WSBA SECTIONS: SESSION PRIMER

An overview of the legislative process and preparation for the 2020 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 2020 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)
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

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
• Please contact the WSBA office of General Counsel with any questions: julies@wsba.org
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
BILL REFERRAL EMAIL TEMPLATE

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 #______.
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.)
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)
- Neutral
- No position
LEGISLATIVE ACTION: TAKING POSITIONS ON BILLS

Support

- Further action: possible
- Outreach & Legislative Affairs Manager communicates with legislators/staff
- After approval, testify/sign-in pro depending on significance
Concerns

• Further action: yes
• Detail concerns, offer alternative language/fix
• Outreach & Legislative Affairs Manager communicates with legislators/staff
• After approval, testify or send correspondence to appropriate legislator(s)
LEGISLATIVE ACTION: TAKING POSITIONS ON BILLS

Opposed *(use sparingly)*

- Further action: yes
- *Only use* when alternative language fixes are not possible
- Outreach & Legislative Affairs Manager communicates with legislators/staff
- After approval, testify or send correspondence to appropriate legislator(s)
LEGISLATIVE ACTION: TAKING POSITIONS ON BILLS

Neutral

• Further action: possibly
• Occurs when a 75%+ vote of a Section executive committee is not reached or is not desired.
• Continue to track bill(s) throughout session.
No position

• Further action: no
• Occurs when a 75%+ vote of a Section executive committee is not reached or the Section feels the bill is irrelevant to their practice area.
• Will not continue to track bill(s) throughout session, no action taken
LEGISLATIVE ACTION: COMMUNICATION

WSBA Outreach & Legislative Affairs

• Daily bill emails/referrals (beginning-middle of session)
• Social media, blog updates (posted online)
• 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?

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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