

## **MEETING AGENDA**

**June 5, 2026, at 10:00 A.M.**

**Public Session:** Held via Zoom

Join via <https://wsba.zoom.us/j/81618587871?pwd=361cvYI34yj0MSAEoxgrxhfkoqOkB9.1>

Meeting ID: 816 1858 7871

Pursuant to WSBA AI External Use Policy AI use by external parties for WSBA work requires advance or written notification.

### **OPEN SESSION 10:00 a.m.**

1. Welcome and Introductions
2. Review/Approval of Minutes from April 17, 2026
3. Technology Task Force Report – Kevin Plachy WSBA Advancement Department  
Director & Margeaux Green WSBA Practice Management Advisor
4. Supreme Court meeting with Court Appointed Boards Recap
5. Discussion Potential Amendments to APR 11
6. MCLE Board meeting schedule for FY 27
7. Audit Report
8. MCLE Board Chair and Vice Chair Nomination
9. MCLE Updates

### **CLOSED SESSION 11:00 a.m.**

10. Undue Hardship Petitions

**Adjourn**

**Minutes**

**April 17, 2026**

The meeting of the Mandatory Continuing Legal Education Board was called to order by Board Chair Darryl Colman at 10:03 A.M. on Friday, April 17, 2026. The meeting occurred in-person and via videoconference. Board members in attendance were:

Darryl Colman (Chair) (exited briefly, from approximately 11:30 AM to 11:40 AM)

Katie Denmark (presided as past Chair, during Chair’s brief noted absence)

Nicole Meyer

Efrem Krisher (joined at 10:12 AM, left at 11:34 AM)

Henry Phillips

Brendon Taga (exited briefly, from approximately 10:24 AM to 10:41 AM due to fire alarm)

Liaisons and Staff in attendance:

Renata Garcia	Chief Regulatory Counsel
Ransom Smith	MCLE Analyst
Suzi Segulja	MCLE Analyst
Kristina Larry	BOG Liaison

Guests in attendance:

Nolan Martin, YMCA of Greater Seattle – Executive Director (present for public session only)

Chris Swanson, YMCA of Greater Seattle – Program Director, Youth and Government (present for public session only, joined at 10:08 AM)

**Review of Minutes**

The MCLE Board reviewed the minutes from the January 9, 2026, meeting. The Board approved the minutes unanimously.

**Discussion – Potential Amendment to APR 11 regarding Colorado Comity**

Brief discussion regarding the general positive public comments received thus far surrounding the suggested amendment to APR 11 to extend comity recognition to Colorado. The public comment period remains open until May 1, 2026. The Board will vote in June whether to move forward with the process. If approved the Board will present it to the BOG for approval.

The Board unanimously agreed that no revisions to the recommendation are necessary.

### Discussion – Potential Amendment to APR 11 regarding Credit for High School and College Mock Trial Judging and Evaluating

The subcommittee convened and determined potential CLE accreditation should be limited to time judging and evaluating high school and college mock trial competitions. The Board noted they are encouraged by the general positive public comment feedback received thus far. The public comment period remains open until May 1, 2026. It was noted that Admission and Practice Rule 11, which already allows CLE credits for law school competitions, parallels this potential amendment. The Board indicated their interest in advancing the amendment.

The Board unanimously agreed that no revisions to the recommendation are necessary.

The YMCA spearheaded the potential amendment request. A representative from YMCA expressed their appreciation to the Board for their consideration.

### Structured Mentoring Program Application

The Board agreed that the Paths mentoring program, provided through the WSBA Taxation Section, application meets the standards of approval. It was noted that the Paths program also has a future intention to broaden the eligibility criteria to include inactive members.

The Board unanimously approved the Paths structured mentoring application.

### MCLE Updates

An update to the Board was provided regarding 2026 Presuspension Notices. There were 2,497 notices sent to licensed legal professionals (LLPs) who had not completed their 2026 license renewal. Of these 2,497 LLPs, 494 had not yet completed their MCLE requirements for the 2023-2025 reporting period. As of April 7, 2026, 2.52% (270) LLPs were not yet compliant for the 2023-2025 reporting period.

The MCLE representative also briefly discussed the February MCLE budget summary as well as noting that the MCLE Cost Center FY27 Budget Draft is within expected parameters.

It was also noted that an alternative date to the currently scheduled June 5<sup>th</sup> general Court Boards meeting is being explored.

There was also discussion about excluding MCLE Board meeting Zoom links from public online access. Pursuant to this discussion, MCLE Board requested staff to research possible methods that would provide public access but still serve as a screening tool to reduce the risk of potential inappropriate interruptions.

The Open Session concluded at 10:47 AM.

The Closed Session commenced at 11:07 AM.

### Activity Review

The MCLE Board reviewed and decided by motion five activity review decisions. No listing of these motions is included to protect member confidentiality.

### Petitions

48 staff liaison undue hardship petition decisions were approved by the Board. The MCLE Board reviewed and decided by motion on the 15 petition requests. No listing of these motions is included to protect member confidentiality.

Adjournment

There being no further business at hand, the meeting was adjourned at 1:16 PM. The next regularly scheduled MCLE Board meeting will be held on June 5<sup>th</sup> in a videoconference format.

Respectfully submitted,  
WSBA Staff

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**WASHINGTON STATE**  
BAR ASSOCIATION



**2025 WSBA LEGAL TECHNOLOGY TASK FORCE REPORT**

# **Embracing Change:** Strategic Roadmap for Washington's Legal Profession in a Time of Technology Disruption



**WASHINGTON STATE BAR ASSOCIATION**

1325 Fourth Avenue, Suite 600, Seattle, WA 98101-2539

**206.727.8200 | [www.wsba.org](http://www.wsba.org)**

# Acknowledgments

This compilation of work would not be possible without the dedicated contributions of the members of the WSBA Legal Technology Task Force.

## THANK YOU TO ALL OF THE CONTRIBUTING MEMBERS.

NAME	POSITION
Jenny Durkan	Chair
Kevin Plachy	WSBA Staff Liaison
Margeaux Green	WSBA Staff Liaison
Michele Carney	WSBA Member
Laura Lemire	WSBA Member
Nicholas Pleasants	WSBA Member
Kenneth Zigler	WSBA Member
Patrick Palace	Former BOG President
Kirk Arthur	Public Member
Drew Simshaw	Public Member
Judge Sean O'Donnell	Adjudicative Member
Judge Christon Skinner	Adjudicative Member
Margaret Chon	Law School Representative
Kari Petrasek	Board of Governors Liaison
Jordan L. Couch	Board of Governors Liaison
Craig Shank	Practice of Law Board Liaison



### Ad Hoc Members

- Faisal Akhter
- Matt Dyor
- Leslie English
- Denise Farr
- Joshua Field
- Jonathan Franklin
- Rebecca Garland
- Joshua Hawkins
- Dan Lear
- Carol Mullins-Hayes
- Jacqueline Schaefer
- LeighAnne Thompson
- Leslie Volez
- Jacob Wall

### Seattle U Law Student contributors

- Caitlin Clarke
- Tanveer Kaur
- Ibrahim Badawi
- Stephanie Ewubajo
- Rosie Midget
- Sharon Rogers
- Wyatt Young

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# Executive Summary

The Washington State Bar Association Legal Technology Task Force presents this comprehensive report of findings and recommendations on how the Washington State Bar Association (WSBA) can support legal professionals in Washington in understanding and adopting emerging technologies, particularly generative artificial intelligence (AI) and advanced data analytics.

Additionally, the report addresses the roles, responsibilities and impacts of entities outside of the WSBA in this technological transformation, and these entities are also the subject of some of the recommendations in the report.

## THESE RECOMMENDATIONS FALL WITHIN 10 KEY POINTS:

### 1 **Harnessing Potential: The Role of Practitioners**

Legal professionals must integrate new technology tools into their daily work to serve clients efficiently, ethically, and competently. This includes understanding the implications of AI and other emerging technologies.

### 2 **Building the WSBA's Capacity and Strategic Partnerships: Innovating Responsibly and Ensuring Equitable Access**

The WSBA should build sustained internal capacity and create strategic partnerships with technology providers to support members in navigating technological change.

### 3 **Supporting Technology Competence: Meeting Diverse Practice Needs**

The WSBA should offer tailored guidance and support to help members build technology competence over time, addressing the varying needs of different practice

settings. This includes affordable access to education focused on the use, limitations, and benefit of emerging technology.

### 4 **Building Ethical Frameworks for Technology Use: Supporting Professional Values in a Digital Age**

The Task Force emphasizes the importance of ethical adoption of technology and calls for the development and use of practical frameworks for evaluating new technologies and maintaining professional standards.

### 5 **Bridging the Cybersecurity Confidence Gap: From Confidence to Competence**

The WSBA should establish clear cybersecurity standards and offer affordable security training to help legal professionals protect client information and maintain public trust.

### 6 **Strengthening Court Capacity: Advancing Justice through Digital Transformation**

The rule of law and access to justice depends on our courts. The report calls for comprehensive AI training for court personnel, upgrading courtroom technology, implementing AI detection tools to enhance the administration of justice, and a standardized, modern, statewide court data infrastructure fully funded by the State and designed to support integration, efficiency, and equitable access to justice.

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**7 Supporting Future Professionals:  
Transforming Legal Education for the Digital Era**

Washington’s law schools must comprehensively embed technology across curricula and educational experiences, building not just awareness, but deep technological proficiency.

**8 Advancing Ethical Innovation and Equitable Access: Leveraging AI to Close the Justice Gap**

The WSBA should ensure that AI-driven legal assistance supports meaningful access to justice by promoting the development of standards and supporting the creation of AI applications that are accurate, ethical, and designed with the public interest in mind.

**9 Safeguarding Sensitive Legal Data: Strengthening Consumer Protection in a Digital Era**

The Task Force highlights the need for clear cybersecurity standards, affordable security assessments, and transparency in cybersecurity practices to protect client information and maintain public trust.

**10 Ensuring Regulatory Innovation and Stability: Future Expertise and Oversight**

Technology is developing at rapid rates. Courts, lawyers, and the rules governing them cannot remain static or the chance of forced obsolescence is real. The Task Force recommends establishing a Supreme Court-affiliated board to provide expertise, oversight, and guidance on legal technology and regulatory innovation.

1. Board of Governors November 2023 Meeting Update, Washington State Bar Association (2023), [https://www.wsba.org/docs/default-source/about-wsba/governance/bog-meeting-recaps/board-of-governors-meeting-recap-nov.-2-3-2023.pdf?sfvrsn=987f1cf1\\_2](https://www.wsba.org/docs/default-source/about-wsba/governance/bog-meeting-recaps/board-of-governors-meeting-recap-nov.-2-3-2023.pdf?sfvrsn=987f1cf1_2).

2. *Legal Technology Task Force Charter*, Washington State Bar Association (March 7, 2024), [https://www.wsba.org/docs/default-source/legal-community/committees/legal-technology-task-force/wsba-legal-technology-task-force-charter.pdf?sfvrsn=3e881ff1\\_1](https://www.wsba.org/docs/default-source/legal-community/committees/legal-technology-task-force/wsba-legal-technology-task-force-charter.pdf?sfvrsn=3e881ff1_1).



**WHY WAS THE TECHNOLOGY TASK FORCE CREATED?**

In November 2023, the WSBA Board of Governors recognized the transformative impact of technology, particularly artificial intelligence (AI), on the legal profession.<sup>1</sup> As one of its strategic priorities for the 2023-24 fiscal year, the Board adopted the following statement:

*“Assess technology-related opportunities and threats and determine WSBA’s role vis-à-vis regulation, consumer protection, and support to legal professionals.”*

The creation of the Legal Technology Task Force is a step towards acting on this priority. The Task Force worked to assess the legal technology landscape, identify threats and opportunities across various legal sectors, and make recommendations that support and strengthen the understanding and use of technology in members’ practice.<sup>2</sup> The Task Force’s report emphasizes the effective, efficient, and ethical use of technology to enhance equitable access to justice.

As part of its work, the Task Force distributed a survey in October 2024 to more than 10,000 WSBA members and received 516 responses representing a wide range of practice areas, firm sizes, and geographic regions. This 5% response rate yields a 98% confidence level with a 5% margin of error. Using the Washington State Supreme Court’s Access to Justice Tech Principles as a guide, the Task Force makes these recommendations to the Board of Governors on tangible steps WSBA can take to support and strengthen the use of technology within the legal profession in Washington state.

# A Defining Moment

Legal services and technology have long been intertwined. The legal profession has largely embraced technologies that make organizing, transmitting, and accessing information easier—from word processing, e-discovery, databases, and filing systems to cloud platforms and communication tools.

But today’s emerging technologies, particularly generative AI and advanced data analytics, are fundamentally different. These tools don’t merely help legal professionals organize and access information—they generate, synthesize, and extract insights in ways that challenge our traditional understanding of legal work and professional responsibilities. They derive their power from combining and using data sets in unprecedented ways and perform complex analytical tasks at unprecedented scale. As such, they raise urgent questions as to whether they will not just augment but substitute for aspects of human learning, judgment, and analysis.

This is a defining moment for the legal profession. AI is already transforming legal practice, court operations, and client expectations. It will not replace lawyers, but it will change how lawyering is done.<sup>3</sup> That change is already underway, and the pace is accelerating. Legal professionals need to understand these new technologies not only for efficiency and productivity but also to remain competitive and responsive to their clients’ evolving needs. Current approaches to profitability, efficiency, competitiveness, and legal ethics all demand adaptation. While these approaches promise new benefits, they also present complex risks that legal professionals must navigate to remain competitive and responsive to their clients’ evolving needs.



**AI is already transforming legal practice, court operations, and client expectations. It will not replace lawyers, but it will change how lawyering is done.**

3. Ken Crutchfield, *AI Won't Replace Lawyers — But It Will Change How They Work*, Above the Law (March 26, 2024), <https://abovethelaw.com/2024/03/ai-wont-replace-lawyers-but-it-will-change-how-they-work/>.

# Meeting Members Where They Are

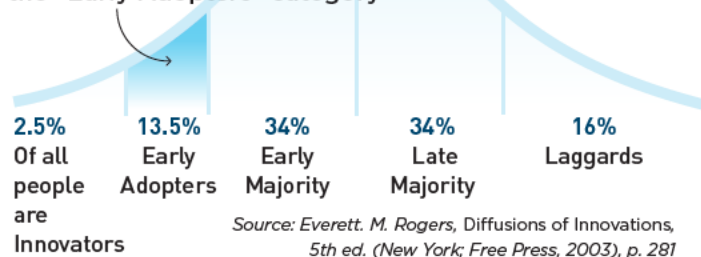
WSBA members are not all in the same place when it comes to legal technology. Some are actively experimenting, while others are just beginning to learn. Many remain uncertain, or face barriers to adoption such as cost, time, or lack of training.

This is normal. As described by Everett Rogers' "Diffusion of Innovation" model,<sup>4</sup> technology adoption occurs along a predictable curve: from innovators and early adopters to the early and late majority, to eventually laggards. The goal is not to rush all legal professionals into using AI or any single tool. The goal is to meet members where they are, with practical, tailored guidance and support that helps them build the necessary technology competence.

## "Diffusion of Innovation" model

**25%**

of WSBA members would fit into the "Early Adopters" category



The Task Force's recommendations reflect this approach. They are not one-size-fits-all. Some are directed at the WSBA itself, calling for internal reforms, new resources, and dedicated staff capacity. Others look outward, calling for collaboration with courts, law schools, technology providers, and legal employers. Across all sectors, this report emphasizes ethical adoption, thoughtful experimentation with an eye towards expanding access to justice, and member support.



The goal is to meet members where they are, with practical, tailored guidance and support that helps them build the necessary technology competence.

4. Bill Henderson, *What is the Rogers Diffusion Curve? (004)*, Legal Evolution (May 8, 2017), <https://www.legalevolution.org/2017/05/rogers-diffusion-curve-004>.

# More Than a Trend: A Structural Shift

The legal profession is experiencing a fundamental shift in how technology is transforming legal work—not merely how quickly practitioners adopt it. Generative AI is the most visible example of the shift, but it is not the whole story.

Over the past decade, AI has quietly become embedded in everyday legal tools, e-discovery platforms, legal research engines, contract review software, and even word processors. As with earlier technological leaps, like the introduction of online research in the 1990s or cloud-based practice management tools in the 2010s, initial skepticism is giving way to necessity. In the years ahead, AI likely will become a baseline component of legal competence, even for those who choose not to use it directly.<sup>5</sup>

These changes will reshape how lawyers work, how courts operate, and how clients access legal services. AI is already changing billing models, research strategies, client communication, and even the way courts manage filings and review evidence. These technologies offer opportunities to enhance access to justice, improve language access, and streamline routine legal tasks. But they also pose risks to those fundamental aspects and raise concerns about inaccurate outputs, bias, data security concerns, and a potential erosion of trust in legal professionals. Legal professionals must understand these risks to serve clients competently and ethically and WSBA should support them in these efforts.



**AI is already changing billing models, research strategies, client communication, and even the way courts manage filings and review evidence.**

5. Tom Martin, *AI in the Legal Profession: Separating Substance from Hype*, The National Law Review (Oct. 9, 2024), <https://natlawreview.com/article/ai-legal-profession-separating-substance-hype>.

# Meeting the Moment: Washington's Opportunity to Lead

Washington's legal community is uniquely positioned to lead. With respected law schools, innovative legal professionals, and proximity to major technology companies, Washington is situated at the intersection of innovation and public service.

The Task Force believes that Washington can model how to embrace legal technology in a way that protects the public, upholds professional values, and improves the delivery of legal services and access to justice.

Technology is not an end in itself, especially not in the delivery of effective legal services. At the same time, it has become both a critical tool for legal practice and an essential subject matter that practitioners must understand. The WSBA Technology Survey Report: Preliminary Findings<sup>6</sup> (the Survey) shows a notable gap: Only 25% of survey respondents currently use AI in their practice, that rises to 70% among in-house counsel. But the implications of technology extend far beyond direct usage. As these technologies become increasingly ubiquitous in society, they challenge legal professionals to navigate both their application in practice and their role in shaping our world. Lawyers must also understand how the technology affects their clients' opportunities and challenges. The profession cannot opt out of this transformation—as one Task Force member noted, "the toothpaste is not going back in the tube."

Legal professionals need to embrace and leverage technological change rather than resist it. Practitioners have a special role not only as

advocates for their clients but also as officers of the court with responsibility for the quality of justice, including safeguarding the rule of law. Understanding technologies like AI is becoming fundamental to fulfilling these obligations—from ensuring the authenticity of evidence to protecting client confidentiality, and from expanding access to justice to maintaining public trust. By pairing these developing tools with highly competent professionals, it is possible to enhance access to legal services and improve the overall quality of legal services.

As AI reshapes legal work, the profession must integrate these tools without compromising human judgment, strategic thinking, and ethical standards that form its essential value. Technology can enhance efficiency, but the profession's core value lies in human expertise and experience, strategic thinking, and the ability to navigate complexity. The legal profession must ensure that AI adoption strengthens—not weakens—the ethical foundations and public trust that define its role in society.

**This moment is not just about catching up to change. It is about shaping the future of the profession.**

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6. *WSBA Technology Survey Report: Preliminary Findings*, Washington State Bar Association (April 2025), [https://www.wsba.org/docs/default-source/legal-community/committees/legal-technology-task-force/wsba-technology-survey-report.pdf?sfvrsn=fd1e1bf1\\_1](https://www.wsba.org/docs/default-source/legal-community/committees/legal-technology-task-force/wsba-technology-survey-report.pdf?sfvrsn=fd1e1bf1_1).

# Ten Key Points

The Task Force developed ten key points to guide these efforts. Within each of the key points, the framework is set for the recommendations that follow.

The recommendations offer a roadmap for shaping the future of the legal profession through education, ethical guidance, regulatory clarity, and cross-sector collaboration. Throughout all the key points the focus remains clear: advance member competence, strengthen public protection, increase access to justice, and ensure that technology enhances, not undermines, our core values as legal professionals.

The key points are grouped to reflect where leadership and action are needed. They begin with the role of the individual practitioner—because above all else, effective and ethical practice in the age of AI depends on member engagement. No matter what steps the WSBA or the courts take, a legal professional's own understanding and judgment are foundational. Subsequent sections address the assessment of the institutional responsibilities of the WSBA, courts, law schools, and policymakers to provide the guidance, infrastructure, and regulation necessary to support members and protect the public.

## 1 **Harnessing Potential: The Role of Practitioners**

Legal professionals must proactively build their understanding of emerging technologies, particularly AI, to serve clients competently and uphold their professional obligations. While institutions like the WSBA and the courts have important roles to play in guiding AI adoption in legal settings, each practitioner is ultimately the steward of their own practice and their representation of

clients. Individual professionals are best positioned to determine how to integrate new tools into their daily work, ensuring that they serve their clients and other stakeholders efficiently, ethically, and competently. At the same time, making sound determinations will depend greatly on understanding the uses and implication of emerging technology.

Generative AI, in particular, presents a dual learning challenge for the legal profession. It is both a tool for enhancing legal practice and a subject that demands understanding due to its quickly evolving capabilities and pervasive role in society. Legal professionals must grasp its implications as generative AI manifests in the real world. Within the practice, this means understanding how it impacts clients' lives—from issues like automated contracts and disputes over algorithmic bias to new vulnerability for fraud and other harms. In litigation contexts it will touch everything such as evidence authentication and deepfakes. In society, practitioners have a special role not only as advocates for their clients but also as officers of the court with responsibility for the quality of justice, including safeguarding the rule of law.

Generative AI is rapidly becoming a subject matter that legal professionals must understand, even if they opt not to use these tools themselves. For example, as AI-generated content, such as deepfakes and altered documents, becomes more prevalent, legal professionals must develop a foundational understanding of these technologies to effectively challenge or defend evidence in court. Judges and

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juries may also rely on expert testimony built using generative AI outputs, requiring legal professionals to critically engage with and cross-examine such testimony. The growing use of generative AI also introduces new cybersecurity threats, such as sophisticated fraud schemes, malicious deepfake content, physical threats and harassment, and AI-driven attacks designed to bypass traditional security measures.<sup>7</sup> Practitioners must understand these evolving threats to effectively advise clients and protect their own practices from vulnerabilities associated with AI-generated content.

Moreover, as AI becomes pervasive in areas like hiring, lending, and insurance underwriting, legal professionals will increasingly encounter disputes where algorithmic decisions are central to their clients' claims, rights, and opportunities. Understanding how algorithms are designed and trained, where biases can arise, and what remedies may be available will be critical for advising clients effectively. Federal and state agencies are investing in generative AI tools to help streamline and accelerate decisions that may impact access to benefits, with positive outcomes in many cases, but also with room for errors that may go unexplained or uncorrected.<sup>8</sup> All practitioners, whether they adopt AI or not, will need AI competencies such as the ability to evaluate fairness and legality of algorithmic practices in corporate, employment, and civil rights contexts.

This is a moment to be proactive, experiment, and learn. Every legal professional, regardless of practice area or experience, has an opportunity (and obligation) to take a hard look at their own work and ask: Am I leveraging the best tools and learning

Generative AI is rapidly becoming a subject matter that legal professionals must understand, even if they opt not to use these tools themselves.

available to serve my clients fully and well? Am I doing so securely and responsibly?

AI and other legal technologies are rapidly expanding what is possible in legal practice, from streamlining research and document drafting to improving client communication and case strategy. Practitioners who actively engage with these technologies—and proactively build their cybersecurity competence—can thrive in this evolving landscape.<sup>9</sup> This means staying informed about emerging digital threats, regularly updating security practices, and ensuring robust protection of client information. It also means engaging with WSBA so it can serve the needs of its members.

## RECOMMENDATIONS

**A Build Technology Competence:** Legal professionals must actively seek to understand how emerging technologies, particularly generative AI, impact their practice areas, client needs, and ethical obligations.

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7. Kristopher Turner, *Deepfakes and the Legal Profession*, WisBar (Jan. 2025), [https://www.wisbar.org/NewsPublications/WisconsinLawyer/WisconsinLawyerPDFs/98/01/21\\_23rev.pdf](https://www.wisbar.org/NewsPublications/WisconsinLawyer/WisconsinLawyerPDFs/98/01/21_23rev.pdf).

8. Sanam Hooshidary, Chelsea Canada, and William Clark, *Artificial Intelligence in Government: The Federal and State Landscape*, NCSL (Nov. 22, 20224), <https://www.ncsl.org/technology-and-communication/artificial-intelligence-in-government-the-federal-and-state-landscape>.

9. Natalie Pierce and Stephanie Goutos, *Why Lawyers Must Responsibly Embrace Generative AI*, Vol. 21 Berkley Business Law Journal p.1-51, (2023).

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**B Start Small, Learn Fast:** Legal professionals should begin by becoming comfortable identifying common generative AI uses within their existing workflows. Starting small can build familiarity and confidence quickly.

**C Use Simple, Practical Resources:** Legal professionals should take advantage of short articles, checklists, and simple tools designed specifically for ease of use—especially those developed by the WSBA or other professional legal associations—to support issue spotting and evaluation of different technologies.

**D Collaborate to Accelerate Learning:** Legal professionals should engage with colleagues to share real-world examples and experiences involving technology to support legal practice. Peer discussions can clarify concepts and surface practical strategies that are already working in similar practices.

**E Stay Curious and Flexible:** Legal professionals should remain open to exploring how generative AI and other legal technologies may affect their practice. Incremental experimentation can reduce pressure and help practitioners adapt to change more effectively.

## 2 Building the WSBA's Capacity and Strategic Partnerships: Innovating Responsibly and Ensuring Equitable Access

To support members in navigating technological change, the WSBA must invest in internal capacity,

cross-sector partnerships, and accessible technology education. Due to varying levels of preparedness and resources, WSBA members are facing rapid technological changes unevenly and often without the support needed to evaluate, adopt, or implement new tools. Small and mid-sized firms, in particular, often lack access to the training, guidance, and infrastructure they need to navigate this transformation while upholding ethical and professional standards.

The legal profession is experiencing unprecedented technological change, affecting everything from court operations and client service delivery to the tools available to consumers and litigants.<sup>10</sup> The Survey reveals the scope of this transformation—and the growing demand for support. While 70% of in-house counsel responding are already using AI tools, adoption drops to just 22% in small and mid-sized firms—not because these tools are irrelevant, but because practitioners lack the resources, guidance, and support to evaluate and implement them effectively. Early publicity about the potential flaws in AI also enforced doubts and suspicions about its efficacy and ethical framework. This disparity reflects a broader challenge: WSBA members need sustained, practical support to navigate technological change while maintaining their ethical obligations and professional standards. The WSBA made legal research tools available to members because they were indispensable yet inaccessible for many. It will need a similar approach for new tools.

The Survey shows that 69% of respondents believe AI use will require additional training and skills, yet only 26% rate their current knowledge as “good” or better. Members are seeking help with everything

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10. Drew Simshaw, *Access to A.I. Justice: Avoiding an Inequitable Two-Tiered System of Legal Services*, Vol. 24 Yale Journal of Law and Technology p.150-226, (2022).

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from evaluating technology tools to implementing security measures, understanding ethical implications, and adapting their practice models. These needs are not static—they evolve alongside the technologies themselves and as ethical frameworks develop to meet new challenges. As one Task Force member noted, “training and support for members are not a ‘one and done’ experience.”

Ensuring that members can effectively navigate technological transformation is central to WSBA’s mission to serve the public, champion justice, and uphold professional competence. To fulfill this mission amid rapid technological change, WSBA must build sustained internal capacity and establish flexible structures for ongoing support and collaboration. This includes assessing staffing capabilities, exploring the creation of a dedicated WSBA technology innovation workgroup to offer practical guidance, and investing in infrastructure for continuous education and resource delivery.

Strategic partnerships with technology providers are essential to bridge the adoption gap, especially among solo, small firm, rural, and underserved practitioners. These partnerships can expand access to AI-powered tools like AI legal assistants, document automation platforms, and practice management systems, prioritizing affordability and ease of use.

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**According to the WSBA study, 70% of in-house counsel responding are using AI tools, but adoption drops to just 22% in small and mid-sized firms.**

Vendor-led training can help members evaluate and adopt tools confidently, without creating added burdens for WSBA staff.

The WSBA should maintain transparency and fairness in vendor partnerships by offering a straightforward process for vendors to submit proposals to be offered to WSBA members. While the WSBA offers a discount network and has one preferred insurance provider, it does not broadly endorse specific legal technology tools. Future partnerships should support member access without favoritism, focusing on helping members evaluate tools independently, securely, and ethically. There must also be a system for ongoing evaluation of tools so members do not get stuck with outdated technology.

## RECOMMENDATIONS

### **A Expand and Tailor Member-Focused Technology**

**Education:** The WSBA should collaborate with technology vendors, law schools, and other industry experts to develop and implement a core curriculum focused on AI literacy, cybersecurity, ethics, and technology best practices. Training should be practical, accessible in multiple formats (e.g. CLEs, webinars, on-demand videos, and written guides), and especially responsive to the needs of solo and small firm practitioners. The WSBA should also offer advanced CLEs for deeper engagement with specialized tools.

**B Launch Interactive Workshops:** Experimental learning is critical to raising competence in emerging technology. The WSBA should create interactive, hands-on workshops offering practical, low-risk opportunities for members to directly experience emerging legal technologies.

**C Establish Dedicated Technology Expertise:** The WSBA should evaluate staffing capacity to

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ensure adequate expertise and resources are available for monitoring legal tech trends and providing responsive, ongoing member support including one-on-one consultations through the Practice Management Program. The WSBA should also explore technology mentorship or peer learning groups focused on legal tech implementation.

**D Develop a Strategic Technology Plan:** The WSBA should publish a comprehensive, multi-year strategic plan outlining goals, timelines, and priorities for advancing technology competence across the profession. Regular progress reporting and member surveys should track improvements in adoption, training, and ethical integration.

**E Centralize Technology Resources:** The WSBA should create a user-friendly online Technology Resource Hub with resources such as curated checklists, sample policies, toolkits, vendor directories, FAQs, and training materials.

**F Expand and Maintain the Practice Management Discount Network:** The WSBA should strengthen its vendor partnerships by expanding the Practice Management Discount Network. This includes transparent vetting processes, clear evaluation standards, and vendor accountability, while maintaining neutrality and fairness in offerings. The WSBA should partner with vendors to expand access to affordable technology tools and offer demonstrations, CLEs, and interactive trainings.

**G Form a WSBA Technology Implementation Workgroup:** The WSBA should establish a time-limited workgroup to collaborate with WSBA staff and stakeholders on implementing technology-

focused recommendations, including development of tools, training resources, and member engagement strategies.

**H Pilot a WSBA Technology Showcase Event:** The WSBA should organize a large-format event featuring legal tech vendors, CLE speakers, and hands-on demonstrations to help members explore emerging tools in an interactive environment.

### 3 Supporting Technology Competence: Meeting Diverse Practice Needs

The WSBA must meet members where they are by tailoring support and education to different practice settings and needs. Technology competence has become fundamental to legal practice, but the path to achieving it varies dramatically across the legal profession. The Survey reveals both universal needs and stark disparities: while 69% of respondents recognize their need for additional technology training, their ability to access and implement that training varies significantly by practice setting. The contrast is particularly striking between large organizations with dedicated IT support and small or rural practices managing technology alongside daily client demands.<sup>11</sup>

These disparities extend beyond resources to fundamental differences in how technology serves different practices. In-house counsel, with 70% AI adoption rates, need advanced training on emerging tools. Meanwhile, small and rural practitioners seek immediately applicable solutions for routine tasks like document drafting and calendaring. As one

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11. Abigail Peterson, *2024 Solo and Small Firm Tech Report*, American Bar Association (April 21, 2025), [https://www.americanbar.org/groups/law\\_practice/resources/tech-report/2024/2024-solo-and-small-firm-techreport/](https://www.americanbar.org/groups/law_practice/resources/tech-report/2024/2024-solo-and-small-firm-techreport/).

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practitioner noted in the Survey, “We need practical tools that work in the real world, not theoretical knowledge about AI.” This diversity of needs demands an approach to education and support that is both comprehensive in scope and flexible in delivery.

The Survey points toward a strategic, targeted approach to training and competency building. While 72% of respondents support a technology-focused MCLE requirement, their needs and preferences vary significantly.

## RECOMMENDATIONS

**A Provide Free or Low-Cost Educational Opportunities:** The WSBA should offer programs covering technology basics, ethics (including confidentiality), cybersecurity, privacy, and licensing considerations for existing and emerging technologies.

**B Provide Free or Low-Cost Personalized Consultations:** The WSBA should offer personalized consultations focused on emerging technology, cybersecurity, and ethics, with a particular focus on reaching underserved communities, solos, and small firms.

**C Expand Advanced Programming:** The WSBA should offer content covering specific applications of existing and emerging technologies, offer hands-on training opportunities, and consider

**While 72% of respondents support a technology-focused MCLE requirement, their needs and preferences vary significantly.**

expanding certifications to technologies particularly suited to legal practice.

**D Recommend a Technology MCLE Requirement:** The WSBA should consider recommending that the Washington Supreme Court adopt an MCLE requirement focused on cybersecurity and technology competence.

**E Explore Adding Technology and the Law as an Area in the Bar Exam:** Emerging technology has profound implication for every substantive area of law. WSBA should work with area law schools to determine what implications this has for curriculum and how best to include technology competence in the bar exam.

## 4 Building Ethical Frameworks for Technology Use: Supporting Professional Values in a Digital Age

Legal professionals need practical tools to evaluate and ethically implement new technologies, not just updated rules. The ethical implications of technology in legal practice extend far beyond any single tool or application. While only 25% of survey respondents believe current ethical rules adequately cover AI use, the Survey reveals a deeper challenge: practitioners need practical guidance on how to fulfill their professional obligations in an increasingly digital practice environment. This need is most acute among those using technology most extensively—notably, in-house counsel who report the highest AI adoption rates (nearly 70%) also express the least confidence in current ethical guidelines.

The WSBA’s Committee on Professional Ethics (CPE) is developing specific guidance on AI use, focusing on core professional obligations including competence,

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confidentiality, supervision, and fees. This important work will help set baseline expectations, and the Task Force strongly supports the developing work in the CPE. However, the Survey and working group findings indicate that practitioners need more than revised Rules of Professional Conduct ('RPCs') or formal rule guidance<sup>12</sup>—they need practical frameworks for evaluating new technologies, implementing appropriate safeguards, and maintaining professional standards while embracing beneficial innovation.<sup>13</sup>

These frameworks must address several key challenges identified by the Task Force. Legal professionals need clear guidelines for protecting client confidentiality when using AI and other cloud-based tools. They need practical standards for supervising technology-assisted work, whether performed by legal professionals, staff, or automated systems. Most importantly, they need help understanding how to maintain their professional judgment and ethical obligations while leveraging technology to serve clients more effectively.<sup>14</sup>

## RECOMMENDATIONS

**A Define Baseline Ethical Standards for Emerging Technologies:** The Board of Governors, through the CPE, and, where applicable, with approval of the Washington Supreme Court, should define baseline ethical standards for emerging technologies. This includes evaluating the sufficiency of existing RPCs, creating due diligence guidelines, and defining the enforceability of such guidance.

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**B Publish Clear, Practical Ethics Guidance For Member Questions about Emerging**

**Technologies:** The WSBA should expeditiously create and publish clear, accessible materials, including FAQs and practical content, to help members to quickly identify ethical risks prior to adoption of emerging technologies, including but not limited to confidentiality breaches, bias, inaccuracies, and lack of transparency. These need to be regularly reviewed and updated as technology advances.

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**C Create an Ethical Evaluation Framework and Resources for Technology Use:**

The WSBA should develop a practical, generalized Ethical Evaluation Framework to help practitioners in systematically assessing new and emerging technologies for compliance with ethical obligations.

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## 5 Bridging the Cybersecurity Confidence Gap: From Confidence to Competence

A gap exists between legal professionals' confidence in their cybersecurity practices and their actual implementation. The WSBA must close this gap with standards, tools, and support. The Survey reveals a concerning paradox in how legal professionals approach cybersecurity. While 79% of respondents express confidence in their ability to protect client and organizational data, the actual implementation of basic security measures tells a different story. Only 34% conduct regular security audits, 37% use data

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12. Dennis Kennedy, *Handout from "Ethical Implications of Generative AI for the Michigan Lawyer" Presentation*, Dennis Kennedy Blog (Dec. 14, 2023), <https://www.denniskennedy.com/blog/2023/12/handout-from-ethical-implications-of-generative-ai-for-the-michigan-lawyer-presentation/>.

13. Jonathan H. Choi, Amy B. Monahan, and Daniel Schwarcz, *Lawyering in the Age of Artificial Intelligence*, *Minnesota Law Review* (Nov. 30, 2024), <https://minnesotalawreview.org/article/lawyering-in-the-age-of-artificial-intelligence/>.

14. Keith Robert Fisher, *ABA Ethics Opinion on Generative AI Offers Useful Framework*, American Bar Association (Oct. 3, 2024), [https://www.americanbar.org/groups/business\\_law/resources/business-law-today/2024-october/aba-ethics-opinion-generative-ai-offers-useful-framework/](https://www.americanbar.org/groups/business_law/resources/business-law-today/2024-october/aba-ethics-opinion-generative-ai-offers-useful-framework/).

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encryption, and even multi-factor authentication—considered a fundamental security practice by experts—is used by just 68% of respondents. This gap between confidence and implementation creates significant risk not just for individual practices, but for the entire legal system’s ability to maintain client trust and confidentiality.<sup>15</sup> This is at a time when advances in AI allow more sophisticated methods of targeting confidential information. Legal professionals hold valuable client confidences—consumers are rarely in a position to evaluate data security of legal service providers, and there is limited consumer protection oversight in the area.<sup>16</sup>

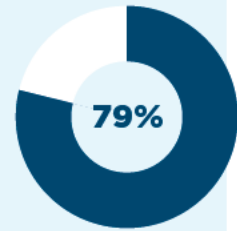
The challenge is particularly acute for small firms and solo practitioners. While larger organizations, government agencies, and in-house legal departments generally report somewhat more robust security infrastructures, smaller practices often lack both the resources and expertise to implement basic protections.<sup>17</sup> This disparity isn’t just about technology—it reflects fundamental differences in access to IT support, security expertise, and implementation resources. Yet these smaller practices often handle equally sensitive client information, making their security gaps a significant concern for the profession as a whole. This parallels the client-facing concerns raised in key point 9 regarding strengthening consumer protection in the digital era.

Making cybersecurity accessible and practical for all practice settings must be a priority. Legal



## FAST FINDINGS

### Cybersecurity by the numbers



**79%** of respondents express confidence in their ability to protect client and organizational data.



**34%** conduct regular security audits.



**37%** use data encryption.



**68%** of respondents use multi-factor authentication.

professionals shouldn’t need to become cybersecurity experts, but they do need clear standards, practical implementation tools, and accessible support. This includes basic security checklists, incident response playbooks, and emergency support resources. Many of these tools already exist through the WSBA,<sup>18</sup> the ABA,<sup>19</sup> and other sources, but awareness and adoption remain low. Moving from where we currently are to awareness, understanding, and implementation will take both resources and innovation from the WSBA. The profession needs both better awareness of existing resources and new, practice-specific tools that

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15. Sharon D. Nelson, *25% of Law Firms Have Been Breached*, ALPS (Jan. 11, 2022), <https://www.alpsinsurance.com/blog/25-of-law-firms-have-been-breached>.

16. *Formal Opinion 2024-3: Ethical Obligations Relating to a Cybersecurity Incident*, New York City Bar (July 18, 2024), <https://www.nycbar.org/reports/formal-opinion-2024-3-ethical-obligations-relating-to-a-cybersecurity-incident/>.

17. Abigail Peterson, *2024 Solo and Small Firm Tech Report*, American Bar Association (Apr. 21, 2025), [www.americanbar.org/groups/law\\_practice/resources/tech-report/2024/2024-solo-and-small-firm-techreport/](https://www.americanbar.org/groups/law_practice/resources/tech-report/2024/2024-solo-and-small-firm-techreport/).

18. *The Law Firm Guide to Cybersecurity*, Washington State Bar Association (Oct. 8, 2021), <https://www.wsba.org/for-legal-professionals/member-support/practice-management-assistance/guides/cybersecurity-guide>.

19. *Cybersecurity Resources for Small Law Firms*, American Bar Association, <https://www.americanbar.org/groups/cybersecurity/small-solo-resources/>.

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make security implementation straightforward and manageable.

## RECOMMENDATIONS

- A Establish Cybersecurity Expectations:** The WSBA should establish clear, and actionable cybersecurity standards for legal professionals, including minimum expectations such as multi-factor authentication, encryption, secure data storage, and regular audits. These standards should build upon existing WSBA cybersecurity resources and be regularly reviewed and updated to address evolving threats and technologies.
- B Provide Affordable Cybersecurity Assessments:** The WSBA should collaborate with cybersecurity experts, insurers, and malpractice carriers to provide low-cost, or free, cybersecurity assessments tailored to the needs of solo and small-firm legal practices.
- C Expand Cybersecurity Awareness, Training, and Support:** The WSBA should actively promote existing cybersecurity resources, expand those to meet practice specific needs, develop simplified checklists and step-by-step implementation guides tailored for solos and small firms, and deliver targeted, practice-oriented training through webinars, workshops, and on-demand resources.
- D Promote Cybersecurity Transparency With Clients:** The WSBA should formally recommend or require legal professionals to explicitly disclose their cybersecurity practices in client engagement letters, thereby strengthening client trust, transparency, and practitioner accountability.

# 6 Strengthening Court Capacity: Advancing Justice Through Digital Transformation

## 6.1 ADAPTING COURTS TO RAPID TECHNOLOGY CHANGE

The rule of law is dependent on ensuring our courts are fully equipped and supported so they can meet the technology changes. Washington’s courts must modernize responsibly and equitably, balancing emerging technologies with protections to ensure justice, fairness, and access. The COVID pandemic has demonstrated both the necessity and possibility of remote proceedings, while the emergence of AI tools presents new opportunities and challenges for the administration of justice. The Survey reveals that legal professionals are divided on AI’s impact on courts—40% express concerns about efficiency and fairness, while 38% see positive potential. This division underscores the need for a thoughtful, structured approach to court technology evolution.

AI presents both a threat and a major opportunity for closing the justice gap. The Washington Supreme Court’s recent Order<sup>20</sup> enabling a Pilot for Entity-Based Regulation is a promising step. The Task Force supports implementation of the Pilot and encourages continued experimentation with technologies and business structures that can improve legal access.

Courts are facing increasingly complex and urgent challenges. As AI-generated evidence and fabricated citations become more common, courts, despite operating with limited resources, must still be equipped to assign accountability and ensure

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20. Order Approving the Adoption of a Pilot Project to Teach Entity Regulation, Order No. 25700-B-721 (Wash. Dec. 2024). [www.courts.wa.gov/content/publicUpload/Supreme%20Court%20Orders/Order%2025700-B-721.pdf](http://www.courts.wa.gov/content/publicUpload/Supreme%20Court%20Orders/Order%2025700-B-721.pdf).

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accuracy.<sup>21</sup> They must balance remote access with procedural fairness. They must leverage technology to expand access while maintaining the integrity of judicial processes. The Administrative Office of the Courts (AOC) and local jurisdictions need appropriate staffing and funding to evaluate these tools and support courts in modernizing their technology infrastructure. But beyond resources, courts need adequate education, support, and clear frameworks for managing technology-driven change.<sup>22</sup>

Key priorities identified by the Task Force include providing uniform training and education for court personnel, consistent with education and training recommendations in key point 3 for legal professionals. Updating evidence rules to address AI-generated content, creating authentication standards for digital evidence, and implementing hyperlinked pleadings to help courts verify citations are also key priorities. Equally important is making court forms AI-compatible to support self-represented litigants while reducing the burden on court personnel. The courts

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## As AI-generated evidence and fabricated citations become more common, courts must still be equipped to assign accountability and ensure accuracy.

must also address language access, with AI translation tools offering potential for routine communications while ensuring constitutional requirements are met for critical proceedings. Finally, the profession would benefit from high level guidance like that recently issued by the Illinois Supreme Court,<sup>23</sup> with a clear, pragmatic approach to AI, permitting its use while holding lawyers and judges accountable for accuracy, ethics, and confidentiality.

### RECOMMENDATIONS

**A Provide Comprehensive Court Training on AI and Technology:** The Supreme Court and the AOC should establish and fund comprehensive training programs for judges, clerks, and court staff on the responsible use of AI and related courtroom technologies. These programs should include formal certifications and partnerships with trusted technology providers for training support.

**B Upgrade Courtroom Technology:** The WSBA should make it a priority to advocate for statewide funding to equip all Washington trial courts with essential courtroom technology, including reliable broadband access, stationary and movable microphones, audio amplification systems, high-resolution monitors, wall-mounted monitors, and video conferencing software.

**C Update Rules on Electronic Evidence:** The WSBA should work with the Washington Supreme Court to revise court rules governing the introduction of electronic evidence, specifically addressing foundation

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21. *AI-Generated Evidence: A Guide for Judges*, National Center for State Courts, <https://www.ncsc.org/resources-courts/ai-generated-evidence-guide-judges>.  
22. Richard Susskind, *The Future of Courts*, Harvard Law School Center on the Legal Profession (August 2020), [clp.law.harvard.edu/knowledge-hub/magazine/issues/remote-courts/the-future-of-courts/](http://clp.law.harvard.edu/knowledge-hub/magazine/issues/remote-courts/the-future-of-courts/).  
23. Illinois Supreme Court Policy on Artificial Intelligence (January 1, 2025), <https://ilcourtsaudio.blob.core.windows.net/antilles-resources/resources/e43964ab-8874-4b7a-be4e-63af019cb6f7/Illinois%20Supreme%20Court%20AI%20Policy.pdf>.

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requirements, authenticity, objections, and concerns related to transparency in algorithms and regarding AI-generated content, such as deepfake images and synthetic audio.

**D Implement AI Detection Tools:** The WSBA should advocate for courts to adopt processes, assisted by standardized tools, to evaluate the legitimacy of citations and legal arguments within motions, briefs, and legal memoranda.

**E Enhance Language Access through AI:** The WSBA should encourage courts to adopt advanced AI translation and transcription technologies to improve court hearings and routine communications, while ensuring compliance with constitutional language access requirements.

**F Simplify Court Forms and Filings:** The WSBA should advocate for, and potentially partner with the courts, to develop AI-powered tools, such as chatbots, to help self-represented litigants complete and fill standardized court forms. AI should be employed to translate these forms into various languages, with accuracy verified by qualified interpreters.

## 6.2 MODERNIZING FRAGMENTED, OUTDATED COURT DATA INFRASTRUCTURE TO IMPROVE EFFICIENCY AND ACCESS

Washington's courts operate on outdated and fragmented digital systems, which hinder transparency and public access, delay justice, and prevent cross-jurisdictional innovation. Washington courts currently operate without a unified digital system.

Calendaring tools, case management systems, and e-filing platforms differ widely due to funding structures and jurisdiction—specific needs, and current local systems rely heavily on fragmented, decades-old technologies.<sup>24</sup> While the courts' flagship program Odyssey brings some commonality to data infrastructure, it is far from complete.

To realize the benefits of emerging technologies— and to avoid falling further behind—Washington's courts need consistent and compatible e-filing systems statewide. Their back-end systems must be able to share and analyze data across jurisdictions, enabling the use of AI tools to improve transparency, access, equity, and efficiency. This should be done in a way that cost barriers are removed or minimized for access to court records.

Achieving this will require significant state investment in new technology, particularly in rural and underfunded jurisdictions, as well as restructuring of data "ownership" models. It also involves addressing the inherent political tensions among the judiciary, legislative bodies, county governments including court clerks, and the broader public surrounding court records and data ownership. A modern statewide court data infrastructure, and resolution of the political question of data ownership, would reduce administrative burdens, improve transparency, and help jump start modern innovations such as AI-driven legal assistance, user-friendly digital services, and more equitable public access. Building this infrastructure will require long-term state funding and close coordination across stakeholders at all levels of government.

Without a fully unified digital system, courts face persistent inefficiencies, burdensome manual

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24. Moe K. Clark, *'It's an uphill battle': Decades-Long Effort to Unify Washington's Court System Again Falls Short*, InvestigateWest (March 20, 2025), <https://www.investigatwest.org/investigatwest-reports/its-an-uphill-battle-decades-long-effort-to-unify-washingtons-court-system-again-falls-short-17840352>.

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processes, and critical data gaps. These issues are consistently reported by legal practitioners across the state, including in the Survey, and fall especially hard on self-represented litigants and rural communities.

### RECOMMENDATION

#### **A Advocate for Standardized, Statewide Court Data Infrastructure Fully Funded by the State:**

The WSBA should strongly advocate for a standardized, modern statewide court data infrastructure fully funded by the State and designed to support integration, efficiency, and equitable access to justice.

## **7 Supporting Future Professionals: Transforming Legal Education for the Digital Era**

To prepare students for modern legal practice, Washington's law schools must comprehensively integrate technology into curriculum, training, and culture, not as an add-on, but as a core component of legal education. The rapid evolution of technology is reshaping legal practice at every level, demanding fundamental shifts in legal education. To meet these demands, Washington's law schools must move beyond incremental updates to the curriculum and embrace comprehensive, transformative integration of technology and innovation. The next generation of legal professionals will enter a profession already deeply shaped by generative AI, advanced data

## **Law schools must comprehensively embed technology across curricula and educational experiences, building not just awareness, but deep technological proficiency.**

analytics, cybersecurity demands, and digital innovation.<sup>25</sup> Traditional legal education models, emphasizing theory without adequate practical technological integration, no longer adequately prepare students for practice.

Law schools must comprehensively embed technology across curricula and educational experiences, building not just awareness, but deep technological proficiency.<sup>26</sup> This includes providing hands-on experiences, real-world practical clinics, and explicit pathways toward technology-driven careers.<sup>27</sup> Crucially, these efforts must also include significant investments in faculty skills and confidence in emerging technologies, ensuring educators can effectively guide and inspire future lawyers. By fostering a culture of innovation, curiosity, and ethical technology use, Washington law schools play a pivotal role in equipping new lawyers not only to navigate technological change, but to become its responsible leaders.

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25. Anthony Davis, *The Future of Law Firms (and Lawyers) in the Age of Artificial Intelligence*, American Bar Association (Oct. 2, 2020), [www.americanbar.org/groups/professional\\_responsibility/publications/professional\\_lawyer/27/1/the-future-law-firms-and-lawyers-the-age-artificial-intelligence/](https://www.americanbar.org/groups/professional_responsibility/publications/professional_lawyer/27/1/the-future-law-firms-and-lawyers-the-age-artificial-intelligence/).

26. Raymond H. Brescia, *Teaching to the Tech: Law Schools and the Duty of Technology Competence*, Vol. 62 62 Washburn Law Journal p.507-540, (2023).

27. CODEX, Stanford Law School, <https://law.stanford.edu/codex-the-stanford-center-for-legal-informatics/> (last visited July 8, 2025).

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## RECOMMENDATIONS

**A Embrace a Technology Conscious Culture:** Washington law schools should foster a culture in which faculty, staff, and students are supported in navigating the challenges and opportunities presented by new technologies in legal education and in the rapidly changing legal services landscape.

**B Maintain a Practice-Ready Curriculum:** Washington law schools should ensure that impactful technologies are addressed in courses focusing on technology skills (e.g. document automation, contract review, and data analysis) and processes (e.g. e-discovery, digital evidence, and cybersecurity), as well as in traditional and core courses (e.g. professional responsibility and civil procedure), through independent study opportunities (e.g. online tutorials, webinars, technology-focused directed research), and in clinics and externships that allow experiential opportunities with technology in different settings.

**C Assess Student Progress:** Washington law schools should establish a requirement that students demonstrate technology competence before graduating, such as by completing certain technology-focused course work, by completing technology-focused projects, or through a reputable technology certification program. Schools should regularly assess student progress and identify areas needing additional training or support.

**D Ensure Post-Graduation Success:** The WSBA and Washington law schools should establish a mentorship program that pairs students with practitioners who are experienced in using technology in their law practice. They should also promote a

career path focused on technology and law by providing students with guidance on how to pursue a career in this area.

**E Support Faculty:** Washington law schools should encourage faculty to develop their own technology skills and support them through regular training on software, hardware, and online platforms commonly used in legal services, so they can effectively teach and mentor students.

**F Influence Broader Law and Policy Development:** Washington law schools should support faculty scholarship and research related to technology, hold continuing legal education courses on technology, and maintain an institute or center that focuses on the intersection of law and technology to provide a hub for research, education, and innovation.

## 8 Advancing Ethical Innovation and Equitable Access: Leveraging AI to Close the Justice Gap

The public is increasingly turning to AI-driven tools for legal help, without attorney involvement, creating an urgent need for ethical standards, public education, and innovative delivery models that expand access to justice without compromising consumer protections. A recent LexisNexis survey<sup>28</sup> found that 27% of consumers have used generative AI to answer legal questions on their own, a figure that closely parallels the 25% of legal professionals using generative AI in their practice, according to the Survey. This data underscores a critical shift: the public is turning to AI

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28. *Generative AI & the Legal Profession*, Lexis Nexis (April 2023), [https://www.lexisnexis.com/pdf/In\\_generative\\_ai\\_report.pdf](https://www.lexisnexis.com/pdf/In_generative_ai_report.pdf).

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for legal help, often without the benefit of attorney oversight or guidance.

These tools present both an opportunity and risk. On one hand, AI-powered tools offer meaningful opportunities to expand access to justice by reducing costs, improving legal literacy,<sup>29</sup> and simplifying routine legal tasks for self-represented litigants<sup>30</sup> and communities.<sup>31</sup> On the other hand, these tools also pose serious risks if left unchecked. Without thoughtful regulation and professional engagement, they risk spreading misinformation, violating unauthorized practice of law (UPL) rules, and impacting the quality of legal guidance the public receives.

The WSBA, courts, and legal professionals must embrace their role in shaping the future of ethical legal technology by ensuring that AI-driven legal assistance supports, rather than undermines, meaningful access to justice. This means proactive investment in innovation, formation of strategic partnerships, and ensuring equitable technology access. The Washington Supreme Court's recent authorization of a regulatory pilot program for new business structures and entity-based regulation represents an essential step toward responsible innovation and enhanced access to legal services.<sup>32</sup>

Rather than viewing AI as a risk to legal service delivery, the profession should lead efforts to integrate these tools responsibly— developing

standards, clarifying UPL boundaries, and creating AI applications that are accurate, ethical, and designed with public interest and trust in mind. Legal professionals are not only protectors of justice; they are also critical stakeholders in building a more inclusive and technologically responsive legal system.

## RECOMMENDATIONS

**A Establish Ethical Boundaries for AI Legal Tools:** The WSBA, in collaboration with the Washington Supreme Court, should establish clear guidelines distinguishing appropriate from unauthorized or misleading uses of AI-generated legal advice to protect consumers from misleading or inaccurate information, reduce bias, and protect fundamental rights. Legal technology providers should be required to ensure transparency in how their systems function and to be accountable for their outputs.

**B Expand Court-Based AI Resources:** The WSBA should advocate that Washington courts invest in practical, user-centered AI tools, such as multilingual self-help portals and simplified online forms, to expand meaningful legal access for underserved communities.

**C Support Public-Facing AI Literacy:** The WSBA and Washington Courts should jointly develop public education materials to enhance consumer understanding of AI-based legal tools, empowering the public to use AI responsibly and with confidence.

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29. Drew Simshaw, *Access to A.I. Justice: Avoiding an Inequitable Two-Tiered System of Legal Services*, Vol. 24 Yale Journal of Law and Technology p.150-226, (2022).

30. Christopher L. Griffin, Jr., Cas Laskowski, and Samuel A. Thumma, *How to Harness AI for Justice*, Judicature International (July 23, 2024), <https://judicature.duke.edu/articles/how-to-harness-ai-for-justice/>.

31. Nicole Black, *Access to Justice 2.0: How AI-Powered Software Can Bridge the Gap*, ABA Journal (Jan. 24, 2025, 10:20am), <https://www.abajournal.com/columns/article/access-to-justice-20-how-ai-powered-software-can-bridge-the-gap>.

32. Order Approving the Adoption of a Pilot Project to Teach Entity Regulation, Order No. 25700-B-721 (Wash. Dec. 2024). [www.courts.wa.gov/content/publicUpload/Supreme%20Court%20Orders/Order%2025700-B-721.pdf](http://www.courts.wa.gov/content/publicUpload/Supreme%20Court%20Orders/Order%2025700-B-721.pdf).

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**D Educate Legal Professionals on Inclusive AI Implementation:** The WSBA should partner with law schools and MCLE providers to offer targeted programs to equip legal practitioners to ethically use AI tools that genuinely benefit and are designed to serve underserved communities.

**E Foster Development of Affordable and Scalable Tools:** The WSBA should explore and promote funding mechanisms that expand the development of affordable, user-friendly technologies for small legal practices, public interest service providers, and individuals with limited resources.

## 9 Safeguarding Sensitive Legal Data: Strengthening Consumer Protection in a Digital Era

Legal professionals have a responsibility to protect sensitive legal data from misuse in a rapidly evolving digital landscape. They also are on the front lines where their clients suffer or face the rising misuse of technology. As legal information becomes increasingly commodified by AI tools and online platforms, stronger consumer protections, clearer regulations, and lawyer-led advocacy are urgently needed. Integrating AI into governance, constitutional systems, and judicial processes raises urgent questions about protecting consumer data from misuse, manipulation, or unauthorized access. It also requires the WSBA to be an active participant in updating key consumer protection laws.

Consumers are increasingly turning to online

platforms for help with deeply legal issues—like health issues, financial challenges, immigration, or domestic violence—without realizing how their data may be tracked, shared, or sold.<sup>33</sup> If not thoughtfully managed, these advancements risk undermining the rule of law and democratic principles by exposing users to risks ranging from surveillance to fraud, to behavioral advertising to the commodification of legal needs. For example, when an individual visits an immigration law website, uses a chatbot that provides landlord tenant guidance, or installs an app that provides legal services for victims of domestic violence, hundreds of businesses may track and monetize that person's personal information, often including their location. The chatbot operator, for example, could sell the unique online identifiers or even the queries of its users to online advertising platforms who can use the personal information to target digital ads or to third party data aggregates. Increased default settings on apps allow sales of the information, including nature of inquiries and geolocation. Others allow cross-app tracking so information from a device is shared more broadly.

This risk also exists even earlier in the process: consumers who search for 'legal advice' in the app store on their phones can choose among hundreds of legal services apps available today—let alone understand what tracking or sharing of information is permitted by default under the app's terms of service? The Task Force believes the WSBA is well positioned to develop materials to help consumers evaluate such offerings, partner with other bars to develop a standard 'seal' to identify legal services websites and apps meeting certain criteria, and provide a mechanism for consumers to ask questions about such apps, and where, if appropriate, to report the

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33. Michelle Egbert, Comment, *Access to Freedom: Can Technology Improve Access to Justice for Survivors of Domestic Abuse?*, Vol. 36 Journal of the American Academy of Matrimonial Lawyers p.187-207, (2023). [www.aaml.org/wp-content/uploads/7-MAT105.pdf](http://www.aaml.org/wp-content/uploads/7-MAT105.pdf).

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unauthorized practice of law.

According to the Survey, 68% of legal professionals believe existing consumer protections for AI are inadequate. Nearly 60% support the creation of AI-specific privacy protections, and over 50% favor measures requiring companies to disclose how consumer data is used and giving individuals the right to correct or delete data utilized by AI models. Without robust safeguards and oversight, AI-driven decision-making—whether in the private or public sector—can silently erode personal privacy and civil rights, especially when used to make decisions that have significant legal or similarly significant effects, such as benefits and housing eligibility or criminal justice outcomes.<sup>34</sup> These concerns are not theoretical: they implicate fundamental values like personal safety, due process, dignity, and equal treatment under the law.

To safeguard access to and the administration of justice, Washingtonians need greater privacy rights. In implementing groundbreaking protections for consumer health data in 2023 by enacting the Washington My Health My Data Act, the legislature found:

***“The people of Washington regard their privacy as a fundamental right and an essential element of their individual freedom. Washington’s Constitution explicitly provides the right to privacy. Fundamental privacy rights have long been and continue to be integral to protecting Washingtonians and to safeguarding our democratic republic.”***

Yet current protections focus primarily on health

data. Legal data is similarly sensitive, directly linked to an individual’s safety, freedom, and dignity. For instance, seeking information on protective orders or criminal defense services reveals deeply sensitive circumstances. Currently, Washingtonians’ legal data lacks robust protections against behavioral profiling and targeted advertising. The WSBA should advocate for limitations on the use of consumers’ legal data, as well as more comprehensive privacy rights.

AI and predictive analytics, fueled by vast amounts of seemingly routine data, can reveal highly sensitive personal information—including personality traits, health conditions and biometrics, political preferences, or purported intelligence levels derived from social media activity—potentially undermining privacy and dignity.

Washingtonians should have comprehensive privacy rights, including the right to know what information organizations collect, how it is used and a way to correct or challenge such data or information. They should also have the right to opt-out of automated decision making, particularly when their livelihoods are at stake. Additionally, organizations should have greater obligations when it comes to processing personal information, including an obligation to practice data minimization and to provide consumers with meaningful choice related to certain uses of information.

Washington’s Rules of Professional Conduct explicitly charge lawyers with ensuring justice, fairness, and transparency amid technological change. Lawyers must therefore advocate for legislative improvements, adopt stronger internal data protections, and ensure their technology partners align with professional

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<sup>34</sup> Olga Akselrod, *How Artificial Intelligence Can Deepen Racial and Economic Inequities*, American Civil Liberties Union (July 13, 2021), [www.aclu.org/news/privacy-technology/how-artificial-intelligence-can-deepen-racial-and-economic-inequities](https://www.aclu.org/news/privacy-technology/how-artificial-intelligence-can-deepen-racial-and-economic-inequities).

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responsibility standards. By critically assessing AI’s application in governance and consumer spaces and advocating for its alignment with ethical and constitutional principles, legal professionals can play a key role as essential guardians of the rule of law in a time of rapid technological and societal change. *Scope of WSBA Advocacy—The Task Force recognizes that WSBA’s ability to advocate on public policy issues is limited by the Keller rule, which restricts activities funded by mandatory dues to matters directly related to regulating the legal profession or improving the quality of legal services. The Task Force identifies these issues as significant for Washington consumers and encourages legislative and policy consideration, while recommending WSBA advocacy only within the bounds of these permissible activities.*<sup>35</sup>

RECOMMENDATIONS

**A Advocate for Updated Consumer Protection Laws:** The WSBA should advocate, consistent with Keller limitations, for regular updates to state consumer protection laws and regulations that provide meaningful protections and address abuses enabled by AI and other digital technologies.

**B Advocate for Enhanced Consumer Privacy Protections:** The WSBA should advocate, within Keller limitations, for expanded privacy protections for sensitive information, including restrictions on the collection, use, and sale of personal data by legal technology providers.

**C Provide Title 7 RPC Guidance on Lawyer Advertising and Marketing:** The WSBA should update RPC Title 7 rules on advertising to clearly prohibit the sale or sharing of sensitive personal data collected by legal websites and applications.

**D Develop Consumer-Focused Certification Programs:** The WSBA should develop a consumer-facing certification program or standardized “seal” to help the public identify trustworthy legal-service websites and apps, and to enable consumers to report entities operating without authorization to practice law.

**E Provide Education on AI and Consumer Protection:** The WSBA should provide ongoing education to legal professionals on evolving AI-related consumer protection issues, laws, and regulations, explicitly covering algorithmic bias, data privacy, and remedies available to consumers impacted by automated decision-making.

10 Ensuring Regulatory Innovation and Stability: Future Expertise and Oversight

Rapidly evolving legal technologies—especially AI, automation, and virtual platforms—pose profound challenges and opportunities to traditional regulatory frameworks, underscoring the urgent need for dedicated oversight. Addressing these effectively requires ongoing, expert oversight. The recommendations in this report highlight the need for a stable, empowered body to provide review, expertise, oversight, and guidance into the future. The consensus within the Task Force is that new technologies—whether targeted to consumer legal services (for example an online service that provides legal advice for a divorce or estate planning) or simply horizontal platforms used by consumers to solve legal

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35. Wash. Rules of Pro. Conduct Pmb1. and scope (2021), [https://www.courts.wa.gov/court\\_rules/pdf/RPC/GA\\_RPC\\_PREAMBLEANDSCOPE.pdf](https://www.courts.wa.gov/court_rules/pdf/RPC/GA_RPC_PREAMBLEANDSCOPE.pdf)

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issues (using generalized services like ChatGPT)—will strain existing UPL frameworks, ethical frameworks, court capability, and enforcement capacity. The establishment of a Washington Supreme Court Board to address these issues would assure accountability and continuity. Without an institutional successor to the Task Force, the oversight of critical regulatory concerns surrounding the ever-evolving landscape of legal technology would be left to chance.

A Supreme Court-affiliated Board would provide authoritative guidance and continuity, effectively bridging court rulemaking, regulatory reform, and bar governance to ensure responsible innovation. The Washington Supreme Court’s Practice of Law Board (POLB) has demonstrated capacity to work through complex regulatory issues and could be a suitable home for this work. However, this would require expanding its charter under GR 25 to explicitly include technology-related oversight and regulatory innovation and ensuring it had the requisite technological expertise and support.

Advocating for the Washington Supreme Court to create this Board—or for expanding scope of the POLB—aligns directly with WSBA’s strategic priorities, including championing justice, fostering inclusion, and supporting professional excellence, and reflects

broader national trends of proactive judicial and bar association leadership in regulatory innovation.

Establishing such a Board would proactively position Washington as a national leader, balancing technological innovation with robust consumer protection and regulatory clarity.

## RECOMMENDATION

### **A** **Petition for a Dedicated Technology Oversight Board or Expanded Practice of Law Board**

**Mandate:** The WSBA should petition the Washington Supreme Court to establish a Board for Legal Technology and Regulatory Innovation or broaden the scope of the Practice of Law Board with the following mission/goals:

- > To collaborate with the WSBA, the Supreme Court, and other relevant stakeholders to develop rules, education, and policies supporting responsible regulatory reform and innovation.
- > To ensure the profession and court system is equipped to continue to ensure the just and fair rule of law.
- > To ensure that all legal technology innovations align with the legal profession’s core values—integrity, public service, and administration of justice.

# Looking Forward

These ten key points focus less on narrow practices and more on capacity building, ethics, and education for a reason. The technology interface with law is rapidly evolving, and it is far too important to be stuffed into a static set of recommendations and left in a drawer.

The WSBA, the courts, and the profession will need to develop new abilities to handle technology changes and harmonize them with one of the most human processes in society—the way we deliver legal services to people across the state. As officers of the Court, we have the obligation not just to individual clients but to the system of justice and rule of law.

Lawyering is not just a learned profession, but a learning profession. We will find ways to learn, adapt, and excel in this changing environment. But doing so demands we are informed, intentional, and forward-looking about how technologies and the profession will dovetail to create improved results for Washingtonians—and that we leave no one behind. As the legal profession navigates technological change, we must recognize our unique role in shaping how these tools impact society. Legal professionals have a special responsibility to safeguard justice and ensure legal systems remain fair, transparent, and accountable. This means staying informed about and engaged with broader societal concerns—from environmental impact to algorithmic bias, from privacy protection to access. While AI will inevitably transform how legal work happens, our fundamental obligation is to ensure it does so in ways that strengthen rather than undermine the rule of law. By being deliberate in



## A NOTE FROM THE TASK FORCE

In developing this report, the Task Force drafters worked iteratively with advancing versions of three main generative AI tools:

- > ChatGPT (from OpenAI),
- > Claude (from Anthropic), and
- > CoPilot (from Microsoft).

In addition, the Task Force drafters benefited from help from Clearbrief (from [Clearbrief.ai](#)) in structuring and writing references. The Task Force members used these systems as a collaborative tool to support—rather than replace—the core work of legal analysis, strategic framing, and writing. The drafters provided subject-matter expertise, policy direction, legal analysis, editorial judgment, and extensive human-based research, while the generative AI tools served as responsive assistants—generating initial drafts, offering structural suggestions, surfacing alternative phrasings, and helping identify gaps or ambiguities. At every stage, decisions about content, tone, and framing remained firmly in human hands, and all information generated by the AI tools was reviewed for accuracy by Task Force members. This process reflects the approach the Task Force recommends for legal professionals: thoughtful, professional-led use of AI that enhances human capability without displacing professional responsibility, creativity, or control.

understanding how these technologies interact with societal values and institutional structures, we can help ensure they enhance rather than diminish access to justice and the quality of legal services for all.

**WASHINGTON STATE**  
BAR ASSOCIATION

MCLE Board's Potential Suggested Amendment to APR 11:  
Credit for Judging High School and Undergraduate Mock Trial Competitions

**Action:** Should the MCLE Board move forward potential suggested amendment to APR 11, which would allow MCLE credit for attorney volunteers who judge or otherwise evaluate students participating in high school or undergraduate mock trial events?

### **Background**

The Board committed to pursuing an amendment that would permit credit for attorney volunteers who judge or otherwise evaluate students participating in mock trial events. The Board's interest in this proposition developed out of the August 9, 2024, meeting, where YMCA delivered a presentation to make a case for the value of affording MCLE credit to those who judge or rate high school mock trials. The presentation provided an overview of the specific YMCA mock trial program, which is designed for secondary students, centered around a fictitious case crafted by a WA Superior Court Judge, and consists of three-hour trials presided over by sitting judges. In addition to the direct judging role, the program also includes attorney raters who provide additional feedback and evaluation.

YMCA's proposal compelled the Board to convene a subcommittee that was tasked with conducting research and contemplating the desirability of providing credit to members who are involved in the judging and evaluating of mock trial participants at the high school and undergraduate level. The subcommittee's work resulted in drafting a suggested amendment which would establish credit for high-school and undergraduate mock trial volunteers. At its October 17, 2025, meeting, the Board indicated that it was interested in moving forward with the amendment process and characterized the amendment as a goal for the 2025-2026 year. At the January 2026 meeting the MCLE board decided to finalize a report and recommendation and collect public comment regarding the potential suggested amendment.

### **Feedback**

Information regarding the potentially suggested amendment is located on the MCLE Board webpage, and additionally on March 18, 2026 and April 1, 2026 the "Take Note" WSBA email was sent which contained a paragraph soliciting feedback from WSBA members.

At its April 17, 2026 meeting, the MCLE Board invited in-person public comment on the proposed amendment, and no comments were made.

As of May 1, 2026, thirty-nine responses were collected via the online survey. Out of those responses, thirty-seven are in favor of the suggested amendment, and the remaining two are partially in favor. All received comments are included in the attached materials. The online comment collection closed on May 1, 2026.

### **Possible Discussion Topics**

- Taking feedback into consideration, should any changes be made to the potential amendment?
- MCLE Board may vote on whether to proceed with suggested amendment.
- If proceeding, MCLE Board may nominate Board members to present to BOG and work on presentation materials

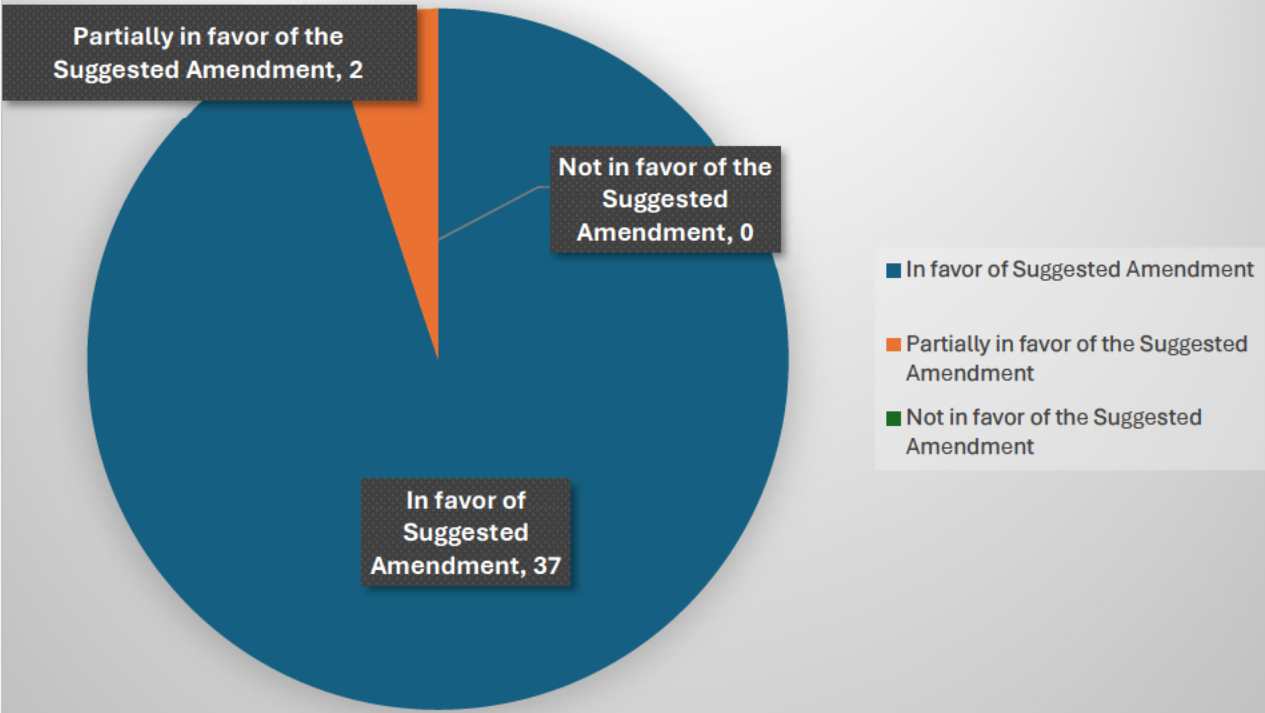
### **Possible Timeline for Suggested Amendment**

June 5, 2026	MCLE Board Meeting	Taking feedback into consideration, MCLE Board will discuss and may vote on whether to proceed with suggested amendment. If proceeding, MCLE Board may nominate Board members to present to BOG and work on presentation materials.
June 15, 2026	WSBA Board of Gov. Materials & OGC for initial review.	Board of Governors materials due. Send materials to General Counsel for initial review.
July 23-24, 2026	WSBA Board of Gov. Meeting	Present to WSBA Board of Governors and ask for support. Meeting in Marysville, WA .
August 14, 2026	MCLE Board Meeting	Discuss feedback from Board of Governors and vote on whether to move forward with suggested amendment. If proceeding, MCLE Board will nominate Board members to work on GR 9 coversheet.
August 24, 2026		First draft due of GR 9 coversheet.
September 14, 2026		Final draft due of GR 9 coversheet.
September 15, 2026		Send to OGC for final legal review.
October 1, 2026		Finalize recommendation to Court.
October 15, 2026		Suggested Amendment Deadline.

#### Attachments

- Draft memo to WSBA Board of Governors
- [MCLE Board Report and Recommendation](#)
- Written Public Comments

Feedback on the MCLE Board's Preliminary Suggested Amendment  
to Allow MCLE Credit for Judging High School & Undergraduate Mock  
Trials



**Feedback Received as of May 1, 2026**

**Regarding MCLE Board's Preliminary Suggested Amendment - Judging High School and Undergraduate Mock Trials**

Id	Completion Date	Your Name	Your relationship to WSBA	Position on the MCLE Board's Suggested Amendment to APR 11	Please provide any feedback or comments you have regarding the Suggested Amendment:
1	3/18/2026	Jamie Olivares	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	
2	3/18/2026	Jennifer Flynn	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	<p>I am strongly in favor of this amendment. I am a lawyer today entirely because of the existence of the YMCA Mock Trial program that was offered in my high school. I am the first person in my family to go to college, let alone law school, and I never would have considered this career path without the experience of participating in high school mock trial. I have been involved in mock trial at some level for the past 22 years - I continued to participate in college and law school, coached a team for six years after becoming a lawyer, and I continue to mentor and judge high school &amp; college competitions.</p> <p>When I took Evidence in law school, I found that I was lightyears ahead of many of my peers because I already had 10 years of experience working with the rules of evidence. Coaching and judging competitions lets me continue to practice rules that might not come up regularly in my practice, and it keeps me excited about what I do. I love having the opportunity to work with young people and help recruit the next generation of lawyers from diverse backgrounds. Many of them would otherwise not know their rights, the pathways to a career, or their own potential. Many of the students we see at the high school level are every bit as talented as some of the students we see at law school level competitions. Due to the larger number of students participating, we need more qualified judges for these competitions and it is hard to get people involved without the incentive of CLE credits.</p> <p>I cannot say enough positive things about the YMCA high school mock trial program. I would be happy to share my experience as a former participant, a coach, and a rater if it would be helpful in any way to the committee in making a decision. I can be contacted at [redacted for privacy].</p>

### Feedback Received as of May 1, 2026

#### Regarding MCLE Board's Preliminary Suggested Amendment - Judging High School and Undergraduate Mock Trials

3	3/18/2026	Kelsey L. Affronte	Licensed legal professional (Lawyer, LLLT, LPO)	Partially in favor of the Suggested Amendment	I think it confirms what attorneys already know, since you're providing feedback to people who have never been to law school/taken the bar. I do like the exposure to different practice styles and feedback from those who have a different perspective on practice, which I think is valuable as a CLE. Maybe there should be a limit on how many of these credits you can claim as MCLE credits? I do like this amendment, but I think these types of volunteer activities have their limits as far as MCLE credits, versus pro bono hours. I also know that these volunteer activities have been hurting for volunteers for many years, so this would be a good way to encourage giving back to your community. Again, maybe that is better as a pro bono credit after a certain number of MCLE hours...
4	3/18/2026	Eli Creighton	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	
5	3/18/2026	David Trujillo	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	
6	3/19/2026	Fawzy T. Simon	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	#1. It causes lawyer to think analytically about a problem. #2. It builds community relations and shows that, even though almost no one consults an attorney when they're having a GOOD day, still, we care about our communities.
7	3/19/2026	Alyssa Lindburg	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	
8	3/24/2026	Shaunita Felder	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	It takes all of your day to sit and judge those competitions and you have to fill out a rating form, look at materials beforehand, give feedback after to the group and then get stopped for questions and comments in the hall on your way out. These should have been eligible for CLE credit, especially when the YMCA and the judges in charge have our names and information to report.

## Feedback Received as of May 1, 2026

### Regarding MCLE Board's Preliminary Suggested Amendment - Judging High School and Undergraduate Mock Trials

9	3/25/2026	Ben Stafford	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	<p>I am a member of the bar, and for 20 years have coached high school mock trial. I have also judged many law school competitions, for which I've received CLE credit. I would strongly support extend of CLE credit to judging undergraduate and high school mock trials. To be sure, this would facilitate the bar providing an invaluable civic service by encouraging volunteerism. As a former high school mock trial student, participation in the mock trial program is what led to me becoming a lawyer myself. The program is not possible without the scores of lawyers who volunteer their time. But in addition to its salutary benefits in that regard, there is simply no meaningful distinction, in my experience, between judging law school or other mock trial competitions in Washington. When I attended law school, I found evidence to be a breeze because of my high school mock trial experience -- I knew all the rules. And students in high school and college (I've judged a number of competitions) display that knowledge of evidence and trial procedure through mock trials. Lawyer raters, just as with regard to law school competitions, have an opportunity to share trial advocacy feedback at the end of these competitions and, frankly, speaking from personal experience, benefit from hearing a multiplicity of perspectives on what kind of trial presentation is most compelling.</p> <p>I cannot recommend supporting this amendment strongly enough!</p>
10	3/25/2026	Terence Lynch	Licensed legal professional (Lawyer, LLLT, LPO)	Partially in favor of the Suggested Amendment	<p>Completely agree that judging and eating high school Mock Trial should earn lawyer participants CLE credit.</p> <p>I checked "partially agree" because the amendment does not include CLE credits for the several dozen lawyers who volunteer to coach high school teams.</p> <p>These lawyers are competently teaching high schoolers the fundamentals of evidence and basic-to-intermediate trial skills, same as the lawyers who volunteer to teach new bar admittees the same material in trial skills CLEs that are already being given credit.</p> <p>I would amend the rule to permit lawyers to also claim some hours for coaching too.</p>

## Feedback Received as of May 1, 2026

### Regarding MCLE Board's Preliminary Suggested Amendment - Judging High School and Undergraduate Mock Trials

11	3/25/2026	William L. Downing	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	Before retiring in 2017, I chaired the statewide YMCA Mock Trial Program for a number of years and conducted the King County competition for more than 25 years. The attorney raters invariably reported that they learned a lot from observing the way in which the student lawyers argued the law and the facts. Part of this was in thinking like a judge, hearing the legal analysis on the fly (not laboriously briefed) and part of it was seeing things as a juror might (the emotional as well as the logical.) The insights gained on both levels are extremely valuable for the practitioner. The time is well spent and should be rewarded.
12	3/25/2026	Eric L. Hanson	Mock Trial Coach	In favor of the Suggested Amendment	It is such a blessing to have legal professionals giving back to their communities. These wonderful professionals give hours of their time to judge or rate competitions. Still others volunteer to coach. I know that this amendment is specific to the former though, so I will comment on that only. I do believe that the time our professional volunteers give is important - the impact they have on communities and the lives of the 1000's of youth who participate is meaningful and a benefit to the public as they shape the next generation of legal professionals through their presence, and especially their feedback and shared expertise. Please adopt this motion to include participation in mock trials as an option to accumulated required MCLE hours. This is good policy, and it serves the professional and public good. Thank you.
13	3/25/2026	Patrick Lynch	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	I have been involved in high school mock trial as a Coach and Judge since I was sworn in. Clients are continually more and more hesitant to try cases due to the costs involved with trial. Mock Trial, even at the high school level, provides invaluable experience to attorneys that is translatable to their real world practices. I would recommend that this rule be adopted, but I would also recommend that CLE credit be given for the Coaches as well.
14	3/25/2026	Michael Kelly	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	I strongly encourage the MCLE Board to adopt this Suggested Amendment. I am a volunteer Coach for Ballard High School's Mock Trial team. While I would not receive the direct benefit of this Suggested Amendment (MCLE credits), I see first-hand how valuable and scarce our judges and raters are. At times we struggle to put on a full tournament due to the lack of a sufficient number of judges and raters. I strongly support this as an additional means of encouraging quality attorneys and judges to give their time to support Mock Trial.
15	3/25/2026	Benjamin Gould	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	I have been involved in coaching the Ingraham High School mock trial team and found it to be an invaluable educational experience not just for the students but for myself. To be able to effectively teach procedural, evidentiary, and substantive rules of law, one must master them completely and understand them from the inside out. Reviewing and then having to teach (for example) the hearsay rule and its exceptions, or the rules about character evidence under ER 404, improved my own trial practice. In some ways, my experience coaching the IHS mock trial team has been the single most valuable continuing legal education I have ever benefited from; it is well past time that it be recognized as such.

**Feedback Received as of May 1, 2026**

**Regarding MCLE Board's Preliminary Suggested Amendment - Judging High School and Undergraduate Mock Trials**

16	3/25/2026	Trisha Johnson, Senior Deputy Prosecuting Attorney, Skagit County	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	I would encourage the Board to adopt the proposed amendment. I am a volunteer in both Washington's YMCA High School Mock Trial program and the ABA Mock Trial college program and am called on to assist in judging due to shortages of available attorneys to assist. The adoption would be helpful to assist in the recruitment of judges for competition, as well as allowing the current attorneys that volunteer to spend their evening and weekend judging to receive credit. We have discovered that once attorneys become involved in judging these young people that are interested in the law and see how amazing their work is, they return to volunteer, assist and even mentor youth in these programs. I agree these programs are an excellent way to engage youth in the legal field and give them exposure they would otherwise they would not have access to.
17	3/25/2026	Erin Riley	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	I am a member of the bar of Washington since 2000, litigate civil cases, and have been a volunteer coach for the Ingraham High School mock trial team for the past two years. I have found coaching mock trial a valuable educational experience not just for the students but for myself. To be able to effectively teach pretrial motions, opening and closings, direct and cross examinations, not to mention effective objections and responses, one must master them completely and understand them from the inside out. Thank you.
18	3/25/2026	Susan Fisch	Law Student	In favor of the Suggested Amendment	I support this amendment for all of the reasons listed in the written position. Students participate in Mock Trial to learn about the law and the legal profession. They gain invaluable skills that they can use in all aspects of life regardless of whether they pursue a career in the law. Students gain confidence when members of the bench and bar invest time in them. It helps not only the students that participate but their friends, family and the entire community as well. This experience allows our students to realize that college and a career in the law are attainable. Encouraging attorneys to participate in this process by awarding MCLE credit is a win/win proposition.
19	3/25/2026	Joshua Poisel	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	This amendment makes practical sense. It recognizes the real educational value of mentoring students through mock trial programs. When attorneys invest time in guiding students and evaluating their performance, they're helping build the next generation of legal professionals while reinforcing their own skills. CLE credit for this work will encourage more participation in mock trial programs, mentorship, and shaping future legal professionals. It is also meaningful way and path to connect professional development with community impact.
20	3/26/2026	Megan Dunn	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	Each year it is difficult to recruit licensed attorneys to participate as raters and judges for mock trial competitions. Approving CLE credit for these participants would provide a helpful incentive. The students love hearing from practicing attorneys, so the more this could be encouraged, the better.

## Feedback Received as of May 1, 2026

### Regarding MCLE Board's Preliminary Suggested Amendment - Judging High School and Undergraduate Mock Trials

21	3/26/2026	Julie Thrall Burrow	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	I volunteer a significant number of hours at the local high school's mock trial program. It keeps my rules of evidence knowledge up to date and my argumentative skills honed. And it's super helpful to the program to have licensed attorneys helping out. I'd really appreciate being able to get CLE credit for this. Thanks for considering it.
22	3/27/2026	Laura Gerber	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	<p>I am a lawyer in Seattle in private practice.</p> <p>In law school I was on the Moot Court Honor Board and participated in moot court competitions. One of my responsibilities was to recruit local practitioners to serve as judges or raters for our competitions. I recall how difficult it was to find individuals willing to serve as judges for our competitions. I also the incredible benefit these individuals provided when they offered candid, informed feedback to me. I was able to use this feedback to improve my performance and consider new ways to prepare for competitions. In my view, offering CLE credit would be helpful to the extent it would encourage more attorneys to volunteer time to serve as judges or raters for these competitions.</p> <p>For the last two seasons, I have been a coach for the Ingraham High School Mock Trial program. Having recently completed another Mock Trial season, I have witnessed the incredible benefit that in-depth and considered feedback from judges and raters has provided to our students. Our students' skills, their case strategies, and their thinking about their roles as attorneys and witnesses were enhanced when they received informed, candid feedback from judges and raters. Because having dedicated and knowledgeable individuals serving as judges and raters is hugely beneficial to the development of the YMCA Mock Trial program, I support making CLE credit available to these individuals through this amendment.</p>
23	3/27/2026	Hugh Barber	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	Hello- I was KC prosecutor for 27 years and am now in private practice. Throughout my career I have gladly committed to the advancement of our profession through teaching Trial Ad, speaking on panels and judging mock trials presented by law schools, local high schools/colleges and the YMCA. Preparing to judge those mock trials takes a tremendous amount of time and effort, and many qualified attorneys shy away from participating in the non-law school mock trials because we don't get CLE credits for it. Allowing judges and raters of non-law school mock trials to get CLE credits would broaden the pool of attorneys qualified to do so and ensure the participants get the feedback necessary for them to succeed not just in that particular event, but as future lawyers if they choose to become one.

## Feedback Received as of May 1, 2026

### Regarding MCLE Board's Preliminary Suggested Amendment - Judging High School and Undergraduate Mock Trials

24	3/27/2026	C ANDREW MCCARTHY	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	I believe that I may have inadvertently written an extensive comment in support of THIS Amendment in the MSForm for commenting on Colorado comity. I apologize for that mistake. Rather than retype what I wrote, I ask you to please consider my comments where they were intended -- in support of MCLE credit for mock trial judging/scoring/coaching. Thank you.
25	3/27/2026	C ANDREW MCCARTHY	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	My WSBA number is 21080 (inactive as of 2024 (?)). I am a longtime high school mock trial coach at Seattle Prep. I am writing to support this amendment enthusiastically. In close to 30 years of coaching, I have seen hundreds of high school mock trials. At the end of each round, the scorers and the presiding judge provide feedback on trial advocacy to the students. I learn something in every single round -- sometimes something about substantive law, sometimes a trial advocacy tip, sometimes a nuance of evidence law -- but always something. That is true of most of the lawyers in the room, I would venture to say. I also regularly judge at college mock trial competitions (AMTA) at the University of Washington, and at the Empire Mock Trial program (high school). The same is true of those competitions. In the September 2014 issue of the WSBA's NW Lawyer Magazine, I published the article "Teens Take on Attorneys: Mock Trials Have Real Benefits for All." That article sets out the many benefits that mock trial coaching has for practicing attorneys. Although this proposal comes too late to give me CLE credit for any of those many hours that I have spent on the activity, I am confident that credit for mock trial scoring at all levels will improve civics education in Washington State and make it easier to recruit volunteer scorers for competitions. I am unable to attend the meeting on April 17. However, given my experience with mock trial, I would be happy to be part of the process of finalizing some of the details if the amendment goes into effect. For example, should there be some hours allowed for coaching? Or only for scoring/judging? Should there be a cap on the total number of hours that can be earned via mock trial? These are all fair questions, and I would be happy to share my perspective if asked.
26	3/30/2026	Colleen Fitzharris	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	I participated in mock trial throughout my high school career and benefitted tremendously from the thoughtful feedback of attorney volunteers. Now that I am a practicing attorney, I regularly return to the lessons I learned as a mock trial participant. I find that watching and providing feedback to my colleagues about their writing and presentation style cause me to reflect on my own practices. I believe that awarding CLE credits to attorneys who help students are not only positively contributing to the education of others but also learn from the experience. I strongly support this amendment and hope the change encourages other attorneys to volunteer their time for this tremendous program.

## Feedback Received as of May 1, 2026

### Regarding MCLE Board's Preliminary Suggested Amendment - Judging High School and Undergraduate Mock Trials

27	3/30/2026	Geoffrey Burg	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	<p>Dear Members of the WSBA Board and CLE Committee,</p> <p>The YMCA mock trial competition just finished another successful year, made possible not only by the hard work of the YMCA but also by the leadership of Judge Padula and by thousands of volunteer attorney hours from coaches, raters, and judges. I am writing to propose that the Washington State Bar Association (WSBA) adopt a policy awarding Continuing Legal Education (CLE) credits to attorneys who volunteer as coaches, judges, or raters for high school mock trial competitions, not unlike what you already do for law school competitions. This initiative would serve as a powerful incentive for professional engagement while directly advancing our Bar's core mission. As many of us have experienced, the YMCA high school mock trial program is a transformative educational tool. Personally, I have taught mock trial high school students for 10 years and have seen this in action. However, its success depends entirely on the availability of legal professionals to provide mentorship and evaluation, and many schools struggle to find people to teach the students, while the judges are always working hard to find raters. By formalizing CLE credit for this service, the WSBA can achieve several goals:</p> <ol style="list-style-type: none"><li><b>1. Strengthening the Pipeline of Future Lawyers</b> To ensure our profession thrives, we need to actively recruit the next generation. Mock trial is often the first point of contact a student has with the legal system. When practitioners volunteer, they don't just teach "rules of evidence"; they demystify the profession and provide students from diverse backgrounds with a roadmap to a legal career.</li><li><b>2. Professional Development for Current Attorneys</b> Teaching is one of the most effective ways to master a subject. Attorneys who rate or coach mock trials must engage deeply with the Rules of Evidence, Civil/Criminal Procedure, and Trial Advocacy techniques. Distilling these complex concepts for students requires a level of mastery that directly benefits an attorney's own practice.</li><li><b>3. Alignment with the WSBA Mission</b> The WSBA's mission includes "serving the public" and "enhancing the culture of service." Providing CLE credits for mock trial participation: Promotes public understanding of the law. Increases access to justice by supporting programs in underserved schools that may lack legal resources. Fosters civility and professionalism as attorneys model ethical behavior for the community.</li><li><b>4. Incentivizing Pro Bono Service</b> While many attorneys feel a moral obligation to volunteer, the time away from the office remains a hurdle. An allocation of CLE credits could provide the necessary "nudge" to convert interest into action. Several other state bars (New York, California, New Jersey, Connecticut, Georgia, and Texas) have successfully implemented similar programs for their high school students, recognizing that the "educational" component of CLE can extend beyond a lecture hall and into the practical application and teaching of our craft. I believe this change would be supported by the membership and yield dividends for the Washington legal community for years to come. I would welcome the opportunity to discuss how we might structure a pilot program for the upcoming mock trial season.</li></ol> <p>Geoffrey Burg</p>
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## Feedback Received as of May 1, 2026

### Regarding MCLE Board's Preliminary Suggested Amendment - Judging High School and Undergraduate Mock Trials

28	3/30/2026	Lizanne Padula	Lawyer-Judge-WA YMCA MT Program Chair	In favor of the Suggested Amendment	I am strongly in favor of this suggested amendment. First, I hope we can all agree in the value of high school mock trial programs. These programs increase knowledge of our system of justice and promote critical thinking in general. In part, what makes the YMCA Mock Trial Program so valuable is the volunteer participation of Lawyers and Judges. Typically, this volunteer commitment is 3 hours per round of competition. Each volunteer likely spends another hour or two, reading the case and applicable caselaw. The scoring and feedback to the participants is more valuable because it comes from legal professionals giving real, practical and insightful feedback. From these interactions, I have witnessed the development of mentoring relationships and internships. I have seen the Lawyers and Judges, in the courthouse hallways, after the rounds of competition, conversing and inspiring these young minds to continue their pursuit of legal knowledge. As someone that is in charge of rounding up approximately 300 volunteers each year for YMCA Regional & State tournaments, I can attest that I am often asked if the legal volunteer can receive CLE or CJE credits for their participation. I believe that volunteer recruitment would be more effective if we could indicate that CLE/CJE credit is available. This suggested amendment will help ensure that Lawyers and Judges continue to be engaged in local education and community and, through that engagement, foster the next generation of Lawyers and Judges. Lastly, this suggested amendment is wholly consistent with other educational and community-oriented activities promoted by the WSBA and our Supreme Court.
29	4/13/2026	Mary Robnett	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	Participating in the mock trial program, including judging, evaluating, or scoring participants should be approved for CLE credit. It is such a valuable program and ALL participants benefit from the preparation and participation in the program.
30	4/13/2026	Cambria Judd Babbitt	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	As a lawyer who has participated in YMCA mock trial rating, I think CLE credit should be awarded. CLE credit is awarded for judges of law school mock trials and competitions, which serve the same purpose of educating students through practical experience in the area of law
31	4/14/2026	Peter Jones	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	I have been judging or evaluating the state mock trial competition for a decade now. They say that by teaching, we learn, and this activity proves it. While it's a good thing for the community, it also helps me sharpen my trial practice skills in real time by being able to discuss issues of trial advocacy with the participating youth. I get more legal education out of this activity than I get from most lecture CLEs, and I wholeheartedly support this amendment.

### Feedback Received as of May 1, 2026

#### Regarding MCLE Board's Preliminary Suggested Amendment - Judging High School and Undergraduate Mock Trials

32	4/16/2026	n/a	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	This is a great step towards access to justice by ensuring attorneys have an active role engaging with our youth, the future lawyers in our community, and by allowing for credits, this opens the door to attorneys that otherwise don't have the privilege of volunteering with youth without anything in return (private attorneys often can use it as pro bono credit or are paid for the work).
33	4/20/2026	Lindsay Zervas	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	<p>These programs are significant opportunities to engage positively with the public and attract diversity to our profession, which is historically dominated by white men. The youth that participate are a joy to be around and attorneys can learn so much from their bright minds. It also takes a lot of focus and effort to act as a rater. Far more is required of raters at the tournaments than for typical CLEs.</p> <p>Additionally, I run the only Middle School mock trial tournament in the state and assist with the High School mock trial program in Snohomish County. We regularly run into difficulties getting raters. Often, we rely on the same individuals to rate for multiple rounds. It would be spectacular to include CLE credit as this would help recruit raters.</p>
34	4/20/2026	Brooks de Peyster	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	Giving attorneys the opportunity to earn CLE credits for judging undergrad mock trial will be a net positive for our profession and will inspire the next generation of WA lawyers to go to law school.
35	5/1/2026	Peter Heineccius	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	I am strongly in favor of the Suggested Amendment for the reasons provided by the MCLE Board. I would further expand the activities listed in APR11(e)(11) to also include "preparing students" for these programs. Lawyers who volunteer their time to teach trial advocacy skills to high school and college students should be treated the same as those who prepare law school students under APR11(e)(9). Thank you.
36	5/1/2026	Muna Jaylaani	Member of the public	In favor of the Suggested Amendment	
37	5/1/2026	Pauline Freund	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	Supporting high school mock trial is a benefit to our whole profession. It's also a lot of work and should be rewarded.

### Feedback Received as of May 1, 2026

#### Regarding MCLE Board's Preliminary Suggested Amendment - Judging High School and Undergraduate Mock Trials

38	5/1/2026	Tia Rasmussen	Teacher + Mock Trial Coach	In favor of the Suggested Amendment	Every legal professional who rates/judges local mock trial competitions remarks that the students are more competent and commanding than the attorneys they encounter in court every day. Competitions are academic, critical, rigorous, and inspiring. By incentivizing and recognizing participation, you are not only investing in future lawyers in our community, but also reminding legal professionals why they pursued this career in the first place.
39	5/1/2026	Alysa Mo	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	As a former undergraduate mock trial competitor, and current attorney and undergrad mock trial judge, I've seen first hand the value and importance of having judges with diverse tenure and demographics. By permitting MCLE credits to be granted for judging in these competitions, it will be more accessible for attorneys who have stricter billing and life schedules to judge, and the pre-law community will undoubtedly benefit. As an attorney, I've been extremely impressed with the level of knowledge and grasp of the rules of evidence that undergrad students have, and find that my own education of the rules of evidence are often more sharpened by judging undergrad competitions than law school competitions.

**SUGGESTED AMENDMENTS TO THE APR 11 (Redline)**

1 **TITLE**

2 **ADMISSION AND PRACTICE RULES (APR)**

3 **RULE 11. MANDATORY CONTINUING LEGAL EDUCATION (MCLE)**

4 **(a) – (d)(1) No Changes.**

5 **(2) Powers and Duties** (vii) Approve Mentoring Programs and High School/College-Level  
6 Mock Trial Programs. The MCLE Board shall approve mentoring programs, and high school  
7 and college-level mock trial programs that meet requirements and standards established by the  
8 MCLE Board for the purposes of awarding MCLE credit under these rules.

9 **(d)(3)– (e)(10) No Changes.**

10 APR11(e)(11) Judging, evaluating, or scoring participants in a high school or college-level  
11 mock trial or moot court program approved by the MCLE Board.

12 **(f)(1)-(k) No changes.**

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# WASHINGTON STATE BAR ASSOCIATION

**TO:** WSBA Board of Governors  
**CC:** Terra Nevitt, Executive Director  
**FROM:** Darryl Colman, MCLE Board Chair  
Adelaine Shay, MCLE Board Staff Liaison and WSBA MCLE Manager  
**DATE:** [MONTH, DD, YYYY]  
**RE:** MCLE Board's Preliminary Suggested Amendment to Admission and Practice Rule (APR) 11:  
High School and Undergraduate Mock Trials

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**Action:** The MCLE Board asks that the WSBA Board of Governors support its preliminary suggested amendment to Admission and Practice Rule (APR) 11 regarding the establishment of MCLE credit for attorney volunteers who judge or otherwise evaluate students participating in MCLE Board approved high school or undergraduate mock trials.

## MCLE BOARD ROLE & RESPONSIBILITIES

Pursuant to APR 11(d)(2)(i), "The MCLE Board shall review and suggest amendments or make regulations to APR 11 as necessary to fulfill the purpose of MCLE and for the timely and efficient administration of these rules and for clarification of education requirements, approved activities, and approved course subjects. Suggested amendments are subject to review by the Board of Governors and approval by the Supreme Court."

## SUMMARY

The MCLE Board is proposing a suggested amendment to APR 11 to allow licensed legal professionals to earn MCLE credit for time spent judging or otherwise evaluating students participating in MCLE Board approved high school or undergraduate mock trial events.

## BACKGROUND

This initiative arose from the August 9, 2024 meeting, where the YMCA presented the benefits of granting MCLE credit to those involved in high school mock trials. The presentation provided an overview of the specific YMCA mock trial program, which is designed for secondary students, centered around a fictitious case crafted by a Washington Superior Court Judge, and consists of three-hour trials presided over by sitting judges. In addition to the direct judging role, the program also includes attorney raters who provide additional feedback and evaluation.

YMCA's proposal prompted the MCLE Board to convene a subcommittee to study whether mock trial judges at the high school and undergraduate level should receive credit. The subcommittee's work resulted in drafting a suggested amendment which would establish credit for high-school and undergraduate mock trial volunteers. At its October 17, 2025 meeting, the MCLE Board indicated that it was interested in moving forward with the amendment

process and characterized the amendment as a goal for the 2025-2026 fiscal year. At the January 2026 meeting the MCLE Board decided to finalize a report and seek public comment on the potential amendment.

## FACTORS IN SUPPORT OF THE SUGGESTED AMENDMENT

### Professional Development

Participating in a mock trial program contributes to a licensed legal professional development by providing a way to engage with the Rules of Evidence and courtroom procedure, opportunities that are increasingly rare, especially for newer attorneys, due to the declining number of trials in Washington courts.<sup>1</sup> The program also contributes to professional development by connecting attorneys directly with judges and offering attorneys the opportunity to consider advocacy from the perspective of a judge.

### Equity Goals

Offering this MCLE credit benefit promotes diversity of the legal profession through mock trial programs by assisting students who may have an interest in legal careers. Students without family or social ties to the legal profession can, through high school and college-level mock trial programs, learn about the legal profession, see themselves as potential future lawyers and jurists, and gain connections that may help them pursue a legal career. Offering MCLE credit for this supervision and instruction time may encourage lawyers to serve as volunteers for these important programs, thereby furthering WSBA's commitment to increasing access to justice.

### Civic Engagement Around the Rule of Law

For students, mock trials facilitate transparency and engagement with the law, create opportunities for education, and allows for youth to see themselves in the role of lawyer. This experience could lend itself to a better understanding of and trust in the rule of law. Providing MCLE credit dovetails with the WSBA [Ambassadors Program](#)<sup>2</sup> mission as well the professional responsibilities as quoted (on the Ambassador Program's webpage) and below:

"[A] lawyer should further the public's understanding of and confidence in the rule of law and the justice system because legal institutions in a constitutional democracy depend on popular participation and support to maintain their authority."

—[RPC Preamble: A Lawyer's Responsibilities](#)<sup>3</sup>

"In general, the Washington State Bar Association strives to ... administer programs of legal education ... and promote understanding of and respect for our legal system and the law."

—[General Rule 12.2](#)<sup>4</sup>

### National Landscape

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<sup>1</sup>See generally <https://www.courts.wa.gov/caseload/?fa=caseload.showArchived>

<sup>2</sup> <https://www.wsba.org/about-wsba/ambassadors>

<sup>3</sup> [https://www.courts.wa.gov/court\\_rules/pdf/RPC/GA\\_RPC\\_PREAMBLEANDSCOPE.pdf](https://www.courts.wa.gov/court_rules/pdf/RPC/GA_RPC_PREAMBLEANDSCOPE.pdf)

<sup>4</sup> [https://www.courts.wa.gov/court\\_rules/pdf/GR/GA\\_GR\\_12\\_02\\_00.pdf](https://www.courts.wa.gov/court_rules/pdf/GR/GA_GR_12_02_00.pdf)

Washington would be joining at least 11 states currently awarding MCLE credit for judging, evaluating, or scoring high school mock trials, including, Oregon, Colorado, Nevada, Texas, Kentucky, Georgia, New York, Vermont, Rhode Island, New Jersey, and Delaware.

### Feedback

Information regarding the potentially suggested amendment is located on the MCLE Board webpage<sup>5</sup>, and additionally on March 18, 2026 and April 1, 2026 the “Take Note” WSBA email was sent which contained a paragraph soliciting feedback from WSBA members.

At its April 17, 2026 meeting, the MCLE Board invited in-person public comment on the proposed amendment, and no comments were made. As of May 1, 2026, thirty-nine responses were collected via the online survey. Out of those responses, thirty-seven are in favor of the suggested amendment, and the remaining two are partially in favor. All received comments are included in the attached materials.

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*WSBA RISK ANALYSIS: This section is to be completed by the Office of General Counsel, with input from the proposing entity or individual.*

*WSBA FISCAL ANALYSIS: This section is to be completed by the Finance Department, with input from the proposing entity or individual.*

*WSBA EQUITY ANALYSIS: This section is to be completed by the Equity and Justice Team, with input from the proposing entity or individual.*

### Attachments

- MCLE Board Report and Recommendation
- APR 11 Preliminary Suggested Amendment—Redline
- Public Comments—Collected Feedback from Survey

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<sup>5</sup> <https://www.wsba.org/Legal-Community/Committees-Boards-and-Other-Groups/mcle-board>

## MCLE Board's Potential Suggested Amendment to APR 11 - COMITY WITH COLORADO

**Action:** MCLE Board may vote on whether to proceed with the potential amendment to APR 11, which would expand MCLE comity to Colorado.

### Background

The MCLE Board decided to research potential comity states after receiving feedback during the 2024 annual meeting with the Court. After conducting research into MCLE requirements in other states the MCLE Board is exploring the prospect of suggesting an amendment that would treat Colorado as a comity jurisdiction given the proximity of their CLE requirements to our own. The Board indicated in its last October 17, 2025, meeting that they would advance with a suggested amendment to extend comity recognition to Colorado and treat that objective as a goal for the 2025-2026 year.

Information regarding the potentially suggested amendment is located on the MCLE Board webpage, and additionally on March 18, 2026 and April 1, 2026, the "Take Note" WSBA email was sent which contained a paragraph soliciting feedback from WSBA members.

At the January 2026 meeting the MCLE board decided to finalize a report and recommendation and collect public comment regarding the potential suggested amendment.

### Feedback

At its April 17, 2026 meeting, the MCLE Board invited in-person public comment on the proposed amendment, and no comments were made. As of May 1, 2026, seven responses were collected via the online survey. Out of those responses, all seven are in favor of the suggested amendment. All received comments are included in the attached materials. The online comment collection closed on May 1, 2026.

### Possible Timeline for Suggested Amendment

June 5, 2026	MCLE Board Meeting	Taking feedback into consideration, MCLE Board will discuss and may vote on whether to proceed with suggested amendment. If proceeding, MCLE Board may nominate Board members to present to BOG and work on presentation materials.
June 15, 2026	WSBA Board of Gov. Materials & OGC for initial review.	Board of Governors materials due. Send materials to General Counsel for initial review.
July 23-24, 2026	WSBA Board of Gov. Meeting	Present to WSBA Board of Governors and ask for support. Meeting in Marysville, WA.
August 14, 2026	MCLE Board Meeting	Discuss feedback from Board of Governors and vote on whether to move forward with suggested amendment. If proceeding, MCLE Board will nominate Board members to work on GR 9 coversheet.
August 24, 2026		First draft due of GR 9 coversheet.
September 14, 2026		Final draft due of GR 9 coversheet.
September 15, 2026		Send to OGC for final legal review.



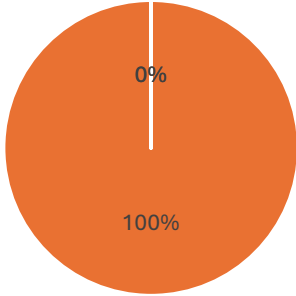
October 1, 2026		Finalize recommendation to Court.
October 15, 2026		Suggested Amendment Deadline.

**Attachments**

- Draft memo to Board of Governors
- [MCLE Board Report and Recommendation - Comity Colorado](#)
- Written Public Comments



Feedback on the  
Preliminary Suggested Amendment to Expand  
MCLE Comity to Colorado



■ In favor of the Suggested Amendment ■ Not in favor ■ Partially in favor

**Feedback Received as of May 1, 2026**  
**Regarding MCLE Board's Preliminary Suggested Amendment - Colorado Comity**

Id	Completion Date	Name	Your relationship to WSBA	Position on the MCLE Board's Suggested Amendment to APR 11	Please provide any feedback or comments you have regarding the Suggested Amendment:
1	3/18/2026	Jamie Olivares	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	
2	3/18/2026	Jennifer Hayden	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	I fully support the suggested amendment. I agree that satisfying MCLE requirements in Washington through comity lessens the administrative burden on lawyers who are dually licensed in Colorado and Washington State; as I am duly licensed in both states. Not only will the passage of this amendment lessen the burden on the lawyer, but will do so for the hard working MCLE Team for the WSBA that has to process my applications for credits; send and receive messages that deny or accept those applications and send notices requiring further action.
3	3/18/2026	Eli Creighton	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	I am barred in both Washington and Colorado. I can attest that both states require similar CLE and ethics considerations, as well as similar commitments to the rule of law, diversity in practice, and progressing the profession.
4	3/18/2026	David Trujillo	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	
5	3/19/2026	Fawzy T. Simon	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	I think the sooner the profession discards the antiquated notions that each jurisdiction must individually license attorneys (and any other professionals for that matter) the better it will be for the country. We have any number of "interstate compact" statutes. Why isn't a lawyer a lawyer everywhere? Why isn't a nurse a nurse everywhere? Why isn't a valid driver a valid driver everywhere? I'm referring to the United States. We don't really have control over anything else, but I wholeheartedly support this proposal

**Feedback Received as of May 1, 2026**

**Regarding MCLE Board's Preliminary Suggested Amendment - Colorado Comity**

6	4/13/2026	Doug Boling	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	I support the amendment but would also ask that the Board consider changing rules around pro bono service so that the same activities could count towards pro bono service hours. (I have plenty of CLE credits.)
7	4/16/2026	N/A	Licensed legal professional (Lawyer, LLLT, LPO)	In favor of the Suggested Amendment	I came to WA from Colorado and had to let my license there go due to the dual education requirements - this is a great step in allowing folks the flexibility in practice, cutting down on attorney costs, and ensuring efficient continuing education.

**SUGGESTED AMENDMENTS TO THE APR 11 (Redline)**

1 **TITLE**

2 **ADMISSION AND PRACTICE RULES (APR)**

3 **RULE 11. MANDATORY CONTINUING LEGAL EDUCATION (MCLE)**

4 **(a) – (c)(5) No Changes.**

5 **(6)** Comity. The education requirements in Oregon, Idaho, Colorado, and Utah substantially  
6 meet Washington’s education requirements for lawyers. These states are designated as comity  
7 states. A lawyer may certify compliance with these rules in lieu of meeting the education  
8 requirement by paying a comity fee and filing a Comity Certificate of MCLE Compliance from  
9 a comity state certifying to the lawyer’s subjection to and compliance with that state’s MCLE  
10 requirements during the lawyer’s most recent reporting period.

11 **(c)(7) - (k) No Changes.**

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# WASHINGTON STATE BAR ASSOCIATION

**TO:** WSBA Board of Governors  
**CC:** Terra Nevitt, Executive Director  
**FROM:** Darryl Colman, MCLE Board Chair  
Adelaine Shay, MCLE Board Staff Liaison and WSBA MCLE Manager  
**DATE:** [MONTH, DD, YYYY]  
**RE:** MCLE Board's Suggested Amendment to Admission and Practice Rule (APR) 11 – Comity with Colorado

**Action:** The MCLE Board asks that the WSBA Board of Governors support its preliminary suggested amendment to Admission and Practice Rule (APR) 11 regarding the establishment of MCLE comity with Colorado.

## MCLE BOARD ROLE & RESPONSIBILITIES

Pursuant to APR 11(d)(2)(i), the MCLE Board is tasked with reviewing and proposing amendments or establishing regulations for APR 11 as needed to support the purpose of MCLE. This includes ensuring timely and efficient administration of APR 11 and providing clarity on education requirements, approved activities, and approved course subjects. All suggested amendments are subject to review by the Board of Governors and approval by the Supreme Court.

## SUMMARY

As established in APR 11(c)(6), the education requirements in Oregon, Idaho, and Utah substantially meet Washington's education requirements for lawyers. These states have been designated as comity states.

Lawyers licensed in any of the three comity states may satisfy APR 11 requirements by paying the comity fee and submitting a Comity Certificate of MCLE Compliance confirming they met that state's MCLE requirements for their most recent reporting period. The MCLE Board is currently considering a proposed amendment to APR 11(c)(6), which would expand comity to include Colorado.

## BACKGROUND

After receiving feedback at the 2024 annual meeting with the Court to explore expanding comity to other states, the MCLE Board began researching the MCLE requirements in other states. This research led them to consider recommending an amendment that would treat Colorado as a comity jurisdiction, since Colorado's MCLE requirements closely resemble those in Washington. Although the current number of lawyers who hold a license in both Colorado and Washington is unknown, as of August 2025, 458 lawyers indicated they were licensed in Colorado at the time of their admission in Washington. At its October 17, 2025, meeting, the MCLE Board decided to move forward with a suggested amendment to extend comity recognition to Colorado, making it an MCLE Board a goal for

the 2025-2026 year. At its January 2026 meeting, the MCLE Board agreed to finalize a report and seek public comment on the potential suggested amendment.

## FACTORS IN SUPPORT OF THE SUGGESTED AMENDMENT

### Colorado Comity Requirements

Like Washington, Colorado has a 3-year reporting period, requires 45 credits to be earned within that period, and has established an equity, diversity, and inclusivity credit requirement that is similar to Washington’s Ethics-Equity credit in substance and intent. Given these similarities, the MCLE Board is considering recognizing Colorado as a comity state.

Colorado Rule 250 and attendant rules and regulations have an all-inclusive comity policy, where attorneys who are complaint in their home jurisdictions and meet certain conditions can use comity from any state to satisfy Colorado requirements. As such, a Washington lawyer who primarily lives in Washington, has their Washington address on file with Colorado Office of Attorney registration for the minimum time period, completes and complies with Washington requirements, and provides a certificate of good standing and Washington MCLE transcript as proof of that compliance, could attain Colorado compliance via Washington comity. The above preliminary suggested amendment would allow those who reside in Colorado to submit comity certificates from Colorado to Washington to meet their CLE requirements in Washington.

### Current MCLE Comity Fees

In Washington, lawyers may certify compliance of their MCLE requirements by paying a \$25.00 comity fee and submitting a valid comity certificate from a designated comity state (Oregon, Idaho, and Utah). Additionally, Lawyers who are in compliance with their MCLE requirements may request a comity certificate from WSBA by paying a \$25.00 comity certificate fee. Comity certificates are not available to those who certified their previous reporting period requirements via comity. Adding Colorado as a comity state may generate a modest amount of revenue.

Comity Submission fee	\$25
Comity Certificate from WA fee	\$25

### Feedback

Details about the suggested amendment are on the MCLE Board webpage<sup>1</sup>. Member feedback was solicited via “Take Note” email on March 18, 2026, and April 1, 2026. At its April 17 meeting, no public comments were made in person, but seven survey responses were received by May 1, all supporting the amendment. Comments are included in the attached materials.

**WSBA RISK ANALYSIS:** *This section is to be completed by the Office of General Counsel, with input from the proposing entity or individual.*

<sup>1</sup> <https://www.wsba.org/Legal-Community/Committees-Boards-and-Other-Groups/mcle-board>

WSBA FISCAL ANALYSIS: *This section is to be completed by the Finance Department, with input from the proposing entity or individual.*

WSBA EQUITY ANALYSIS: *This section is to be completed by the Equity and Justice Team, with input from the proposing entity or individual.*

Attachments

- APR 11 Preliminary Suggested Amendment—Redline
- Public Comments—Collected Feedback from Survey
- MCLE Board Report and Recommendation

**Discussion Summary: Proposed 2026-2027 MCLE Board Meeting Schedule**

**Action:** The 2026-2027 MCLE Board FY 27 meeting schedule needs to be approved by the Board.

**Proposed MCLE Board Meeting Schedule for the 2026-2027 term:**

Meeting #	MCLE Board Meeting Date
1	October 9, 2026
2	January 8, 2027
3	April 9, 2027
4	June 4, 2027
5	August 13, 2027

Alternate dates:

October 2026:

- October 1- 2– Sukkot- (Judaism) Sunset to Evening
- October 2<sup>nd</sup> – Regulatory Luncheon
- October 2-4 - Shemini Atzeret —(Judaism)
- October 11-19, - Navaratri—(Hindu)
- October 16-17 - WSBA Board of Governors retreat
- **October 23 & 30** - also available

January 2027:

- January 15 - Guru Gobind Singh Parkash Purab/Celebration of Birth—(Sikhism)
- January 15-16 - Board of Governors Meeting
- **January 22 & 29** – also available

April 2027:

- April 2 – This date is likely before the presuspension notice petition deadline
- April 12-16 – Seattle Public Schools Spring break
- April 23 - Passover April 21-29,2027 (Judaism) - work restrictions on the first evening and following two days and last two days
- April 30 – Good Friday (Eastern Orthodox Christian)
- April 21-May 2, - Ridván—(Baha’i) days with work restrictions below:
  - First Day of Ridván: Wednesday, April 21, 2027
  - Ninth Day of Ridván: Thursday, April 29, 2027

- Twelfth Day of Ridván: Sunday, May 2, 2027

June 2027:

- June 10-12 - Shavuot—(Judaism)
- June 18 - (office closed) – Juneteenth
- **June 25, 2027** – also available

August 2027:

- August 11-12 - Tisha B'Av—(Judaism)
- **August 6<sup>th</sup>, 20<sup>th</sup>, and 27<sup>th</sup>** - also available

**Links to Interfaith Calendars**

- Interfaith Calendar 2026 <https://www.diversityresources.com/interfaith-calendar-2026/>
- NCCJ 2026 Interfaith Calendar: <https://www.nccjtriad.org/wp-content/uploads/2024/12/Interfaith-Calendar-2026.pdf>
- Virginia Tech Interfaith Calendar <https://dos.vt.edu/interfaith/calendar.html>
- University of Wisconsin System: <https://www.uwp.edu/explore/offices/edi/multifaithreligiousandspiritualtraditioncalendar.cfm>
- University of Minnesota: <https://diversity.umn.edu/interfaith-calendar>

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**MEMORANDUM**

**TO:** MCLE Board

**FROM:** Katie Denmark

**RE:** CLE Audit Report

**COURSE SPONSOR:** Attorney Credits

**COURSE TITLE:** Being a Trustee in An Uncertain World: Independent Trustee Alliance (ITA) Annual Conference

**COURSE DATE(S):** Recorded on 09/03/2021

**ACTIVITY ID#:** 1178251

**ACCREDITATION:** Currently fulfills 5.50 Law & Legal Credits

**DATE OF REPORT:** May 26, 2026

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Sponsor

This course is sponsored by Attorney Credits. Attorney Credits is a nationwide provider of continuing legal education (CLE). It provides on-demand CLE programs and offline media options. Its course catalog is updated weekly with new CLE courses to ensure that attorneys have access to topical and informative courses to both enrich their professional development and enhance their legal practice.

Nature of the Program

This 5.5-hour recorded program features multiple speakers. The intended audience for this course is lawyers who serve as trustees or others interested learning more about the duties of a trustee. This course is intended to benefit attorneys who work with wealth managers, family advisors, CPAs, and insurance professionals.

## Faculty

Speakers at the ITA Conference include Ann Koerner, R.N., BSN, Jane Beddall, M.A., J.D., Tom Pauloski, Esq., Jim Roberts, Esq., Courtney Pullen, M.A., and Christian Kelso, J.D.

**Ann Koerner** is President and Founder of National Care Advisors, a firm dedicated to providing consulting services for attorneys, financial planners, and trustees. Prior to the inception of National Care Advisors in 2008, Ann's nursing practice was dedicated to developing effective disability management solutions for injured and ill workers.

**Jane Beddall** is the Founder and Principal of Dovetail Resolutions, LLC, where she focuses on preserving and improving relationships in extended families and family enterprises. Jane is a certified conflict management coach, mediator, facilitator, and consultant. She holds certificates in Family Wealth Advising and Family Business Advising from the Family Firm Institute. She graduated from Trinity College with a B.A. in Economics and a law degree and M.A. in Public Policy Analysis from the University of Pennsylvania.

**Tom Pauloski** is National Managing Director for Wealth Planning and Analysis, the research division of Bernstein Private Wealth Management's Private Client Group. He works with private clients and their advisors on wealth transfer strategies, focusing on tax-efficient wealth management and asset allocation decisions. Previously, Tom was a partner at the Chicago law firm of Winston & Strawn LLP, where he concentrated his practice in estate, tax, and business planning. He serves on the faculty of the American Bankers Association National Trust and National Graduate Trust Schools and has served on the adjunct faculty of the Cannon Financial Institute Schools. Tom has been an adjunct professor at Loyola University Chicago School of Law and has taught estate planning classes at Northwestern University Law School.

**Jim Roberts** is an estate planning and probate law attorney. His practice focuses on estate planning, income tax issues ancillary to those fields, and state law issues related to those areas of planning.

**Courtney Pullen** is the President of the Pullen Consulting Group, a family wealth consulting company. He has training as a psychotherapist and as a business and organizational consultant, and he blends these modalities into a model to support the family business or the family enterprise.

**Christian Kelso** is a partner at the law firm of Farrow-Gillespie Heath Witter, LLP, where he practices in the areas of estate planning, wealth preservation and transfer, probate, tax, and transactional corporate law. His legal practice focuses primarily on finding practical, cost-effective solutions for families and businesses to avoid costly and disputes in both the courtroom and the living room. Outside of his law practice, Christian also serves as facilitator and advisor for families wishing to implement family systems and governance.

Location/Time

This webcast was recorded on 09/3/2021 at the ITA Annual Conference in Dallas, TX. All presenters appeared in person.

Facilities

Facility unknown.

List of Presenters and Their Qualifications

See above presenter biographies.

Written Materials

The written materials consist of a 143-page downloadable course handout. Attendees can download the handbook in its entirety. An audio transcript of the course is also available for download.

Attendance

Attorney Credits provides an attendance certificate after the attendee views the webcast after completion by the attendee.

**SUMMARY**

This course meets the requirements of APR 11. It is appropriately accredited for 5.5 Law & Legal Credits.

**DISCUSSION**

This course was originally recorded during the 2021 ITA Annual Conference, which was primarily developed for and attended by independent trustees. The first presenter emphasized the importance of trustees as trusted individuals who carry out individual wishes and fulfill promises to beneficiaries. Because this conference was recorded during a global pandemic, a then-recent change in administration, and major changes to tax laws, presenters often focused on this unique moment in time as it related to serving as a trustee. However, many of the tips, considerations, and personal anecdotes they shared were informative and applicable to the current-day duties of a trustee.

Presenters offered a variety of practical tips and techniques for working with fiduciaries and other legal professionals. Topics included: crisis planning for persons with disabilities; embracing disruption as a catalyst for change; planning in the light of tax uncertainty; the impact of residency of trustees, beneficiaries, and managers on state income; creditor and divorce laws; the evolving role of fiduciaries in addressing the needs of affluent families; and Health, Education, Maintenance, and Support (HEMS) distribution standards for trustees. Most of the

presenters offered examples of specific, real-world applications of the above principles, as well as their own opinions about how the pandemic and change of administration at the time were impacting their ability to effectuate their duties as trustees. In a few cases, these personal opinions/frustrations seemed to overshadow the substantive content of the presentations, and the information could have been presented in more neutral tone and manner.

The format of the course itself was also not particularly engaging. For example, no visual or content slides accompanied the recorded video of the presenters. I understand, however, that more engaging digital courses have become more common/expected since the pandemic and the timing of this particular course may have impacted its strength in this area. The 143-page downloadable course booklet provided some practical documents and planning forms (such as a sample “disaster planning form” and “emergency checklist”) that could be useful for practitioners as well as those who are less familiar with the questions that need to be asked when planning for certain contingencies.

Overall, this course was informative and, even though some of its focus on pandemic era-specific issues are not necessarily applicable today, it offers important information for trustees and/or attorneys who otherwise work closely with wealth managers, family advisors, CPAs and insurance professionals. For this reason, I would recommend this or a more recently recorded ITA conference CLE to other attorneys interested in these topics.

## **CONCLUSION**

My overall impression of this recorded presentation was favorable. This course is appropriately accredited for 5.5 Law & Legal Credits in accordance with APR 11.

## MCLE Board Chair Nomination

**Summary:** The MCLE Board should nominate a Board member to serve as the MCLE Board Chair and Vice-Chair for the 2026-2027 term.

### Potential Action:

- Nominate a Board member to serve as MCLE Board Chair for the 2026-2027 term.
- Nominate a Board member to serve as MCLE Board Vice Chair for the 2026-2027 term.

### BACKGROUND:

**Vice-Chair** - The intent of the Vice-Chair position is to be a likely successor to the current Chair, as a potential candidate to recommend to the Washington Supreme Court for the next term. The Board created the Vice-Chair position to give more continuity to the functioning of the Board.

**Chair Position** - The Board member to fill the Chair position will be nominated by the MCLE Board members. Once a nomination has been made, candidates are reviewed by the MCLE Board nomination team. The WSBA Board of Governors nomination committee is notified of the recommendation. Ultimately, the Washington Supreme Court will appoint the MCLE Board Chair for the 2026-2027 term (October 1<sup>st</sup> - September 30<sup>th</sup>).

**Role of the MCLE Board Chair** - The MCLE Board Chair will lead the MCLE Board to pursue its goals and carry out its role as a Court-appointed Board, administered by the WSBA. Below are some of the specific duties of the MCLE Board Chair:

- Collaborate with the MCLE Staff Liaison to develop and approve meeting agendas and materials.
- Facilitate MCLE Board meeting discussions, keeping the Board on track and on time and ensuring full participation of Board members.
- Represent the MCLE Board (or identify who will) at Board of Governors meetings when the Board has an item on the agenda, and/or at meetings with the Court.
- Participate in nomination team (along with Staff Liaison and Board of Governors liaison) to recommend new MCLE Board members for appointment. At the end of their term as MCLE Board Chair, meet with the incoming Chair to discuss scope of the role and work in progress.

### Materials:

- [WSBA Entity Chairs and Liaisons: Roles and Responsibilities](#)

**DISCUSSION :  
MCLE Updates**

Staff will provide general updates to the MCLE Board.

**Discussion Topics:**

- **MCLE Certification**

The MCLE certification deadline was February 2, 2026. Presuspension notices were issued to 2,497 licensed legal professionals who had not completed their 2026 license renewal, providing a 60-day window to satisfy all MCLE and licensing requirements. On May 5, 2026, a recommendation was submitted to the Court to suspend the licenses of 280 individuals for incomplete licensing and/or MCLE compliance, including 20 whose suspensions were based solely on outstanding MCLE requirements. The orders suspending (or terminating) licensed legal professionals for failure to comply with licensing and/or MCLE requirements were signed and effective on May 6, 2026.

2026 Licensing and MCLE Administrative Suspensions by License Type

Lawyers	260
LPOs	18
House Counsel	2
	<b>280</b>

2026 Licensing and MCLE Administrative by Suspension Reason

Licensing Fees	145
Licensing Fees, Trust Account, Insurance	75
Licensing Fees, Insurance	1
Licensing Fees, Trust Account, Insurance, MCLE	32
Licensing Fees, MCLE	2
Trust Account, Insurance	5
MCLE only	20
Total	<b>280</b>

Licensing and MCLE reminder emails were sent on:

- 6/26/2025,
- 10/20/2025
- 11/3/2025,
- 12/9/2025,
- 1/20/2026 - 1/23/2026
- 1/27/2026 - LLLPs with enough credits reported who have not certified
- 2/17/2026,
- 3/3/2026 Presuspension Notice mailed, and
- 4/27/2026.

- **Budget**

MCLE Board staff liaison will provide a brief overview of the current MCLE Budget Summary.

- **FY 26 MCLE Board Meeting Schedule & Discussion of posting of Zoom Links online**

WSBA is recommending that Boards do not post zoom links publicly on the webpage to avoid inappropriate interruptions. Posting the zoom access information has led to occasions where a participant (even one who changes their name to appear as a volunteer/known person) joins and there is unsafe content being shared that is harmful to all involved, it is disruptive to the meeting, and it can be challenging to address.

At the April meeting the MCLE Board asked staff to research different options for providing attendees with the meeting link for the public session. Below are two options for the MCLE Board to discuss:

Option 1: Provide a link in the public calendar to a survey page that provides the link after the attendee completes the simple survey. Example survey:

<https://forms.cloud.microsoft/g/1djuda5yrX>.

Option 2: Attendees email staff at [MCLE@wsba.org](mailto:MCLE@wsba.org) to obtain the meeting link.

Meeting #	Upcoming MCLE Board Meeting Dates
5	August 14, 2026 (in-person option)

**Attachments:**

- MCLE 2026 March Budget Summary

## Washington State Bar Association

Statement of Activities

For the Period from March 01, 2026 to March 31, 2026

**50% OF YEAR COMPLETE**

	FISCAL 2026 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
<b>MANDATORY CONTINUING LEGAL EDUCATION</b>						
<b>REVENUE:</b>						
ACTIVITY APPLICATION FEE	670,000	63,800	344,400	325,600	51%	9,400
ACTIVITY APPLICATION LATE FEE	250,000	23,700	129,500	120,500	52%	4,500
MCLE LATE FEES	232,000	44,600	238,975	(6,975)	103%	122,975
ANNUAL ACCREDITED SPONSOR FEES	36,250	-	36,250	-	100%	18,125
ATTENDANCE LATE FEES	120,000	6,000	55,500	64,500	46%	(4,500)
COMITY CERTIFICATES	30,000	875	26,275	3,725	88%	11,275
<b>TOTAL REVENUE:</b>	<b>1,338,250</b>	<b>138,975</b>	<b>830,900</b>	<b>507,350</b>	<b>62%</b>	<b>161,775</b>
<b>DIRECT EXPENSES:</b>						
DEPRECIATION	142,057	12,012	72,072	69,985	51%	(1,044)
STAFF MEMBERSHIP DUES	525	-	525	-	100%	(263)
MCLE BOARD EXPENSES	6,000	-	531	5,469	9%	2,469
STAFF TRAVEL/PARKING	50	-	-	50	0%	25
STAFF CONFERENCE & TRAINING	4,400	-	-	4,400	0%	2,200
<b>TOTAL DIRECT EXPENSES:</b>	<b>153,032</b>	<b>12,012</b>	<b>73,128</b>	<b>79,904</b>	<b>48%</b>	<b>3,388</b>
<b>INDIRECT EXPENSES:</b>						
SALARY EXPENSE (4.73 FTE)	407,360	41,312	224,665	182,695	55%	(20,985)
BENEFITS EXPENSE	124,032	11,940	66,374	57,658	54%	(4,358)
OTHER INDIRECT EXPENSE	162,876	12,681	71,182	91,694	44%	10,256
<b>TOTAL INDIRECT EXPENSES:</b>	<b>694,269</b>	<b>65,933</b>	<b>362,221</b>	<b>332,048</b>	<b>52%</b>	<b>(15,087)</b>
<b>TOTAL ALL EXPENSES:</b>	<b>847,301</b>	<b>77,945</b>	<b>435,349</b>	<b>411,952</b>	<b>51%</b>	<b>(11,698)</b>
<b>NET INCOME (LOSS):</b>	<b>490,949</b>	<b>61,030</b>	<b>395,551</b>	<b>95,398</b>	<b>81%</b>	<b>150,077</b>

\*\*Budget reallocations apply to this line item. For details, see FY26 Budget Reallocations memo(s) included in the Board of Governors meeting materials.