | (23,539.96) | 107.46% |
| BENEFITS EXPENSE | 91,324.00 | 7,057.22 | 85,350.17 | 5,973.83 | 93.46% |
| OTHER INDIRECT EXPENSE | 58,648.00 | 5,937.11 | 58,017.11 | 630.89 | 98.92% |
| TOTAL INDIRECT EXPENSES: | 465,501.00 | 39,678.42 | 482,436.24 | (16,935.24) | 103.64% |
| TOTAL ALL EXPENSES: | 758,981.00 | 67,937.49 | 779,044.08 | (20,063.08) | 102.64% |
| NET INCOME (LOSS): | (758,981.00) | (67,937.49) | (779,044.08) | | |

Washington State Bar Association

Statement of Activities

For the Period from September 1, 2016 to September 30, 2016

100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|---------------------|-----------------------|----------------------|---------------------|
| COMMUNICATIONS | | | | | |
| REVENUE: | | | | | |
| AWARDS LUNCH/DINNER | 45,000.00 | 24,058.93 | 23,218.93 | 21,781.07 | 51.60% |
| 50 YEAR MEMBER TRIBUTE LUNCH | 250.00 | - | 810.00 | (560.00) | 324.00% |
| WSBA LOGO MERCHANDISE SALES | - | 1,120.70 | 1,260.70 | (1,260.70) | |
| TOTAL REVENUE: | 45,250.00 | 25,179.63 | 25,289.63 | 19,960.37 | 55.89% |
| DIRECT EXPENSES: | | | | | |
| IMAGE LIBRARY | 4,000.00 | - | 4,099.00 | (99.00) | 102.48% |
| BAR OUTREACH | 1,000.00 | - | 1,110.54 | (110.54) | 111.05% |
| ABA DELEGATES | 5,600.00 | 1,789.53 | 3,764.91 | 1,835.09 | 67.23% |
| ANNUAL CHAIR MTGS | 600.00 | - | 169.50 | 430.50 | 28.25% |
| AWARDS DINNER | 55,000.00 | 51,089.57 | 56,707.07 | (1,707.07) | 103.10% |
| 50 YEAR MEMBER TRIBUTE LUNCH | 5,800.00 | - | 7,502.85 | (1,702.85) | 129.36% |
| JUD RECOMMEND COMMITTEE | 5,000.00 | - | 4,782.95 | 217.05 | 95.66% |
| PROFESSIONALISM | 1,000.00 | - | 636.88 | 363.12 | 63.69% |
| ONLINE EXPENSES | - | 110.82 | 414.02 | (414.02) | |
| COMMUNICATIONS OUTREACH | 17,000.00 | 985.01 | 5,617.48 | 11,382.52 | 33.04% |
| TRANSLATION SERVICES | 2,500.00 | 225.15 | 3,558.95 | (1,058.95) | 142.36% |
| DEPRECIATION | 2,712.00 | 225.00 | 2,707.00 | 5.00 | 99.82% |
| EQUIPMENT, HARDWARE & SOFTWARE | 1,520.00 | 223.85 | 1,055.33 | 464.67 | 69.43% |
| STAFF TRAVEL/PARKING | 4,500.00 | 1,381.85 | 8,405.25 | (3,905.25) | 186.78% |
| STAFF MEMBERSHIP DUES | 1,950.00 | - | 1,566.00 | 384.00 | 80.31% |
| SUBSCRIPTIONS | 7,250.00 | 168.00 | 6,846.80 | 403.20 | 94.44% |
| DIGITAL/ONLINE DEVELOPMENT | 3,750.00 | 291.57 | 3,213.84 | 536.16 | 85.70% |
| CONFERENCE CALLS | 200.00 | 0.68 | 81.92 | 118.08 | 40.96% |
| TOTAL DIRECT EXPENSES: | 119,382.00 | 56,491.03 | 112,240.29 | 7,141.71 | 94.02% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (14.15 FTE) | 837,316.00 | 75,935.40 | 858,748.90 | (21,432.90) | 102.56% |
| BENEFITS EXPENSE | 317,600.00 | 23,923.47 | 294,723.64 | 22,876.36 | 92.80% |
| OTHER INDIRECT EXPENSE | 338,723.00 | 34,150.62 | 333,864.77 | 4,858.23 | 98.57% |
| TOTAL INDIRECT EXPENSES: | 1,493,639.00 | 134,009.49 | 1,487,337.31 | 6,301.69 | 99.58% |
| TOTAL ALL EXPENSES: | 1,613,021.00 | 190,500.52 | 1,599,577.60 | 13,443.40 | 99.17% |
| NET INCOME (LOSS): | (1,567,771.00) | (165,320.89) | (1,574,287.97) | | |

Washington State Bar Association
Statement of Activities
For the Period from September 1, 2016 to September 30, 2016
100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|---------------------|-----------------------|----------------------|---------------------|
| DISCIPLINE | | | | | |
| REVENUE: | | | | | |
| AUDIT REVENUE | - | 106.25 | 2,303.50 | (2,303.50) | |
| RECOVERY OF DISCIPLINE COSTS | 93,750.00 | 4,170.00 | 138,768.34 | (45,018.34) | 148.02% |
| ETHICS SCHOOL | - | - | 150.00 | (150.00) | |
| DISCIPLINE HISTORY SUMMARY | 13,000.00 | 1,345.27 | 13,878.44 | (878.44) | 106.76% |
| TOTAL REVENUE: | 106,750.00 | 5,621.52 | 155,100.28 | (48,350.28) | 145.29% |
| DIRECT EXPENSES: | | | | | |
| COURT REPORTERS | 75,000.00 | 13,301.03 | 50,771.57 | 24,228.43 | 67.70% |
| OUTSIDE COUNSEL/AIC | 5,000.00 | 103.83 | 1,439.45 | 3,560.55 | 28.79% |
| LITIGATION EXPENSES | 30,000.00 | 5,429.94 | 22,186.24 | 7,813.76 | 73.95% |
| DISABILITY EXPENSES | 15,000.00 | 2,500.00 | 15,477.36 | (477.36) | 103.18% |
| ONLINE LEGAL RESEARCH | 57,400.00 | 9,680.24 | 58,206.84 | (806.84) | 101.41% |
| LAW LIBRARY | 15,500.00 | 7,199.91 | 12,822.18 | 2,677.82 | 82.72% |
| TRANSLATION SERVICES | 4,000.00 | - | 1,459.76 | 2,540.24 | 36.49% |
| DEPRECIATION-SOFTWARE | 26,500.00 | 2,205.00 | 26,454.00 | 46.00 | 99.83% |
| PUBLICATIONS PRODUCTION | - | - | 39.40 | (39.40) | |
| STAFF TRAVEL/PARKING | 38,500.00 | 3,156.40 | 38,668.75 | (168.75) | 100.44% |
| STAFF MEMBERSHIP DUES | 3,554.00 | - | 3,754.03 | (200.03) | 105.63% |
| TELEPHONE | 4,500.00 | 220.22 | 2,638.68 | 1,861.32 | 58.64% |
| TOTAL DIRECT EXPENSES: | 274,954.00 | 43,796.57 | 233,918.26 | 41,035.74 | 85.08% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (37.88 FTE) | 3,316,555.00 | 258,242.41 | 3,347,020.39 | (30,465.39) | 100.92% |
| BENEFITS EXPENSE | 1,078,462.00 | 84,048.31 | 1,010,320.38 | 68,141.62 | 93.68% |
| OTHER INDIRECT EXPENSE | 906,773.00 | 91,446.71 | 893,851.14 | 12,921.86 | 98.57% |
| TOTAL INDIRECT EXPENSES: | 5,301,790.00 | 433,737.43 | 5,251,191.91 | 50,598.09 | 99.05% |
| TOTAL ALL EXPENSES: | 5,576,744.00 | 477,534.00 | 5,485,110.17 | 91,633.83 | 98.36% |
| NET INCOME (LOSS): | (5,469,994.00) | (471,912.48) | (5,330,009.89) | | |

Washington State Bar Association
Statement of Activities
For the Period from September 1, 2016 to September 30, 2016
100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|---------------------|----------------------|---------------------|
| DIVERSITY | | | | | |
| REVENUE: | | | | | |
| DONATIONS & GRANTS | 90,000.00 | 200.00 | 90,400.00 | (400.00) | 100.44% |
| SEMINAR REGISTRATIONS | - | - | 450.00 | (450.00) | |
| WORK STUDY GRANTS | 8,592.00 | - | 2,869.12 | 5,722.88 | 33.39% |
| TOTAL REVENUE: | 98,592.00 | 200.00 | 93,719.12 | 4,872.88 | 95.06% |
| DIRECT EXPENSES: | | | | | |
| STAFF MEMBERSHIP DUES | 200.00 | - | 467.00 | (267.00) | 233.50% |
| STAFF TRAVEL/PARKING | 4,500.00 | 1,621.44 | 6,079.98 | (1,579.98) | 135.11% |
| COMMITTEE FOR DIVERSITY | 5,000.00 | 233.84 | 3,761.23 | 1,238.77 | 75.22% |
| DIVERSITY EVENTS & PROJECTS | 5,000.00 | 2,334.53 | 5,296.30 | (296.30) | 105.93% |
| SPECIAL EVENTS | 5,000.00 | - | 1,864.93 | 3,135.07 | 37.30% |
| SPEAKERS & PROGRAM DEVELOPMENT | 1,000.00 | - | - | 1,000.00 | 0.00% |
| INTERNAL DIVERSITY OUTREACH | 500.00 | - | - | 500.00 | 0.00% |
| TOTAL DIRECT EXPENSE: | 21,200.00 | 4,189.81 | 17,469.44 | 3,730.56 | 82.40% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (3.60 FTE) | 259,443.00 | 15,178.42 | 222,924.50 | 36,518.50 | 85.92% |
| BENEFITS EXPENSE | 88,241.00 | 5,961.77 | 76,568.46 | 11,672.54 | 86.77% |
| OTHER INDIRECT EXPENSE | 86,177.00 | 8,679.34 | 84,846.56 | 1,330.44 | 98.46% |
| TOTAL INDIRECT EXPENSES: | 433,861.00 | 29,819.53 | 384,339.52 | 49,521.48 | 88.59% |
| TOTAL ALL EXPENSES: | 455,061.00 | 34,009.34 | 401,808.96 | 53,252.04 | 88.30% |
| NET INCOME (LOSS): | (356,469.00) | (33,809.34) | (308,089.84) | | |

Washington State Bar Association
Statement of Activities
For the Period from September 1, 2016 to September 30, 2016
100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|---------------------|----------------------|---------------------|
| FOUNDATION | | | | | |
| REVENUE: | | | | | |
| | | | | | |
| TOTAL REVENUE: | - | - | - | - | |
| DIRECT EXPENSES: | | | | | |
| BOARD OF TRUSTEES | 5,000.00 | 241.24 | 1,165.70 | 3,834.30 | 23.31% |
| GRAPHIC DESIGN | 1,500.00 | 600.00 | 600.00 | 900.00 | 40.00% |
| CONSULTING SERVICES | 3,000.00 | - | 2,836.00 | 164.00 | 94.53% |
| POSTAGE | 1,000.00 | - | - | 1,000.00 | 0.00% |
| PRINTING & COPYING | 1,500.00 | 304.13 | 1,375.50 | 124.50 | 91.70% |
| STAFF TRAVEL/PARKING | 1,700.00 | 44.28 | 1,352.38 | 347.62 | 79.55% |
| STAFF MEMBERSHIP DUES | 600.00 | - | 50.00 | 550.00 | 8.33% |
| SUPPLIES | 100.00 | 99.86 | 189.62 | (89.62) | 189.62% |
| SPECIAL EVENTS | 6,000.00 | 3,422.39 | 5,022.46 | 977.54 | 83.71% |
| TOTAL DIRECT EXPENSES: | 20,400.00 | 4,711.90 | 12,591.66 | 7,808.34 | 61.72% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (1.25 FTE) | 88,378.00 | 6,536.80 | 76,215.17 | 12,162.83 | 86.24% |
| BENEFITS EXPENSE | 31,258.00 | 2,270.25 | 26,785.19 | 4,472.81 | 85.69% |
| OTHER INDIRECT EXPENSE | 29,923.00 | 3,033.28 | 29,651.38 | 271.62 | 99.09% |
| TOTAL INDIRECT EXPENSES: | 149,559.00 | 11,840.33 | 132,651.74 | 16,907.26 | 88.70% |
| TOTAL ALL EXPENSES: | 169,959.00 | 16,552.23 | 145,243.40 | 24,715.60 | 85.46% |
| NET INCOME (LOSS): | (169,959.00) | (16,552.23) | (145,243.40) | | |

Washington State Bar Association
Statement of Activities
For the Period from September 1, 2016 to September 30, 2016
100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-------------------------------|--------------------------|-------------------------|------------------------------|-----------------------------|
| HUMAN RESOURCES | | | | | |
| REVENUE: | | | | | |
| TOTAL REVENUE: | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | |
| DIRECT EXPENSES: | | | | | |
| STAFF TRAINING- GENERAL | 35,000.00 | 1,235.00 | 12,225.32 | 22,774.68 | 34.93% |
| RECRUITING AND ADVERTISING | 7,000.00 | 602.62 | 6,844.74 | 155.26 | 97.78% |
| PAYROLL PROCESSING | 55,000.00 | 6,261.90 | 56,063.05 | (1,063.05) | 101.93% |
| SALARY SURVEYS | 2,700.00 | - | 2,161.76 | 538.24 | 80.07% |
| DEPRECIATION | 5,016.00 | 417.00 | 5,012.00 | 4.00 | 99.92% |
| CONSULTING SERVICES | 7,500.00 | - | 9,200.00 | (1,700.00) | 122.67% |
| PRINTING & COPYING | - | - | 21.90 | (21.90) | |
| STAFF TRAVEL/PARKING | 250.00 | - | 102.00 | 148.00 | 40.80% |
| STAFF MEMBERSHIP DUES | 720.00 | - | 1,273.00 | (553.00) | 176.81% |
| SUBSCRIPTIONS | 1,650.00 | - | 2,072.37 | (422.37) | 125.60% |
| SURVEYS | - | - | 29.97 | (29.97) | |
| THIRD PARTY SERVICES | 13,500.00 | - | 13,426.02 | 73.98 | 99.45% |
| TRANSFER TO INDIRECT EXPENSE | (128,336.00) | (8,516.52) | (108,432.13) | (19,903.87) | 84.49% |
| TOTAL DIRECT EXPENSES: | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (2.48 FTE) | 236,067.00 | 19,679.05 | 225,929.48 | 10,137.52 | 95.71% |
| ALLOWANCE FOR OPEN POSITIONS | (120,000.00) | - | - | (120,000.00) | 0.00% |
| BENEFITS EXPENSE | 73,728.00 | 5,107.77 | 68,612.90 | 5,115.10 | 93.06% |
| OTHER INDIRECT EXPENSE | 59,366.00 | 5,999.73 | 58,642.85 | 723.15 | 98.78% |
| TOTAL INDIRECT EXPENSES: | <u>249,161.00</u> | <u>30,786.55</u> | <u>353,185.23</u> | <u>(104,024.23)</u> | <u>141.75%</u> |
| TOTAL ALL EXPENSES: | <u>249,161.00</u> | <u>30,786.55</u> | <u>353,185.23</u> | <u>(104,024.23)</u> | <u>141.75%</u> |
| NET INCOME (LOSS): | <u>(249,161.00)</u> | <u>(30,786.55)</u> | <u>(353,185.23)</u> | | |

Washington State Bar Association
Statement of Activities
For the Period from September 1, 2016 to September 30, 2016
100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|------------------------------------|-----------------------|-------------------|-------------------|----------------------|---------------------|
| LAW CLERK PROGRAM | | | | | |
| REVENUE: | | | | | |
| LAW CLERK FEES | 90,000.00 | 5,250.00 | 102,725.00 | (12,725.00) | 114.14% |
| LAW CLERK APPLICATION FEES | 2,400.00 | - | 2,100.00 | 300.00 | 87.50% |
| TOTAL REVENUE: | 92,400.00 | 5,250.00 | 104,825.00 | (12,425.00) | 113.45% |
| DIRECT EXPENSES: | | | | | |
| SUBSCRIPTIONS | 250.00 | - | 250.00 | - | 100.00% |
| CHARACTER & FITNESS INVESTIGATIONS | 100.00 | - | - | 100.00 | 0.00% |
| LAW CLERK BOARD EXPENSE | 7,200.00 | 658.83 | 6,542.94 | 657.06 | 90.87% |
| TOTAL DIRECT EXPENSES: | 7,550.00 | 658.83 | 6,792.94 | 757.06 | 89.97% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (0.68 FTE) | 37,968.00 | 2,939.94 | 31,393.64 | 6,574.36 | 82.68% |
| BENEFITS EXPENSE | 14,817.00 | 1,168.18 | 12,403.11 | 2,413.89 | 83.71% |
| OTHER INDIRECT EXPENSE | 16,278.00 | 1,637.63 | 16,010.75 | 267.25 | 98.36% |
| TOTAL INDIRECT EXPENSES: | 69,063.00 | 5,745.75 | 59,807.50 | 9,255.50 | 86.60% |
| TOTAL ALL EXPENSES: | 76,613.00 | 6,404.58 | 66,600.44 | 10,012.56 | 86.93% |
| NET INCOME (LOSS): | 15,787.00 | (1,154.58) | 38,224.56 | | |

Washington State Bar Association
Statement of Activities
For the Period from September 1, 2016 to September 30, 2016
100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---|-----------------------|--------------------|---------------------|----------------------|---------------------|
| LAW OFFICE MNGT ASSISTANCE PROGRAM | | | | | |
| REVENUE: | | | | | |
| DIVERSIONS | 4,000.00 | - | 2,463.75 | 1,536.25 | 61.59% |
| LAW OFFICE IN A BOX SALES | 2,500.00 | 450.00 | 3,735.64 | (1,235.64) | 149.43% |
| TOTAL REVENUE: | 6,500.00 | 450.00 | 6,199.39 | 300.61 | 95.38% |
| DIRECT EXPENSES: | | | | | |
| LIBRARY MATERIALS/RESOURCES | 1,500.00 | - | 729.04 | 770.96 | 48.60% |
| LAW OFFICE IN A BOX | 500.00 | 125.27 | 893.72 | (393.72) | 178.74% |
| STAFF TRAVEL/PARKING | 5,000.00 | - | 2,163.99 | 2,836.01 | 43.28% |
| STAFF MEMBERSHIP DUES | 995.00 | - | 219.00 | 776.00 | 22.01% |
| CONFERENCE CALLS | 100.00 | - | 53.97 | 46.03 | 53.97% |
| TOTAL DIRECT EXPENSES: | 8,095.00 | 125.27 | 4,059.72 | 4,035.28 | 50.15% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (3.31 FTE) | 198,636.00 | 5,786.13 | 160,610.38 | 38,025.62 | 80.86% |
| BENEFITS EXPENSE | 75,081.00 | 3,640.96 | 56,544.19 | 18,536.81 | 75.31% |
| OTHER INDIRECT EXPENSE | 79,235.00 | 7,979.91 | 78,013.49 | 1,221.51 | 98.46% |
| TOTAL INDIRECT EXPENSES: | 352,952.00 | 17,407.00 | 295,168.06 | 57,783.94 | 83.63% |
| TOTAL ALL EXPENSES: | 361,047.00 | 17,532.27 | 299,227.78 | 61,819.22 | 82.88% |
| NET INCOME (LOSS): | (354,547.00) | (17,082.27) | (293,028.39) | | |

Washington State Bar Association
Statement of Activities
For the Period from September 1, 2016 to September 30, 2016
100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|----------------------------------|-----------------------|-------------------|---------------------|----------------------|---------------------|
| LAWYER ASSISTANCE PROGRAM | | | | | |
| REVENUE: | | | | | |
| DIVERSIONS | 18,000.00 | - | 11,150.00 | 6,850.00 | 61.94% |
| LAP GROUPS REVENUE | - | 350.00 | 930.00 | (930.00) | |
| TOTAL REVENUE: | 18,000.00 | 350.00 | 12,080.00 | 5,920.00 | 67.11% |
| DIRECT EXPENSES: | | | | | |
| PROF LIAB INSURANCE | 850.00 | - | 775.50 | 74.50 | 91.24% |
| MEMBER ASSISTANCE PROGRAM | 45,120.00 | - | 33,840.00 | 11,280.00 | 75.00% |
| PUBLICATIONS PRODUCTION | 200.00 | - | 228.22 | (28.22) | 114.11% |
| STAFF MEMBERSHIP DUES | 350.00 | - | 226.00 | 124.00 | 64.57% |
| CONFERENCE CALLS | 100.00 | - | 32.42 | 67.58 | 32.42% |
| MISCELLANEOUS | 150.00 | - | - | 150.00 | 0.00% |
| TOTAL DIRECT EXPENSES: | 46,770.00 | - | 35,102.14 | 11,667.86 | 75.05% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (0.87 FTE) | 74,959.00 | 6,045.25 | 75,952.84 | (993.84) | 101.33% |
| BENEFITS EXPENSE | 24,524.00 | 2,162.33 | 27,702.55 | (3,178.55) | 112.96% |
| OTHER INDIRECT EXPENSE | 20,826.00 | 2,092.39 | 20,452.42 | 373.58 | 98.21% |
| TOTAL INDIRECT EXPENSES: | 120,309.00 | 10,299.97 | 124,107.81 | (3,798.81) | 103.16% |
| TOTAL ALL EXPENSES: | 167,079.00 | 10,299.97 | 159,209.95 | 7,869.05 | 95.29% |
| NET INCOME (LOSS): | (149,079.00) | (9,949.97) | (147,129.95) | | |

Washington State Bar Association
Statement of Activities
For the Period from September 1, 2016 to September 30, 2016
100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|---------------------|----------------------|---------------------|
| LEGISLATIVE | | | | | |
| REVENUE: | | | | | |
| TOTAL REVENUE: | - | - | - | - | |
| DIRECT EXPENSES: | | | | | |
| RENT - OLYMPIA OFFICE | 8,702.00 | 706.97 | 8,680.21 | 21.79 | 99.75% |
| CONTRACT LOBBYIST | 28,000.00 | - | 15,000.00 | 13,000.00 | 53.57% |
| LOBBYIST CONTACT COSTS | 1,600.00 | 42.66 | 404.95 | 1,195.05 | 25.31% |
| LEGISLATIVE COMMITTEE | 5,000.00 | 1,060.62 | 3,234.63 | 1,765.37 | 64.69% |
| BOG LEGISLATIVE COMMITTEE | 250.00 | - | 275.76 | (25.76) | 110.30% |
| STAFF TRAVEL/PARKING | 3,500.00 | 347.12 | 4,223.85 | (723.85) | 120.68% |
| STAFF MEMBERSHIP DUES | 450.00 | - | 120.00 | 330.00 | 26.67% |
| SUBSCRIPTIONS | 2,000.00 | - | 2,192.97 | (192.97) | 109.65% |
| SUPPLIES | 750.00 | 55.38 | 169.10 | 580.90 | 22.55% |
| TELEPHONE | 3,000.00 | 20.00 | 2,210.84 | 789.16 | 73.69% |
| TOTAL DIRECT EXPENSES: | 53,252.00 | 2,232.75 | 36,512.31 | 16,739.69 | 68.57% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (1.85 FTE) | 144,186.00 | 11,472.70 | 106,834.42 | 37,351.58 | 74.09% |
| BENEFITS EXPENSE | 48,987.00 | 4,002.68 | 39,461.89 | 9,525.11 | 80.56% |
| OTHER INDIRECT EXPENSE | 44,285.00 | 4,463.17 | 43,627.75 | 657.25 | 98.52% |
| TOTAL INDIRECT EXPENSES: | 237,458.00 | 19,938.55 | 189,924.06 | 47,533.94 | 79.98% |
| TOTAL ALL EXPENSES: | 290,710.00 | 22,171.30 | 226,436.37 | 64,273.63 | 77.89% |
| NET INCOME (LOSS): | (290,710.00) | (22,171.30) | (226,436.37) | | |

Washington State Bar Association
Statement of Activities
For the Period from September 1, 2016 to September 30, 2016
100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---|-----------------------|--------------------|---------------------|----------------------|---------------------|
| LICENSING & MEMBERSHIP RECORDS | | | | | |
| REVENUE: | | | | | |
| STATUS CERTIFICATE FEES | 21,000.00 | 1,808.24 | 21,491.92 | (491.92) | 102.34% |
| RULE 9/LEGAL INTERN FEES | 15,000.00 | 600.00 | 12,900.00 | 2,100.00 | 86.00% |
| INVESTIGATION FEES | 21,000.00 | 1,100.00 | 20,300.00 | 700.00 | 96.67% |
| PRO HAC VICE | 190,000.00 | 14,630.00 | 187,800.00 | 2,200.00 | 98.84% |
| MEMBER CONTACT INFORMATION | 28,000.00 | 2,325.19 | 22,727.71 | 5,272.29 | 81.17% |
| PHOTO BAR CARD SALES | 500.00 | - | 564.13 | (64.13) | 112.83% |
| TOTAL REVENUE: | 275,500.00 | 20,463.43 | 265,783.76 | 9,716.24 | 96.47% |
| DIRECT EXPENSES: | | | | | |
| LICENSING FORMS | 2,000.00 | - | 8,348.32 | (6,348.32) | 417.42% |
| POSTAGE | 21,000.00 | 35.04 | 26,682.93 | (5,682.93) | 127.06% |
| TOTAL DIRECT EXPENSES: | 23,000.00 | 35.04 | 35,031.25 | (12,031.25) | 152.31% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (4.16 FTE) | 315,537.00 | 21,066.32 | 301,643.09 | 13,893.91 | 95.60% |
| BENEFITS EXPENSE | 105,800.00 | 8,074.70 | 97,375.15 | 8,424.85 | 92.04% |
| OTHER INDIRECT EXPENSE | 99,582.00 | 10,040.53 | 98,149.96 | 1,432.04 | 98.56% |
| TOTAL INDIRECT EXPENSES: | 520,919.00 | 39,181.55 | 497,168.20 | 23,750.80 | 95.44% |
| TOTAL ALL EXPENSES: | 543,919.00 | 39,216.59 | 532,199.45 | 11,719.55 | 97.85% |
| NET INCOME (LOSS): | (268,419.00) | (18,753.16) | (266,415.69) | | |

Washington State Bar Association
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For the Period from September 1, 2016 to September 30, 2016
100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---|-----------------------|--------------------|---------------------|----------------------|---------------------|
| LIMITED LICENSE LEGAL TECHNICIAN PROGRAM | | | | | |
| REVENUE: | | | | | |
| LLLT LICENSE FEES | 2,625.00 | 233.28 | 2,756.25 | (131.25) | 105.00% |
| LLLT EXAM FEES | 8,100.00 | - | 4,500.00 | 3,600.00 | 55.56% |
| LLLT EDUCATION APPROVAL FEES | - | 2,500.00 | 2,500.00 | (2,500.00) | |
| LLLT WAIVER FEES | 600.00 | 300.00 | 1,950.00 | (1,350.00) | 325.00% |
| TOTAL REVENUE: | 11,325.00 | 3,033.28 | 11,706.25 | (381.25) | 103.37% |
| DIRECT EXPENSES: | | | | | |
| CHRACTER & FITNESS INVESTIGATIONS | 100.00 | - | 228.00 | (128.00) | 228.00% |
| LLLT BOARD | 17,000.00 | 2,164.81 | 16,194.71 | 805.29 | 95.26% |
| LLLT OUTREACH | 7,000.00 | 910.75 | 5,390.37 | 1,609.63 | 77.01% |
| LLLT EXAM WRITING | 25,000.00 | - | 16,290.00 | 8,710.00 | 65.16% |
| STAFF TRAVEL/PARKING | - | - | 309.10 | (309.10) | |
| STAFF MEMBERSHIP DUES | - | - | 110.00 | (110.00) | |
| TOTAL DIRECT EXPENSES: | 49,100.00 | 3,075.56 | 38,522.18 | 10,577.82 | 78.46% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (1.36 FTE) | 110,230.00 | 7,910.86 | 102,454.46 | 7,775.54 | 92.95% |
| BENEFITS EXPENSE | 36,895.00 | 2,875.45 | 34,667.61 | 2,227.39 | 93.96% |
| OTHER INDIRECT EXPENSE | 32,556.00 | 3,277.75 | 32,040.00 | 516.00 | 98.42% |
| TOTAL INDIRECT EXPENSES: | 179,681.00 | 14,064.06 | 169,162.07 | 10,518.93 | 94.15% |
| TOTAL ALL EXPENSES: | 228,781.00 | 17,139.62 | 207,684.25 | 21,096.75 | 90.78% |
| NET INCOME (LOSS): | (217,456.00) | (14,106.34) | (195,978.00) | | |

Washington State Bar Association
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For the Period from September 1, 2016 to September 30, 2016
100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|------------------------------------|-------------------------------|--------------------------|-------------------------|------------------------------|-----------------------------|
| LIMITED PRACTICE OFFICERS | | | | | |
| REVENUE: | | | | | |
| RECOVERY OF DISCIPLINE COSTS | - | - | 520.00 | (520.00) | |
| LPO EXAMINATION FEES | 15,000.00 | 300.00 | 20,700.00 | (5,700.00) | 138.00% |
| LPO LICENSE FEES | 108,000.00 | 8,628.89 | 106,672.50 | 1,327.50 | 98.77% |
| LPO LATE LICENSE FEES | 1,000.00 | 110.00 | 935.00 | 65.00 | 93.50% |
| LPO CEU & TA LATE FEES | 4,000.00 | 100.00 | 3,550.00 | 450.00 | 88.75% |
| LPO CONTINUING ED ACCRED FEE | 2,700.00 | 225.00 | 2,525.00 | 175.00 | 93.52% |
| TOTAL REVENUE: | 130,700.00 | 9,363.89 | 134,902.50 | (4,202.50) | 103.22% |
| DIRECT EXPENSES: | | | | | |
| LPO EXAM FACILITIES | 700.00 | - | 844.46 | (144.46) | 120.64% |
| LPO BOARD | 2,300.00 | 369.92 | 1,497.78 | 802.22 | 65.12% |
| LPO DISCIPLINE EXPENSES | 200.00 | - | - | 200.00 | 0.00% |
| FINGERPRINT CARD PROCESSING | 1,500.00 | - | 3,002.00 | (1,502.00) | 200.13% |
| LITIGATION EXPENSES | - | - | 24.89 | (24.89) | |
| CHARACTER & FITNESS INVESTIGATIONS | 100.00 | - | - | 100.00 | 0.00% |
| POSTAGE | 2,300.00 | 8.60 | 1,489.98 | 810.02 | 64.78% |
| PRINTING & COPYING | - | 62.81 | 759.92 | (759.92) | |
| TOTAL DIRECT EXPENSES: | 7,100.00 | 441.33 | 7,619.03 | (519.03) | 107.31% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (1.50 FTE) | 107,877.00 | 9,176.92 | 116,126.89 | (8,249.89) | 107.65% |
| BENEFITS EXPENSE | 37,839.00 | 2,952.61 | 35,093.54 | 2,745.46 | 92.74% |
| OTHER INDIRECT EXPENSE | 35,907.00 | 3,626.14 | 35,446.31 | 460.69 | 98.72% |
| TOTAL INDIRECT EXPENSES: | 181,623.00 | 15,755.67 | 186,666.74 | (5,043.74) | 102.78% |
| TOTAL ALL EXPENSES: | 188,723.00 | 16,197.00 | 194,285.77 | (5,562.77) | 102.95% |
| NET INCOME (LOSS): | (58,023.00) | (6,833.11) | (59,383.27) | | |

Washington State Bar Association
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For the Period from September 1, 2016 to September 30, 2016
100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---|-----------------------|--------------------|-------------------|----------------------|---------------------|
| MANDATORY CLE ADMINISTRATION | | | | | |
| REVENUE: | | | | | |
| ACCREDITED PROGRAM FEES | 300,000.00 | 24,450.00 | 278,650.00 | 21,350.00 | 92.88% |
| FORM 1 LATE FEES | 60,000.00 | 10,779.12 | 118,300.00 | (58,300.00) | 197.17% |
| MEMBER LATE FEES | 160,000.00 | 2,100.00 | 242,760.00 | (82,760.00) | 151.73% |
| ANNUAL ACCREDITED SPONSOR FEES | 23,000.00 | - | 27,750.00 | (4,750.00) | 120.65% |
| ATTENDANCE FEES | 70,000.00 | 3,046.00 | 60,815.12 | 9,184.88 | 86.88% |
| COMITY CERTIFICATES | 26,000.00 | 800.00 | 34,948.20 | (8,948.20) | 134.42% |
| ATTENDANCE LATE FEES | 60,000.00 | 6,475.00 | 71,937.00 | (11,937.00) | 119.90% |
| TOTAL REVENUE: | 699,000.00 | 47,650.12 | 835,160.32 | (136,160.32) | 119.48% |
| DIRECT EXPENSES: | | | | | |
| MCLE BOARD | 2,000.00 | 162.26 | 1,940.93 | 59.07 | 97.05% |
| POSTAGE | 2,000.00 | - | 793.00 | 1,207.00 | 39.65% |
| STAFF TRAVEL/PARKING | - | - | 40.00 | (40.00) | |
| STAFF MEMBERSHIP DUES | 700.00 | - | 500.00 | 200.00 | 71.43% |
| DEPRECIATION | 108,120.00 | 15,335.00 | 107,345.00 | 775.00 | 99.28% |
| TOTAL DIRECT EXPENSES: | 112,820.00 | 15,497.26 | 110,618.93 | 2,201.07 | 98.05% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (5.33 FTE) | 332,303.00 | 23,605.91 | 270,204.44 | 62,098.56 | 81.31% |
| BENEFITS EXPENSE | 118,506.00 | 9,325.62 | 111,826.49 | 6,679.51 | 94.36% |
| OTHER INDIRECT EXPENSE | 127,590.00 | 12,858.81 | 125,707.77 | 1,882.23 | 98.52% |
| TOTAL INDIRECT EXPENSES: | 578,399.00 | 45,790.34 | 507,738.70 | 70,660.30 | 87.78% |
| TOTAL ALL EXPENSES: | 691,219.00 | 61,287.60 | 618,357.63 | 72,861.37 | 89.46% |
| NET INCOME (LOSS): | 7,781.00 | (13,637.48) | 216,802.69 | | |

Washington State Bar Association
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100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|-------------------|--------------------|----------------------|---------------------|
| MEMBER BENEFITS | | | | | |
| REVENUE: | | | | | |
| ROYALTIES | 3,000.00 | 288.00 | 16,752.99 | (13,752.99) | 558.43% |
| TOTAL REVENUE: | 3,000.00 | 288.00 | 16,752.99 | (13,752.99) | 558.43% |
| DIRECT EXPENSES: | | | | | |
| CASEMAKER | 73,000.00 | 4,041.40 | 72,097.85 | 902.15 | 98.76% |
| TOTAL DIRECT EXPENSES: | 73,000.00 | 4,041.40 | 72,097.85 | 902.15 | 98.76% |
| INDIRECT EXPENSES: | | | | | |
| TOTAL INDIRECT EXPENSES: | - | - | - | - | |
| TOTAL ALL EXPENSES: | 73,000.00 | 4,041.40 | 72,097.85 | 902.15 | 98.76% |
| NET INCOME (LOSS): | (70,000.00) | (3,753.40) | (55,344.86) | | |

Washington State Bar Association
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| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|---------------------|----------------------|---------------------|
| MENTORSHIP PROGRAM | | | | | |
| REVENUE: | | | | | |
| | | | | | |
| TOTAL REVENUE: | - | - | - | - | |
| DIRECT EXPENSES: | | | | | |
| MENTORSHIP PROGRAM EXPENSES | 18,258.00 | 765.63 | 2,348.03 | 15,909.97 | 12.86% |
| RECEPTION/FORUM EXPENSE | 1,000.00 | - | - | 1,000.00 | 0.00% |
| CONSULTING SERVICES | 1,000.00 | - | - | 1,000.00 | 0.00% |
| STAFF TRAVEL/PARKING | 2,000.00 | - | - | 2,000.00 | 0.00% |
| SUBSCRIPTIONS | 500.00 | - | - | 500.00 | 0.00% |
| CONFERENCE CALLS | 800.00 | - | - | 800.00 | 0.00% |
| TOTAL DIRECT EXPENSES: | 23,558.00 | 765.63 | 2,348.03 | 21,209.97 | 9.97% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (1.40 FTE) | 96,257.00 | 6,784.89 | 73,985.96 | 22,271.04 | 76.86% |
| BENEFITS EXPENSE | 34,369.00 | 2,789.91 | 30,202.63 | 4,166.37 | 87.88% |
| OTHER INDIRECT EXPENSE | 33,513.00 | 3,273.77 | 32,006.79 | 1,506.21 | 95.51% |
| TOTAL INDIRECT EXPENSES: | 164,139.00 | 12,848.57 | 136,195.38 | 27,943.62 | 82.98% |
| TOTAL ALL EXPENSES: | 187,697.00 | 13,614.20 | 138,543.41 | 49,153.59 | 73.81% |
| NET INCOME (LOSS): | (187,697.00) | (13,614.20) | (138,543.41) | | |

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100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|---------------------|----------------------|---------------------|
| NEW LAWYER EDUCATION | | | | | |
| REVENUE: | | | | | |
| DONATIONS | - | - | 1,550.00 | (1,550.00) | |
| SEMINAR REGISTRATIONS | 100,000.00 | - | 31,661.70 | 68,338.30 | 31.66% |
| TRIAL ADVOCACY PROGRAM | 25,000.00 | - | 28,191.00 | (3,191.00) | 112.76% |
| TOTAL REVENUE: | 125,000.00 | - | 61,402.70 | 63,597.30 | 49.12% |
| DIRECT EXPENSES: | | | | | |
| STAFF TRAVEL/PARKING | 1,600.00 | 397.36 | 1,266.01 | 333.99 | 79.13% |
| STAFF MEMBERSHIP DUES | 200.00 | - | - | 200.00 | 0.00% |
| ONLINE EXPENSES | 2,940.00 | - | 2,205.00 | 735.00 | 75.00% |
| NEW LAWYER OUTREACH EVENTS | 5,000.00 | 195.88 | 5,566.89 | (566.89) | 111.34% |
| NEW LAWYERS COMMITTEE | 15,000.00 | 676.06 | 14,343.90 | 656.10 | 95.63% |
| TRIAL ADVOCACY PROGRAM | 3,500.00 | - | 4,028.04 | (528.04) | 115.09% |
| SEMINAR BROCHURES | 3,000.00 | - | 906.92 | 2,093.08 | 30.23% |
| SPEAKERS & PROGRAM DEVELOPMENT | 2,000.00 | 61.64 | 1,372.10 | 627.90 | 68.61% |
| SCHOLARSHIPS/DONATIONS/GRANT | 2,000.00 | - | 1,832.70 | 167.30 | 91.64% |
| TOTAL DIRECT EXPENSES: | 35,240.00 | 1,330.94 | 31,521.56 | 3,718.44 | 89.45% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (2.40 FTE) | 182,079.00 | 12,445.30 | 154,563.90 | 27,515.10 | 84.89% |
| BENEFITS EXPENSE | 58,086.00 | 4,464.95 | 52,579.96 | 5,506.04 | 90.52% |
| OTHER INDIRECT EXPENSE | 57,451.00 | 5,785.62 | 56,559.48 | 891.52 | 98.45% |
| TOTAL INDIRECT EXPENSES: | 297,616.00 | 22,695.87 | 263,703.34 | 33,912.66 | 88.61% |
| TOTAL ALL EXPENSES: | 332,856.00 | 24,026.81 | 295,224.90 | 37,631.10 | 88.69% |
| NET INCOME (LOSS): | (207,856.00) | (24,026.81) | (233,822.20) | | |

Washington State Bar Association
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100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-------------------------------|--------------------------|-------------------------|------------------------------|-----------------------------|
| NORTHWEST LAWYER | | | | | |
| REVENUE: | | | | | |
| ROYALTIES | - | - | 1,231.13 | (1,231.13) | |
| DISPLAY ADVERTISING | 440,000.00 | 51,409.25 | 394,624.00 | 45,376.00 | 89.69% |
| SUBSCRIPT/SINGLE ISSUES | 450.00 | - | 288.00 | 162.00 | 64.00% |
| CLASSIFIED ADVERTISING | 84,000.00 | 880.00 | 82,418.12 | 1,581.88 | 98.12% |
| GEN ANNOUNCEMENTS | 19,000.00 | 2,150.00 | 12,750.00 | 6,250.00 | 67.11% |
| PROF ANNOUNCEMENTS | 24,000.00 | 3,242.50 | 27,740.00 | (3,740.00) | 115.58% |
| TOTAL REVENUE: | 567,450.00 | 57,681.75 | 519,051.25 | 48,398.75 | 91.47% |
| DIRECT EXPENSES: | | | | | |
| GRAPHICS/ARTWORK | 2,500.00 | 862.02 | 2,380.22 | 119.78 | 95.21% |
| OUTSIDE SALES EXPENSE | 80,000.00 | 7,116.08 | 71,461.66 | 8,538.34 | 89.33% |
| EDITORIAL ADVISORY COMMITTEE | 800.00 | 61.22 | 848.59 | (48.59) | 106.07% |
| DIGITAL/ONLINE DEVELOPMENT | 8,400.00 | 100.00 | 6,750.00 | 1,650.00 | 80.36% |
| BAD DEBT EXPENSE | 1,000.00 | 125.00 | (1,100.00) | 2,100.00 | -110.00% |
| POSTAGE | 70,000.00 | - | 79,820.33 | (9,820.33) | 114.03% |
| PRINTING, COPYING & MAILING | 220,000.00 | 26,424.45 | 222,939.27 | (2,939.27) | 101.34% |
| SURVEY | 9,000.00 | - | - | 9,000.00 | 0.00% |
| TOTAL DIRECT EXPENSES: | 391,700.00 | 34,688.77 | 383,100.07 | 8,599.93 | 97.80% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (1.80 FTE) | 137,091.00 | 17,219.69 | 136,225.61 | 865.39 | 99.37% |
| BENEFITS EXPENSE | 47,052.00 | 3,343.72 | 45,934.25 | 1,117.75 | 97.62% |
| OTHER INDIRECT EXPENSE | 43,088.00 | 4,358.05 | 42,601.17 | 486.83 | 98.87% |
| TOTAL INDIRECT EXPENSES: | 227,231.00 | 24,921.46 | 224,761.03 | 2,469.97 | 98.91% |
| TOTAL ALL EXPENSES: | 618,931.00 | 59,610.23 | 607,861.10 | 11,069.90 | 98.21% |
| NET INCOME (LOSS): | (51,481.00) | (1,928.48) | (88,809.85) | | |

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| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|----------------------------------|-----------------------|--------------------|---------------------|----------------------|---------------------|
| OFFICE OF GENERAL COUNSEL | | | | | |
| REVENUE: | | | | | |
| COPY FEES | - | 3.61 | 73.14 | (73.14) | |
| RECORDS REQUEST FEES | - | - | 341.11 | (341.11) | |
| TOTAL REVENUE: | - | 3.61 | 414.25 | (414.25) | |
| DIRECT EXPENSES: | | | | | |
| AMICUS BRIEF COMMITTEE | 100.00 | - | 43.65 | 56.35 | 43.65% |
| COURT RULES COMMITTEE | 5,000.00 | 43.77 | 936.10 | 4,063.90 | 18.72% |
| DISCIPLINE ADVISORY ROUNDTABLE | 1,500.00 | - | - | 1,500.00 | 0.00% |
| LITIGATION EXPENSES | - | 22.29 | 339.28 | (339.28) | |
| CUSTODIANSHIPS | 10,000.00 | 71.40 | 1,806.35 | 8,193.65 | 18.06% |
| STAFF TRAVEL/PARKING | 2,600.00 | 198.00 | 2,990.92 | (390.92) | 115.04% |
| STAFF MEMBERSHIP DUES | 1,500.00 | - | 1,715.00 | (215.00) | 114.33% |
| TOTAL DIRECT EXPENSES: | 20,700.00 | 335.46 | 7,831.30 | 12,868.70 | 37.83% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (4.91 FTE) | 416,440.00 | 31,468.15 | 415,450.44 | 989.56 | 99.76% |
| BENEFITS EXPENSE | 135,800.00 | 10,953.96 | 132,034.71 | 3,765.29 | 97.23% |
| OTHER INDIRECT EXPENSE | 117,536.00 | 11,856.36 | 115,894.12 | 1,641.88 | 98.60% |
| TOTAL INDIRECT EXPENSES: | 669,776.00 | 54,278.47 | 663,379.27 | 6,396.73 | 99.04% |
| TOTAL ALL EXPENSES: | 690,476.00 | 54,613.93 | 671,210.57 | 19,265.43 | 97.21% |
| NET INCOME (LOSS): | (690,476.00) | (54,610.32) | (670,796.32) | | |

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| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-------------------------------|--------------------------|-------------------------|------------------------------|-----------------------------|
| OGC-DISCIPLINARY BOARD | | | | | |
| REVENUE: | | | | | |
| TOTAL REVENUE: | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | |
| DIRECT EXPENSE: | | | | | |
| DISCIPLINARY BOARD EXPENSES | 10,000.00 | 1,778.89 | 8,498.17 | 1,501.83 | 84.98% |
| CHIEF HEARING OFFICER | 33,000.00 | 2,500.00 | 30,000.00 | 3,000.00 | 90.91% |
| HEARING OFFICER EXPENSES | 5,000.00 | - | 712.30 | 4,287.70 | 14.25% |
| HEARING OFFICER TRAINING | 2,500.00 | - | 1,877.21 | 622.79 | 75.09% |
| DISCIPLINARY BOARD NOTICES | - | - | 23.28 | (23.28) | |
| OUTSIDE COUNSEL | 60,000.00 | 41,356.00 | 133,570.13 | (73,570.13) | 222.62% |
| DISCIPLINARY SELECTION PANEL | - | - | 742.62 | (742.62) | |
| STAFF MEMBERSHIP DUES | 500.00 | - | - | 500.00 | 0.00% |
| TOTAL DIRECT EXPENSES: | <u>111,000.00</u> | <u>45,634.89</u> | <u>175,423.71</u> | <u>(64,423.71)</u> | <u>158.04%</u> |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (1.51 FTE) | 113,766.00 | 8,720.14 | 113,766.80 | (0.80) | 100.00% |
| BENEFITS EXPENSE | 39,230.00 | 3,068.13 | 36,961.26 | 2,268.74 | 94.22% |
| OTHER INDIRECT EXPENSE | 36,146.00 | 3,661.47 | 35,790.83 | 355.17 | 99.02% |
| TOTAL INDIRECT EXPENSES: | <u>189,142.00</u> | <u>15,449.74</u> | <u>186,518.89</u> | <u>2,623.11</u> | <u>98.61%</u> |
| TOTAL ALL EXPENSES: | <u>300,142.00</u> | <u>61,084.63</u> | <u>361,942.60</u> | <u>(61,800.60)</u> | <u>120.59%</u> |
| NET INCOME (LOSS): | <u>(300,142.00)</u> | <u>(61,084.63)</u> | <u>(361,942.60)</u> | | |

Washington State Bar Association
Statement of Activities
For the Period from September 1, 2016 to September 30, 2016
100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|--------------------|----------------------|---------------------|
| PRACTICE OF LAW BOARD | | | | | |
| REVENUE: | | | | | |
| | | | | | |
| TOTAL REVENUE: | - | - | - | - | |
| DIRECT EXPENSES: | | | | | |
| PRACTICE OF LAW BOARD | 3,500.00 | 3,566.55 | 17,559.86 | (14,059.86) | 501.71% |
| TRANSLATION SERVICES | 500.00 | - | - | 500.00 | 0.00% |
| STAFF TRAVEL/PARKING | 100.00 | - | - | 100.00 | 0.00% |
| TOTAL DIRECT EXPENSES: | 4,100.00 | 3,566.55 | 17,559.86 | (13,459.86) | 428.29% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (0.63 FTE) | 47,120.00 | 3,614.81 | 47,137.42 | (17.42) | 100.04% |
| BENEFITS EXPENSE | 16,322.00 | 1,396.85 | 16,789.11 | (467.11) | 102.86% |
| OTHER INDIRECT EXPENSE | 15,081.00 | 1,534.79 | 15,001.90 | 79.10 | 99.48% |
| TOTAL INDIRECT EXPENSES: | 78,523.00 | 6,546.45 | 78,928.43 | (405.43) | 100.52% |
| TOTAL ALL EXPENSES: | 82,623.00 | 10,113.00 | 96,488.29 | (13,865.29) | 116.78% |
| NET INCOME (LOSS): | (82,623.00) | (10,113.00) | (96,488.29) | | |

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| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|--|-----------------------|------------------|-----------------|----------------------|---------------------|
| PROFESSIONAL RESPONSIBILITY PROGRAM | | | | | |
| REVENUE: | | | | | |
| | | | | | |
| TOTAL REVENUE: | - | - | - | - | |
| DIRECT EXPENSES: | | | | | |
| CPE COMMITTEE | 5,000.00 | 321.41 | 2,220.90 | 2,779.10 | 44.42% |
| STAFF TRAVEL/PARKING | 1,000.00 | 366.80 | 2,092.66 | (1,092.66) | 209.27% |
| STAFF MEMBERSHIP DUES | 500.00 | - | 410.00 | 90.00 | 82.00% |
| TOTAL DIRECT EXPENSES: | 6,500.00 | 688.21 | 4,723.56 | 1,776.44 | 72.67% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (1.30 FTE) | 105,332.00 | 7,076.79 | 93,354.22 | 11,977.78 | 88.63% |
| BENEFITS EXPENSE | 35,281.00 | 2,761.12 | 33,256.95 | 2,024.05 | 94.26% |
| OTHER INDIRECT EXPENSE | 31,119.00 | 3,138.07 | 30,674.63 | 444.37 | 98.57% |
| TOTAL INDIRECT EXPENSES: | 171,732.00 | 12,975.98 | 157,285.80 | 14,446.20 | 91.59% |
| TOTAL ALL EXPENSES: | 178,232.00 | 13,664.19 | 162,009.36 | 16,222.64 | 90.90% |
| NET INCOME (LOSS): | (178,232.00) | (13,664.19) | (162,009.36) | | |

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| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|---------------------|----------------------|---------------------|
| PUBLIC SERVICE PROGRAMS | | | | | |
| REVENUE: | | | | | |
| DONATIONS & GRANTS | 85,000.00 | - | 72,400.00 | 12,600.00 | 85.18% |
| PSP PRODUCT SALES | - | 433.00 | 433.00 | (433.00) | |
| TOTAL REVENUE: | 85,000.00 | 433.00 | 72,833.00 | 12,167.00 | 85.69% |
| DIRECT EXPENSES: | | | | | |
| DONATIONS/SPONSORSHIPS/GRANTS | 203,684.00 | 24,776.24 | 191,141.03 | 12,542.97 | 93.84% |
| SPEAKERS & PROGRAM DEVELOPMENT | 1,000.00 | 32.82 | 686.53 | 313.47 | 68.65% |
| STAFF TRAVEL/PARKING | 2,000.00 | 101.87 | 2,871.54 | (871.54) | 143.58% |
| STAFF MEMBERSHIP DUES | 95.00 | - | - | 95.00 | 0.00% |
| CONFERENCE CALLS | 200.00 | 17.50 | 122.87 | 77.13 | 61.44% |
| PRO BONO & LEGAL AID COMMITTEE | 2,000.00 | 191.71 | 1,603.82 | 396.18 | 80.19% |
| VOLUNTEER RECRUITMENT & APPREC | 6,500.00 | 1,257.51 | 5,151.39 | 1,348.61 | 79.25% |
| PUBLIC DEFENSE | 4,500.00 | 4,379.16 | 10,657.64 | (6,157.64) | 236.84% |
| TOTAL DIRECT EXPENSES: | 219,979.00 | 30,756.81 | 212,234.82 | 7,744.18 | 96.48% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (2.40 FTE) | 162,849.00 | 12,657.35 | 149,800.40 | 13,048.60 | 91.99% |
| BENEFITS EXPENSE | 58,419.00 | 4,331.85 | 52,204.32 | 6,214.68 | 89.36% |
| OTHER INDIRECT EXPENSE | 57,451.00 | 5,785.78 | 56,560.52 | 890.48 | 98.45% |
| TOTAL INDIRECT EXPENSES: | 278,719.00 | 22,774.98 | 258,565.24 | 20,153.76 | 92.77% |
| TOTAL ALL EXPENSES: | 498,698.00 | 53,531.79 | 470,800.06 | 27,897.94 | 94.41% |
| NET INCOME (LOSS): | (413,698.00) | (53,098.79) | (397,967.06) | | |

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| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|--------------------|----------------------|---------------------|
| SECTIONS ADMINISTRATION | | | | | |
| REVENUE: | | | | | |
| REIMBURSEMENTS FROM SECTIONS | 311,250.00 | - | 318,525.00 | (7,275.00) | 102.34% |
| TOTAL REVENUE: | 311,250.00 | - | 318,525.00 | (7,275.00) | 102.34% |
| DIRECT EXPENSES: | | | | | |
| DUES STATEMENTS | 8,500.00 | - | 9,173.06 | (673.06) | 107.92% |
| STAFF TRAVEL/PARKING | 1,000.00 | 788.09 | 1,174.06 | (174.06) | 117.41% |
| STAFF MEMBERSHIP DUES | - | - | 40.00 | (40.00) | |
| SECTION/COMMITTEE CHAIR MTGS | 1,000.00 | - | 229.34 | 770.66 | 22.93% |
| CONFERENCE CALLS | 300.00 | - | 49.86 | 250.14 | 16.62% |
| MISCELLANEOUS | 300.00 | 66.85 | 292.28 | 7.72 | 97.43% |
| TOTAL DIRECT EXPENSES: | 11,100.00 | 854.94 | 10,958.60 | 141.40 | 98.73% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (3.98 FTE) | 227,217.00 | 18,820.50 | 223,410.73 | 3,806.27 | 98.32% |
| BENEFITS EXPENSE | 87,910.00 | 6,443.40 | 73,231.91 | 14,678.09 | 83.30% |
| OTHER INDIRECT EXPENSE | 95,273.00 | 9,617.90 | 94,027.18 | 1,245.82 | 98.69% |
| TOTAL INDIRECT EXPENSES: | 410,400.00 | 34,881.80 | 390,669.82 | 19,730.18 | 95.19% |
| TOTAL ALL EXPENSES: | 421,500.00 | 35,736.74 | 401,628.42 | 19,871.58 | 95.29% |
| NET INCOME (LOSS): | (110,250.00) | (35,736.74) | (83,103.42) | | |

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| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|----------------------------------|-----------------------|---------------------|-----------------------|----------------------|---------------------|
| TECHNOLOGY | | | | | |
| REVENUE: | | | | | |
| | | | | | |
| TOTAL REVENUE: | - | - | - | - | |
| DIRECT EXPENSES: | | | | | |
| COMPUTER HARDWARE | 34,000.00 | 4,181.02 | 32,061.44 | 1,938.56 | 94.30% |
| COMPUTER SOFTWARE | 20,000.00 | - | 16,519.60 | 3,480.40 | 82.60% |
| SOFTWARE MAINTENANCE & LICENSING | 291,000.00 | 66,059.68 | 291,659.28 | (659.28) | 100.23% |
| HARDWARE SERVICE & WARRANTIES | 75,000.00 | 23,253.17 | 44,045.20 | 30,954.80 | 58.73% |
| TELEPHONE HARDWARE & MAINTENANCE | 41,000.00 | 2,494.68 | 36,840.56 | 4,159.44 | 89.86% |
| COMPUTER SUPPLIES | 30,000.00 | 4,995.96 | 20,162.28 | 9,837.72 | 67.21% |
| THIRD PARTY SERVICES | 31,000.00 | 1,182.25 | 36,557.10 | (5,557.10) | 117.93% |
| CONSULTING SERVICES | 320,705.00 | 22,427.50 | 300,603.85 | 20,101.15 | 93.73% |
| STAFF TRAVEL/PARKING | 2,500.00 | - | 677.17 | 1,822.83 | 27.09% |
| STAFF MEMBERSHIP DUES | 110.00 | - | - | 110.00 | 0.00% |
| TELEPHONE | 22,000.00 | 334.24 | 5,608.77 | 16,391.23 | 25.49% |
| TRANSFER TO INDIRECT EXPENSES | (867,315.00) | (124,928.50) | (784,735.25) | (82,579.75) | 90.48% |
| TOTAL DIRECT EXPENSES: | - | - | - | - | |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (12.10 FTE) | 978,078.00 | 65,898.71 | 832,590.18 | 145,487.82 | 85.13% |
| BENEFITS EXPENSE | 327,936.00 | 23,947.96 | 291,177.51 | 36,758.49 | 88.79% |
| CAPITAL LABOR & OVERHEAD | (33,900.00) | - | (22,728.00) | (11,172.00) | 67.04% |
| OTHER INDIRECT EXPENSE | 289,650.00 | 29,221.39 | 285,636.86 | 4,013.14 | 98.61% |
| TOTAL INDIRECT EXPENSES: | 1,561,764.00 | 119,068.06 | 1,386,676.55 | 175,087.45 | 88.79% |
| TOTAL ALL EXPENSES: | 1,561,764.00 | 119,068.06 | 1,386,676.55 | 175,087.45 | 88.79% |
| NET INCOME (LOSS): | (1,561,764.00) | (119,068.06) | (1,386,676.55) | | |

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| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|-----------------------------------|-----------------------|------------------|---------------------|----------------------|---------------------|
| CLE - PRODUCTS | | | | | |
| REVENUE: | | | | | |
| SHIPPING & HANDLING | 5,750.00 | 314.22 | 6,884.22 | (1,134.22) | 119.73% |
| DESKBOOK SALES | 100,000.00 | 3,274.00 | 110,540.82 | (10,540.82) | 110.54% |
| COURSEBOOK SALES | 25,000.00 | 2,342.00 | 19,688.12 | 5,311.88 | 78.75% |
| SECTION PUBLICATION SALES | 19,000.00 | 877.50 | 21,678.24 | (2,678.24) | 114.10% |
| CASEMAKER ROYALTIES | 75,000.00 | 11,070.87 | 41,894.69 | 33,105.31 | 55.86% |
| MP3 AND VIDEO SALES | 600,000.00 | 46,248.07 | 848,132.13 | (248,132.13) | 141.36% |
| TOTAL REVENUE: | 824,750.00 | 64,126.66 | 1,048,818.22 | (224,068.22) | 127.17% |
| DIRECT EXPENSES: | | | | | |
| COST OF SALES - DESKBOOKS | 70,000.00 | 2,669.72 | 73,724.15 | (3,724.15) | 105.32% |
| COST OF SALES - COURSEBOOKS | 1,750.00 | 254.98 | 1,740.96 | 9.04 | 99.48% |
| COST OF SALES SECTION PUBLICATION | 3,500.00 | 156.08 | 3,680.38 | (180.38) | 105.15% |
| A/V DEVELOP COSTS (RECORDING) | 1,700.00 | - | 1,500.00 | 200.00 | 88.24% |
| DEPRECIATION | 6,513.33 | 520.00 | 5,222.00 | 1,291.33 | 80.17% |
| DESKBOOK ROYALTIES | 1,000.00 | - | 781.39 | 218.61 | 78.14% |
| RECORDED SEMINAR ROYALTIES | - | 27.50 | 662.50 | (662.50) | |
| ONLINE EXPENSES | 40,000.00 | 3,090.67 | 40,513.48 | (513.48) | 101.28% |
| SHIPPING SUPPLIES | 500.00 | - | - | 500.00 | 0.00% |
| POSTAGE & DELIVERY-DESKBOOKS | 5,000.00 | 174.45 | 4,883.63 | 116.37 | 97.67% |
| POSTAGE & DELIVERY-COURSEBOOKS | 5,000.00 | 131.93 | 1,367.45 | 3,632.55 | 27.35% |
| SPLITS WITH SECTIONS | 6,000.00 | 1,132.94 | 6,352.16 | (352.16) | 105.87% |
| FLIERS/CATALOGS | 6,000.00 | - | 4,011.87 | 1,988.13 | 66.86% |
| POSTAGE - FLIERS/CATALOGS | 4,000.00 | - | 3,729.44 | 270.56 | 93.24% |
| EQUIPMENT, HARD., & SOFTWARE | 1,320.00 | - | - | 1,320.00 | 0.00% |
| COMPLIMENTARY BOOK PROGRAM | 2,000.00 | - | 4,536.20 | (2,536.20) | 226.81% |
| BAD DEBT EXPENSE | 100.00 | - | - | 100.00 | 0.00% |
| RECORDS STORAGE - OFF SITE | 7,440.00 | 1,240.00 | 6,980.00 | 460.00 | 93.82% |
| STAFF TRAINING | - | 22.15 | 22.15 | (22.15) | |
| STAFF MEMBERSHIP DUES | 370.00 | - | 540.00 | (170.00) | 145.95% |
| MISCELLANEOUS | 200.00 | - | 70.00 | 130.00 | 35.00% |
| TOTAL DIRECT EXPENSES: | 162,393.33 | 9,420.42 | 160,317.76 | 2,075.57 | 98.72% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (4.62 FTE) | 311,882.00 | 21,810.01 | 292,726.32 | 19,155.68 | 93.86% |
| BENEFITS EXPENSE | 108,019.00 | 8,314.94 | 101,025.66 | 6,993.34 | 93.53% |
| OTHER INDIRECT EXPENSE | 110,594.00 | 11,152.98 | 109,030.81 | 1,563.19 | 98.59% |
| TOTAL INDIRECT EXPENSES: | 530,495.00 | 41,277.93 | 502,782.79 | 27,712.21 | 94.78% |
| TOTAL ALL EXPENSES: | 692,888.33 | 50,698.35 | 663,100.55 | 29,787.78 | 95.70% |
| NET INCOME (LOSS): | 131,861.67 | 13,428.31 | 385,717.67 | | |

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| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|---------------------|----------------------|---------------------|
| CLE - SEMINARS | | | | | |
| REVENUE: | | | | | |
| SEMINAR REGISTRATIONS | 1,588,500.00 | 121,333.00 | 1,419,477.65 | 169,022.35 | 89.36% |
| SEMINAR-EXHIB/SPNSR/ETC | 25,000.00 | 5,190.00 | 76,284.47 | (51,284.47) | 305.14% |
| TOTAL REVENUE: | 1,613,500.00 | 126,523.00 | 1,495,762.12 | 117,737.88 | 92.70% |
| DIRECT EXPENSES: | | | | | |
| COURSEBOOK PRODUCTION | 2,000.00 | 874.23 | 5,333.70 | (3,333.70) | 266.69% |
| POSTAGE - FLIERS/CATALOGS | 50,000.00 | 35.00 | 26,672.22 | 23,327.78 | 53.34% |
| POSTAGE - MISC./DELIVERY | 2,500.00 | 140.00 | 967.50 | 1,532.50 | 38.70% |
| ONLINE EXPENSES | 42,000.00 | 704.97 | 37,884.89 | 4,115.11 | 90.20% |
| ACCREDITATION FEES | 5,800.00 | 642.00 | 8,474.00 | (2,674.00) | 146.10% |
| SEMINAR BROCHURES | 69,000.00 | 2,437.12 | 50,119.22 | 18,880.78 | 72.64% |
| FACILITIES | 269,988.00 | 23,423.13 | 248,180.12 | 21,807.88 | 91.92% |
| SPEAKERS & PROGRAM DEVELOP | 65,534.00 | 5,682.52 | 59,523.33 | 6,010.67 | 90.83% |
| SPLITS TO SECTIONS | 167,456.00 | 19,320.62 | 154,670.16 | 12,785.84 | 92.36% |
| 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 | 14.49 | 162.89 | 1,337.11 | 10.86% |
| DEPRECIATION | 15,700.00 | 1,307.00 | 15,679.00 | 21.00 | 99.87% |
| BAD DEBT EXPENSE | 500.00 | - | - | 500.00 | 0.00% |
| STAFF TRAVEL/PARKING | 6,500.00 | (2,381.52) | 1,993.25 | 4,506.75 | 30.67% |
| STAFF MEMBERSHIP DUES | 975.00 | - | 1,094.00 | (119.00) | 112.21% |
| SUPPLIES | 2,000.00 | 307.14 | 918.61 | 1,081.39 | 45.93% |
| TELEPHONE | - | - | 10.69 | (10.69) | |
| TOTAL DIRECT EXPENSES: | 729,203.00 | 52,506.70 | 611,683.58 | 117,519.42 | 83.88% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (8.64 FTE) | 603,192.00 | 49,550.70 | 474,741.83 | 128,450.17 | 78.70% |
| BENEFITS EXPENSE | 207,785.00 | 15,180.08 | 182,326.00 | 25,459.00 | 87.75% |
| OTHER INDIRECT EXPENSE | 206,825.00 | 21,498.53 | 209,249.95 | (2,424.95) | 101.17% |
| TOTAL INDIRECT EXPENSES: | 1,017,802.00 | 86,229.31 | 866,317.78 | 151,484.22 | 85.12% |
| TOTAL ALL EXPENSES: | 1,747,005.00 | 138,736.01 | 1,478,001.36 | 269,003.64 | 84.60% |
| NET INCOME (LOSS): | (133,505.00) | (12,213.01) | 17,760.76 | | |

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| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---|-----------------------|--------------------|--------------------|----------------------|---------------------|
| SECTIONS OPERATIONS | | | | | |
| REVENUE: | | | | | |
| SECTION DUES | 473,340.00 | - | 489,577.87 | (16,237.87) | 103.43% |
| SEMINAR PROFIT SHARE | 139,200.00 | 19,320.62 | 160,774.56 | (21,574.56) | 115.50% |
| INTEREST INCOME | 719.00 | 5,355.49 | 5,355.49 | (4,636.49) | 744.85% |
| PUBLICATIONS REVENUE | 6,500.00 | 1,132.94 | 8,859.77 | (2,359.77) | 136.30% |
| OTHER | 60,953.00 | 1,151.25 | 45,893.66 | 15,059.34 | 75.29% |
| TOTAL REVENUE: | 680,712.00 | 26,960.30 | 710,461.35 | (29,749.35) | 104.37% |
| DIRECT EXPENSES: | | | | | |
| DIRECT EXPENSES OF SECTION ACTIVITIES | 582,512.84 | 60,804.46 | 409,003.92 | 173,508.92 | 70.21% |
| REIMBURSEMENT TO WSBA FOR INDIRECT EXPENSES | 306,970.25 | - | 318,525.00 | (11,554.75) | 103.76% |
| TOTAL DIRECT EXPENSES: | 889,483.09 | 60,804.46 | 727,528.92 | 161,954.17 | 81.79% |
| NET INCOME (LOSS): | (208,771.09) | (33,844.16) | (17,067.57) | | |

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| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---|-----------------------|--------------------|---------------------|----------------------|---------------------|
| LAWYERS FUND FOR CLIENT PROTECTION | | | | | |
| REVENUE: | | | | | |
| LFCP RESTITUTION | 1,000.00 | 93.83 | 2,969.68 | (1,969.68) | 296.97% |
| LFCP MEMBER ASSESSMENTS | 945,000.00 | 9,103.00 | 994,738.00 | (49,738.00) | 105.26% |
| INTEREST INCOME | 500.00 | 690.99 | 6,460.19 | (5,960.19) | 1292.04% |
| TOTAL REVENUE: | 946,500.00 | 9,887.82 | 1,004,167.87 | (57,667.87) | 106.09% |
| DIRECT EXPENSES: | | | | | |
| GIFTS TO INJURED CLIENTS | 500,000.00 | 96,916.95 | 371,452.47 | 128,547.53 | 74.29% |
| LFCP BOARD EXPENSES | 1,500.00 | 41.14 | 1,366.38 | 133.62 | 91.09% |
| BANK FEES - WELLS FARGO | 800.00 | 93.96 | 1,129.44 | (329.44) | 141.18% |
| STAFF MEMBERSHIP DUES | 225.00 | - | 100.00 | 125.00 | 44.44% |
| TOTAL DIRECT EXPENSES: | 502,525.00 | 97,052.05 | 374,048.29 | 128,476.71 | 74.43% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (1.16 FTE) | 75,029.00 | 5,752.45 | 75,039.12 | (10.12) | 100.01% |
| BENEFITS EXPENSE | 27,423.00 | 2,151.12 | 25,889.16 | 1,533.84 | 94.41% |
| OTHER INDIRECT EXPENSE | 27,768.00 | 2,788.38 | 27,258.80 | 509.20 | 98.17% |
| TOTAL INDIRECT EXPENSES: | 130,220.00 | 10,691.95 | 128,187.08 | 2,032.92 | 98.44% |
| TOTAL ALL EXPENSES: | 632,745.00 | 107,744.00 | 502,235.37 | 130,509.63 | 79.37% |
| NET INCOME (LOSS): | 313,755.00 | (97,856.18) | 501,932.50 | | |

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|---|-----------------------|------------------|------------------|----------------------|---------------------|
| WESTERN STATES BAR CONFERENCE | | | | | |
| REVENUE: | | | | | |
| REGISTRATION REVENUE | 50,000.00 | - | 25,200.00 | 24,800.00 | 50.40% |
| OTHER ACTIVITIES REGISTRATION REVENUE | - | - | 12,959.46 | (12,959.46) | |
| WESTERN STATES BAR MEMBERSHIP DUES | - | - | 2,400.00 | (2,400.00) | |
| SPONSORSHIPS | - | - | 9,200.00 | (9,200.00) | |
| TOTAL REVENUE: | 50,000.00 | - | 49,759.46 | 240.54 | 99.52% |
| DIRECT EXPENSES: | | | | | |
| MANAGEMENT OF WESTERN STATES BAR CONFERENCE | 50,000.00 | (150.00) | - | 50,000.00 | 0.00% |
| SPEAKERS & PROGRAM DEVELOPMENT | - | - | 2,323.09 | (2,323.09) | |
| FACILITIES | - | - | 43,951.39 | (43,951.39) | |
| STAFF TRAVEL/PARKING | - | - | 1,043.26 | (1,043.26) | |
| BANK FEES | - | 46.65 | 556.36 | (556.36) | |
| WSBC PRESIDENT TRAVEL | - | - | 384.70 | (384.70) | |
| OPTIONAL ACTIVITIES EXPENSE | - | - | 1,225.92 | (1,225.92) | |
| MARKETING EXPENSE | - | - | 429.28 | (429.28) | |
| TOTAL DIRECT EXPENSES: | 50,000.00 | (103.35) | 49,914.00 | 86.00 | 99.83% |
| INDIRECT EXPENSES: | | | | | |
| TOTAL INDIRECT EXPENSES: | - | - | - | - | |
| TOTAL ALL EXPENSES: | 50,000.00 | (103.35) | 49,914.00 | 86.00 | 99.83% |
| NET INCOME (LOSS): | - | 103.35 | (154.54) | | |

Washington State Bar Association
Statement of Activities
For the Period from September 1, 2016 to September 30, 2016
100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---|-----------------------|---------------------|----------------------|----------------------|---------------------|
| INDIRECT EXPENSES: | | | | | |
| SALARIES | 10,876,353.00 | 839,407.55 | 10,447,193.80 | 429,159.20 | 96.05% |
| ALLOWANCE FOR OPEN POSITIONS | (120,000.00) | - | - | (120,000.00) | 0.00% |
| TEMPORARY SALARIES | 152,600.00 | 8,482.79 | 78,603.12 | 73,996.88 | 51.51% |
| CAPITAL LABOR & OVERHEAD | (33,900.00) | - | (22,728.00) | (11,172.00) | 67.04% |
| EMPLOYEE ASSISTANCE PLAN | 4,800.00 | - | 4,800.00 | - | 100.00% |
| EMPLOYEE SERVICE AWARDS | 2,140.00 | - | 1,824.25 | 315.75 | 85.25% |
| FICA (EMPLOYER PORTION) | 815,000.00 | 64,910.76 | 778,191.05 | 36,808.95 | 95.48% |
| L&I INSURANCE | 51,500.00 | 9,687.33 | 39,716.38 | 11,783.62 | 77.12% |
| MEDICAL (EMPLOYER PORTION) | 1,442,000.00 | 111,921.32 | 1,291,804.04 | 150,195.96 | 89.58% |
| RETIREMENT (EMPLOYER PORTION) | 1,205,000.00 | 95,508.78 | 1,139,017.26 | 65,982.74 | 94.52% |
| TRANSPORTATION ALLOWANCE | 98,000.00 | 130.00 | 102,541.80 | (4,541.80) | 104.63% |
| UNEMPLOYMENT INSURANCE | 119,500.00 | 3,647.49 | 88,347.68 | 31,152.32 | 73.93% |
| STAFF DEVELOPMENT-GENERAL | 7,000.00 | 780.06 | 6,060.53 | 939.47 | 86.58% |
| TOTAL SALARY & BENEFITS EXPENSE: | 14,619,993.00 | 1,134,476.08 | 13,955,371.91 | 664,621.09 | 95.45% |
| WORKPLACE BENEFITS | 32,000.00 | 3,999.72 | 45,658.69 | (13,658.69) | 142.68% |
| HUMAN RESOURCES POOLED EXP | 128,336.00 | 8,516.52 | 108,432.13 | 19,903.87 | 84.49% |
| MEETING SUPPORT EXPENSES | 15,000.00 | 1,313.77 | 14,657.77 | 342.23 | 97.72% |
| RENT | 1,590,000.00 | 129,549.81 | 1,587,479.63 | 2,520.37 | 99.84% |
| REMODEL EXPENSE | - | - | 78,148.53 | (78,148.53) | |
| PERSONAL PROP TAXES-WSBA | 18,000.00 | 1,030.07 | 12,923.28 | 5,076.72 | 71.80% |
| FURNITURE, MAINT, LH IMP | 20,000.00 | 1,865.71 | 23,026.75 | (3,026.75) | 115.13% |
| OFFICE SUPPLIES & EQUIPMENT | 69,000.00 | 6,685.93 | 35,688.72 | 33,311.28 | 51.72% |
| FURN & OFFICE EQUIP DEPRECIATION | 162,000.00 | 12,686.00 | 148,382.76 | 13,617.24 | 91.59% |
| COMPUTER HARDWARE DEPRECIATION | 105,000.00 | 6,894.49 | 92,432.39 | 12,567.61 | 88.03% |
| COMPUTER SOFTWARE DEPRECIATION | 52,000.00 | 1,707.00 | 41,115.60 | 10,884.40 | 79.07% |
| INSURANCE | 105,000.00 | 10,881.85 | 103,136.20 | 1,863.80 | 98.22% |
| PROFESSIONAL FEES-AUDIT | 30,000.00 | - | 34,058.26 | (4,058.26) | 113.53% |
| PROFESSIONAL FEES-LEGAL | 40,000.00 | 26,583.00 | 86,558.40 | (46,558.40) | 216.40% |
| TELEPHONE & INTERNET | 46,000.00 | 2,725.47 | 31,265.26 | 14,734.74 | 67.97% |
| POSTAGE - GENERAL | 45,000.00 | 3,050.27 | 36,221.03 | 8,778.97 | 80.49% |
| RECORDS STORAGE | 36,000.00 | 5,567.18 | 43,116.09 | (7,116.09) | 119.77% |
| STAFF TRAINING | 55,000.00 | 1,539.06 | 73,819.00 | (18,819.00) | 134.22% |
| BANK FEES | 17,200.00 | (79.18) | 17,166.74 | 33.26 | 99.81% |
| PRODUCTION MAINTENANCE & SUPPLIES | 25,000.00 | (926.76) | 9,736.07 | 15,263.93 | 38.94% |
| GAIN (LOSS) ASSETS | - | - | (247.00) | 247.00 | |
| COMPUTER POOLED EXPENSES | 867,315.00 | 124,928.50 | 784,735.25 | 82,579.75 | 90.48% |
| TOTAL OTHER INDIRECT EXPENSES: | 3,457,851.00 | 348,518.41 | 3,407,511.55 | 50,339.45 | 98.54% |
| TOTAL INDIRECT EXPENSES: | 18,077,844.00 | 1,482,994.49 | 17,362,883.46 | | |

Washington State Bar Association
Statement of Activities
For the Period from September 1, 2016 to September 30, 2016
100% OF YEAR COMPLETE

| | FISCAL 2016 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE |
|----------------------------------|-----------------------|---------------------|----------------------|----------------------|
| SUMMARY PAGE | | | | |
| LICENSE FEES | 12,545,000.00 | 1,098,641.28 | 12,819,372.01 | (274,372.01) |
| ACCESS TO JUSTICE BOARD | (250,679.00) | (29,498.86) | (230,251.68) | (20,427.32) |
| ADMINISTRATION | (937,092.00) | (74,867.88) | (820,513.80) | (116,578.20) |
| ADMISSIONS/BAR EXAM | 46,651.00 | (124,788.95) | 146,103.88 | (99,452.88) |
| BOARD OF GOVERNORS | (758,981.00) | (67,937.49) | (779,044.08) | 20,063.08 |
| COMMUNICATIONS | (1,567,771.00) | (165,320.89) | (1,574,287.97) | 6,516.97 |
| DISCIPLINE | (5,469,994.00) | (471,912.48) | (5,330,009.89) | (139,984.11) |
| DIVERSITY | (356,469.00) | (33,809.34) | (308,089.84) | (48,379.16) |
| FOUNDATION | (169,959.00) | (16,552.23) | (145,243.40) | (24,715.60) |
| HUMAN RESOURCES | (249,161.00) | (30,786.55) | (353,185.23) | 104,024.23 |
| PUBLIC SERVICE PROGRAMS | (413,698.00) | (53,098.79) | (397,967.06) | (15,730.94) |
| LOMAP | (354,547.00) | (17,082.27) | (293,028.39) | (61,518.61) |
| LAP | (149,079.00) | (9,949.97) | (147,129.95) | (1,949.05) |
| LEGISLATIVE | (290,710.00) | (22,171.30) | (226,436.37) | (64,273.63) |
| LICENSING AND MEMBERSHIP | (268,419.00) | (18,753.16) | (266,415.69) | (2,003.31) |
| LIMITED LICENSE LEGAL TECHNICIAN | (217,456.00) | (14,106.34) | (195,978.00) | (21,478.00) |
| LIMITED PRACTICE OFFICERS | (58,023.00) | (6,833.11) | (59,383.27) | 1,360.27 |
| MANDATORY CLE ADMINISTRATION | 7,781.00 | (13,637.48) | 216,802.69 | (209,021.69) |
| MEMBER BENEFITS | (70,000.00) | (3,753.40) | (55,344.86) | (14,655.14) |
| MENTORSHIP PROGRAM | (187,697.00) | (13,614.20) | (138,543.41) | (49,153.59) |
| NEW LAWYER EDUCATION | (207,856.00) | (24,026.81) | (233,822.20) | 25,966.20 |
| NW LAWYER | (51,481.00) | (1,928.48) | (88,809.85) | 37,328.85 |
| OFFICE OF GENERAL COUNSEL | (690,476.00) | (54,610.32) | (670,796.32) | (19,679.68) |
| OGC-DISCIPLINARY BOARD | (300,142.00) | (61,084.63) | (361,942.60) | 61,800.60 |
| PRACTICE OF LAW BOARD | (82,623.00) | (10,113.00) | (96,488.29) | 13,865.29 |
| PROFESSIONAL RESPONSIBILITY | (178,232.00) | (13,664.19) | (162,009.36) | (16,222.64) |
| LAW CLERK PROGRAM | 15,787.00 | (1,154.58) | 38,224.56 | (22,437.56) |
| SECTIONS ADMINISTRATION | (110,250.00) | (35,736.74) | (83,103.42) | (27,146.58) |
| TECHNOLOGY | (1,561,764.00) | (119,068.06) | (1,386,676.55) | (175,087.45) |
| CLE - PRODUCTS | 131,861.67 | 13,428.31 | 385,717.67 | (253,856.00) |
| CLE - SEMINARS | (133,505.00) | (12,213.01) | 17,760.76 | (151,265.76) |
| SECTIONS OPERATIONS | (208,771.09) | (33,844.16) | (17,067.57) | (191,703.52) |
| LFCP | 313,755.00 | (97,856.18) | 501,932.50 | (188,177.50) |
| WESTERN STATES BAR CONFERENCE | - | 103.35 | (154.54) | 154.54 |
| INDIRECT EXPENSES | (18,077,844.00) | (1,482,994.49) | (17,362,883.46) | (714,960.54) |
| TOTAL OF ALL | 20,311,843.42 | 2,024,596.40 | 17,658,692.98 | 2,653,150.44 |
| NET INCOME (LOSS) | (2,233,999.42) | (541,601.91) | (295,809.52) | |

**Washington State Bar Association
Analysis of Cash Investments
As of September 30, 2016**

Checking & Savings Accounts

General Fund

Checking

| <u>Bank</u> | <u>Account</u> | <u>Amount</u> |
|-------------|----------------|---------------|
| Wells Fargo | General | \$ 587,626 |
| Total | | \$ 587,626 |

| <u>Investments</u> | <u>Rate</u> | <u>Amount</u> |
|-----------------------------|-------------|---------------------|
| Wells Fargo Money Market | 0.33% | \$ 909,217 |
| UBS Financial Money Market | 0.30% | \$ 836,183 |
| Morgan Stanley Money Market | 0.33% | \$ 25,614 |
| Merrill Lynch Money Market | 0.40% | \$ 1,865,513 |
| Long Term Investments | Varies | \$ 3,376,287 |
| Short Term Investments | Varies | \$ 750,000 |
| General Fund Total | | <u>\$ 8,350,439</u> |

Lawyer's Fund for Client Protection

Checking

| <u>Bank</u> | <u>Amount</u> |
|-------------|---------------|
| Wells Fargo | \$ 773,958 |

| <u>Investments</u> | <u>Rate</u> | <u>Amount</u> |
|---|-------------|---------------------|
| Wells Fargo Money Market | 0.33% | \$ 2,223,116 |
| Morgan Stanley Money Market | 0.01% | \$ 102,557 |
| Wells Fargo Investments | Varies | \$ - |
| Lawyers' Fund for Client Protection Total | | <u>\$ 3,099,631</u> |

| | |
|--------------------------------|----------------------|
| Grand Total Cash & Investments | <u>\$ 11,450,070</u> |
|--------------------------------|----------------------|

**Washington State Bar Association
Analysis of Cash Investments
As of September 30, 2016**

Long Term Investments- General Fund

UBS Financial Long Term Investments
Nuveen 3-7 year Municipal Bond Portfolio

Value as of 9/31/16
\$ 510,697.61

Morgan Stanley Long Term Investments
Lord Abbett Short Term Duration Income Fund
Guggenheim Total Return Bond Fund
Virtus Multi-Sector Short Term Bond Fund

Value as of 9/31/16
\$ 1,543,941.26
\$ 662,404.82
\$ 659,243.63
\$ 2,865,589.71

Total Long Term Investments- General Fund 3,376,287.32

Short Term Investments- General Fund

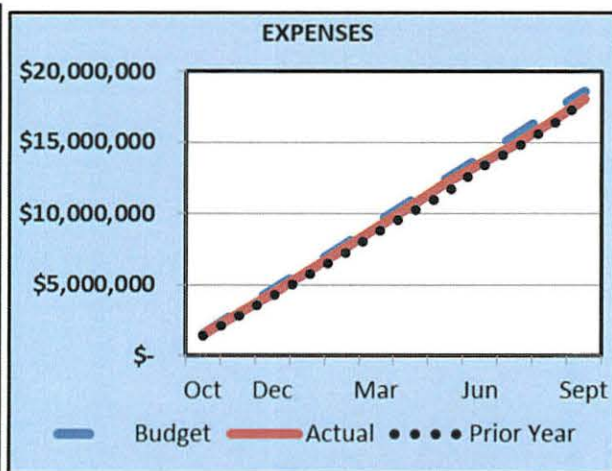
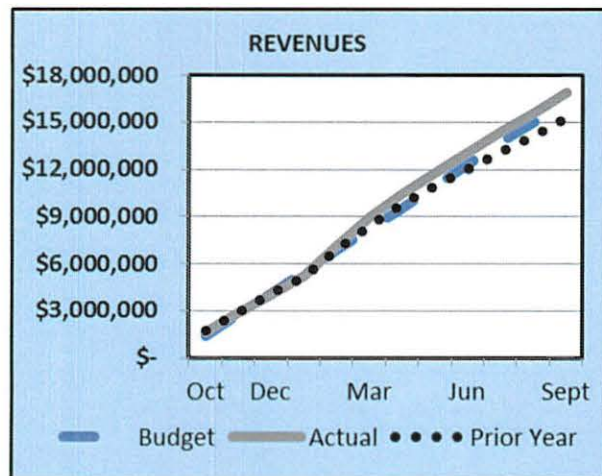
| <u>Bank</u> | <u>Interest Rate</u> | <u>Yield</u> | <u>Term</u> | <u>Maturity Date</u> | <u>Amount</u> |
|--------------------|---------------------------------|---------------------|--------------------|---------------------------------|----------------------|
| Yadkin Bank | 0.65% | 0.65% | 9 months | 10/13/2016 | 250,000.00 |
| Maple Bank | 0.60% | 0.60% | 9 months | 10/20/2016 | 250,000.00 |
| Goldman Sachs Bank | 0.70% | 0.70% | 9 months | 10/20/2016 | 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> |
|--------------------|---------------------------------|---------------------|-----------------------------|---------------------------------|----------------------|
|--------------------|---------------------------------|---------------------|-----------------------------|---------------------------------|----------------------|

Total LFCP -

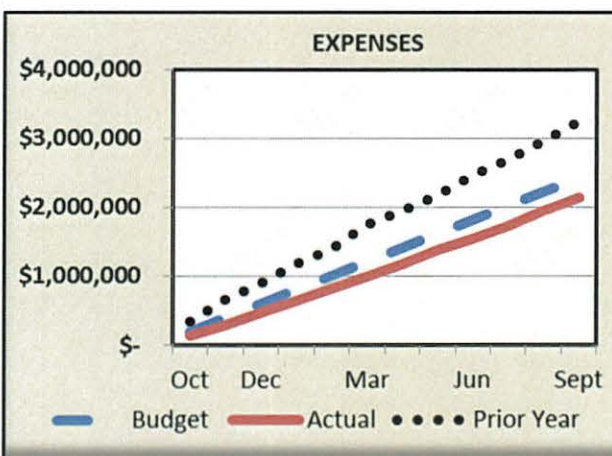
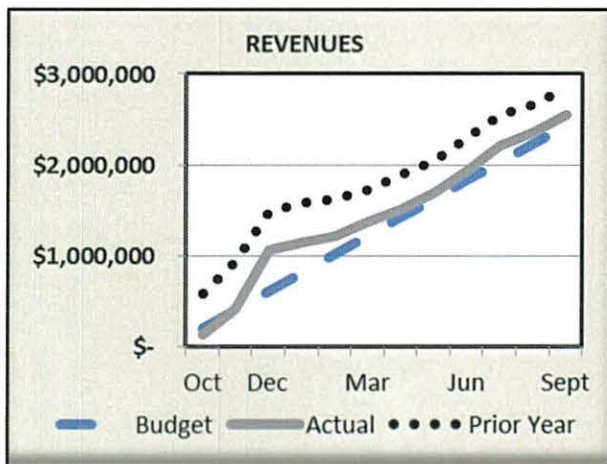
**GENERAL FUND** *(Supports regulatory functions and most services to members and the public)*

REVENUES: The majority of revenues collected for FY 2016 are from license fees which are slightly over budget. Additional revenues that were higher than budget included gain on investments, bar exam fees, recovery of discipline costs, and mandatory CLE fees.

EXPENSES: Indirect expenses (salaries and benefits) finished the year 4.5% under budget due to open positions that have gone unfilled. Direct expenses for the year were slightly under budget as anticipated.

NET RESULT: For FY 2016 we came in \$1,153,342 better than budget.

| | <u>FY16 Budget</u> | <u>FY16 Actuals</u> | <u>Variance</u> |
|---------------|----------------------|----------------------|--------------------|
| Revenues | \$16,420,637 | \$16,937,121 | \$516,484 |
| Expenses | \$18,757,977 | \$18,121,119 | (\$636,858) |
| Profit/(Loss) | <u>(\$2,337,340)</u> | <u>(\$1,183,998)</u> | <u>\$1,153,342</u> |

CLE FUND

REVENUES: Actual revenue is 4.4% higher than budget due to higher than expected revenue from Product sales.

EXPENSES: Indirect expenses finished the year under budget due to open positions. Direct expenses are under budget, which is consistent with a proportionate number of programs held this year.

NET RESULT: Consistent with our projections, the CLE fund came in better than budget by \$405,121.

| | <u>FY16 Budget</u> | <u>FY16 Actuals</u> | <u>Variance</u> |
|---------------|--------------------|---------------------|------------------|
| Revenues | \$2,438,250 | \$2,544,580 | \$106,330 |
| Expenses | \$2,439,893 | \$2,141,102 | (\$298,791) |
| Profit/(Loss) | <u>(\$1,643)</u> | <u>\$403,478</u> | <u>\$405,121</u> |

LAWYERS FUND FOR CLIENT PROTECTION

REVENUES: As projected, actual revenues for FY 16 came in \$57,668 or 6.09% better than budget.

EXPENSES: Actual expenses finished the year under budget by \$128,478 as the number of gifts to injured clients came in lower than anticipated.

NET RESULT: The Lawyers Fund for Client Protection finished the year \$188,178 better than budget.

SECTIONS OPERATIONS

REVENUES: The majority of revenue collected by Sections is from member dues, which came in as projected for FY 2016 at 3.43% over budget. In addition, seminar profit shares through CLE seminars finished the year 18.5% better than budget.

EXPENSES: Actual direct expenses finished the year \$161,954 lower than budget driven by lower than projected seminars and special projects.

NET RESULT: For the year, Sections Operations Fund finished the year \$191,703 better than budget.



To: Budget and Audit Committee and Board of Governors

From: Mark Hayes, Controller
Ann Holmes, Chief Operations Officer

Re: FY 2016 Budget to Actual Variances

Date: December 28, 2016

As part of the year-end review of WSBA financials, we have provided the attached itemized list of General Fund budget variances for both revenue and expense categories. The WSBA General Fund assumed a budgeted net loss of (\$2,337,340) for FY 2016. The actual net loss was (\$1,183,998); \$1,153,342 better than anticipated. Below is a narrative that highlights the major variances and background surrounding the year-end results.

REVENUE AND EXPENSE ANALYSIS

General Fund Revenues

- *Licensing Revenue* came in over budget by \$274,372 (2.19% off from budget). We had more lawyers licensed in 2016 than anticipated.
- *Mandatory CLE Revenue* came in over budget by \$136,106; the majority of which was related to member late fees, which is difficult to predict.
- *Gain/Loss on Investments* came in over budget by \$108,115. Because the market can be quite volatile, we conservatively budgeted for a \$50,000 gain. The portfolio performed better than expected for FY 2016.
- *Bar Exam Fees & Special Admissions* revenue, which includes all types of application fees, came in over budget by \$80,130. We budgeted to a continuation of the trending decrease in exam takers. The decline was not as great as we had anticipated.
- *Recovery of Discipline Costs* came in over budget by \$63,768. This revenue is mainly based on when attorneys choose to pay costs in order to resume practicing, which can be difficult to predict.
- *Reimbursement from Sections* revenue came in over budget by \$33,525. This revenue comes from the per-member charge that WSBA charges each section for administrative support and varies depending on the total number of section memberships.

- *NW Lawyer Revenue* came in under budget by (\$48,399). This is due to a reduction in Display Advertising revenue, which has continued to decline over time as a result of lower demand for print advertisements. Display Advertising was down 6.7% from last year.

Indirect Expenses

Salaries for employees (regular and temporary) are under budget by (\$371,984) for all WSBA funds (General, CLE, and LFCP). The budget includes a line item titled "Allowance for Open Positions" of (\$120,000), which is a placeholder to account for lower indirect costs as a result of unfilled positions throughout the year. In FY 2016, WSBA had a higher number of position vacancies than budgeted and fewer temporary staffing needs, which resulted in the savings.

Benefits came in (\$292,637) under budget. This was the result of the higher number of vacancies and temporary staff referenced above and the fact that 2016 employer medical premiums came in lower than what had been anticipated in the budget.

Overall, *Other Indirect Expenses* came in at 98.54% of budget with variances as follows: *Remodel* expenses from the WSBA renovation project of \$78,149 completed the project but was unbudgeted. We also were over budget in *Workplace Benefits* which came in at 148.68% due to higher than expected expenses and additional unanticipated spending to support staff during renovation. *Professional fees – Legal* came in at 216.40% of budget. These expenses are to engage outside counsel and are difficult to predict. *Staff training* which was over budget at 134.22% due to higher than anticipated expenses for staff conferences and training. *Human Resources* direct expenses were under budget at 84.49% due to less than anticipated local staff training. Overall depreciation came in at 88.38% of budget as the result of less than planned capital spend. A concerted effort to better manage *office supplies and equipment* resulted in this line item coming in at 51.72% of budget.

General Fund Direct Expenses

Total direct expenses came in under budget by (\$102,697). Line items in a variety of areas were both over and under budget.

Some of the key areas are as follows:

- *Court Reports & Litigation Expenses* in the Discipline cost center came in under budget by (\$32,042). Year-end results are consistent with spending patterns observed through the fiscal year. These expenses are difficult to predict since they are incurred based on the needs of each case.
- *Hardware Service & Warranties* finished FY 2016 (\$30,955) better than budget. The expenses related to hardware repair vary and are difficult to predict.
- *Admissions/Bar Exam expenses* in total came in under budget by (\$22,606). The favorable variance was seen in exam related costs such as facilities, parking, food, UBE exam costs, proctors, and staff travel.
- *Mentorship Program Expenses* came in under budget by (\$21,210). Because this is fairly new program, most expenses incurred are in the form of staff salaries, benefits, and overhead with little direct expense.
- *Consulting* costs in the Technology department came in (\$20,101) under budget, which reflects enhanced oversight to increase the efficiency with which we use consultants.

- *Outside Counsel* in the OGC came in \$73,570 over budget. We are required to provide counsel for respondents in disability proceedings. These expenses are difficult to predict.
- *BOG/Office of the Executive Director* cost center total expenses were over budget by \$3,128. This was mainly due to higher than budgeted meeting costs (\$23,549) and BOG travel and outreach costs \$20,171 lower than budgeted.

Continuing Legal Education (CLE)

CLE Seminars assumed a budgeted surplus of \$131,862 for FY 2016. The actual surplus was \$385,718; \$253,856 better than anticipated. Revenue came in under budget by (\$117,738) which is a result of the continuing trend of declining seminar registrations. Direct expenses were under budget by (\$117,519) mostly related to the production and development of CLE programs such as coursebook production, facilities, speaker/honoraria costs and lower than expected splits to sections and co-sponsors. Indirect expenses came in under budget by (\$151,484) due to open positions, many of which purposely went unfilled.

CLE Products assumed a budgeted net loss of (\$133,505) for FY 2016. CLE Products actual performance generated a \$17,761 surplus; \$151,266 better than anticipated. Revenue came in over budget by \$224,068, which was mainly due to higher than budgeted MP3 and Video sales. Year over year product revenue was up 17.1%. Because the revenue favorability was due to MP3 and videos, whose production costs are primarily attributed to staff, there was no corresponding increase in Direct expense. Overall Direct expense was (\$2,072) under budget. Indirect expenses came in under budget by (\$27,712) mostly due to higher than anticipated open positions.

Lawyers' Fund for Client Protection (LFCP)

LFCP assumed a budgeted surplus of \$313,755 for FY 2016. Actual surplus was \$501,933; \$188,178 better than anticipated. Revenue came in over budget by \$57,668, mainly from higher member assessment revenue than budgeted. Total LFCP direct expenses came in under budget by (\$128,477), the majority of which is related to Gifts to Injured Clients which are hard to predict and depend on the amounts awarded to individuals by the LFCP Board and Board of Governors. Indirect expenses came in slightly below budget at (\$2,033).

WSBA
Significant Variances in Budget to Actual Revenue and Expenses
General Fund- FY 2016

| | |
|---------------------------|-----------------------|
| FY16 Budgeted Loss | \$ (2,337,340) |
| FY 16 Actual Loss | \$ (1,183,996) |

| <i>Revenue: Over or (Under) Projected Amounts</i> | <i>Budget</i> | <i>Actual</i> | <i>Dollar Difference</i> | <i>Percentage Difference</i> |
|---|---------------|---------------|------------------------------|----------------------------------|
| License Fees | \$ 12,545,000 | \$ 12,819,372 | \$ 274,372 | 2.19% |
| Mandatory CLE revenue (aggregate) | \$ 699,000 | \$ 835,106 | \$ 136,106 | 19.47% |
| Gain/Loss on Investments | \$ 50,000 | \$ 158,115 | \$ 108,115 | 216.23% |
| Bar Exam Fees & Special Admissions | \$ 1,179,920 | \$ 1,260,050 | \$ 80,130 | 6.79% |
| Recovery of Discipline Costs | \$ 75,000 | \$ 138,768 | \$ 63,768 | 85.02% |
| Reimbursement from Sections | \$ 285,000 | \$ 318,525 | \$ 33,525 | 11.76% |
| NW Lawyer revenue (aggregate) | \$ 567,450 | \$ 519,051 | \$ (48,399) | -8.53% |
| New Lawyer Education (aggregate) | \$ 125,000 | \$ 61,403 | \$ (63,597) | -50.88% |
| Other line-item variances | \$ 894,267 | \$ 826,731 | \$ (67,536) | -7.55% |
| Net surplus revenue | | | \$ 516,484 | |

| <i>Indirect Expenses: Over or (Under) Projected Amounts</i> | <i>Budget</i> | <i>Actual</i> | <i>Difference</i> | <i>Percentage Difference</i> |
|---|---------------|---------------|---------------------|----------------------------------|
| Salaries | \$ 10,875,053 | \$ 10,503,069 | \$ (371,984) | -3.42% |
| Benefits (medical) | \$ 1,442,000 | \$ 1,291,804 | \$ (150,196) | -10.42% |
| Benefits (taxes & insurance) | \$ 986,000 | \$ 906,255 | \$ (79,745) | -8.09% |
| Benefits (retirement) | \$ 1,205,000 | \$ 1,139,017 | \$ (65,983) | -5.48% |
| Benefits (misc/other) | \$ 111,940 | \$ 115,227 | \$ 3,287 | 2.94% |
| Net savings from salaries and benefits (all funds) | | | \$ (664,621) | |
| Other indirect expenses (Office Supplies & Equipment) | \$ 69,000 | \$ 35,689 | \$ (33,311) | -48.28% |
| Other indirect expenses (Staff Training) | \$ 55,000 | \$ 73,819 | \$ 18,819 | 34.22% |
| Other indirect expenses (Professional Fees- Legal) | \$ 40,000 | \$ 86,558 | \$ 46,558 | 116.40% |
| Other indirect expenses (Remodel Expense) | \$ - | \$ 78,149 | \$ 78,149 | |
| Other line-item variances in other Indirect Expenses | \$ 3,293,851 | \$ 3,133,299 | \$ (160,552) | -4.87% |
| Net overage from other indirect expenses (all funds) | | | \$ (50,337) | |
| Plus CLE & LFCP fund variances | \$ 1,678,517 | \$ 1,497,719 | \$ 180,798 | |
| Total net overage in indirect expenses | | | \$ (534,161) | |

| <i>Direct Expenses: Over or (Under) Projected Amounts</i> | <i>Budget</i> | <i>Actual</i> | <i>Difference</i> | <i>Percentage Difference</i> |
|---|---------------|---------------|---------------------|----------------------------------|
| Court Reporters & Litigation Expense (Discipline) | \$ 105,000 | \$ 72,958 | \$ (32,042) | -30.52% |
| Hardware Service & Warranties | \$ 75,000 | \$ 44,045 | \$ (30,955) | -41.27% |
| Admissions/Bar Exams (aggregate) | \$ 385,500 | \$ 362,894 | \$ (22,606) | -5.86% |
| Mentorship (aggregate) | \$ 23,558 | \$ 2,348 | \$ (21,210) | -90.03% |
| BOG Travel & Outreach | \$ 50,000 | \$ 29,829 | \$ (20,171) | -40.34% |
| Consulting (IT) | \$ 320,705 | \$ 300,604 | \$ (20,101) | -6.27% |
| Telephone | \$ 22,000 | \$ 5,609 | \$ (16,391) | -74.51% |
| BOG Meetings | \$ 120,000 | \$ 143,549 | \$ 23,549 | 19.62% |
| Outside Counsel | \$ 60,000 | \$ 133,570 | \$ 73,570 | 122.62% |
| Other line-item variances | \$ 1,196,457 | \$ 1,160,118 | \$ (36,339) | -3.04% |
| Total net savings in direct expenses | | | \$ (102,697) | |

Total reduction in budgeted deficit \$ 1,153,342



WSBA Financial Reports

(Unaudited)

Year to Date November 30, 2016

Prepared by Mark Hayes, Controller

Submitted by

Ann Holmes, Chief Operations Officer

December 19, 2016



To: Board of Governors
Budget and Audit Committee

From: Mark Hayes, Controller

Re: Key Financial Benchmarks for the Fiscal Year to Date (YTD) through November 30, 2016

Date: December 19, 2016

| | % of Year | Current Year % YTD | Current Year \$ Difference ¹ | Prior Year YTD | Comments |
|----------------------------|-----------|-----------------------|--|-------------------|---|
| Salaries | 16.67% | 17.11% | \$47,690 (Over budget) | 16.01% | Expected to be on or slightly under budget |
| Benefits | 16.67% | 15.12% | \$57,128 (Under budget) | 14.46% | Expected to be slightly under budget (due to open positions) |
| Other Indirect Expenses | 16.67% | 14.26% | \$80,948 (Under budget) | 16.33% | Expected to be on budget |
| Total Indirect Expenses | 16.67% | 16.16% | \$90,387 (Under budget) | 15.77% | Expected to be on or under budget |

| | | | | | |
|---------------------------------|--------|--------|-----------------------------|--------|---|
| General Fund Revenues | 16.67% | 18.15% | \$250,571 (Over budget) | 17.44% | Expected to be on budget |
| General Fund Direct Expenses | 16.67% | 11.30% | \$136,916 (Under budget) | 13.92% | Expected to be on or slightly under budget |

| | | | | | |
|--------------------------|--------|--------|----------------------------|--------|---|
| CLE Revenue | 16.67% | 14.07% | \$66,811 (Under budget) | 17.24% | Expected to be on or slightly under budget |
| CLE Direct Expenses | 16.67% | 7.93% | \$75,701 (Under budget) | 9.56% | Expected to be on or slightly under budget |
| CLE Indirect Expenses | 16.67% | 15.76% | \$13,010 (Under budget) | 13.99% | Expected to be on or slightly under budget |

¹ 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 November 30, 2016 (2 months into the fiscal year).

Washington State Bar Association Financial Summary
Year to Date as of November 30, 2016 16.67% 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 | 37,793 | 197,913 | 15,521 | 61,850 | 53,314 | 259,763 | (53,314) | (251,763) |
| Administration | (48,995) | 55,000 | 172,744 | 1,026,621 | (2,533) | 3,135 | 170,211 | 1,029,756 | (219,206) | (974,756) |
| Admissions/Bar Exam | 389,765 | 1,070,000 | 126,566 | 784,390 | 26,985 | 376,900 | 153,552 | 1,161,290 | 236,213 | (91,290) |
| Board of Governors | - | - | 95,962 | 487,946 | 28,247 | 294,650 | 124,210 | 782,596 | (124,210) | (782,596) |
| Communications | 1,354 | 44,250 | 242,227 | 1,570,598 | 16,907 | 130,060 | 259,135 | 1,700,658 | (257,780) | (1,656,408) |
| Discipline | 16,661 | 140,000 | 862,661 | 5,335,003 | 28,884 | 267,668 | 891,545 | 5,602,671 | (874,884) | (5,462,671) |
| Diversity | 90,000 | 100,374 | 57,136 | 365,119 | 2,042 | 29,150 | 59,177 | 394,269 | 30,823 | (293,895) |
| Foundation | - | - | 24,456 | 148,649 | 205 | 19,300 | 24,661 | 167,949 | (24,661) | (167,949) |
| Human Resources | - | - | 59,444 | 257,819 | - | - | 59,444 | 257,819 | (59,444) | (257,819) |
| Law Clerk Program | 3,250 | 97,000 | 16,281 | 101,085 | 471 | 5,350 | 16,752 | 106,435 | (13,502) | (9,435) |
| Law Office Management Asst.Prog | 810 | 2,500 | 18,852 | 198,202 | 186 | 4,700 | 19,037 | 202,902 | (18,227) | (200,402) |
| Lawyers Assistance Program | 1,625 | 15,750 | 18,128 | 127,432 | - | 46,770 | 18,128 | 174,202 | (16,503) | (158,452) |
| Legislative | - | - | 34,646 | 220,465 | 3,974 | 42,800 | 38,619 | 263,265 | (38,619) | (263,265) |
| Licensing Fees | 2,152,646 | 13,204,000 | - | - | - | - | - | - | 2,152,646 | 13,204,000 |
| License and Membership Records | 53,778 | 247,800 | 88,273 | 559,967 | 8,231 | 27,500 | 96,505 | 587,467 | (42,727) | (339,667) |
| Limited License Legal Technician | 1,358 | 13,400 | 28,465 | 175,010 | 2,015 | 60,054 | 30,480 | 235,064 | (29,122) | (221,664) |
| Limited Practice Officers | 18,723 | 132,700 | 30,527 | 189,203 | 2,329 | 13,284 | 32,855 | 202,487 | (14,133) | (69,787) |
| Mandatory CLE | 123,474 | 711,000 | 75,547 | 468,890 | 34,999 | 266,500 | 110,545 | 735,390 | 12,929 | (24,390) |
| Member Benefits | 991 | 3,000 | - | - | 6,048 | 75,000 | 6,048 | 75,000 | (5,057) | (72,000) |
| Mentorship Program | - | - | 25,735 | 177,973 | 424 | 23,500 | 26,159 | 201,473 | (26,159) | (201,473) |
| New Lawyer Program | 17,957 | 80,000 | 40,864 | 275,191 | 4,659 | 32,700 | 45,523 | 307,891 | (27,566) | (227,891) |
| NW Lawyer | 109,244 | 573,450 | 42,493 | 221,408 | 83,236 | 402,800 | 125,729 | 624,208 | (16,486) | (50,758) |
| Office of General Counsel | 53 | - | 127,376 | 777,270 | 1,282 | 15,700 | 128,658 | 792,970 | (128,605) | (792,970) |
| OGC-Disciplinary Board | - | - | 24,687 | 154,747 | 13,890 | 103,000 | 38,577 | 257,747 | (38,577) | (257,747) |
| Practice of Law Board | - | - | 16,212 | 101,271 | 2,682 | 14,100 | 18,894 | 115,371 | (18,894) | (115,371) |
| Professional Responsibility Program | - | - | 39,058 | 272,851 | 1,443 | 8,000 | 40,502 | 280,851 | (40,502) | (280,851) |
| Public Service Programs | 86,679 | 85,000 | 32,106 | 216,540 | 159 | 215,460 | 32,265 | 432,000 | 54,414 | (347,000) |
| Sections Administration | 46,238 | 307,000 | 71,301 | 448,056 | 6,259 | 12,100 | 77,560 | 460,156 | (31,322) | (153,156) |
| Technology | - | - | 236,565 | 1,475,919 | - | - | 236,565 | 1,475,919 | (236,565) | (1,475,919) |
| Subtotal General Fund | 3,065,609 | 16,890,224 | 2,646,103 | 16,335,538 | 288,547 | 2,552,031 | 2,934,650 | 18,887,569 | 130,959 | (1,997,345) |
| Expenses using reserve funds | - | - | - | - | - | - | 2,934,650 | - | - | - |
| Total General Fund - Net Result from Operations | | | | | | | | | 130,959 | (1,997,345) |
| Percentage of Budget | 18.15% | | 16.20% | | 11.31% | | 15.54% | | | |
| CLE-Products | 209,343 | 879,800 | 84,988 | 512,809 | 12,274 | 144,865 | 97,262 | 657,674 | 112,081 | 222,126 |
| CLE-Seminars | 152,979 | 1,695,000 | 141,394 | 923,544 | 56,397 | 721,369 | 197,791 | 1,644,913 | (44,812) | 50,087 |
| Total CLE | 362,322 | 2,574,800 | 226,382 | 1,436,353 | 68,671 | 866,234 | 295,053 | 2,302,587 | 67,269 | 272,213 |
| Percentage of Budget | 14.07% | | 15.76% | | 7.93% | | 12.81% | | | |
| Total All Sections | 81,871 | 688,611 | - | - | 81,641 | 904,833 | 81,641 | 904,833 | 230 | (216,222) |
| Lawyers Fund for Client Protection-Restricted | 119,420 | 986,000 | 18,063 | 113,721 | 8,938 | 502,500 | 27,001 | 616,221 | 92,419 | 369,779 |
| Management Western States Bar Conference | 4,070 | 50,000 | - | - | 719 | 50,000 | 719 | 50,000.00 | 3,351 | - |
| Totals | 3,633,292 | 21,189,635 | 2,890,548 | 17,885,612 | 448,516 | 4,875,597.75 | 3,339,064 | 22,761,210 | 294,228 | (1,571,575) |
| Percentage of Budget | 17.15% | | 16.16% | | 9.20% | | 14.67% | | | |

| Summary of Fund Balances: | Fund Balances Sept. 30, 2016 | Fund Balances Year to date | 2017 Budgeted Fund Balances |
|---|------------------------------|----------------------------|-----------------------------|
| Restricted Funds: | | | |
| Lawyers Fund for Client Protection | 2,646,222 | 2,738,641 | 3,016,001 |
| Western States Bar Conference | 10,958 | 14,309 | 10,958 |
| Board-Designated Funds (Non-General Fund): | | | |
| CLE Fund Balance | 456,568 | 523,838 | 728,781 |
| Section Funds | 1,212,637 | 1,212,868 | 996,416 |
| Board-Designated Funds (General Fund): | | | |
| Operating Reserve Fund | 1,500,000 | 1,500,000 | 1,500,000 |
| Facilities Reserve Fund | 200,000 | 200,000 | 200,000 |
| Unrestricted Funds (General Fund): | | | |
| Unrestricted General Fund | 2,218,536 | 2,349,495 | 221,191 |
| Total Fund Balance | 8,244,921 | 8,539,149 | 6,673,347 |
| Net Change In Fund Balance | | 294,228 | (1,571,575) |

Washington State Bar Association

Statement of Activities

For the Period from November 1, 2016 to November 30, 2016

16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|-----------------------|-------------------------------|----------------------------|----------------------------|------------------------------|-----------------------------|
| LICENSE FEES | | | | | |
| REVENUE: | | | | | |
| LICENSE FEES | <u>13,204,000.00</u> | <u>1,058,189.76</u> | <u>2,152,645.56</u> | <u>11,051,354.44</u> | <u>16.30%</u> |
| TOTAL REVENUE: | <u><u>13,204,000.00</u></u> | <u><u>1,058,189.76</u></u> | <u><u>2,152,645.56</u></u> | <u><u>11,051,354.44</u></u> | <u><u>16.30%</u></u> |

Washington State Bar Association
Statement of Activities
For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|--------------------|----------------------|---------------------|
| ACCESS TO JUSTICE | | | | | |
| REVENUE: | | | | | |
| CONFERENCES & INSTITUTES | 8,000.00 | - | - | 8,000.00 | 0% |
| TOTAL REVENUE: | 8,000.00 | - | - | 8,000.00 | 0% |
| DIRECT EXPENSES: | | | | | |
| ATJ BOARD RETREAT | 2,000.00 | - | - | 2,000.00 | 0.00% |
| LEADERSHIP TRAINING | 2,000.00 | - | - | 2,000.00 | 0.00% |
| ATJ BOARD EXPENSE | 15,100.00 | 1,528.84 | 1,672.79 | 13,427.21 | 11.08% |
| ATJ BOARD COMMITTEES EXPENSE | 5,000.00 | 219.88 | 219.88 | 4,780.12 | 4.40% |
| STAFF TRAVEL/PARKING | 1,200.00 | 51.60 | 51.60 | 1,148.40 | 4.30% |
| STAFF MEMBERSHIP DUES | 150.00 | - | - | 150.00 | 0.00% |
| PUBLIC DEFENSE | 8,400.00 | 388.60 | 476.64 | 7,923.36 | 5.67% |
| CONFERENCE/INSTITUTE EXPENSE | 23,000.00 | 13,100.00 | 13,100.00 | 9,900.00 | 57% |
| RECEPTION/FORUM EXPENSE | 5,000.00 | - | - | 5,000.00 | 0% |
| TOTAL DIRECT EXPENSES: | 61,850.00 | 15,288.92 | 15,520.91 | 46,329.09 | 25.09% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (2.10 FTE) | 105,884.00 | 16,789.12 | 25,707.28 | 80,176.72 | 24.28% |
| BENEFITS EXPENSE | 42,244.00 | 2,471.53 | 4,994.89 | 37,249.11 | 11.82% |
| OTHER INDIRECT EXPENSE | 49,785.00 | 3,549.05 | 7,090.53 | 42,694.47 | 14.24% |
| TOTAL INDIRECT EXPENSES: | 197,913.00 | 22,809.70 | 37,792.70 | 160,120.30 | 19.10% |
| TOTAL ALL EXPENSES: | 259,763.00 | 38,098.62 | 53,313.61 | 206,449.39 | 20.52% |
| NET INCOME (LOSS): | (251,763.00) | (38,098.62) | (53,313.61) | | |

Washington State Bar Association
Statement of Activities
For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|---------------------|---------------------|----------------------|---------------------|
| ADMINISTRATION | | | | | |
| REVENUE: | | | | | |
| INTEREST INCOME | 25,000.00 | 1,756.01 | 3,085.61 | 21,914.39 | 12.34% |
| GAIN/LOSS ON INVESTMENTS | 30,000.00 | (45,349.11) | (52,086.72) | 82,086.72 | -173.62% |
| MISCELLANEOUS | - | 6.00 | 6.00 | (6.00) | |
| TOTAL REVENUE: | 55,000.00 | (43,587.10) | (48,995.11) | 103,995.11 | -89.08% |
| DIRECT EXPENSES: | | | | | |
| CREDIT CARD MERCHANT FEES | - | (2,503.83) | (2,763.50) | 2,763.50 | |
| STAFF TRAVEL/PARKING | 2,500.00 | 18.00 | 231.00 | 2,269.00 | 9.24% |
| STAFF MEMBERSHIP DUES | 635.00 | - | - | 635.00 | 0.00% |
| TOTAL DIRECT EXPENSES: | 3,135.00 | (2,485.83) | (2,532.50) | 5,667.50 | -80.78% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (7.92 FTE) | 632,169.00 | 51,678.88 | 112,823.15 | 519,345.85 | 17.85% |
| BENEFITS EXPENSE | 206,690.00 | 16,451.09 | 33,182.45 | 173,507.55 | 16.05% |
| OTHER INDIRECT EXPENSE | 187,762.00 | 13,383.16 | 26,738.05 | 161,023.95 | 14.24% |
| TOTAL INDIRECT EXPENSES: | 1,026,621.00 | 81,513.13 | 172,743.65 | 853,877.35 | 16.83% |
| TOTAL ALL EXPENSES: | 1,029,756.00 | 79,027.30 | 170,211.15 | 859,544.85 | 16.53% |
| NET INCOME (LOSS): | (974,756.00) | (122,614.40) | (219,206.26) | | |

Washington State Bar Association
Statement of Activities
For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|------------------------------------|-------------------------------|--------------------------|-------------------------|------------------------------|-----------------------------|
| ADMISSIONS/BAR EXAMS | | | | | |
| REVENUE: | | | | | |
| EXAM SOFT REVENUE | 40,000.00 | - | - | 40,000.00 | 0.00% |
| BAR EXAM FEES | 1,000,000.00 | 121,685.00 | 374,265.00 | 625,735.00 | 37.43% |
| SPECIAL ADMISSIONS | 30,000.00 | 8,060.00 | 15,500.00 | 14,500.00 | 51.67% |
| TOTAL REVENUE: | 1,070,000.00 | 129,745.00 | 389,765.00 | 680,235.00 | 36.43% |
| DIRECT EXPENSES: | | | | | |
| FACILITY, PARKING, FOOD | 65,000.00 | 4,250.00 | 20,500.00 | 44,500.00 | 31.54% |
| EXAMINER FEES | 32,500.00 | - | - | 32,500.00 | 0.00% |
| UBE EXMINATIONS | 136,000.00 | - | - | 136,000.00 | 0.00% |
| BOARD OF BAR EXAMINERS | 30,000.00 | - | 780.42 | 29,219.58 | 2.60% |
| BAR EXAM PROCTORS | 33,000.00 | - | - | 33,000.00 | 0.00% |
| CHARACTER & FITNESS BOARD | 20,000.00 | 1,339.33 | 2,606.32 | 17,393.68 | 13.03% |
| DISABILITY ACCOMMODATIONS | 25,000.00 | - | - | 25,000.00 | 0.00% |
| CHARACTER & FITNESS INVESTIGATIONS | 1,000.00 | 142.58 | 150.58 | 849.42 | 15.06% |
| LAW SCHOOL VISITS | 1,000.00 | - | 41.00 | 959.00 | 4.10% |
| COURT REPORTERS | 15,000.00 | 1,211.92 | 1,966.03 | 13,033.97 | 13.11% |
| POSTAGE | 4,000.00 | 22.40 | 938.88 | 3,061.12 | 23.47% |
| STAFF TRAVEL/PARKING | 13,000.00 | 14.10 | 2.24 | 12,997.76 | 0.02% |
| STAFF MEMBERSHIP DUES | 200.00 | - | - | 200.00 | 0.00% |
| SUPPLIES | 1,200.00 | - | - | 1,200.00 | 0.00% |
| TOTAL DIRECT EXPENSES: | 376,900.00 | 6,980.33 | 26,985.47 | 349,914.53 | 7.16% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (6.48 FTE) | 465,903.00 | 39,186.66 | 79,238.91 | 386,664.09 | 17.01% |
| BENEFITS EXPENSE | 164,864.00 | 12,611.83 | 25,429.52 | 139,434.48 | 15.42% |
| OTHER INDIRECT EXPENSE | 153,623.00 | 10,960.73 | 21,897.99 | 131,725.01 | 14.25% |
| TOTAL INDIRECT EXPENSES: | 784,390.00 | 62,759.22 | 126,566.42 | 657,823.58 | 16.14% |
| TOTAL ALL EXPENSES: | 1,161,290.00 | 69,739.55 | 153,551.89 | 1,007,738.11 | 13.22% |
| NET INCOME (LOSS): | (91,290.00) | 60,005.45 | 236,213.11 | | |

Washington State Bar Association
Statement of Activities
For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|---------------------|----------------------|---------------------|
| BOG/OED | | | | | |
| REVENUE: | | | | | |
| | | | | | |
| TOTAL REVENUE: | - | - | - | - | |
| DIRECT EXPENSES: | | | | | |
| BOG MEETINGS | 125,000.00 | 11,917.76 | 13,212.02 | 111,787.98 | 10.57% |
| BOG COMMITTEES' EXPENSES | 30,000.00 | 1,531.69 | 2,863.95 | 27,136.05 | 9.55% |
| WASHINGTON LEADERSHIP INSTITUTE | 60,000.00 | - | - | 60,000.00 | 0.00% |
| BOG CONFERENCE ATTENDANCE | 17,500.00 | - | 1,520.84 | 15,979.16 | 8.69% |
| BOG TRAVEL & OUTREACH | 45,000.00 | 2,978.57 | 7,530.99 | 37,469.01 | 16.74% |
| ED TRAVEL & OUTREACH | 5,000.00 | 943.32 | 1,770.81 | 3,229.19 | 35.42% |
| BOG ELECTIONS | 5,000.00 | - | - | 5,000.00 | 0.00% |
| STAFF TRAVEL/PARKING | 4,000.00 | 328.00 | 656.00 | 3,344.00 | 16.40% |
| STAFF MEMBERSHIP DUES | 1,850.00 | 400.00 | 550.00 | 1,300.00 | 29.73% |
| TELEPHONE | 1,300.00 | 142.65 | 142.65 | 1,157.35 | 10.97% |
| TOTAL DIRECT EXPENSES: | 294,650.00 | 18,241.99 | 28,247.26 | 266,402.74 | 9.59% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (2.45 FTE) | 336,231.00 | 30,661.30 | 73,659.45 | 262,571.55 | 21.91% |
| BENEFITS EXPENSE | 93,632.00 | 6,911.30 | 14,007.80 | 79,624.20 | 14.96% |
| OTHER INDIRECT EXPENSE | 58,083.00 | 4,152.29 | 8,294.99 | 49,788.01 | 14.28% |
| TOTAL INDIRECT EXPENSES: | 487,946.00 | 41,724.89 | 95,962.24 | 391,983.76 | 19.67% |
| TOTAL ALL EXPENSES: | 782,596.00 | 59,966.88 | 124,209.50 | 658,386.50 | 15.87% |
| NET INCOME (LOSS): | (782,596.00) | (59,966.88) | (124,209.50) | | |

Washington State Bar Association
Statement of Activities
For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|---------------------|---------------------|----------------------|---------------------|
| COMMUNICATIONS | | | | | |
| REVENUE: | | | | | |
| AWARDS LUNCH/DINNER | 44,000.00 | (95.84) | (95.84) | 44,095.84 | -0.22% |
| 50 YEAR MEMBER TRIBUTE LUNCH | 250.00 | 45.00 | 1,170.00 | (920.00) | 468.00% |
| WSBA LOGO MERCHANDISE SALES | - | - | 280.00 | (280.00) | |
| TOTAL REVENUE: | 44,250.00 | (50.84) | 1,354.16 | 42,895.84 | 3.06% |
| DIRECT EXPENSES: | | | | | |
| IMAGE LIBRARY | 4,100.00 | - | 3,999.00 | 101.00 | 97.54% |
| BAR OUTREACH | 2,500.00 | - | - | 2,500.00 | 0.00% |
| ABA DELEGATES | 5,600.00 | - | - | 5,600.00 | 0.00% |
| ANNUAL CHAIR MTGS | 600.00 | - | 877.32 | (277.32) | 146.22% |
| AWARDS DINNER | 63,000.00 | 14.10 | - | 63,000.00 | 0.00% |
| 50 YEAR MEMBER TRIBUTE LUNCH | 8,000.00 | 6,510.23 | 8,514.34 | (514.34) | 106.43% |
| JUD RECOMMEND COMMITTEE | 4,500.00 | - | - | 4,500.00 | 0.00% |
| PROFESSIONALISM | 750.00 | 723.36 | 821.72 | (71.72) | 109.56% |
| COMMUNICATIONS OUTREACH | 15,000.00 | - | 144.56 | 14,855.44 | 0.96% |
| TRANSLATION SERVICES | 3,500.00 | 169.85 | 841.35 | 2,658.65 | 24.04% |
| DEPRECIATION | 2,300.00 | 225.00 | 452.00 | 1,848.00 | 19.65% |
| EQUIPMENT, HARDWARE & SOFTWARE | - | - | 79.47 | (79.47) | |
| STAFF TRAVEL/PARKING | 4,000.00 | 126.00 | 519.00 | 3,481.00 | 12.98% |
| STAFF MEMBERSHIP DUES | 1,960.00 | - | 50.00 | 1,910.00 | 2.55% |
| SUBSCRIPTIONS | 10,050.00 | - | - | 10,050.00 | 0.00% |
| DIGITAL/ONLINE DEVELOPMENT | 4,000.00 | 291.57 | 608.14 | 3,391.86 | 15.20% |
| CONFERENCE CALLS | 200.00 | 0.47 | 0.47 | 199.53 | 0.24% |
| TOTAL DIRECT EXPENSES: | 130,060.00 | 8,060.58 | 16,907.37 | 113,152.63 | 13.00% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (14.64 FTE) | 896,797.00 | 74,658.51 | 141,494.58 | 755,302.42 | 15.78% |
| BENEFITS EXPENSE | 326,726.00 | 25,576.69 | 51,288.23 | 275,437.77 | 15.70% |
| OTHER INDIRECT EXPENSE | 347,075.00 | 24,748.29 | 49,444.44 | 297,630.56 | 14.25% |
| TOTAL INDIRECT EXPENSES: | 1,570,598.00 | 124,983.49 | 242,227.25 | 1,328,370.75 | 15.42% |
| TOTAL ALL EXPENSES: | 1,700,658.00 | 133,044.07 | 259,134.62 | 1,441,523.38 | 15.24% |
| NET INCOME (LOSS): | (1,656,408.00) | (133,094.91) | (257,780.46) | | |

Washington State Bar Association
Statement of Activities
For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|---------------------|---------------------|----------------------|---------------------|
| DISCIPLINE | | | | | |
| REVENUE: | | | | | |
| AUDIT REVENUE | 2,000.00 | 233.75 | 780.00 | 1,220.00 | 39.00% |
| RECOVERY OF DISCIPLINE COSTS | 125,000.00 | 10,635.86 | 14,058.92 | 110,941.08 | 11.25% |
| DISCIPLINE HISTORY SUMMARY | 13,000.00 | 1,024.28 | 1,821.84 | 11,178.16 | 14.01% |
| TOTAL REVENUE: | 140,000.00 | 11,893.89 | 16,660.76 | 123,339.24 | 11.90% |
| DIRECT EXPENSES: | | | | | |
| COURT REPORTERS | 65,000.00 | 4,679.18 | 5,950.29 | 59,049.71 | 9.15% |
| OUTSIDE COUNSEL/AIC | 3,500.00 | 109.89 | 178.25 | 3,321.75 | 5.09% |
| LITIGATION EXPENSES | 30,000.00 | 1,726.75 | 2,939.22 | 27,060.78 | 9.80% |
| DISABILITY EXPENSES | 15,000.00 | 1,500.00 | 1,635.95 | 13,364.05 | 10.91% |
| ONLINE LEGAL RESEARCH | 65,900.00 | 5,435.05 | 5,435.05 | 60,464.95 | 8.25% |
| LAW LIBRARY | 13,075.00 | 337.57 | 350.68 | 12,724.32 | 2.68% |
| TRANSLATION SERVICES | 3,000.00 | - | - | 3,000.00 | 0.00% |
| DEPRECIATION-SOFTWARE | 25,200.00 | 2,205.00 | 4,409.00 | 20,791.00 | 17.50% |
| PUBLICATIONS PRODUCTION | 250.00 | - | - | 250.00 | 0.00% |
| STAFF TRAVEL/PARKING | 38,500.00 | 3,145.58 | 6,195.55 | 32,304.45 | 16.09% |
| STAFF MEMBERSHIP DUES | 3,243.00 | 1,350.00 | 1,350.00 | 1,893.00 | 41.63% |
| TELEPHONE | 5,000.00 | 219.98 | 439.96 | 4,560.04 | 8.80% |
| TOTAL DIRECT EXPENSES: | 267,668.00 | 20,709.00 | 28,883.95 | 238,784.05 | 10.79% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (37.77 FTE) | 3,370,608.00 | 280,582.66 | 570,743.23 | 2,799,864.77 | 16.93% |
| BENEFITS EXPENSE | 1,068,970.00 | 81,351.51 | 164,346.96 | 904,623.04 | 15.37% |
| OTHER INDIRECT EXPENSE | 895,425.00 | 63,853.93 | 127,570.80 | 767,854.20 | 14.25% |
| TOTAL INDIRECT EXPENSES: | 5,335,003.00 | 425,788.10 | 862,660.99 | 4,472,342.01 | 16.17% |
| TOTAL ALL EXPENSES: | 5,602,671.00 | 446,497.10 | 891,544.94 | 4,711,126.06 | 15.91% |
| NET INCOME (LOSS): | (5,462,671.00) | (434,603.21) | (874,884.18) | | |

Washington State Bar Association
Statement of Activities
For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|------------------|----------------------|---------------------|
| DIVERSITY | | | | | |
| REVENUE: | | | | | |
| DONATIONS & GRANTS | 90,000.00 | - | 90,000.00 | - | 100.00% |
| WORK STUDY GRANTS | 10,374.00 | - | - | 10,374.00 | 0.00% |
| TOTAL REVENUE: | 100,374.00 | - | 90,000.00 | 10,374.00 | 89.66% |
| DIRECT EXPENSES: | | | | | |
| STAFF MEMBERSHIP DUES | 350.00 | - | - | 350.00 | 0.00% |
| STAFF TRAVEL/PARKING | 8,600.00 | 19.73 | 508.28 | 8,091.72 | 5.91% |
| SUPPLIES | 2,000.00 | - | - | 2,000.00 | 0.00% |
| COMMITTEE FOR DIVERSITY | 6,200.00 | 876.93 | 892.39 | 5,307.61 | 14.39% |
| DIVERSITY EVENTS & PROJECTS | 5,500.00 | 31.19 | 618.13 | 4,881.87 | 11.24% |
| SPECIAL EVENTS | 5,000.00 | - | - | 5,000.00 | 0.00% |
| SPEAKERS & PROGRAM DEVELOPMENT | 1,000.00 | - | - | 1,000.00 | 0.00% |
| INTERNAL DIVERSITY OUTREACH | 500.00 | - | 22.96 | 477.04 | 4.59% |
| TOTAL DIRECT EXPENSE: | 29,150.00 | 927.85 | 2,041.76 | 27,108.24 | 7.00% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (2.97 FTE) | 222,565.00 | 18,596.08 | 36,086.47 | 186,478.53 | 16.21% |
| BENEFITS EXPENSE | 72,143.00 | 5,470.00 | 11,035.04 | 61,107.96 | 15.30% |
| OTHER INDIRECT EXPENSE | 70,411.00 | 5,012.39 | 10,014.18 | 60,396.82 | 14.22% |
| TOTAL INDIRECT EXPENSES: | 365,119.00 | 29,078.47 | 57,135.69 | 307,983.31 | 15.65% |
| TOTAL ALL EXPENSES: | 394,269.00 | 30,006.32 | 59,177.45 | 335,091.55 | 15.01% |
| NET INCOME (LOSS): | (293,895.00) | (30,006.32) | 30,822.55 | | |

Washington State Bar Association
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For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|--------------------|----------------------|---------------------|
| FOUNDATION | | | | | |
| REVENUE: | | | | | |
| | | | | | |
| TOTAL REVENUE: | - | - | - | - | |
| DIRECT EXPENSES: | | | | | |
| BOARD OF TRUSTEES | 5,000.00 | 204.82 | 204.82 | 4,795.18 | 4.10% |
| GRAPHIC DESIGN | 1,500.00 | - | - | 1,500.00 | 0.00% |
| CONSULTING SERVICES | 3,000.00 | - | - | 3,000.00 | 0.00% |
| POSTAGE | 500.00 | - | - | 500.00 | 0.00% |
| PRINTING & COPYING | 1,500.00 | - | - | 1,500.00 | 0.00% |
| STAFF TRAVEL/PARKING | 1,700.00 | - | - | 1,700.00 | 0.00% |
| STAFF MEMBERSHIP DUES | 600.00 | - | - | 600.00 | 0.00% |
| SUPPLIES | 500.00 | - | - | 500.00 | 0.00% |
| SPECIAL EVENTS | 5,000.00 | - | - | 5,000.00 | 0.00% |
| TOTAL DIRECT EXPENSES: | 19,300.00 | 204.82 | 204.82 | 19,095.18 | 1.06% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (1.25 FTE) | 88,294.00 | 7,353.98 | 15,549.46 | 72,744.54 | 17.61% |
| BENEFITS EXPENSE | 30,721.00 | 2,321.39 | 4,690.82 | 26,030.18 | 15.27% |
| OTHER INDIRECT EXPENSE | 29,634.00 | 2,109.97 | 4,215.79 | 25,418.21 | 14.23% |
| TOTAL INDIRECT EXPENSES: | 148,649.00 | 11,785.34 | 24,456.07 | 124,192.93 | 16.45% |
| TOTAL ALL EXPENSES: | 167,949.00 | 11,990.16 | 24,660.89 | 143,288.11 | 14.68% |
| NET INCOME (LOSS): | (167,949.00) | (11,990.16) | (24,660.89) | | |

Washington State Bar Association
Statement of Activities
For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|--------------------|----------------------|---------------------|
| HUMAN RESOURCES | | | | | |
| REVENUE: | | | | | |
| | | | | | |
| TOTAL REVENUE: | - | - | - | - | |
| DIRECT EXPENSES: | | | | | |
| STAFF TRAINING- GENERAL | 35,000.00 | 1,874.03 | 1,874.03 | 33,125.97 | 5.35% |
| RECRUITING AND ADVERTISING | 7,000.00 | 986.37 | 1,246.86 | 5,753.14 | 17.81% |
| PAYROLL PROCESSING | 55,000.00 | 4,457.54 | 6,017.23 | 48,982.77 | 10.94% |
| SALARY SURVEYS | 2,700.00 | - | - | 2,700.00 | 0.00% |
| DEPRECIATION | 835.00 | 417.21 | 835.21 | (0.21) | 100.03% |
| CONSULTING SERVICES | 9,000.00 | 3,880.00 | 5,880.00 | 3,120.00 | 65.33% |
| STAFF TRAVEL/PARKING | 250.00 | - | - | 250.00 | 0.00% |
| STAFF MEMBERSHIP DUES | 1,378.00 | 219.00 | 219.00 | 1,159.00 | 15.89% |
| SUBSCRIPTIONS | 1,993.00 | 106.43 | 106.43 | 1,886.57 | 5.34% |
| THIRD PARTY SERVICES | 13,500.00 | - | 13,426.00 | 74.00 | 99.45% |
| TRANSFER TO INDIRECT EXPENSE | (126,656.00) | (11,940.58) | (29,604.76) | (97,051.24) | 23.37% |
| TOTAL DIRECT EXPENSES: | - | - | - | - | |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (2.48 FTE) | 244,580.00 | 22,873.02 | 40,961.12 | 203,618.88 | 16.75% |
| ALLOWANCE FOR OPEN POSITIONS | (120,000.00) | - | - | (120,000.00) | 0.00% |
| BENEFITS EXPENSE | 74,445.00 | 4,986.43 | 10,095.61 | 64,349.39 | 13.56% |
| OTHER INDIRECT EXPENSE | 58,794.00 | 4,197.91 | 8,386.87 | 50,407.13 | 14.26% |
| TOTAL INDIRECT EXPENSES: | 257,819.00 | 32,057.36 | 59,443.60 | 198,375.40 | 23.06% |
| TOTAL ALL EXPENSES: | 257,819.00 | 32,057.36 | 59,443.60 | 198,375.40 | 23.06% |
| NET INCOME (LOSS): | (257,819.00) | (32,057.36) | (59,443.60) | | |

Washington State Bar Association
Statement of Activities
For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|------------------------------------|-------------------------------|--------------------------|-------------------------|------------------------------|-----------------------------|
| LAW CLERK PROGRAM | | | | | |
| REVENUE: | | | | | |
| LAW CLERK FEES | 95,000.00 | 1,500.00 | 3,250.00 | 91,750.00 | 3.42% |
| LAW CLERK APPLICATION FEES | 2,000.00 | - | - | 2,000.00 | 0.00% |
| TOTAL REVENUE: | 97,000.00 | 1,500.00 | 3,250.00 | 93,750.00 | 3.35% |
| DIRECT EXPENSES: | | | | | |
| SUBSCRIPTIONS | 250.00 | - | - | 250.00 | 0.00% |
| CHARACTER & FITNESS INVESTIGATIONS | 100.00 | - | - | 100.00 | 0.00% |
| LAW CLERK BOARD EXPENSE | 5,000.00 | 471.32 | 471.32 | 4,528.68 | 9.43% |
| TOTAL DIRECT EXPENSES: | 5,350.00 | 471.32 | 471.32 | 4,878.68 | 8.81% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (0.89 FTE) | 59,025.00 | 4,886.80 | 10,023.60 | 49,001.40 | 16.98% |
| BENEFITS EXPENSE | 20,961.00 | 1,611.29 | 3,238.88 | 17,722.12 | 15.45% |
| OTHER INDIRECT EXPENSE | 21,099.00 | 1,510.82 | 3,018.45 | 18,080.55 | 14.31% |
| TOTAL INDIRECT EXPENSES: | 101,085.00 | 8,008.91 | 16,280.93 | 84,804.07 | 16.11% |
| TOTAL ALL EXPENSES: | 106,435.00 | 8,480.23 | 16,752.25 | 89,682.75 | 15.74% |
| NET INCOME (LOSS): | (9,435.00) | (6,980.23) | (13,502.25) | | |

Washington State Bar Association

Statement of Activities

For the Period from November 1, 2016 to November 30, 2016

16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---|-----------------------|-------------------|--------------------|----------------------|---------------------|
| LAW OFFICE MNGT ASSISTANCE PROGRAM | | | | | |
| REVENUE: | | | | | |
| LAW OFFICE IN A BOX SALES | 2,500.00 | 405.00 | 810.00 | 1,690.00 | 32.40% |
| TOTAL REVENUE: | 2,500.00 | 405.00 | 810.00 | 1,690.00 | 32.40% |
| DIRECT EXPENSES: | | | | | |
| LIBRARY MATERIALS/RESOURCES | 1,500.00 | - | 36.90 | 1,463.10 | 2.46% |
| LAW OFFICE IN A BOX | 500.00 | 31.05 | 148.96 | 351.04 | 29.79% |
| STAFF TRAVEL/PARKING | 2,000.00 | - | - | 2,000.00 | 0.00% |
| STAFF MEMBERSHIP DUES | 600.00 | - | - | 600.00 | 0.00% |
| CONFERENCE CALLS | 100.00 | - | - | 100.00 | 0.00% |
| TOTAL DIRECT EXPENSES: | 4,700.00 | 31.05 | 185.86 | 4,514.14 | 3.95% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (1.50 FTE) | 122,445.00 | 4,747.76 | 9,240.52 | 113,204.48 | 7.55% |
| BENEFITS EXPENSE | 40,196.00 | 2,232.31 | 4,530.82 | 35,665.18 | 11.27% |
| OTHER INDIRECT EXPENSE | 35,561.00 | 2,543.04 | 5,080.28 | 30,480.72 | 14.29% |
| TOTAL INDIRECT EXPENSES: | 198,202.00 | 9,523.11 | 18,851.62 | 179,350.38 | 9.51% |
| TOTAL ALL EXPENSES: | 202,902.00 | 9,554.16 | 19,037.48 | 183,864.52 | 9.38% |
| NET INCOME (LOSS): | (200,402.00) | (9,149.16) | (18,227.48) | | |

Washington State Bar Association
Statement of Activities
For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|--------------------------------------|-----------------------|-------------------|--------------------|----------------------|---------------------|
| LAWYER ASSISTANCE PROGRAM | | | | | |
| REVENUE: | | | | | |
| DIVERSIONS | 15,750.00 | - | 1,625.00 | 14,125.00 | 10.32% |
| TOTAL REVENUE: | 15,750.00 | - | 1,625.00 | 14,125.00 | 10.32% |
| DIRECT EXPENSES: | | | | | |
| PROF LIAB INSURANCE | 850.00 | - | - | 850.00 | 0.00% |
| MEMBER ASSISTANCE PROGRAM | 45,120.00 | - | - | 45,120.00 | 0.00% |
| PUBLICATIONS PRODUCTION | 200.00 | - | - | 200.00 | 0.00% |
| STAFF MEMBERSHIP DUES | 350.00 | - | - | 350.00 | 0.00% |
| CONFERENCE CALLS | 100.00 | - | - | 100.00 | 0.00% |
| MISCELLANEOUS | 150.00 | - | - | 150.00 | 0.00% |
| TOTAL DIRECT EXPENSES: | 46,770.00 | - | - | 46,770.00 | 0.00% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (0.87 FTE) | 77,476.00 | 5,448.92 | 10,938.34 | 66,537.66 | 14.12% |
| BENEFITS EXPENSE | 29,331.00 | 2,116.88 | 4,266.17 | 25,064.83 | 14.54% |
| OTHER INDIRECT EXPENSE | 20,625.00 | 1,463.05 | 2,923.06 | 17,701.94 | 14.17% |
| TOTAL INDIRECT EXPENSES: | 127,432.00 | 9,028.85 | 18,127.57 | 109,304.43 | 14.23% |
| TOTAL ALL EXPENSES: | 174,202.00 | 9,028.85 | 18,127.57 | 156,074.43 | 10.41% |
| NET INCOME (LOSS): | (158,452.00) | (9,028.85) | (16,502.57) | | |

Washington State Bar Association
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For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|--------------------|----------------------|---------------------|
| LEGISLATIVE | | | | | |
| REVENUE: | | | | | |
| TOTAL REVENUE: | - | - | - | - | |
| DIRECT EXPENSES: | | | | | |
| RENT - OLYMPIA OFFICE | 5,000.00 | - | - | 5,000.00 | 0.00% |
| CONTRACT LOBBYIST | 20,000.00 | - | - | 20,000.00 | 0.00% |
| LOBBYIST CONTACT COSTS | 1,600.00 | - | - | 1,600.00 | 0.00% |
| LEGISLATIVE COMMITTEE | 2,500.00 | 1,281.36 | 1,685.61 | 814.39 | 67.42% |
| BOG LEGISLATIVE COMMITTEE | 250.00 | - | - | 250.00 | 0.00% |
| STAFF TRAVEL/PARKING | 8,000.00 | 127.70 | 275.32 | 7,724.68 | 3.44% |
| STAFF MEMBERSHIP DUES | 450.00 | - | - | 450.00 | 0.00% |
| SUBSCRIPTIONS | 2,000.00 | 1,972.80 | 1,972.80 | 27.20 | 98.64% |
| TELEPHONE | 3,000.00 | 20.00 | 40.00 | 2,960.00 | 1.33% |
| TOTAL DIRECT EXPENSES: | 42,800.00 | 3,401.86 | 3,973.73 | 38,826.27 | 9.28% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (1.85 FTE) | 131,303.00 | 10,729.10 | 21,458.20 | 109,844.80 | 16.34% |
| BENEFITS EXPENSE | 45,303.00 | 3,448.69 | 6,958.31 | 38,344.69 | 15.36% |
| OTHER INDIRECT EXPENSE | 43,859.00 | 3,117.87 | 6,229.07 | 37,629.93 | 14.20% |
| TOTAL INDIRECT EXPENSES: | 220,465.00 | 17,295.66 | 34,645.58 | 185,819.42 | 15.71% |
| TOTAL ALL EXPENSES: | 263,265.00 | 20,697.52 | 38,619.31 | 224,645.69 | 14.67% |
| NET INCOME (LOSS): | (263,265.00) | (20,697.52) | (38,619.31) | | |

Washington State Bar Association
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For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---|-------------------------------|--------------------------|-------------------------|------------------------------|-----------------------------|
| LICENSING & MEMBERSHIP RECORDS | | | | | |
| REVENUE: | | | | | |
| STATUS CERTIFICATE FEES | 22,000.00 | 1,834.05 | 4,196.42 | 17,803.58 | 19.07% |
| RULE 9/LEGAL INTERN FEES | 11,000.00 | 150.00 | 650.00 | 10,350.00 | 5.91% |
| INVESTIGATION FEES | 20,000.00 | 2,000.00 | 3,800.00 | 16,200.00 | 19.00% |
| PRO HAC VICE | 170,000.00 | 18,095.00 | 40,040.00 | 129,960.00 | 23.55% |
| MEMBER CONTACT INFORMATION | 24,000.00 | 1,267.46 | 4,959.16 | 19,040.84 | 20.66% |
| PHOTO BAR CARD SALES | 800.00 | 108.00 | 132.00 | 668.00 | 16.50% |
| TOTAL REVENUE: | 247,800.00 | 23,454.51 | 53,777.58 | 194,022.42 | 21.70% |
| DIRECT EXPENSES: | | | | | |
| LICENSING FORMS | 2,500.00 | 546.74 | 2,659.92 | (159.92) | 106.40% |
| POSTAGE | 25,000.00 | 5,571.43 | 5,571.43 | 19,428.57 | 22.29% |
| TOTAL DIRECT EXPENSES: | 27,500.00 | 6,118.17 | 8,231.35 | 19,268.65 | 29.93% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (4.29 FTE) | 346,073.00 | 28,060.84 | 56,621.69 | 289,451.31 | 16.36% |
| BENEFITS EXPENSE | 112,190.00 | 8,506.74 | 17,180.70 | 95,009.30 | 15.31% |
| OTHER INDIRECT EXPENSE | 101,704.00 | 7,243.19 | 14,471.09 | 87,232.91 | 14.23% |
| TOTAL INDIRECT EXPENSES: | 559,967.00 | 43,810.77 | 88,273.48 | 471,693.52 | 15.76% |
| TOTAL ALL EXPENSES: | 587,467.00 | 49,928.94 | 96,504.83 | 490,962.17 | 16.43% |
| NET INCOME (LOSS): | (339,667.00) | (26,474.43) | (42,727.25) | | |

Washington State Bar Association
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For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---|-----------------------|--------------------|--------------------|----------------------|---------------------|
| LIMITED LICENSE LEGAL TECHNICIAN PROGRAM | | | | | |
| REVENUE: | | | | | |
| LLLT LICENSE FEES | 5,950.00 | 350.13 | 758.40 | 5,191.60 | 12.75% |
| LLLT EXAM FEES | 7,150.00 | - | - | 7,150.00 | 0.00% |
| LLLT WAIVER FEES | 300.00 | 300.00 | 600.00 | (300.00) | 200.00% |
| TOTAL REVENUE: | 13,400.00 | 650.13 | 1,358.40 | 12,041.60 | 10.14% |
| DIRECT EXPENSES: | | | | | |
| CHRACTER & FITNESS INVESTIGATIONS | 700.00 | - | - | 700.00 | 0.00% |
| LLLT BOARD | 18,000.00 | 1,316.27 | 1,435.88 | 16,564.12 | 7.98% |
| LLLT OUTREACH | 8,000.00 | 554.42 | 579.42 | 7,420.58 | 7.24% |
| DEPRECIATION | 3,354.00 | - | - | 3,354.00 | 0.00% |
| LLLT EXAM WRITING | 29,600.00 | - | - | 29,600.00 | 0.00% |
| STAFF TRAVEL/PARKING | 400.00 | - | - | 400.00 | 0.00% |
| TOTAL DIRECT EXPENSES: | 60,054.00 | 1,870.69 | 2,015.30 | 58,038.70 | 3.36% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (1.39 FTE) | 106,271.00 | 8,853.48 | 18,284.46 | 87,986.54 | 17.21% |
| BENEFITS EXPENSE | 35,786.00 | 2,713.97 | 5,484.60 | 30,301.40 | 15.33% |
| OTHER INDIRECT EXPENSE | 32,953.00 | 2,350.57 | 4,696.09 | 28,256.91 | 14.25% |
| TOTAL INDIRECT EXPENSES: | 175,010.00 | 13,918.02 | 28,465.15 | 146,544.85 | 16.26% |
| TOTAL ALL EXPENSES: | 235,064.00 | 15,788.71 | 30,480.45 | 204,583.55 | 12.97% |
| NET INCOME (LOSS): | (221,664.00) | (15,138.58) | (29,122.05) | | |

Washington State Bar Association
Statement of Activities
For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|------------------------------------|-----------------------|-------------------|--------------------|----------------------|---------------------|
| LIMITED PRACTICE OFFICERS | | | | | |
| REVENUE: | | | | | |
| LPO EXAMINATION FEES | 17,000.00 | - | - | 17,000.00 | 0.00% |
| LPO LICENSE FEES | 108,000.00 | 9,591.30 | 18,247.70 | 89,752.30 | 16.90% |
| LPO LATE LICENSE FEES | 1,000.00 | - | - | 1,000.00 | 0.00% |
| LPO CEU & TA LATE FEES | 4,000.00 | - | 50.00 | 3,950.00 | 1.25% |
| LPO CONTINUING ED ACCRED FEE | 2,700.00 | 200.00 | 425.00 | 2,275.00 | 15.74% |
| TOTAL REVENUE: | 132,700.00 | 9,791.30 | 18,722.70 | 113,977.30 | 14.11% |
| DIRECT EXPENSES: | | | | | |
| LPO EXAM FACILITIES | 800.00 | - | 394.58 | 405.42 | 49.32% |
| LPO BOARD | 3,000.00 | 22.60 | 110.23 | 2,889.77 | 3.67% |
| LPO DISCIPLINE EXPENSES | 500.00 | - | - | 500.00 | 0.00% |
| FINGERPRINT CARD PROCESSING | 3,230.00 | - | 1,824.00 | 1,406.00 | 56.47% |
| DEPRECIATION | 3,354.00 | - | - | 3,354.00 | 0.00% |
| CHARACTER & FITNESS INVESTIGATIONS | 100.00 | - | - | 100.00 | 0.00% |
| POSTAGE | 2,300.00 | - | - | 2,300.00 | 0.00% |
| TOTAL DIRECT EXPENSES: | 13,284.00 | 22.60 | 2,328.81 | 10,955.19 | 17.53% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (1.47 FTE) | 115,843.00 | 9,663.96 | 19,655.41 | 96,187.59 | 16.97% |
| BENEFITS EXPENSE | 38,510.00 | 2,913.33 | 5,886.92 | 32,623.08 | 15.29% |
| OTHER INDIRECT EXPENSE | 34,850.00 | 2,494.87 | 4,984.18 | 29,865.82 | 14.30% |
| TOTAL INDIRECT EXPENSES: | 189,203.00 | 15,072.16 | 30,526.51 | 158,676.49 | 16.13% |
| TOTAL ALL EXPENSES: | 202,487.00 | 15,094.76 | 32,855.32 | 169,631.68 | 16.23% |
| NET INCOME (LOSS): | (69,787.00) | (5,303.46) | (14,132.62) | | |

Washington State Bar Association
Statement of Activities
For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---|-----------------------|------------------|-------------------|----------------------|---------------------|
| MANDATORY CLE ADMINISTRATION | | | | | |
| REVENUE: | | | | | |
| ACCREDITED PROGRAM FEES | 300,000.00 | 22,550.00 | 44,700.00 | 255,300.00 | 14.90% |
| FORM 1 LATE FEES | 75,000.00 | 12,180.00 | 24,325.00 | 50,675.00 | 32.43% |
| MEMBER LATE FEES | 150,000.00 | - | (225.00) | 150,225.00 | -0.15% |
| ANNUAL ACCREDITED SPONSOR FEES | 27,000.00 | 27,500.00 | 27,500.00 | (500.00) | 101.85% |
| ATTENDANCE FEES | 70,000.00 | 6,794.00 | 11,335.00 | 58,665.00 | 16.19% |
| COMITY CERTIFICATES | 29,000.00 | 4,349.34 | 5,724.34 | 23,275.66 | 19.74% |
| ATTENDANCE LATE FEES | 60,000.00 | 5,985.00 | 10,115.00 | 49,885.00 | 16.86% |
| TOTAL REVENUE: | 711,000.00 | 79,358.34 | 123,474.34 | 587,525.66 | 17.37% |
| DIRECT EXPENSES: | | | | | |
| MCLE BOARD | 3,000.00 | 6.26 | 168.56 | 2,831.44 | 5.62% |
| POSTAGE | 2,000.00 | - | - | 2,000.00 | 0.00% |
| STAFF MEMBERSHIP DUES | 500.00 | 500.00 | 500.00 | - | 100.00% |
| DEPRECIATION | 261,000.00 | 18,995.00 | 34,330.00 | 226,670.00 | 13.15% |
| TOTAL DIRECT EXPENSES: | 266,500.00 | 19,501.26 | 34,998.56 | 231,501.44 | 13.13% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (4.72 FTE) | 257,805.00 | 21,814.92 | 44,129.83 | 213,675.17 | 17.12% |
| BENEFITS EXPENSE | 99,187.00 | 7,672.94 | 15,462.52 | 83,724.48 | 15.59% |
| OTHER INDIRECT EXPENSE | 111,898.00 | 7,985.85 | 15,954.54 | 95,943.46 | 14.26% |
| TOTAL INDIRECT EXPENSES: | 468,890.00 | 37,473.71 | 75,546.89 | 393,343.11 | 16.11% |
| TOTAL ALL EXPENSES: | 735,390.00 | 56,974.97 | 110,545.45 | 624,844.55 | 15.03% |
| NET INCOME (LOSS): | (24,390.00) | 22,383.37 | 12,928.89 | | |

Washington State Bar Association
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16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|------------------|-------------------|----------------------|---------------------|
| MEMBER BENEFITS | | | | | |
| REVENUE: | | | | | |
| ROYALTIES | 3,000.00 | 846.69 | 990.69 | 2,009.31 | 33.02% |
| TOTAL REVENUE: | 3,000.00 | 846.69 | 990.69 | 2,009.31 | 33.02% |
| DIRECT EXPENSES: | | | | | |
| CASEMAKER | 75,000.00 | - | 6,047.71 | 68,952.29 | 8.06% |
| TOTAL DIRECT EXPENSES: | 75,000.00 | - | 6,047.71 | 68,952.29 | 8.06% |
| INDIRECT EXPENSES: | | | | | |
| TOTAL INDIRECT EXPENSES: | - | - | - | - | |
| TOTAL ALL EXPENSES: | 75,000.00 | - | 6,047.71 | 68,952.29 | 8.06% |
| NET INCOME (LOSS): | (72,000.00) | 846.69 | (5,057.02) | | |

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For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|--------------------|----------------------|---------------------|
| MENTORSHIP PROGRAM | | | | | |
| REVENUE: | | | | | |
| | | | | | |
| TOTAL REVENUE: | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | |
| DIRECT EXPENSES: | | | | | |
| MENTORSHIP PROGRAM EXPENSES | 15,000.00 | 60.15 | 424.30 | 14,575.70 | 2.83% |
| RECEPTION/FORUM EXPENSE | 4,800.00 | - | - | 4,800.00 | 0.00% |
| CONSULTING SERVICES | 1,000.00 | - | - | 1,000.00 | 0.00% |
| STAFF TRAVEL/PARKING | 2,000.00 | - | - | 2,000.00 | 0.00% |
| SUBSCRIPTIONS | 500.00 | - | - | 500.00 | 0.00% |
| CONFERENCE CALLS | 200.00 | - | - | 200.00 | 0.00% |
| TOTAL DIRECT EXPENSES: | <u>23,500.00</u> | <u>60.15</u> | <u>424.30</u> | <u>23,075.70</u> | <u>1.81%</u> |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (1.40 FTE) | 108,515.00 | 8,248.38 | 16,039.82 | 92,475.18 | 14.78% |
| BENEFITS EXPENSE | 36,268.00 | 2,446.90 | 4,951.20 | 31,316.80 | 13.65% |
| OTHER INDIRECT EXPENSE | 33,190.00 | 2,374.66 | 4,744.15 | 28,445.85 | 14.29% |
| TOTAL INDIRECT EXPENSES: | <u>177,973.00</u> | <u>13,069.94</u> | <u>25,735.17</u> | <u>152,237.83</u> | <u>14.46%</u> |
| TOTAL ALL EXPENSES: | <u>201,473.00</u> | <u>13,130.09</u> | <u>26,159.47</u> | <u>175,313.53</u> | <u>12.98%</u> |
| NET INCOME (LOSS): | <u>(201,473.00)</u> | <u>(13,130.09)</u> | <u>(26,159.47)</u> | | |

Washington State Bar Association
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| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|--------------------|----------------------|---------------------|
| NEW LAWYER PROGRAM | | | | | |
| REVENUE: | | | | | |
| SEMINAR REGISTRATIONS | 55,000.00 | - | - | 55,000.00 | 0.00% |
| TRIAL ADVOCACY PROGRAM | 25,000.00 | 548.00 | 17,957.00 | 7,043.00 | 71.83% |
| TOTAL REVENUE: | 80,000.00 | 548.00 | 17,957.00 | 62,043.00 | 22.45% |
| DIRECT EXPENSES: | | | | | |
| STAFF TRAVEL/PARKING | 1,000.00 | 10.00 | 277.00 | 723.00 | 27.70% |
| STAFF MEMBERSHIP DUES | 200.00 | - | - | 200.00 | 0.00% |
| ONLINE EXPENSES | 2,500.00 | - | - | 2,500.00 | 0.00% |
| NEW LAWYER OUTREACH EVENTS | 1,000.00 | - | 743.33 | 256.67 | 74.33% |
| NEW LAWYERS COMMITTEE | 15,000.00 | 551.02 | 2,310.23 | 12,689.77 | 15.40% |
| OPEN SECTIONS NIGHT | 3,500.00 | - | 107.87 | 3,392.13 | 3.08% |
| TRIAL ADVOCACY PROGRAM | 3,500.00 | 764.45 | 1,114.40 | 2,385.60 | 31.84% |
| SEMINAR BROCHURES | 2,000.00 | - | - | 2,000.00 | 0.00% |
| SPEAKERS & PROGRAM DEVELOPMENT | 2,000.00 | 106.64 | 106.64 | 1,893.36 | 5.33% |
| SCHOLARSHIPS/DONATIONS/GRANT | 2,000.00 | - | - | 2,000.00 | 0.00% |
| TOTAL DIRECT EXPENSES: | 32,700.00 | 1,432.11 | 4,659.47 | 28,040.53 | 14.25% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (2.25 FTE) | 165,467.00 | 12,812.49 | 25,054.61 | 140,412.39 | 15.14% |
| BENEFITS EXPENSE | 56,383.00 | 4,054.06 | 8,189.27 | 48,193.73 | 14.52% |
| OTHER INDIRECT EXPENSE | 53,341.00 | 3,814.24 | 7,619.89 | 45,721.11 | 14.29% |
| TOTAL INDIRECT EXPENSES: | 275,191.00 | 20,680.79 | 40,863.77 | 234,327.23 | 14.85% |
| TOTAL ALL EXPENSES: | 307,891.00 | 22,112.90 | 45,523.24 | 262,367.76 | 14.79% |
| NET INCOME (LOSS): | (227,891.00) | (21,564.90) | (27,566.24) | | |

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| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|--------------------|----------------------|---------------------|
| NORTHWEST LAWYER | | | | | |
| REVENUE: | | | | | |
| ROYALTIES | - | - | 1,133.91 | (1,133.91) | |
| DISPLAY ADVERTISING | 440,000.00 | 43,866.25 | 82,072.50 | 357,927.50 | 18.65% |
| SUBSCRIPT/SINGLE ISSUES | 450.00 | 72.00 | 72.00 | 378.00 | 16.00% |
| CLASSIFIED ADVERTISING | 89,000.00 | 7,347.93 | 18,067.68 | 70,932.32 | 20.30% |
| GEN ANNOUNCEMENTS | 17,000.00 | 1,200.00 | 1,950.00 | 15,050.00 | 11.47% |
| PROF ANNOUNCEMENTS | 27,000.00 | 3,242.50 | 5,947.50 | 21,052.50 | 22.03% |
| TOTAL REVENUE: | 573,450.00 | 55,728.68 | 109,243.59 | 464,206.41 | 19.05% |
| DIRECT EXPENSES: | | | | | |
| GRAPHICS/ARTWORK | 3,500.00 | 1,250.00 | 1,648.21 | 1,851.79 | 47.09% |
| OUTSIDE SALES EXPENSE | 80,000.00 | 7,763.23 | 9,524.13 | 70,475.87 | 11.91% |
| EDITORIAL ADVISORY COMMITTEE | 800.00 | 34.75 | 34.75 | 765.25 | 4.34% |
| DIGITAL/ONLINE DEVELOPMENT | 8,400.00 | - | 700.00 | 7,700.00 | 8.33% |
| BAD DEBT EXPENSE | 1,000.00 | - | 1,000.00 | - | 100.00% |
| POSTAGE | 89,100.00 | 10,572.12 | 20,688.65 | 68,411.35 | 23.22% |
| PRINTING, COPYING & MAILING | 220,000.00 | 49,640.65 | 49,640.65 | 170,359.35 | 22.56% |
| TOTAL DIRECT EXPENSES: | 402,800.00 | 69,260.75 | 83,236.39 | 319,563.61 | 20.66% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (1.72 FTE) | 131,759.00 | 9,594.41 | 29,815.09 | 101,943.91 | 22.63% |
| BENEFITS EXPENSE | 48,872.00 | 3,770.23 | 6,880.58 | 41,991.42 | 14.08% |
| OTHER INDIRECT EXPENSE | 40,777.00 | 2,901.64 | 5,797.36 | 34,979.64 | 14.22% |
| TOTAL INDIRECT EXPENSES: | 221,408.00 | 16,266.28 | 42,493.03 | 178,914.97 | 19.19% |
| TOTAL ALL EXPENSES: | 624,208.00 | 85,527.03 | 125,729.42 | 498,478.58 | 20.14% |
| NET INCOME (LOSS): | (50,758.00) | (29,798.35) | (16,485.83) | | |

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16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|----------------------------------|-----------------------|--------------------|---------------------|----------------------|---------------------|
| OFFICE OF GENERAL COUNSEL | | | | | |
| REVENUE: | | | | | |
| COPY FEES | - | 7.60 | 52.60 | (52.60) | |
| TOTAL REVENUE: | - | 7.60 | 52.60 | (52.60) | |
| DIRECT EXPENSES: | | | | | |
| AMICUS BRIEF COMMITTEE | 100.00 | 27.14 | 27.14 | 72.86 | 27.14% |
| COURT RULES COMMITTEE | 5,000.00 | 38.13 | 79.72 | 4,920.28 | 1.59% |
| DISCIPLINE ADVISORY ROUNDTABLE | 1,500.00 | - | - | 1,500.00 | 0.00% |
| LITIGATION EXPENSES | - | 60.60 | 62.25 | (62.25) | |
| CUSTODIANSHIPS | 5,000.00 | 661.49 | 661.49 | 4,338.51 | 13.23% |
| STAFF TRAVEL/PARKING | 2,600.00 | 253.57 | 451.57 | 2,148.43 | 17.37% |
| STAFF MEMBERSHIP DUES | 1,500.00 | - | - | 1,500.00 | 0.00% |
| TOTAL DIRECT EXPENSES: | 15,700.00 | 1,040.93 | 1,282.17 | 14,417.83 | 8.17% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (5.7 FTE) | 484,565.00 | 38,013.18 | 84,804.82 | 399,760.18 | 17.50% |
| BENEFITS EXPENSE | 157,573.00 | 11,532.28 | 23,306.63 | 134,266.37 | 14.79% |
| OTHER INDIRECT EXPENSE | 135,132.00 | 9,642.37 | 19,264.14 | 115,867.86 | 14.26% |
| TOTAL INDIRECT EXPENSES: | 777,270.00 | 59,187.83 | 127,375.59 | 649,894.41 | 16.39% |
| TOTAL ALL EXPENSES: | 792,970.00 | 60,228.76 | 128,657.76 | 664,312.24 | 16.22% |
| NET INCOME (LOSS): | (792,970.00) | (60,221.16) | (128,605.16) | | |

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16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|--------------------|----------------------|---------------------|
| OGC-DISCIPLINARY BOARD | | | | | |
| REVENUE: | | | | | |
| | | | | | |
| TOTAL REVENUE: | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | |
| DIRECT EXPENSE: | | | | | |
| DISCIPLINARY BOARD EXPENSES | 7,500.00 | 2,358.30 | 2,358.30 | 5,141.70 | 31.44% |
| CHIEF HEARING OFFICER | 33,000.00 | 2,500.00 | 5,000.00 | 28,000.00 | 15.15% |
| HEARING OFFICER EXPENSES | 5,000.00 | 31.50 | 31.50 | 4,968.50 | 0.63% |
| HEARING OFFICER TRAINING | 2,000.00 | - | - | 2,000.00 | 0.00% |
| OUTSIDE COUNSEL | 55,000.00 | 3,250.00 | 6,500.00 | 48,500.00 | 11.82% |
| STAFF MEMBERSHIP DUES | 500.00 | - | - | 500.00 | 0.00% |
| TOTAL DIRECT EXPENSES: | <u>103,000.00</u> | <u>8,139.80</u> | <u>13,889.80</u> | <u>89,110.20</u> | <u>13.49%</u> |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (1.30 FTE) | 92,118.00 | 7,687.50 | 15,375.00 | 76,743.00 | 16.69% |
| BENEFITS EXPENSE | 31,810.00 | 2,432.37 | 4,903.29 | 26,906.71 | 15.41% |
| OTHER INDIRECT EXPENSE | 30,819.00 | 2,207.13 | 4,409.19 | 26,409.81 | 14.31% |
| TOTAL INDIRECT EXPENSES: | <u>154,747.00</u> | <u>12,327.00</u> | <u>24,687.48</u> | <u>130,059.52</u> | <u>15.95%</u> |
| TOTAL ALL EXPENSES: | <u>257,747.00</u> | <u>20,466.80</u> | <u>38,577.28</u> | <u>219,169.72</u> | <u>14.97%</u> |
| NET INCOME (LOSS): | <u>(257,747.00)</u> | <u>(20,466.80)</u> | <u>(38,577.28)</u> | | |

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| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|--------------------|--------------------|----------------------|---------------------|
| PRACTICE OF LAW BOARD | | | | | |
| REVENUE: | | | | | |
| | | | | | |
| TOTAL REVENUE: | - | - | - | - | |
| DIRECT EXPENSES: | | | | | |
| PRACTICE OF LAW BOARD | 14,000.00 | 2,168.96 | 2,681.80 | 11,318.20 | 19.16% |
| TRANSLATION SERVICES | 100.00 | - | - | 100.00 | 0.00% |
| TOTAL DIRECT EXPENSES: | 14,100.00 | 2,168.96 | 2,681.80 | 11,418.20 | 19.02% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (0.81 FTE) | 61,398.00 | 5,148.90 | 10,297.80 | 51,100.20 | 16.77% |
| BENEFITS EXPENSE | 20,670.00 | 1,576.38 | 3,183.47 | 17,486.53 | 15.40% |
| OTHER INDIRECT EXPENSE | 19,203.00 | 1,366.67 | 2,730.69 | 16,472.31 | 14.22% |
| TOTAL INDIRECT EXPENSES: | 101,271.00 | 8,091.95 | 16,211.96 | 85,059.04 | 16.01% |
| TOTAL ALL EXPENSES: | 115,371.00 | 10,260.91 | 18,893.76 | 96,477.24 | 16.38% |
| NET INCOME (LOSS): | (115,371.00) | (10,260.91) | (18,893.76) | | |

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16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|--|-----------------------|------------------|-----------------|----------------------|---------------------|
| PROFESSIONAL RESPONSIBILITY PROGRAM | | | | | |
| REVENUE: | | | | | |
| | | | | | |
| TOTAL REVENUE: | - | - | - | - | |
| DIRECT EXPENSES: | | | | | |
| CPE COMMITTEE | 6,000.00 | 365.32 | 657.51 | 5,342.49 | 10.96% |
| STAFF TRAVEL/PARKING | 1,500.00 | 785.71 | 785.71 | 714.29 | 52.38% |
| STAFF MEMBERSHIP DUES | 500.00 | - | - | 500.00 | 0.00% |
| TOTAL DIRECT EXPENSES: | 8,000.00 | 1,151.03 | 1,443.22 | 6,556.78 | 18.04% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (2.07 FTE) | 165,405.00 | 11,762.74 | 23,850.48 | 141,554.52 | 14.42% |
| BENEFITS EXPENSE | 58,372.00 | 4,065.35 | 8,211.54 | 50,160.46 | 14.07% |
| OTHER INDIRECT EXPENSE | 49,074.00 | 3,501.90 | 6,996.29 | 42,077.71 | 14.26% |
| TOTAL INDIRECT EXPENSES: | 272,851.00 | 19,329.99 | 39,058.31 | 233,792.69 | 14.31% |
| TOTAL ALL EXPENSES: | 280,851.00 | 20,481.02 | 40,501.53 | 240,349.47 | 14.42% |
| NET INCOME (LOSS): | (280,851.00) | (20,481.02) | (40,501.53) | | |

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| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|----------------------------------|-----------------------|--------------------|------------------|----------------------|---------------------|
| PUBLIC SERVICE PROGRAMS | | | | | |
| REVENUE: | | | | | |
| DONATIONS & GRANTS | 85,000.00 | - | 85,000.00 | - | 100.00% |
| PSP PRODUCT SALES | - | 1,069.00 | 1,679.00 | (1,679.00) | |
| TOTAL REVENUE: | 85,000.00 | 1,069.00 | 86,679.00 | (1,679.00) | 101.98% |
| DIRECT EXPENSES: | | | | | |
| DONATIONS/SPONSORSHIPS/GRANTS | 203,915.00 | - | - | 203,915.00 | 0.00% |
| SPEAKERS & PROGRAM DEVELOPMENT | 1,500.00 | - | - | 1,500.00 | 0.00% |
| STAFF TRAVEL/PARKING | 2,000.00 | 14.03 | 14.03 | 1,985.97 | 0.70% |
| STAFF MEMBERSHIP DUES | 95.00 | - | - | 95.00 | 0.00% |
| VOLUNTEER RECRUITMENT & OUTREACH | 2,100.00 | - | - | 2,100.00 | 0.00% |
| CONFERENCE CALLS | 200.00 | - | - | 200.00 | 0.00% |
| PRO BONO & LEGAL AID COMMITTEE | 2,000.00 | 64.16 | 145.20 | 1,854.80 | 7.26% |
| VOLUNTEER RECRUITMENT & APPREC | 500.00 | - | - | 500.00 | 0.00% |
| DAY OF SERVICE | 3,150.00 | - | - | 3,150.00 | 0.00% |
| TOTAL DIRECT EXPENSES: | 215,460.00 | 78.19 | 159.23 | 215,300.77 | 0.07% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (1.70 FTE) | 132,099.00 | 10,263.28 | 20,086.28 | 112,012.72 | 15.21% |
| BENEFITS EXPENSE | 44,139.00 | 3,103.54 | 6,268.69 | 37,870.31 | 14.20% |
| OTHER INDIRECT EXPENSE | 40,302.00 | 2,878.62 | 5,750.82 | 34,551.18 | 14.27% |
| TOTAL INDIRECT EXPENSES: | 216,540.00 | 16,245.44 | 32,105.79 | 184,434.21 | 14.83% |
| TOTAL ALL EXPENSES: | 432,000.00 | 16,323.63 | 32,265.02 | 399,734.98 | 7.47% |
| NET INCOME (LOSS): | (347,000.00) | (15,254.63) | 54,413.98 | | |

Washington State Bar Association
Statement of Activities
For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---------------------------------|-----------------------|-------------------|--------------------|----------------------|---------------------|
| SECTIONS ADMINISTRATION | | | | | |
| REVENUE: | | | | | |
| REIMBURSEMENTS FROM SECTIONS | 307,000.00 | 36,150.00 | 46,237.50 | 260,762.50 | 15.06% |
| TOTAL REVENUE: | 307,000.00 | 36,150.00 | 46,237.50 | 260,762.50 | 15.06% |
| DIRECT EXPENSES: | | | | | |
| DUES STATEMENTS | 9,500.00 | 5,416.72 | 5,416.72 | 4,083.28 | 57.02% |
| STAFF TRAVEL/PARKING | 1,000.00 | 48.72 | 394.43 | 605.57 | 39.44% |
| SECTION/COMMITTEE CHAIR MTGS | 1,000.00 | 439.78 | 439.78 | 560.22 | 43.98% |
| CONFERENCE CALLS | 300.00 | 7.68 | 7.68 | 292.32 | 2.56% |
| MISCELLANEOUS | 300.00 | - | - | 300.00 | 0.00% |
| TOTAL DIRECT EXPENSES: | 12,100.00 | 5,912.90 | 6,258.61 | 5,841.39 | 51.72% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (4.03 FTE) | 259,395.00 | 21,633.26 | 43,266.53 | 216,128.47 | 16.68% |
| BENEFITS EXPENSE | 93,121.00 | 7,158.27 | 14,428.06 | 78,692.94 | 15.49% |
| OTHER INDIRECT EXPENSE | 95,540.00 | 6,810.41 | 13,606.67 | 81,933.33 | 14.24% |
| TOTAL INDIRECT EXPENSES: | 448,056.00 | 35,601.94 | 71,301.26 | 376,754.74 | 15.91% |
| TOTAL ALL EXPENSES: | 460,156.00 | 41,514.84 | 77,559.87 | 382,596.13 | 16.86% |
| NET INCOME (LOSS): | (153,156.00) | (5,364.84) | (31,322.37) | | |

Washington State Bar Association
Statement of Activities
For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|----------------------------------|-----------------------|---------------------|---------------------|----------------------|---------------------|
| TECHNOLOGY | | | | | |
| REVENUE: | | | | | |
| | | | | | |
| TOTAL REVENUE: | - | - | - | - | |
| DIRECT EXPENSES: | | | | | |
| COMPUTER HARDWARE | 29,000.00 | 3,061.71 | 3,061.71 | 25,938.29 | 10.56% |
| COMPUTER SOFTWARE | 28,000.00 | 1,212.54 | 1,212.54 | 26,787.46 | 4.33% |
| SOFTWARE MAINTENANCE & LICENSING | 286,500.00 | 11,837.20 | 28,525.84 | 257,974.16 | 9.96% |
| HARDWARE SERVICE & WARRANTIES | 41,000.00 | 10,883.97 | 17,880.29 | 23,119.71 | 43.61% |
| TELEPHONE HARDWARE & MAINTENANCE | 26,000.00 | 2,596.01 | 8,041.03 | 17,958.97 | 30.93% |
| COMPUTER SUPPLIES | 34,000.00 | 1,530.02 | 1,950.03 | 32,049.97 | 5.74% |
| THIRD PARTY SERVICES | 40,500.00 | 1,182.25 | 2,364.50 | 38,135.50 | 5.84% |
| CONSULTING SERVICES | 212,000.00 | 926.50 | 926.50 | 211,073.50 | 0.44% |
| STAFF TRAVEL/PARKING | 2,500.00 | - | - | 2,500.00 | 0.00% |
| STAFF MEMBERSHIP DUES | 110.00 | - | - | 110.00 | 0.00% |
| TELEPHONE | 24,000.00 | 223.54 | 410.40 | 23,589.60 | 1.71% |
| TRANSFER TO INDIRECT EXPENSES | (723,610.00) | (33,453.74) | (64,372.84) | (659,237.16) | 8.90% |
| TOTAL DIRECT EXPENSES: | - | - | - | - | |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (12.10 FTE) | 1,002,250.00 | 74,211.36 | 149,022.72 | 853,227.28 | 14.87% |
| BENEFITS EXPENSE | 327,511.00 | 23,146.09 | 46,811.11 | 280,699.89 | 14.29% |
| CAPITAL LABOR & OVERHEAD | (140,700.00) | - | - | (140,700.00) | 0.00% |
| OTHER INDIRECT EXPENSE | 286,858.00 | 20,386.77 | 40,730.72 | 246,127.28 | 14.20% |
| TOTAL INDIRECT EXPENSES: | 1,475,919.00 | 117,744.22 | 236,564.55 | 1,239,354.45 | 16.03% |
| TOTAL ALL EXPENSES: | 1,475,919.00 | 117,744.22 | 236,564.55 | 1,239,354.45 | 16.03% |
| NET INCOME (LOSS): | (1,475,919.00) | (117,744.22) | (236,564.55) | | |

Washington State Bar Association
Statement of Activities
For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---|-----------------------|-------------------|-------------------|----------------------|---------------------|
| CONTINUING LEGAL EDUCATION (CLE) | | | | | |
| REVENUE: | | | | | |
| SEMINAR REGISTRATIONS | 1,670,000.00 | 121,821.00 | 152,479.00 | 1,517,521.00 | 9.13% |
| SEMINAR-EXHIB/SPNSR/ETC | 25,000.00 | 500.00 | 500.00 | 24,500.00 | 2.00% |
| SHIPPING & HANDLING | 4,600.00 | 315.00 | 671.78 | 3,928.22 | 14.60% |
| DESKBOOK SALES | 80,000.00 | 4,395.02 | 15,055.18 | 64,944.82 | 18.82% |
| COURSEBOOK SALES | 20,000.00 | 2,257.00 | 3,222.00 | 16,778.00 | 16.11% |
| SECTION PUBLICATION SALES | 15,200.00 | 450.00 | 1,552.50 | 13,647.50 | 10.21% |
| CASEMAKER ROYALTIES | 60,000.00 | 2,733.28 | 4,244.18 | 55,755.82 | 7.07% |
| MP3 AND VIDEO SALES | 700,000.00 | 111,671.23 | 184,597.71 | 515,402.29 | 26.37% |
| TOTAL REVENUE: | 2,574,800.00 | 244,142.53 | 362,322.35 | 2,212,477.65 | 14.07% |
| DIRECT EXPENSES: | | | | | |
| COURSEBOOK PRODUCTION | 4,000.00 | 61.38 | 250.02 | 3,749.98 | 6.25% |
| POSTAGE - FLIERS/CATALOGS | 40,000.00 | 5,987.54 | 6,885.89 | 33,114.11 | 17.21% |
| POSTAGE - MISC./DELIVERY | 2,500.00 | 35.00 | 35.00 | 2,465.00 | 1.40% |
| DEPRECIATION | 19,000.00 | 1,827.00 | 3,654.00 | 15,346.00 | 19.23% |
| ONLINE EXPENSES | 82,000.00 | 406.10 | 762.66 | 81,237.34 | 0.93% |
| ACCREDITATION FEES | 6,500.00 | 204.00 | 239.00 | 6,261.00 | 3.68% |
| SEMINAR BROCHURES | 65,000.00 | 5,444.78 | 11,175.50 | 53,824.50 | 17.19% |
| FACILITIES | 285,988.00 | 22,878.93 | 26,849.58 | 259,138.42 | 9.39% |
| SPEAKERS & PROGRAM DEVELOP | 55,000.00 | 4,744.07 | 7,446.11 | 47,553.89 | 13.54% |
| SPLITS TO SECTIONS | 167,456.00 | - | - | 167,456.00 | 0.00% |
| 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 | 43.96 | 43.96 | 1,456.04 | 2.93% |
| BAD DEBT EXPENSE | 600.00 | - | - | 600.00 | 0.00% |
| STAFF TRAVEL/PARKING | 6,500.00 | 95.27 | 95.27 | 6,404.73 | 1.47% |
| STAFF MEMBERSHIP DUES | 1,550.00 | - | - | 1,550.00 | 0.00% |
| SUPPLIES | 2,000.00 | - | - | 2,000.00 | 0.00% |
| COST OF SALES - DESKBOOKS | 56,000.00 | 2,105.65 | 9,644.34 | 46,355.66 | 17.22% |
| COST OF SALES - COURSEBOOKS | 1,400.00 | 194.21 | 265.06 | 1,134.94 | 18.93% |
| COST OF SALES SECTION PUBLICATION | 2,800.00 | 78.04 | 273.14 | 2,526.86 | 9.76% |
| A/V DEVELOP COSTS (RECORDING) | 1,500.00 | - | - | 1,500.00 | 0.00% |
| DESKBOOK ROYALTIES | 1,000.00 | - | - | 1,000.00 | 0.00% |
| SHIPPING SUPPLIES | 250.00 | - | - | 250.00 | 0.00% |
| POSTAGE & DELIVERY-DESKBOOKS | 4,000.00 | 37.37 | 336.61 | 3,663.39 | 8.42% |
| POSTAGE & DELIVERY-COURSEBOOKS | 3,000.00 | 53.88 | 94.93 | 2,905.07 | 3.16% |
| SPLITS WITH SECTIONS | 4,800.00 | - | - | 4,800.00 | 0.00% |
| FLIERS/CATALOGS | 7,500.00 | - | - | 7,500.00 | 0.00% |
| POSTAGE - FLIERS/CATALOGS | 5,000.00 | - | - | 5,000.00 | 0.00% |
| COMPLIMENTARY BOOK PROGRAM | 4,000.00 | - | - | 4,000.00 | 0.00% |
| RECORDS STORAGE - OFF SITE | 7,440.00 | - | 620.00 | 6,820.00 | 8.33% |
| STAFF TRAVEL/PARKING | - | 22.15 | - | - | 0.00% |
| MISCELLANEOUS | 200.00 | - | - | 200.00 | 0.00% |
| TOTAL DIRECT EXPENSES: | 866,234.00 | 44,219.33 | 68,671.07 | 797,562.93 | 7.93% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (12.77 FTE) | 837,663.00 | 70,130.24 | 136,663.31 | 700,999.69 | 16.31% |
| BENEFITS EXPENSE | 295,948.00 | 23,006.92 | 45,729.26 | 250,218.74 | 15.45% |
| OTHER INDIRECT EXPENSE | 302,742.00 | 22,203.40 | 43,989.33 | 258,752.67 | 14.53% |
| TOTAL INDIRECT EXPENSES: | 1,436,353.00 | 115,340.56 | 226,381.90 | 1,209,971.10 | 15.76% |
| TOTAL ALL EXPENSES: | 2,302,587.00 | 159,559.89 | 295,052.97 | 2,007,534.03 | 12.81% |
| NET INCOME (LOSS): | 272,213.00 | 84,582.64 | 67,269.38 | | |

Washington State Bar Association
Statement of Activities
For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---|-----------------------|------------------|------------------|----------------------|---------------------|
| SECTIONS OPERATIONS | | | | | |
| REVENUE: | | | | | |
| SECTION DUES | 475,770.00 | 62,457.50 | 77,223.75 | 398,546.25 | 16.23% |
| SEMINAR PROFIT SHARE | 151,310.00 | - | - | 151,310.00 | 0.00% |
| INTEREST INCOME | 1,406.00 | - | - | 1,406.00 | 0.00% |
| PUBLICATIONS REVENUE | 5,000.00 | - | - | 5,000.00 | 0.00% |
| OTHER | 55,125.00 | 4,417.00 | 4,647.00 | 50,478.00 | 8.43% |
| TOTAL REVENUE: | 688,611.00 | 66,874.50 | 81,870.75 | 606,740.25 | 11.89% |
| DIRECT EXPENSES: | | | | | |
| DIRECT EXPENSES OF SECTION ACTIVITIES | 594,014.00 | 29,171.18 | 35,403.06 | 558,610.94 | 5.96% |
| REIMBURSEMENT TO WSBA FOR INDIRECT EXPENSES | 310,818.75 | 36,150.00 | 46,237.50 | 264,581.25 | 14.88% |
| TOTAL DIRECT EXPENSES: | 904,832.75 | 65,321.18 | 81,640.56 | 823,192.19 | 9.02% |
| NET INCOME (LOSS): | (216,221.75) | 1,553.32 | 230.19 | | |

Washington State Bar Association
Statement of Activities
For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---|-----------------------|-------------------|-------------------|----------------------|---------------------|
| LAWYERS FUND FOR CLIENT PROTECTION | | | | | |
| REVENUE: | | | | | |
| LFCP RESTITUTION | 1,000.00 | 329.66 | 818.63 | 181.37 | 81.86% |
| LFCP MEMBER ASSESSMENTS | 982,000.00 | 107,160.00 | 116,580.00 | 865,420.00 | 11.87% |
| INTEREST INCOME | 3,000.00 | 1,259.97 | 2,021.46 | 978.54 | 67.38% |
| TOTAL REVENUE: | 986,000.00 | 108,749.63 | 119,420.09 | 866,579.91 | 12.11% |
| DIRECT EXPENSES: | | | | | |
| GIFTS TO INJURED CLIENTS | 500,000.00 | 8,000.00 | 8,000.00 | 492,000.00 | 1.60% |
| LFCP BOARD EXPENSES | 1,500.00 | 747.14 | 747.14 | 752.86 | 49.81% |
| BANK FEES - WELLS FARGO | 1,000.00 | 107.83 | 190.85 | 809.15 | 19.09% |
| TOTAL DIRECT EXPENSES: | 502,500.00 | 8,854.97 | 8,937.99 | 493,562.01 | 1.78% |
| INDIRECT EXPENSES: | | | | | |
| SALARY EXPENSE (1.01 FTE) | 66,205.00 | 5,516.36 | 11,032.72 | 55,172.28 | 16.66% |
| BENEFITS EXPENSE | 23,572.00 | 1,800.37 | 3,629.48 | 19,942.52 | 15.40% |
| OTHER INDIRECT EXPENSE | 23,944.00 | 1,702.11 | 3,401.01 | 20,542.99 | 14.20% |
| TOTAL INDIRECT EXPENSES: | 113,721.00 | 9,018.84 | 18,063.21 | 95,657.79 | 15.88% |
| TOTAL ALL EXPENSES: | 616,221.00 | 17,873.81 | 27,001.20 | 589,219.80 | 4.38% |
| NET INCOME (LOSS): | 369,779.00 | 90,875.82 | 92,418.89 | | |

Washington State Bar Association
Statement of Activities
For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|--|-----------------------|------------------|-----------------|----------------------|---------------------|
| MANAGEMENT OF WESTERN STATES BAR CONFERENCE | | | | | |
| REVENUE: | | | | | |
| REGISTRATION REVENUE | 25,600.00 | - | - | 25,600.00 | 0.00% |
| OTHER ACTIVITIES REGISTRATION REVENUE | 13,000.00 | 660.00 | 1,220.00 | 11,780.00 | 9.38% |
| WESTERN STATES BAR MEMBERSHIP DUES | 2,400.00 | - | 1,350.00 | 1,050.00 | 56.25% |
| SPONSORSHIPS | 9,000.00 | - | 1,500.00 | 7,500.00 | 16.67% |
| TOTAL REVENUE: | 50,000.00 | 660.00 | 4,070.00 | 45,930.00 | 8.14% |
| DIRECT EXPENSES: | | | | | |
| SPEAKERS & PROGRAM DEVELOPMENT | 1,000.00 | - | - | 1,000.00 | 0.00% |
| FACILITIES | 44,000.00 | - | - | 44,000.00 | 0.00% |
| STAFF TRAVEL/PARKING | 2,300.00 | - | 572.00 | 1,728.00 | 24.87% |
| BANK FEES | 560.00 | 48.14 | 94.79 | 465.21 | 16.93% |
| WSBC PRESIDENT TRAVEL | 500.00 | - | - | 500.00 | 0.00% |
| OPTIONAL ACTIVITIES EXPENSE | 1,200.00 | - | - | 1,200.00 | 0.00% |
| MARKETING EXPENSE | 440.00 | 52.61 | 52.61 | 387.39 | 11.96% |
| TOTAL DIRECT EXPENSES: | 50,000.00 | 100.75 | 719.40 | 49,280.60 | 1.44% |
| INDIRECT EXPENSES: | | | | | |
| TOTAL INDIRECT EXPENSES: | - | - | - | - | |
| TOTAL ALL EXPENSES: | 50,000.00 | 100.75 | 719.40 | 49,280.60 | 1.44% |
| NET INCOME (LOSS): | - | 559.25 | 3,350.60 | | |

Washington State Bar Association
Statement of Activities
For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE | % USED OF BUDGET |
|---|-----------------------|---------------------|---------------------|----------------------|---------------------|
| INDIRECT EXPENSES: | | | | | |
| SALARIES | 10,987,791.00 | 908,276.89 | 1,847,009.68 | 9,140,781.32 | 16.81% |
| ALLOWANCE FOR OPEN POSITIONS | (120,000.00) | - | - | (120,000.00) | 0.00% |
| TEMPORARY SALARIES | 98,320.00 | 3,331.20 | 4,915.20 | 93,404.80 | 5.00% |
| CAPITAL LABOR & OVERHEAD | (140,700.00) | - | - | (140,700.00) | 0.00% |
| EMPLOYEE ASSISTANCE PLAN | 4,800.00 | 1,200.00 | 1,200.00 | 3,600.00 | 25.00% |
| EMPLOYEE SERVICE AWARDS | 1,970.00 | - | 1,030.00 | 940.00 | 52.28% |
| FICA (EMPLOYER PORTION) | 823,000.00 | 63,157.94 | 131,270.66 | 691,729.34 | 15.95% |
| L&I INSURANCE | 48,000.00 | - | - | 48,000.00 | 0.00% |
| MEDICAL (EMPLOYER PORTION) | 1,335,000.00 | 113,000.78 | 222,579.49 | 1,112,420.51 | 16.67% |
| RETIREMENT (EMPLOYER PORTION) | 1,252,000.00 | 97,574.59 | 196,594.44 | 1,055,405.56 | 15.70% |
| TRANSPORTATION ALLOWANCE | 118,500.00 | 130.00 | 270.00 | 118,230.00 | 0.23% |
| UNEMPLOYMENT INSURANCE | 106,000.00 | 2,397.37 | 5,628.23 | 100,371.77 | 5.31% |
| STAFF DEVELOPMENT-GENERAL | 6,865.00 | 173.36 | 321.37 | 6,543.63 | 4.68% |
| TOTAL SALARY & BENEFITS EXPENSE: | 14,521,546.00 | 1,189,242.13 | 2,410,819.07 | 12,110,726.93 | 16.60% |
| WORKPLACE BENEFITS | 42,000.00 | 1,260.66 | 4,271.17 | 37,728.83 | 10.17% |
| HUMAN RESOURCES POOLED EXP | 126,656.00 | 11,940.58 | 29,604.76 | 97,051.24 | 23.37% |
| MEETING SUPPORT EXPENSES | 15,000.00 | 780.42 | 2,327.34 | 12,672.66 | 15.52% |
| RENT | 1,645,000.00 | 130,557.68 | 266,170.79 | 1,378,829.21 | 16.18% |
| PERSONAL PROP TAXES-WSBA | 12,500.00 | 1,030.07 | 2,060.14 | 10,439.86 | 16.48% |
| FURNITURE, MAINT, LH IMP | 38,000.00 | 3,547.01 | 3,865.95 | 34,134.05 | 10.17% |
| OFFICE SUPPLIES & EQUIPMENT | 50,000.00 | 2,165.85 | 3,828.51 | 46,171.49 | 7.66% |
| FURN & OFFICE EQUIP DEPRECIATION | 74,000.00 | 12,987.68 | 25,770.95 | 48,229.05 | 34.83% |
| COMPUTER HARDWARE DEPRECIATION | 63,000.00 | 6,191.16 | 12,746.41 | 50,253.59 | 20.23% |
| COMPUTER SOFTWARE DEPRECIATION | 94,500.00 | 2,033.00 | 4,063.00 | 90,437.00 | 4.30% |
| INSURANCE | 130,400.00 | 10,881.85 | 21,763.70 | 108,636.30 | 16.69% |
| PROFESSIONAL FEES-AUDIT | 31,000.00 | 5,870.18 | 5,870.18 | 25,129.82 | 18.94% |
| PROFESSIONAL FEES-LEGAL | 60,000.00 | 2,522.00 | 2,822.00 | 57,178.00 | 4.70% |
| TELEPHONE & INTERNET | 38,000.00 | 2,794.08 | 5,444.09 | 32,555.91 | 14.33% |
| POSTAGE - GENERAL | 45,000.00 | 1,406.84 | 3,689.22 | 41,310.78 | 8.20% |
| RECORDS STORAGE | 40,000.00 | 5,200.04 | 7,074.47 | 32,925.53 | 17.69% |
| STAFF TRAINING | 75,000.00 | 4,007.32 | 11,202.05 | 63,797.95 | 14.94% |
| BANK FEES | 35,400.00 | 2,905.21 | 4,475.94 | 30,924.06 | 12.64% |
| PRODUCTION MAINTENANCE & SUPPLIES | 25,000.00 | (1,241.83) | (1,694.22) | 26,694.22 | -6.78% |
| COMPUTER POOLED EXPENSES | 723,610.00 | 33,453.74 | 64,372.84 | 659,237.16 | 8.90% |
| TOTAL OTHER INDIRECT EXPENSES: | 3,364,066.00 | 240,293.54 | 479,729.29 | 2,884,336.71 | 14.26% |
| TOTAL INDIRECT EXPENSES: | 17,885,612.00 | 1,429,535.67 | 2,890,548.36 | | |

Washington State Bar Association
Statement of Activities
For the Period from November 1, 2016 to November 30, 2016
16.67% OF YEAR COMPLETE

| | FISCAL 2017 BUDGET | CURRENT MONTH | YEAR TO DATE | REMAINING BALANCE |
|----------------------------------|-----------------------|---------------------|---------------------|----------------------|
| SUMMARY PAGE | | | | |
| LICENSE FEES | 13,204,000.00 | 1,058,189.76 | 2,152,645.56 | 11,051,354.44 |
| ACCESS TO JUSTICE | (251,763.00) | (38,098.62) | (53,313.61) | (198,449.39) |
| ADMINISTRATION | (974,756.00) | (122,614.40) | (219,206.26) | (755,549.74) |
| ADMISSIONS/BAR EXAM | (91,290.00) | 60,005.45 | 236,213.11 | (327,503.11) |
| BOARD OF GOVERNORS | (782,596.00) | (59,966.88) | (124,209.50) | (658,386.50) |
| COMMUNICATIONS | (1,656,408.00) | (133,094.91) | (257,780.46) | (1,398,627.54) |
| DISCIPLINE | (5,462,671.00) | (434,603.21) | (874,884.18) | (4,587,786.82) |
| DIVERSITY | (293,895.00) | (30,006.32) | 30,822.55 | (324,717.55) |
| FOUNDATION | (167,949.00) | (11,990.16) | (24,660.89) | (143,288.11) |
| HUMAN RESOURCES | (257,819.00) | (32,057.36) | (59,443.60) | (198,375.40) |
| PUBLIC SERVICE PROGRAMS | (347,000.00) | (15,254.63) | 54,413.98 | (401,413.98) |
| LOMAP | (200,402.00) | (9,149.16) | (18,227.48) | (182,174.52) |
| LAP | (158,452.00) | (9,028.85) | (16,502.57) | (141,949.43) |
| LEGISLATIVE | (263,265.00) | (20,697.52) | (38,619.31) | (224,645.69) |
| LICENSING AND MEMBERSHIP | (339,667.00) | (26,474.43) | (42,727.25) | (296,939.75) |
| LIMITED LICENSE LEGAL TECHNICIAN | (221,664.00) | (15,138.58) | (29,122.05) | (192,541.95) |
| LIMITED PRACTICE OFFICERS | (69,787.00) | (5,303.46) | (14,132.62) | (55,654.38) |
| MANDATORY CLE ADMINISTRATION | (24,390.00) | 22,383.37 | 12,928.89 | (37,318.89) |
| MEMBER BENEFITS | (72,000.00) | 846.69 | (5,057.02) | (66,942.98) |
| MENTORSHIP PROGRAM | (201,473.00) | (13,130.09) | (26,159.47) | (175,313.53) |
| NEW LAWYER PROGRAM | (227,891.00) | (21,564.90) | (27,566.24) | (200,324.76) |
| NW LAWYER | (50,758.00) | (29,798.35) | (16,485.83) | (34,272.17) |
| OFFICE OF GENERAL COUNSEL | (792,970.00) | (60,221.16) | (128,605.16) | (664,364.84) |
| OGC-DISCIPLINARY BOARD | (257,747.00) | (20,466.80) | (38,577.28) | (219,169.72) |
| PRACTICE OF LAW BOARD | (115,371.00) | (10,260.91) | (18,893.76) | (96,477.24) |
| PROFESSIONAL RESPONSIBILITY | (280,851.00) | (20,481.02) | (40,501.53) | (240,349.47) |
| LAW CLERK PROGRAM | (9,435.00) | (6,980.23) | (13,502.25) | 4,067.25 |
| SECTIONS ADMINISTRATION | (153,156.00) | (5,364.84) | (31,322.37) | (121,833.63) |
| TECHNOLOGY | (1,475,919.00) | (117,744.22) | (236,564.55) | (1,239,354.45) |
| CLE - PRODUCTS | 222,126.00 | 75,757.83 | 112,081.35 | 110,044.65 |
| CLE - SEMINARS | 50,087.00 | 8,824.81 | (44,811.97) | 94,898.97 |
| SECTIONS OPERATIONS | (216,221.75) | 1,553.32 | 230.19 | (216,451.94) |
| LFCP | 369,779.00 | 90,875.82 | 92,418.89 | 277,360.11 |
| WESTERN STATES BAR CONFERENCE | - | 559.25 | 3,350.60 | (3,350.60) |
| INDIRECT EXPENSES | (17,885,612.00) | (1,429,535.67) | (2,890,548.36) | (14,995,063.64) |
| TOTAL OF ALL | 19,457,186.75 | 1,380,030.38 | 2,596,320.45 | 16,860,866.30 |
| NET INCOME (LOSS) | (1,571,574.75) | 49,505.29 | 294,227.91 | |

**Washington State Bar Association
Analysis of Cash Investments
As of November 30, 2016**

Checking & Savings Accounts

General Fund

Checking

| <u>Bank</u> | <u>Account</u> | <u>Amount</u> |
|--------------------|-----------------------|----------------------|
| Wells Fargo | General | |
| Total | | \$ 1,408,606 |

| <u>Investments</u> | <u>Rate</u> | <u>Amount</u> |
|-----------------------------|--------------------|----------------------------|
| Wells Fargo Money Market | 0.45% | \$ 409,871 |
| UBS Financial Money Market | 0.34% | \$ 836,698 |
| Morgan Stanley Money Market | 0.28% | \$ 25,627 |
| Merrill Lynch Money Market | 0.63% | \$ 1,867,430 |
| Long Term Investments | Varies | \$ 3,369,178 |
| Short Term Investments | Varies | \$ - |
| General Fund Total | | <u><u>\$ 7,917,409</u></u> |

Lawyer's Fund for Client Protection

Checking

| <u>Bank</u> | <u>Amount</u> |
|--------------------|----------------------|
| Wells Fargo | \$ 774,375 |

| <u>Investments</u> | <u>Rate</u> | <u>Amount</u> |
|---|--------------------|----------------------------|
| Wells Fargo Money Market | 0.45% | \$ 2,225,136 |
| Morgan Stanley Money Market | 0.01% | \$ 102,558 |
| Wells Fargo Investments | Varies | \$ - |
| Lawyers' Fund for Client Protection Total | | <u><u>\$ 3,102,069</u></u> |

| | |
|--------------------------------|-----------------------------|
| Grand Total Cash & Investments | <u><u>\$ 11,019,478</u></u> |
|--------------------------------|-----------------------------|

**Washington State Bar Association
Analysis of Cash Investments
As of November 30, 2016**

Long Term Investments- General Fund

UBS Financial Long Term Investments
Nuveen 3-7 year Municipal Bond Portfolio

Value as of 11/30/16
\$ 481,702.62

Morgan Stanley Long Term Investments
Lord Abbett Short Term Duration Income Fund
Guggenheim Total Return Bond Fund
Virtus Multi-Sector Short Term Bond Fund

Value as of 11/30/16
\$ 1,539,700.90
\$ 649,761.11
\$ 652,663.76
\$ 2,842,125.77

Total Long Term Investments- General Fund 3,323,828.39

Short Term Investments- General Fund

Bank

| <u>Interest</u> <u>Rate</u> | <u>Yield</u> | <u>Term</u> | <u>Maturity</u> <u>Date</u> | <u>Amount</u> |
|--------------------------------|--------------|-------------|--------------------------------|---------------|
|--------------------------------|--------------|-------------|--------------------------------|---------------|

Total Short Term Investments- General Fund -

Lawyer's Fund for Client Protection

Bank

| <u>Interest</u> <u>Rate</u> | <u>Yield</u> | <u>Term</u> <u>Mths</u> | <u>Maturity</u> <u>Date</u> | <u>Amount</u> |
|--------------------------------|--------------|----------------------------|--------------------------------|---------------|
|--------------------------------|--------------|----------------------------|--------------------------------|---------------|

Total LFCP -



WSBA

To: Board of Governors

From: Mark Hayes, Controller

Re: Investment Update as of November 30, 2016

Date: December 6, 2016

The last update on the investment portfolio showed a total value of \$3,369,178 as of October 31st. There was no change in the portfolio for the month of November. We remain invested in several bond funds and a short-term income fund. The portfolio value of \$3,323,829 as of November 30th represents a \$45,349 (1.3%) reduction from the prior month. Bond funds were hit particularly hard in November as a result of the election and proposed policies that could lead to increased interest rates, which adversely impacts bond funds.

The WSBA's investments are managed by our advisors at Morgan Stanley and UBS Financial. As of November 30th we have an aggregate gain across all funds of \$95,814 since first creating an investment portfolio with an actual percentage gain of 2.97%. The breakdown by fund is as follows:

| INVESTMENT FUND | 10/31/16 Value | 11/30/16 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 | \$504,624 | \$481,703 | (\$18,297) ¹ | N/A | (\$18,297) | (3.66%) ¹ |
| Lord Abbett & Company Short Term Duration Income Fund | \$1,545,487 | \$1,539,701 | \$49,280 | \$196,717 ² | \$111,686 ³ | 7.82% |
| Guggenheim Total Return Bond Fund | \$659,592 ⁴ | \$649,761 | (\$239) | N/A | (\$239) | (.004%) |
| Virtus Multi-Sector Short Term Bond Fund | \$659,475 ⁴ | \$652,664 | \$2,664 | N/A | \$2,664 | .04% |
| Total | \$3,369,178 | \$3,323,829 | \$33,408 | \$196,717 | \$95,814 | 2.97% |

¹ 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 which was \$500,000 which will be considered the "Inception Value".

² 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).

³ 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.

⁴ Purchase price is \$650,000



**Board of Governors Meeting
Red Lion
Olympia, WA
March 9, 2017**

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

PLEASE NOTE: ALL TIMES ARE APPROXIMATE AND SUBJECT TO CHANGE

Thursday, March 9, 2017

GENERAL INFORMATION XX

1. AGENDA XX

9:00 A.M. – Executive Session

2. EXECUTIVE SESSION

- a. Approval of January 26-27, 2017, Executive Session Minutes (**action**) E-xx
- b. President's and Executive Director's Reports
- c. Litigation Report – Jean McElroy E-xx
- d. Meeting Evaluation Summary E-xx

10:00 P.M. – PUBLIC SESSION

- Introductions and Welcome
- Report on Executive Session
- Consideration of Consent Calendar *

OPERATIONAL

**3. FIRST READING/ACTION CALENDAR
TBD**

12:00 P.M. – LUNCH WITH LOCAL ATTORNEYS AND JUDGES

1:30 P.M. – PUBLIC SESSION

GENERATIVE DISCUSSION

TBD

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

| | | |
|-----------|--|----|
| 4. | <u>CONSENT CALENDAR</u> | XX |
| a. | January 26-27, 2017, Public Session Minutes..... | XX |
| b. | Suggested Amendments to Infraction Rules for Courts of Limited Jurisdiction (IRLJ) 3.3 | xx |
| c. | Suggested Amendments to Rules of Professional Conduct (RPC) 1.6, 7.3, and 8.4..... | xx |
| 5. | <u>INFORMATION</u> | |
| a. | Activity Reports..... | XX |
| b. | Executive Director’s Report | XX |
| c. | ABA Midyear Meeting Report..... | XX |
| d. | Legislative Report..... | XX |
| e. | Diversity and Inclusion Events | XX |
| f. | Financials | |
| 6. | PREVIEW OF MAY 18-19, 2017, MEETING | XX |

PRELIMINARY

2016-2017 Board of Governors Meeting Issues

NOVEMBER (Seattle)

Standing Agenda Items:

- Financials
- FY2016 Fourth Quarter Management Report
- BOG 2016-2017 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 Sections Annual Reports (information)
- WSBF Annual Report

JANUARY (Spokane)

Standing Agenda Items:

- ABA Midyear Meeting Sneak Preview
- Financials
- FY2016 Audited Financial Statements
- FY2017 First Quarter Management Report
- Legislative Report
- LFCP Board Annual 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
- FY2017 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 (Alderbrook)

Standing Agenda Items:

- ATJ Board Report
- BOG Retreat
- Court Rules and Procedures Committee Report and Recommendations
- Discipline Selection Panel Recommendations
- Financials
- Draft WSBA FY2017 Budget
- FY2016 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:

- 2018 Keller Deduction Schedule
- ABA Annual Meeting Report
- Chief Hearing Officer Annual Report
- Professionalism Annual Report
- Executive Director's Evaluation Report
- Financials
- Final FY2018 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 | November 13, 2015 | TBD |
| WSBA Religious and Spiritual Practices Policy | July 22-23, 2016 | TBD |
| Suggested Amendments to WSBA Bylaws Article XI | August 23, 2016 | January 26-27, 2017 |
| Resolution | January 26-27, 2017 | March 9, 2017 |