WSBA SECTIONS: SESSION PRIMER

An overview of the legislative process and preparation for the 2021 session

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AGENDA

➢ Sections + Outreach & Legislative Affairs
➢ Rules & Policies
➢ Legislative Action overview
Role

- Craft Bar-request bills
- Receive, respond, and track bills
- Provide expertise when requested/needed
  - In coordination with Outreach & Legislative Affairs staff
- Provide input/comment on relevant bills of importance
  - In coordination with Outreach & Legislative Affairs Manager, BOG Legislative Committee, guidelines
WSBA OUTREACH & LEGISLATIVE AFFAIRS

Legislative goals

• **WSBA Mission**: “serve the public and members of the Bar, ensure the integrity of the legal profession, and to champion justice.”

• **Advocate**
  • Bar-sponsored legislation
  • Bar-supported legislation
  • Other issues outlined in the 2021 Legislative Priorities

• **Respond** to all legislative-related inquiries accurately and timely to advance the overall goals of WSBA.
WSBA OUTREACH & LEGISLATIVE AFFAIRS

Staff

• Outreach & Legislative Affairs Manager
• Outreach & Legislative Affairs Coordinator

Office locations

• Seattle (year-round)
• Olympia (session only)
• Remote for 2021 session
RULES & POLICIES

General Rule 12

• Pursuant to GR 12.2(b)(17), the WSBA is authorized to “maintain a legislative presence to inform members of new and proposed laws and to inform public officials about the organization’s positions and concerns.”
• Pursuant to GR 12.2(c), the WSBA only takes positions on legislation that “relate to or affect the practice of law or the administration of justice.”
• Excludes political and/or social issues
Legislation & Court Rule Comment Policy [link]

- Sections shall seek authorization from the Outreach and Legislative Affairs Manager or the BOG Legislative Committee prior to publicly communicating with anyone.
- WSBA entities must follow direction of WSBA and entities are responsible for advising WSBA on an ongoing basis regarding decisions, comments, and actions.
- Encourages WSBA entities to speak with one voice; maintain consistency
- Executive Director, Bar President, BOG, or BOG Legislative Committee may enforce
RULES & POLICIES

Updates in New Comment Policy [link]

• Makes explicit that Sections need to get approval from the Outreach and Leg. Affairs Manager if they intend to take a position on legislation or testify before the Legislature. Sections must give 24 hours notice of intent to testify
  • Decision is made erring on the side of approving the request

• Sections may provide technical drafting comments without conducting a GR 12 analysis, but must copy the Outreach and Leg. Affairs Manager on any such comments
Public Disclosure Commission

• Lobbyist = anyone attempting to influence state legislative action
• WSBA entities are *not authorized* to engage in lobbying activities.
• People register as lobbyists only if:
  • Activities are beyond public committee hearings; and
  • Compensation is received
• [www.pdc.wa.gov](http://www.pdc.wa.gov)
LEGISLATIVE ACTION: BILL REFERRAL PROCESS

Outreach and Legislative Affairs staff

- Reviews bills daily during session
- Refers relevant bills to Section(s) via email
- Makes recommendations about next steps (e.g. testimony, etc.)
- Communicates with legislators/staff/stakeholders
- Tracks bills of importance throughout session
LEGISLATIVE ACTION: BILL REFERRAL PROCESS

Sections

• Review referred bill(s), GR 12 analysis
• Take a position, if deemed necessary (75%+ vote)
• Offer alternative bill language
• Be available for questions, appropriate next steps (e.g. testimony, written correspondence, etc.)
PLEASE CHOOSE 1 OF THESE 3 OPTIONS WHEN RESPONDING:

- Option 1: We do not find this bill to be of interest or relevance to our Section

- Option 2: We would like this bill tracked but have no position at this time. Your section will receive a report on the bill at the end of the legislative session if you select this option. If you would like more information about a bill during session (for example: public hearing notifications) please indicate this in your response.

- Option 3: We have followed the WSBA legislative bill process and are taking a position of _________ on Bill #_______.

Please ‘Reply All’ when responding.

SECTION(S): Elder Law
BILL #: HB 1422
SHORT TITLE: Concerning the protection of vulnerable adults. By request: Department of Social and Health Services
DEADLINE: Wednesday, February 26
NOTES: This bill was monitored by Elder Law last session.
YOUR OPTION:
LEGISLATIVE ACTION: TAKING POSITIONS ON BILLS

Before taking a position, a Section must:

• Determine the bill meets GR 12; and
• Discuss, vote via Section executive committee (75%+)

Possible positions:

• Support
• Concerns
• Opposed (use sparingly)
• No position
POSITIONS ON LEGISLATION
LEGISLATIVE ACTION: COMMUNICATION

WSBA Outreach & Legislative Affairs
- Daily bill emails/referrals (beginning-middle of session)
- Support throughout session

Sections
- Track bills of importance
- Keep Outreach & Legislative Affairs staff apprised of all legislative activity
- Ask questions before determining action (e.g. GR 12 analysis, testimony, other legislative communication, etc.)
QUESTIONS?

Resources

- **WSBA Outreach & Legislative Affairs:** wsba.org/About-WSBA/Legislative-Affairs
- **WA State Legislature:** leg.wa.gov
  - Bill tracking
  - Committee information
  - Legislator biographies, etc.
- **TVW:** tvw.org
  - Committee hearings
  - Floor action