



Access to Justice Board Meeting Minutes

January 10, 2020, 10:00 am – 12:00 pm

Washington State Bar Association, 1325 4th Ave, #600, Seattle, WA 98101

Call: 1-866-577-9294; Access: 52140#

Present: Sal Mungia, Judge Laura Bradley, Esperanza Borboa, Hon. David Keenan, Michelle Lucas, Mirya Muñoz-Roach, Hon. Frederick Corbit, Terry Price, and Lindy Laurence

WSBA Staff: Diana Singleton, Carolyn MacGregor

Guests: Caitlin Davis, Catherine Brown, Jorge Barón, Will Livesly-O'Neill, César Torres, Stephen Seely, Natalia Fior, Jodi Nishioka, Jerry Kroon, Jennifer Ortega, Cindy Yeung, Merf Ehman, Emily Van Yuga, Nick Larsen, Annie Lee, Huy Nguyen, Dean Mario Barnes

December Minutes: The minutes were approved without edits.

Chair's Report: Sal asked everyone to complete the two surveys currently circulating: ATJ Stakeholder Survey and the 2021 Conference Planning Survey. He also encouraged everyone to attend the February Board Meeting, which immediately precedes the Goldmark Luncheon, and the meeting in Wenatchee in March. He mentioned that the recently updated guidelines and checklist e-form for ATJ Board support will be posted on the website.

NW Immigrant Rights Project Update: Jorge Barón reported the recent issue of those with Iranian ancestry being detained trying to enter the US at the Canadian border crossing in Blaine, WA. Jorge went to the crossing at the Peace Arch and witnessed a clear pattern of who CBP was sending to secondary screening, although CBP claimed staffing delays. He also noticed that processing happened to speed up on his arrival. NWIRP will file a lawsuit. DHS office may start an investigation, but Jorge says it may be ineffective, and not a solution to the situation.

NWIRP negotiated a settlement with the City of Marysville who agreed to pay their client \$85k for violating his Fourth Amendment rights by unlawfully detaining him.

Jorge reported that Attorney General Ferguson proposed legislation to address ICE presence in the courthouses and has also filed a lawsuit; various organizations are signing on to an amicus brief.

UW School of Law: Dean Mario Barnes reported that UW Law shares values on equity, education, and increased access and believes in the obligation as public school to train lawyers who believe that a professional goal should be reducing barriers to ATJ. This is demonstrated through the pro bono program, experiential learning, and the moderate means program.

- Gates public service law program is a hub for public service at UW. Huy Nguyen organizes events, partnerships for students such as the law career fair and the social justice retreat and links students to the outside community. It also provides summer intern orientation, pro bono training during

orientation, and programmatic support to student organizations. Each student is asked to complete 50 hours of public service.

- The law school is fundraising for students to work in the public interest field. PILA helped support 32 students to do public service/social justice work last summer. The 501c3 dissolved but the law school took over fundraising for PILA grants, five of which were funded by the Gates program, as well as numerous fellowships.
- Clinics and externship programs
 - There are 558 open cases in clinics including the immigration clinic and race & justice clinic, where students are representing youth before clemency and pardon boards, drafting guidelines for police in schools, and representing clients applying for asylum in immigration court.
 - Externships provide real world work under an attorney advisor. Students in 22 positions in 2019 provided over 5000 pro bono hours.

In response to question about race equity, Dean Barnes said that a Perspectives course is required, but some students feel it is insufficient and too late. There are not enough underrepresented students at UW, and their experience at school is marginalizing and alienating. They haven't hired lately due to budget which limits increasing diversity in faculty. With regard to student diversity, there is limited student aid available. Latinx numbers are increasing, African American flat, and Asian declining. A town hall will be held to address student concerns.

Jennifer Ortega thanked the dean for UW's work on the LLLT program, noting the need to increase areas of practice for this. Jorge Barón asked about the opportunities for students who may not be able to afford to do pro bono work.

Communities Rise Update: Jodi Nishioka shared about the merger last May of Wayfind and the Nonprofit Assistance Center (capacity building services for POC-led orgs serving communities of color). They are in the transition stage, working on strategic planning, systems merge, and their role in the community, and are aiming to be accountable to the community in the process. The reasons for the merger was to strengthen their race equity focus (aligning with the State Plan) and offer holistic client-centered services. A strong partnership already existed with NAC; the merger was cost efficient and created synergy and a unique combination of services. The big question was whether they could be aligned on Race Equity— NAC came out of POC community to address race equity in their work and Wayfind's origin was service oriented. They agreed to keep providing legal services to all communities. They are planning to add advocacy and lobbying efforts. Legal services are offered statewide and capacity building services are just for King County.

Legal Services Plan Bill: Sanjay Walkevar with WSBA spoke about a bill being refiled this week that would provide oversight to legal service plans without considering them to be insurance products. Legal Shield offers Legal Service Plans. This is an industry-driven effort. And the legislative community has chosen not to take a position or action at this time. ATJ and OCLA are mentioned in Legal Shield's briefing document. Diana Singleton reported that Jim Bamberger informed Sal Mungia that he will be asking that OCLA not be referenced in the proponent's memo since they've taken no position.

Responding to Proposed Changes to Board of Governors (BOG) Membership in WSBA Bylaws: Judge Laura Bradley shared about the WSBA Board of Governors are proposing to strike the public member and LLLT/LPO seats from the BOG composition. Laura noted that the ATJ Board had communicated with the BOG in 2015 that a public voice was needed on the BOG. She also noted that the WSBA is a signer of the State Plan. Laura moved that in reference to pp. 18-19 of the materials, the ATJ Board should approve sending a letter to BOG indicating it is not in agreement with the changes to Articles 4 and 6 to eliminate the appointment of public members to the BOG. Esperanza seconded the motion.

Jennifer expressed strong support for this statement as an LLLT. Esperanza shared that ELAP utilizes LLLTs in its program and sees how valuable this resource is. Fred is in support—Service to public is critical to ATJs mission. All in favor. Motion carried.

Advocacy re ICE in the Courthouse: Diana Singleton represented on behalf of Francis Adewale who is asking Board to take action regarding ICE courthouse presence. Two efforts are under way. For GR38, the Gender and Justice Commission and the Minority and Justice Commission would like the ATJ to join them in sending letter in support of the rule. David Keenan moves to sign onto letter, Terry Price seconded, all were in favor and the motion carried. Regarding RPC4.4, there is no proposal at this time. Diana flagged that there is a chance Francis will request a special meeting of the ATJ Board to discuss whether to support RPC 4.4.

Committee and Liaison Updates:

Legal Aid Fundraisers and Communicators (LAFCO): Lindy reported on the December meeting and a fantastic presentation on major donor development by Maria Kolby Wolfe.

AOC's Court User Workgroup for Limited Jurisdictions: Laura Bradley reported that the group met in December and discussed case numbers and the format for setting them; no decisions were made.

Funding Reports:

Legal Foundation of WA: Natalia Fior mentioned that registration is open for the upcoming Goldmark luncheon on Feb. 14. The award will be presented to Justice Mary Fairhurst, and Deepak Gupta will give the keynote address. They are expecting 1000 attendees. Diana invited folks to the ATJ/Alliance forum on advancing community partnerships at the Westin immediately following.

Other Updates:

Nick Larsen shared that his working group reviewing the probonowa.org website is sending out a short survey for input on improving the site and would appreciate the feedback.

Diana Singleton mentioned that the WSBA Powerful Communities Project is accepting grant applications until Feb. 7. Contact her at dianas@wsba.org for more information.

The meeting adjourned at 11:38 am.