

# WASHINGTON STATE BAR ASSOCIATION

## Board of Governors March 2022 Meeting Update

A summary prepared by the WSBA of the Board of Governors (Board) meeting held March 10-11 in Olympia. The agenda, materials, and video recording from this Board meeting are [online](#). The next regular meeting is May 19-20 in Spokane. The Board of Governors is WSBA's governing body charged with determining general policies of the WSBA 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. **Bar Structure.** The Washington Supreme Court has asked the Board to make a recommendation about whether the WSBA *must* change structure (in light of federal litigation about the integrated-bar structure) or *should* change structure (to best achieve its mission). In response, the Board has launched a study process to evaluate caselaw, consider what an ideal bar structure looks like, and, perhaps most importantly, to hear from members. [Materials, resources, and meeting access and recordings are all online.](#)
2. **Honoring Chief Justice Fairhurst.** WSBA's highest honor—the APEX Award of Merit—has been renamed the Chief Justice Mary E. Fairhurst Award of Merit. ([See page 382.](#)) The Board noted that the late Chief Justice Fairhurst “was a legal luminary and model of WSBA service and professionalism.” Two related reminders: 1. [The nomination deadline for the 2022 APEX Awards is March 15](#); and a [celebration of life for Chief Justice Fairhurst](#) will be held at 1:30 p.m. Saturday, April 9, at Marcus Pavilion at St. Martin's University.
3. **Serve and Volunteer!** Electronic voting begins this week and runs through April 1 for open seats on the Board in [Districts 2 and 10](#) (and congrats to District 9 Governor-elect [Kevin Fay](#), who ran uncontested). If you are interested in running for President-Elect or the open at-large governor seat, [apply by April 15](#). The WSBA is also [accepting applications for a wide array of committee and board volunteer appointments](#) (there's something for everyone!) for the 2023 fiscal year.

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### *OTHER BUSINESS*

**Local Heroes.** Congratulations to our two newly minted Local Heroes, an award bestowed by the WSBA President to recognize colleagues who have made noteworthy contributions to their communities.

- [Heidi L. Raedel Magaro](#), nominated by the Thurston County Bar Association, is an avid volunteer and leader in groups including Thurston County Volunteer Legal Services, the Capitol Chapter of Washington Women Lawyers, the Thurston County Bar Association, the South Puget Sound Estate

Planning Council, and the Real Property, Probate and Trust section and the Elder Law section of the WSBA.

- [Alan Craig Anderson](#), nominated by the Government Lawyers Bar Association of Washington, has a long and excellent career in public service law, supplemented by his dedicated service to the community through the Thurston County Volunteer Legal Service’s Housing Justice Project.

**Volunteer Vaccination Requirement.** The Board decided a booster shot is included in its previously adopted requirement that all volunteers doing in-person work for the WSBA must be “fully” vaccinated. The Board agreed it would not revisit the question about whether to revoke the vaccination requirement until the Washington Supreme Court revokes its own similar mandate. Per health guidelines, masks will be optional at WSBA events.

**USPS Delays and the Impact on the Legal Process.** After receiving a letter from a concerned member, the Board has been considering how unreliable and delayed service by the United States Postal System (USPS) might impact legal processes, specifically the authority that “service shall be deemed complete upon the third day following the day upon which they are placed in the mail” found in CR 5(b)(2)(a). The Board asked the WSBA Court Rules Committee to take up the issue by gathering stakeholder input and, potentially, drafting rule amendments to account for increasing mail-service delays and unreliability. ([See page 530.](#))

**Annual Meeting with the Washington Supreme Court.** The Court and Board meet via Zoom and discussed the ongoing bar-structure study process, the February 2022 bar exam, WSBA’s member engagement survey, and the WSBA climate and culture. [More information.](#)

**2022 legislative priorities and WSBA-sponsored bills.** The 2022 session of the Washington State Legislature adjourned March 10. The WSBA’s two bar-request bills, put forth by the Business Law Section, were ultimately combined into one bill and signed into law. Look for a session recap on [NWSidebar](#) soon.

**WSBA’s Involvement with the Proposed Legal Regulatory Lab.** The Practice of Law Board, which is a Supreme Court board administered by WSBA, has developed a proposal to the Washington Supreme Court to begin a Legal Regulatory Lab. The Lab would allow legal professionals and entrepreneurs to offer non-traditional legal services to consumers in Washington state. The Practice of Law Board is exploring whether the WSBA could/should be involved in regulatory functions for the Legal Regulatory Lab, which is meant to be self-funded by application fees. The Board asked for a fiscal analysis as the Legal Regulatory Lab proposal moves forward with the Court.

The Board also:

- Approved an emergency bylaw amendment to alter the date when the WSBA pulls voting data for elections; the change was necessary this year to allow the WSBA to incorporate recently altered congressional boundaries into its member record system.
- Heard an annual report from the Character and Fitness Board. ([See page 533.](#))
- Heard a report about WSBA volunteer engagement. ([See page 557.](#))
- Discussed how to conduct the annual process to review the WSBA Executive Director’s performance. The Board ultimately decided to use an outside HR firm to develop the evaluation process.

- Approved a request from the WSBA Diversity Committee to submit comments in support of proposed amendments to RPC 8.4 and other court rules. ([See page 99.](#))
- Approved a request from the Family Law Section to submit comments to suggested changes to the Code of Judicial Conduct. ([See page 6.](#))
- Amended the document the Board approved in November, which outlines the roles and responsibilities of governors and the executive director. ([See page 441.](#))