

# WASHINGTON STATE B A R A S S O C I A T I O N

## Board of Governors September Meeting Update

A summary prepared by WSBA of the Board of Governors (Board) meeting held Sept. 23-25 in Vancouver, Washington. The agenda, materials, and video recording from this Board of Governors meeting are [online](#). The next regular meeting is Nov. 4-5 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](mailto:barleaders@wsba.org).

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### ***NEED TO KNOW***

1. **WSBA Leadership for the New Fiscal Year.** With much gratitude, the board honored outgoing President Kyle Sciuchetti and governors Russell Knight, P.J. Grabicki, and Jean Y. Kang. And with much optimism for the year ahead, Chief Justice Steven González swore in WSBA President Judge Brian Tollefson (Ret.), President-Elect Daniel D. Clark, and Treasurer Bryn Peterson; as well as governors starting new terms: Francis Adewale, Sunitha Anjilvel, Daniel D. Clark, Jordan Couch, Serena Sayani, and Alec Stephens. Look for the “Meet Your Board of Governors” feature in the October *Bar News* to learn more.
  2. **2022 Budget and Keller Deduction.** The WSBA’s new fiscal year begins October 1, and the board approved a FY 2022 budget that maintains current programs and services while holding license fees steady for all members. The budget estimates \$24,977,787 in revenue and \$24,849,315 in expenses, and the board had a robust conversation about whether and how to use reserve funds in a strategic way to support the operations budget now and in the future, especially as the board endeavors to be as efficient as possible with member fees. ([See page 206.](#)) The board also approved a 2022 Keller deduction schedule of \$9.02 for active lawyer members. ([See page 200.](#))
  3. **Resolution in Memoriam and Thanks.** In recognition of the 20<sup>th</sup> anniversary of the terrorist attacks on Sept. 11, 2001, the board passed a resolution to honor those who lost their lives on that day and to thank WSBA members who subsequently served in Afghanistan as a Judge Advocate with the U.S. military or in a civilian capacity—as well as the family members and loved ones who supported our Afghani service people. [Read the full resolution.](#)
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### ***OTHER BUSINESS***

**Amendments to Late Fee Waiver Policy.** The board approved several changes to WSBA’s policies regarding late payments of license fees, including updates of outdated language. The biggest change is allowing the WSBA to waive late fees based on “extreme financial hardship” (the same standard used for the current hardship exemption). ([See page 2.](#))

**Proposed Changes to RPC 1.15 (Safeguarding Property).** The Legal Foundation of Washington, which distributes IOLTA funds to legal aid organizations, has recommended an amendment to Rule of Professional Conduct 1.15A to require that 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. Based on a request from the board in October 2020 and almost a year of review, the Committee on Professional Ethics (CPE) recently submitted a memorandum with several options as to whether the WSBA should support such an amendment. The board directed the CPE to draft implementing amendments to RPC 1.15A for the board’s review in November. ([See page 124.](#))

**Exploring How to Strengthen the Structure of the WSBA Diversity Committee.** Leaders of the Diversity Committee are considering whether to switch to a council model to better fit within current WSBA bylaws and board policies, especially as they pertain to promoting a diversity of voices and representation on the Diversity Committee. The board discussed how to proceed, given how the committee currently operates pursuant to the bylaws and policies adopted by the Board of Governors in the past. The committee will continue its exploration and return with a recommendation. ([See page 68.](#))

**Annual meeting with the Washington Supreme Court.** Members of the Court joined the board remotely to discuss topics of significance, including federal litigation affecting integrated bars, WSBA finances, the Court’s Bar Licensure Task Force, and the climate and culture of the WSBA workforce.

#### **The Board also:**

- Approved several proposed amendments recommended by the Court Rules and Procedures Committee, which will now go to the Washington Supreme Court for review. The amendments include fixes to the Rules of Appellate Procedure to correct errors and update language based on updates to law and other court rules; fixes to the Rules for Appeal of Decisions of Courts of Limited Jurisdiction to correct errors and improve clarity/readability; and fixes to the Civil Rules for Courts of Limited Jurisdiction (RALJ) to address outdated and gendered language. ([See page 7.](#))
- Held its annual discussion with the deans of Washington’s law schools (Dean Mario Barnes, University of Washington; Dean Annette Clark, Seattle University; and Dean Jacob Rooksby, Gonzaga). Great news: Law-school applications are up, and the incoming classes of 1Ls are among the most diverse ever. The board thanked Dean Clark for her service and partnership, as she has announced her retirement as dean at the end of the year. The group also talked about the future of the bar exam and how to promote rural opportunities among law students.
- Held a discussion with leaders of the Oregon State Bar, with topics ranging from facility ownership/rental, malpractice insurance coverage, and models for member participation.
- Held its annual meeting with the Washington State Bar Foundation and approved the 2021-22 Board of Trustees roster. The Washington State Bar Foundation is the fundraising arm of the state bar, [supporting WSBA programs that provide legal assistance to our state’s most vulnerable populations.](#) ([See page 66.](#))
- Had a first reading of proposed bylaw changes to the WSBA bylaws, proposed by the Senior Lawyers Section, to allow sections the option of allowing inactive/honorary WSBA members to join a section as a voting member and to serve as a voting member of a section executive committee. ([See page 94.](#))
- Approved the Low Bono Section’s request to send a comment to the Court in support of proposed GR 40, creating informal domestic relations trials. ([See page 64.](#))

- Heard a report about the American Bar Association (ABA) Annual Meeting from WSBA ABA delegates.