

WASHINGTON STATE BAR ASSOCIATION

Board of Governors November Meeting Update

A summary prepared by WSBA of the Board of Governors (Board) meeting held Nov. 4-5 in Seattle. The agenda, materials, and video recording from this Board of Governors meeting are [online](#). The next regular meeting is Jan. 13-14 in Seattle. The Board of Governors is WSBA's governing body charged with determining general policies of the Bar and approving its annual budget. To subscribe to the Board Meeting Notification list, email barleaders@wsba.org.

NEED TO KNOW

1. **Bar structure.** In light of federal litigation regarding integrated bars, the Washington Supreme Court asked the Board to develop a process to analyze and make a recommendation about the WSBA's structure. (More information below.)
 2. **Save the Date:** We will celebrate our legal luminaries during the [2021 APEX Awards ceremony](#) at 7 p. Monday, Dec. 13. The festivities will be streamed live online. Mark your calendars to be inspired!
-

OTHER BUSINESS

Bar Structure. The WSBA and Washington Supreme Court are closely following federal cases regarding the constitutionality of the integrated bar structure and considering next steps, if any. Before Dec. 22, the Board of Governors will schedule a special meeting to discuss how to develop a process to study and make a recommendation to the Court about the state bar's structure. Most importantly, the Board has stated its commitment to transparency and opportunities for robust member engagement.

Proposed Changes to RPC 1.15 (Safeguarding Property). The Legal Foundation of Washington (LFW), which distributes IOLTA funds to legal aid organizations, has recommended a change to the Rules of Professional Conduct requiring unidentified property in a lawyer's trust account be remitted to the Legal Foundation of Washington rather than transferred to the Department of Revenue as abandoned property under the Uniform Unclaimed Property Act. At the request of the Board, the Committee on Professional Ethics (CPE) finalized and presented draft amendments to the Rules of Professional Conduct 1.15A and 1.15B to implement such a change. The Board voted to support the recommended amendments (as well as a companion amendment to the Rules for Enforcement of Lawyer Conduct suggested by the Chief Discipline Counsel), which LFW will now submit to the Washington Supreme Court for consideration. ([See page 178](#))

2022 legislative priorities and WSBA-sponsored bills. Planning for the coming legislative session, the Board approved WSBA's overall priorities: Monitoring and taking appropriate action on legislative proposals related to the practice of law and administration of justice; supporting legislative proposals approved by the Board under GR 12 constraints; and supporting legislative proposals initiated by WSBA Sections and approved by the Board. ([See page 92.](#)) Per the last priority, the Board approved two bills put forth by the Business Law Section: Proposed changes to the Washington Business Corporation Act related to record dates and mergers.

and share exchanges; and proposed revisions to the Washington Limited Liability Company Act regarding logistics and definitions. ([See page 94.](#))

Bylaw Changes Proposed by Senior Lawyers Section. After much discussion, the Board amended WSBA bylaws to allow each section the option of permitting inactive/honorary members to join a section as a voting member and to serve as a voting member of a section executive committee. ([See page 40.](#))

The Board also:

- Participated in annual anti-harassment and email security training.
- Passed a Board and Officers Roles and Responsibilities document to clarify WSBA governance. ([See page 272.](#))
- Supported the Council on Public Defense’s state budget request and its comments regarding the newly proposed GR 41 and amendments to CR 39. ([See page 357.](#))
- Received the Annual Report of the Washington State Bar Foundation. Highlights from 2021 include continuing the [Powerful Communities Project](#); enhancing the [Moderate Means Program](#) to support families impacted by COVID; and administering funds for a WSBA Elder Law Section law student internship with the Northwest Justice Project. ([See page 322](#))
- Heard a report from the MCLE Board, including a recap of its work and plans for [implementing the new ethics requirement](#) it successfully recommended to the Supreme Court last year. ([See page 322](#))
-