



WSBA

WASHINGTON STATE BAR ASSOCIATION

WSBA TASK FORCE ON ESCALATING COST OF CIVIL LITIGATION CHARTER

(Adopted by the WSBA Board of Governors January 27, 2011)
(Amended by WSBA Board of Governors April 29, 2011)

In 2007, the American Bar Association released a report titled “Pulse of the Legal Profession,” reporting on a nation-wide survey of 800 lawyers on what they thought about their lives, their careers and the state of the profession. 80% of those surveyed responded that civil litigation costs have become prohibitive.

In 2009, the WSBA surveyed its members and received 2,309 responses. 75% of those responding “agreed” (39%) or “strongly agreed” (36%) that the cost of litigation has become prohibitive in recent years.

The Task Force on Escalating Cost of Civil Litigation shall:

- Assess the current cost of civil litigation in Washington State Courts and make recommendations on controlling those costs. “Costs” shall include attorney time, as well as out-of-pocket expenses advanced for the purpose of litigation. The Task Force will focus on the types of litigation that are typically filed in the Superior and District Courts of Washington.
- In determining its recommendation, the Task Force shall survey neighboring and similarly situated states to compare the cost of litigation in Washington and review reports and recommendations from other organizations such as the Institute for the Advancement of the American Legal System, the American College of Trial Lawyers, the Public Law Research Institute.

Membership:

The Task Force will include the following:

- 10 WSBA members, at least two of which practice in the federal courts
- 1 member who is also licensed and practices in Oregon
- One judge from each level of court (limited jurisdiction, superior, appellate, and Supreme Court)
- One representative from the Clerks’ Association

The Task Force shall seek input from affected lawyers, judges, and other entities while developing any recommendations. The Task Force shall report back to the Board of Governors every six months regarding its progress, and shall attempt to complete its charter within 18-24 months of formation of the Task Force.