

WASHINGTON STATE BAR ASSOCIATION

Dear Colleagues,

My inbox has flooded these past few days with member concern about the events of the last week stemming from the killing of George Floyd and the resulting national discourse about racism, unlawful use of force, and civil disorder. Similarly, over the last few months I have heard concerns from members regarding the racist treatment of East Asians by parts of society during the coronavirus epidemic. Those events and issues have weighed heavily on my heart and mind and have been brought to an apex by the protests spreading across our country. It has been a challenge contemplating how I am allowed to respond as a leader of a very diverse bar while setting aside my personal opinions and adhering to the rules that bind us together as an association. Through GR 12.2, the Supreme Court of Washington has charged our bar association with promoting an effective legal system, accessible to all—and while I believe Washington holds itself to a higher standard, it is clear to me from the protests across our nation that people have lost confidence in many parts of our legal system. Like many in our nation, I am still looking for answers and a pathway forward; but as the president of the Washington State Bar Association—which upholds the integrity of the legal profession and champions legal access and justice for all—I feel the call of my conscience to speak and share some thoughts about how we as a profession—as sworn officers of the court—must embrace our responsibility by responding to this lack of confidence and by speaking up whenever the legal system falls short of the expectations of the rule of law.

The killing of George Floyd at the hands of Minneapolis police officers—who have now been charged with murder—has stirred all too familiar unresolved tensions and conflict in our society over racism and the use of violence. Faced with weeks of isolation at home due to the coronavirus, a potential economic downturn, rapidly rising unemployment rates, and mistrust and misinformation about legal rights, many people in our country are left feeling hopeless, powerless, and fearful of speaking up. The result is a continued cycle of violence and defensiveness, ever more fraying the fabric of our society.

There is no equity without access to the justice our legal system can provide, and there is no access to justice without our profession doing its part to solve problems. It is up to each one of us to stand up and speak for others who cannot so that we may substitute true dialogue and good policy for violence in our society. That is the very point of an effective legal system, and as officers of that system we bear a large share of the burden in its failures if each of us do not work to ever reform it.

When I find myself overwhelmed by the state of the world, I recommit to and find purpose in the responsibility and privilege I shoulder as a lawyer. We are all in a unique and powerful position to support our communities to engage in difficult conversations, to critically examine data, and facilitate the true and honest dialogue our country needs to have about policy, law, and the equal application of that law. Sometimes that dialogue comes through litigation; sometimes it comes through designing better processes and policies. As lawyers, we should champion peaceful solutions to the serious systemic challenges facing us in these troubling days and nights, but we should also reject silence following tragedy. We as legal professionals should be doing what we can to ensure that people can be truly heard; people should not have to feel that they have to turn to violence or protest to address their legitimate grievances and frustrations.

Our society will not change—it will remain in a cycle of ebbing and flowing violence and frustration—if we, those who have sworn to uphold the rule of law, remain frozen in place. Each and every one of us are privileged with legal training and an understanding of how our systems work and how change happens; so let each and every one of us, as sworn officers of the court, redouble our efforts at home, in our communities, and at work to bring our problem-solving skills to the table. If we want a society that relies on honest discourse and a trusted legal system to solve its problems and grievances, we must make sure the pathways to dialogue and dispute resolutions systems are clear.

These events intersecting race and violence must not come to define our legal system, and we must stand for the principle of equal access to justice for all. While my heart is hurting and there is much I am grappling with personally—as a person of color, as a father, as a community member—I rely on the rule of law as the bedrock for positive change and hope for the future. We must do better, together.

To that end, I will be facilitating the Board of Governors at its June meeting in a discussion regarding our mission statement and how they can re-focus it to bring forward our charge of promoting of an effective legal system, accessible to all. My hope is that each of you will also begin using your training and expertise to have this same conversation with the people around you and find the solutions our nation needs.

In service,



Rajeev D. Majumdar
Washington State Bar Association Presiden