

WASHINGTON STATE BAR ASSOCIATION

DISCIPLINARY ADVISORY ROUND TABLE

MINUTES

JULY 8, 2024

Members Present: Chair, Justice Mary Yu, Terra Nevitt, Laurie Powers, Doug Ende, Christopher Sanders, Randy Petgrave, Kevin Bank, Anne Seidel, Miryam Gordon, Norma Ureña, Brent Williams-Ruth, Deborah Severson, Drew Simshaw, and staff liaison Darlene Neumann. **Interested Parties:** Renata de Carvalho Garcia, Bobby Henry, Sachia Stonefeld-Powell, and Rachel Agent.

The meeting was called to order at 2:00 p.m.

The minutes from March 20, 2024, were approved.

Proposed Inactive License Fee Exemption Based on Incapacity to Practice

Doug Ende reviewed the issue of voluntary transfer to disability inactive proceedings where no grievance or discipline is pending. Chief Regulatory Counsel, Renata de Carvalho Garcia, discussed the proposal to remove the voluntary transfer to disability inactive proceedings from the discipline system to an administrative process under the Regulatory Services Department (RSD). To provide financial relief for incapacitated members, RSD is also proposing an amendment to the WSBA Bylaws for a fee exemption due to significant health condition. The proposal provides a simplified process for an incapacitated member to change his/her status and removes the stigma associated with the public status of disability inactive.

Discussion followed on the requirement to reapply annually for the fee waiver, pre-suspension listing if the member was unable to reapply due to their health condition, guidelines for requesting health information, and transparency of the process. Ms. de Carvalho Garcia commented that most transfer requests are expected to be approved based on a member's self-attestation, additionally requests for clarifying information would occur in rare cases. RSD will also develop an internal process to review requests. Further discussion followed regarding requirements to transfer back to active status.

Following discussion, DART voted to endorse the RSD proposal. The chair will issue a statement to the Board of Governors from the DART in support of the proposal.

Possible ELC Amendment to Address Grievances Based Solely on Public Information

Doug Ende discussed proposing an amendment to the ELC concerning grievants who file bar complaints based solely on public information, such as from news outlets, which can result in a large volume of grievances. Mr. Ende suggested doing additional research on how other jurisdictions handle this issue. Members expressed interest in further exploring the topic. Mr. Ende will prepare a report for discussion at the next meeting.

The meeting adjourned at 3:06 p.m.

