

**Minutes**  
**April 3, 2020**

The meeting of the Mandatory Continuing Legal Education Board was called to order by Chair Asia Wright at 10:04 AM on Friday, April 3, 2020. This meeting was held via videoconference. Board members in attendance were:

Asia Wright, Chair  
Ayanna Colman  
Chris Bueter  
Merri Hartse  
Robert Malae

Liaisons and Staff in attendance were:

Adelaine Shay	MCLE Manager/MCLE Board Staff Liaison
Bobby Henry	Assistant Director, Regulatory Services Department
Gabriel Moore	MCLE Analyst

**Review of Minutes for January 10, 2019**

The Board reviewed and approved the minutes from their January 10, 2019 meeting.

**Subcommittee for Suggested APR 11 Ethics Rule Change**

The Subcommittee presented a draft of the suggested amendment to Admission and Practice Rule (APR) 11. The suggested amendment would require licensed legal professionals to obtain one ethics credit each reporting period in the topic of equity, inclusion, and the mitigation of both implicit and explicit bias in the legal profession and the practice of law, including client advising. Additionally, the suggested amendment would strike the words “diagnosable” and “conditions” from APR 11 section (f)(2). The Board discussed the timeline and next steps. The Board directed the Subcommittee to draft a statement of support which could be distributed to stakeholders.

**Discussion: Impact of Covid-19 on MCLE**

The MCLE staff liaison summarized the impacts the Covid-19 pandemic has had on the MCLE compliance and how MCLE Staff have been responding.

The MCLE staff liaison outlined the circumstances in which sponsor fee waivers and refunds requests are being granted for circumstances related to the pandemic. MCLE will refund activity application fees (per sponsor request) for CLEs that have been cancelled due to the coronavirus emergency. Additionally, any

approved CLE activity may be rescheduled to a later date, and staff are working with CLE sponsors who have requested format changes from a live in-person event to a webcast or recorded event. Late submission fees are being waived (per sponsor request) for any CLE covering COVID-19 content taking place in March or April.

The MCLE staff liaison relayed that at their March 19, 2020 meeting, the WSBA Board of Governors agreed to send a proposal to the Washington Supreme Court recommending an extension of the suspension recommendation date for members who are currently late in complying with licensing and/or MCLE certification requirements, due to the pandemic.

The Board approved by motion to direct WSBA Staff Liaison to grant an extension, for any petition related to Covid-19 that would otherwise not receive an extension, to the date of the next Board meeting so the Board can discuss the petition.

#### **Discussion: Military Spouses**

The Board discussed the inclusion of military spouses in the Board approved decision matrix for petitions. The Board approved by motion to direct WSBA Staff Liaison to bring petitions detailing a hardship that is related to being a military spouse to the Board for review.

#### **Discussion: GAL as Pro Bono Public Service for MCLE Credit**

The Board discussed a question from the Volunteer Lawyer Program (QLSP) regarding the eligibility to earn MCLE credit for guardian ad litem service (GAL) by pro bono volunteers. The Board approved by motion to consider GAL service as a legal service as referenced in APR 11(e)(7).

#### **Course Audit Reports**

The Board heard reports from Merri Hartse on her audit of Spokane County Bar Association's *11th Annual Indian Law Conference*, and from Asia Wright on her audit of Lorman Business Center's *Influence of EU GDPR and New California Privacy Law*.

#### **FYI: MCLE Budget**

The MCLE staff liaison provided a brief overview of the MCLE budget and the Board's involvement with the budget.

#### **Duplicate Attendance Issue**

The Board reviewed and decided on a duplicate attendance reporting issue affecting seven members compliance. No listing of these motions is included in order to protect member confidentiality.

#### **MCLE Hardship Petitions**

The Board approved Staff Liaison decisions on thirty petitions. The Board reviewed and decided by motion on thirteen hardship petitions. No listing of these motions are included in order to protect member confidentiality.

**Adjournment**

There being no further business at hand, the Board meeting was adjourned at 1:25 PM. A special Board meeting will be held at 1:00 PM on April 17, 2020, and the next regularly scheduled Board meeting will be held at 10:00 AM on May 8, 2020.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Adelaine Shay".

Adelaine Shay  
MCLE Board Staff Liaison