

PRO BONO AND PUBLIC SERVICE COMMITTEE

Meeting Agenda

June 14th, 2022 1 – 2 p.m., or until all business is completed

Remote Participant Information:

Link to access the Zoom meeting:

<https://wsba.zoom.us/j/85282066460?pwd=cVRLbWdoNEsxVXJrL251YTRkQkdHdz09>

Zoom Conference Call Lines: **LOCAL OPTION:** (253) 215-8782 || **TOLL-FREE OPTION:** (888) 788-0099

Meeting ID: 852 8206 6460 || Passcode: 200331

The Pro Bono and Public Service Committee serves WSBA members by communicating opportunities and eliminating barriers to providing pro bono services to communities that experience poverty and injustice.

2 minutes	Welcome	Bonnie Rosinbum		
2 minutes	May Meeting Minutes	Michael Addams	Action	Pgs 2-4
20 minutes	Subcommittee Updates <ul style="list-style-type: none"> • Communications / Technology • Rules and Policy • CLE • Strategic Planning 	All	Discussion	
10 minutes	Proposed Rule Change to APR 1(e)(8) regarding QLSP definition	Deborah Perluss	Discussion & Action	Pgs 5-6
10 minutes	Proposed Community Engagement Plan	Bonnie Rosinbum Michael Addams	Discussion & Action	Pgs 7-11
3 minutes	FY 23 Member Recruitment	Michael Addams	Report	
3 minutes	In-Person Meeting Planning	Bonnie Rosinbum	Discussion	
5 minutes	BOG Liaison Updates	Matthew Dresden	Report	
3 minutes	ATJ Board Liaison Updates	Saleena Salango	Report	
2 minutes	Additional news/updates	All	Discussion	

Next meeting will be Tuesday, July 12th, 2022 1 – 2 p.m.

PRO BONO AND PUBLIC SERVICE COMMITTEE
May 10, 2022 Meeting Minutes

Present: Deborah Perluss, Michael Addams, Bonnie Rosinbum, Ritu Jain, Christine Kuglin, David Weafer, Jacquelyn (Jacqui) Merrill Martin, Natalie Reber, Erin Fortney, Sandy García, Tacy Gillespie, Thuy Nguyen

WSBA Staff: Saleena Salango, Nicholas Mejía

Absent: Yuan Ting

Meeting called to order at 1:04 PM

April Meeting Minutes

On a motion to adopt minutes by Bonnie Rosinbum that was seconded by Ritu Jain, the committee unanimously voted to approve the April Meeting Minutes.

Subcommittee Updates

Communications & Technology Subcommittee – David Weafer mentioned the article he is writing for the *Bar News* on Individualized Education Plan (IEPs) is going well, and still needs to be reviewed. Members commended the recently-published article on foster youth in the *Bar News*, written by Jacqui Martin and Christine Kuglin. Christine reported that the Community Liaison Position list of contacts has been updated. Ritu Jain provided an update on the Pro Bono WA portal; the subcommittee is considering expanding the site features to include Cases/Opportunities, but is awaiting a final decision from WSBA general counsel on whether this feature is within legal limitations.

Rules & Policy Subcommittee – Deborah Perluss reported that the Rules and Policy Subcommittee did not meet in May. They are still gathering stakeholder feedback about the proposed changes to QLSP policies and pro bono status rules. The subcommittee has not had time to decide on whether the committee should submit comment for the proposed changes to RPC 1.8E, which concerns the ability of lawyers to provide minimal needs-based gifts to clients without having to have them repay. Bonnie added the proposed changes to 1.8E came out of the Committee on Professional Ethics; the Rules and Policy Subcommittee had worked with them to do research on the proposal. Proposed rule change open for public comment through April of next year.

CLE Subcommittee – Erin Fortney reported that the subcommittee met on April 19th to discuss a CLE in collaboration with Sexual Violence Law Center (SVLC) for the October Legal Lunchbox on updates to protection orders. October is both Pro Bono Month and Domestic Violence Awareness Month, so the collaboration seemed to be very timely. Tacy reached out to the CLE team and the team is exploring options for partnering with a section or organization that would like to partner on an additional CLE that will fill a gap in the public service library. One large limitation to working with the WSBA CLE department is due to restrictions based on funding; CLE production costs cannot be taken from member dues but has to be charged to those attending. WSBA-produced CLEs can either be free when it is live, or free in the



public service library, but it cannot be offered for free both live and on-demand. One large limitation to not collaborating with WSBA CLE is that it cannot be added to the public service library for all QLSP staff/volunteers to access.

Strategic Planning Subcommittee – Bonnie Rosinbum reported that the subcommittee met the prior week; only Michael Addams and Saleena Salango were in attendance. This subcommittee is considering several projects, including evaluating the committee structure overall – for example, discussing merging of communications and tech workgroup, looking at the prior decision to merge Rules and Policy into a single subcommittee. Another potential project is to review the Committee’s goals, how subcommittees are meeting them, and addressing any gaps. Low attendance at the Strategic Planning Subcommittees continues to be a challenge for the work. Committee members discussed the low attendance at the strategic planning subcommittees and offered that 1) less frequent, longer meetings (such as yearly, quarterly, or twice-yearly meetings) and 2) ensuring chairs or a representative from each subcommittee is in attendance would be the best. Each subcommittee can bring forward their ideas for the fiscal year, ensure everything fits within mission, have opportunities for cross-pollination of projects with other subcommittees, and create space for reflection and planning.

FY 23 Member Recruitment

Christine Kuglin shared that this will be her last meeting. Jacquelyn Merrill Martin and Michael Addams have announced they are seeking appointment as co-chairs of the committee for FY 23. It will be Bonnie’s last year serving as co-chair and member.

The applications for appointment have been extended from April 15th to June 3rd. Saleena Salango encouraged members seeking re-appointment to apply by that date.

In-Person Meeting

Bonnie Rosinbum shared that the committee should plan an in-person meeting for August. Saleena Salango will share travel and accommodations policies and set up a survey to determine the best dates and locations for the meeting.

BOG Liaison Updates

Matthew Dresden was not present, so Saleena Salango shared some updates. The next BOG meeting is May 19th – 20th at the Davenport Hotel in Spokane, WA at the Davenport Hotel. Thursday, May 19th will be a Washington State Bar Foundation reception and all committee members in the Spokane Area should attend if they are able.

ATJ Board Updates

Saleena Salango shared some updates about the ATJ Board.

- **ATJ Board Liaison Update** - Esperanza Borboa will be the ATJ Board Liaison beginning July 2022.

- **Board changes** - The ATJ Board is in process of interviewing and selecting recommended candidates for four open positions on Board that start October 1st; this is a significant change in leadership as the board consists of 10 members.
- **Healthy Alliance Assessment** - The ATJ Board's Delivery Systems Committee (DSCo) is undergoing a Healthy Alliance Assessment to assess equity, values, goals, which will inform the alliance's values and next state plan.
- **Undocumented Community Needs Assessment** - The ATJ Board and DSCo are considering a needs assessment project with undocumented community. This stems from changes to state laws surrounding use of OCLA funding for undocumented community members; many legal aid organizations are wanting to provide legal aid now but unaware what the needs are.
- **DSCo Mapping project** – There is a project under way to assess and map legal aid services offered overlaid with what populations are in services, which will help understand needs and gaps.
- **ATJ Conference Planning 2023** – Planning is underway for this. Pulse survey will be sent to the ATJ Listserv to determine when it should be (August to October time frame) and whether the format should be virtual, in-person, or hybrid.
- **Board internal race equity work** – the Board is undergoing self-assessment led by JustLead to identify issues among board

General Announcements and Updates

- The Committee will continue discussing the community engagement plan and community liaison position at the next committee meeting.
- Christine Kuglin shared that this meeting will be her last meeting as she has accepted a position in Denver, CO.

Meeting adjourned at 2:00 PM



TO: Pro Bono and Public Service Committee (BPSC)
FROM: Rules and Policy Subcommittee
DATE: June 6, 2022
RE: Proposed change to APR 1 regarding the definition of a “Qualified Legal Services Provider”

DISCUSSION / ACTION: To approve the proposed rule change to APR 1(e)(8) and present for consideration to the Board of Governors.

(8) “Qualified legal services provider” means a not for profit legal services organization in Washington State or pro bono legal services program sponsored by a governmental entity in Washington state whose primary purpose is to provide legal services to low income clients.

Rationale for Proposed Change

APR 1(e)(C)(8) defines “qualified legal services provider (QLSP)” for all purposes under the General Court Rules, MCLE credits and the Rules of Professional Conduct. See GR 34, RPC 6.1 Comment [14]. APR 1 specifically defines a QLSP as a not for profit legal services organization ... “whose primary purpose is to provide legal services to low income clients,” (APR 1(e)(8)).

The WSBA itself and not the Supreme Court is the entity authorized to designate an organization as a QLSP. The WSBA website provides the criteria and process of how an entity can seek to become a QLSP as follows:

Become a QLSP

To become a Qualified Legal Service Provider, an organization must meet these five criteria:

- Must be a not-for-profit legal services organization whose primary purpose is to provide legal services to low-income clients, per APR 1(e)(8).
- Must have a financial screening mechanism in place to ensure clients are low-income.
- Must either provide malpractice insurance for volunteers or have a policy in place to require that all volunteers carry their own malpractice insurance.
- Ensure volunteers receive at least two hours of relevant training.
- Must be in Washington state or predominantly serve Washington state residents.

Programs meeting these criteria submit a one-page letter addressing how their organization qualifies to the WSBA’s Public Service Specialist.

Expansion of Eligibility

The Office of the Attorney General operates an in-house pro bono program to provide legal services to indigent veterans. The volunteer attorneys include both staff of the AGO as well as some private attorneys. Currently, this program does not fit the definition of a QLSP. The AGO has asked that it be entitled to QLSP status. This would enable its volunteers to obtain CLE credit, as well as pro bono time credits, and allow waiver of the filing fee for state court proceedings for persons they represent.

The PBPSC Sub-committee on Rules and Policy recommends amending the definition of “QLSP” to include pro bono legal services programs sponsored by a governmental entity in Washington. The sub-committee recognizes that the AGO program provides a necessary service to indigent veterans in need of representation. As it expands access to justice by providing direct individualized representation on veteran specific matters, it is no different in mission or function than the existing pro bono of staffed legal aid programs. For this reason, the sub-committee sees no reason to exclude the AGO project (and others with similar goals and functions that may arise within other government entities) from the benefits enjoyed by the QLSPs under Washington rules.



TO: Pro Bono and Public Service Committee
FROM: Bonnie Rosinbum and Michael Addams (co-chairs), Saleena Salango (staff liaison)
DATE: April 6, 2022
RE: Community Liaison Position and Proposed Community Engagement Plan

DISCUSSION / POTENTIAL ACTION: To disband the Community Liaison Position and replace it with a community engagement plan that is designed and implemented by the Pro Bono and Public Service Committee.

Background

The Community Liaison Position was developed in 2018 with the goal staying community-informed and ensuring the Pro Bono and Public Service Committee's work was de-siloed and sustainable. Each member was assigned to one to three justice partner organizations.

Duties of Liaisons (to entities with regularly-scheduled meetings)	Duties of Liaisons (to entities without regularly-scheduled meetings)
<ol style="list-style-type: none"> 1. Attend meetings as scheduling permits/as often as possible 2. Listen to meeting topics with an ear and eye to the potential impact on PBPSC priorities 3. Serve as conduit for communication between PBPSC and other entity <ul style="list-style-type: none"> o Report back to PBPSC regularly or more often if pressing matters arise that need to be brought to the committee's attention o Assist PBPSC in communicating information and requests back to the other entity 4. Identify opportunities for collaboration 	<ol style="list-style-type: none"> 1. Schedule a meeting (in-person preferred, when possible) 2. Learn about the program—successes and challenges of their programs 3. Report back to PSPSC 4. Identify opportunities for collaboration

Multiple discussions from members have demonstrated that the community liaison position was not achieving the primary goal of keeping the community-informed due to the lack of engagement from the organizations on the community liaison position list.

This memo is designed to build on this discussion and put forth a **draft** proposal for the Pro Bono and Public Service Committee's revision, discussion, and approval. This proposal includes disbanding the Community Liaison roles and instead putting forth a Community Engagement plan that will make changes

to our Committee's meeting structure, outline high-priority actions, and potential long-term projects with the goal of staying community-informed.

Challenges: Community Engagement

One key challenge the Committee has faced is in engaging community members from justice partner organizations. Some members who did outreach within their assigned Community Liaison Position did not receive consistent responses and required a lot of labor to follow up, while other members who were already connected to organizations on the list felt overwhelmed with the amount of information received in their assigned position. There are multiple specific factors contributing to a lack of engagement from the community organizations, including but not limited to the following:

- Many of the organizations on the list are generally understaffed, small, or busy organizations that do not have time to respond to inquiries.
- Limited avenues of engagement – we have historically sent emails or Google forms to receive feedback and input, which might not be the best way for people or organizations to engage.
- While the Committee has privileges to be able to interface with the Board of Governors, propose rule or policy changes, connect organizations to resources, and promote pro bono programs for organizations using WSBA's extensive network of members, some organizations are unaware of the work WSBA and/or the Committee does and how we can/should partner.

A lack of community engagement can also stem from asking for input from community without first building trust, transparency, or accountability mechanisms. In order to ensure community involvement, the Pro Bono and Public Service Committee will take steps to move farther along [the Spectrum of Community Engagement](#), where appropriate in our committee's daily work and defined projects. This includes being more intentional about involving community partners or community members to not tokenize or just gather input as a reaction to our work, and considering how the Committee can center community partner organizations to propose, collaborate, and co-develop Committee projects and proposals. In addition, the Committee should offer multiple avenues of engagement for community partners and be more transparent about our goals, how we are achieving those goals, and what we are positioned to do as a WSBA committee.

Building Trust and Accountability

Community engagement only works when we have built trust and avenues of accountability. The full committee and subcommittee should work to build trust with community partners by being responsive, accountable, and transparent. A non-comprehensive list of how we can begin to do so is below:

- The committee should be clear about expectations, intentions, goals, and what we can and cannot offer when asking for input from community partners.
- The committee should acknowledge the expertise and input of community partners.
- When gathering input on projects, the committee should follow up with all people who offered input and explain how we did or did not incorporate their feedback and why.
- The committee should respond to inquiries in a timely manner and follow through on feasible requests from community partners.
- The committee should be present in the community by attending outside meetings where possible and listen to community members.

Proposal

Based on the factors and recommendations outlined above, and the Committee's [core values](#) of *teamwork, community, trust, and problem-solving*, below is a proposed list of action items that the committee should take in lieu of continuing the Community Liaison Positions.

NOTE: The table below is not meant to be a comprehensive list of action items or projects, but rather a suggestion to move from discussion toward action as it relates to community engagement.

Proposed Structural/Ongoing Committee Changes		
What: Proposed action, project, or change	Why?	How will we make this happen? Who will own the work?
Invite guests from organizations on the Community Liaison List to each full committee meeting to share their organization's work and foster opportunities for shared collaboration.	This will help the Committee stay informed about the work that different organizations are doing and potential collaborations.	1) Co-chairs will ensure that community updates or community presentations are reflected in the full committee agenda
Invite staff and non-attorney volunteers from QLSPs or VLPs to participate as non-voting members.	This can provide valuable feedback about our work that is less WSBA-member centered.	2) Co-chairs and staff liaison will send out invitations to partner organizations at each meeting -OR- Each committee member will be assigned a month to invite a community partner (with support from staff liaison)
Attend partner organization meetings Examples: <ul style="list-style-type: none"> - Pro Bono Council - ATJ Delivery Systems Committee Meeting - Regional Pro Bono Coordinator meetings (such as Seattle Area Pro Bono Coordinators) 	1) The Committee will remain informed about the work pro bono organizations are doing and identify potential collaborations 2) The Committee will ensure we are not duplicating but complementing the systemic work being done by the broader Access to Justice	1) Staff liaison can send out regular emails; 2) Committee members will sign up to attend meetings as a PBPS representative based on availability and report back at full committee meetings.

	community.	
Develop and implement a PBPSC Member recruitment plan to help ensure that PBPSC has a diverse, rounded committee membership.	<p>This will help ensure that Committee members have staff and volunteers with pro bono organizations, civil legal aid, and volunteer lawyer programs as members who can not only provide input on the work but also have voting authority.</p> <p>In addition to offering a broader array of perspectives, a demonstrated commitment to diversity, equity, and inclusion can also lessen turnover and burnout of volunteers.</p>	<p>1) Communications Subcommittee – develop blurbs about volunteer positions for recruitment efforts.</p> <p>2) Strategic Planning Subcommittee – consider who committee members represent and identify who is missing, potential areas to recruit.</p> <p>3) Co-Chairs and staff liaison -- respond to inquiries about the Committee.</p>
Priority Projects or Action Items		
Evaluate and propose changes to the structure and goals of the committee, including subcommittees	This will allow us to clarify what we would like to achieve as a committee, and how we can ensure we can meet those goals efficiently and sustainably.	Strategic Planning Subcommittee , with final approval from full committee
Define “community,” potentially starting with a gap analysis of the community liaison list or a mapping project.	This will force us to reflect on who we should remain accountable to and who we would like to center in this work.	
Develop an introductory communication piece about PBPSC including the roles within WSBA, structure, and what we can/can't do	This will create clarity for community partner organizations to better understand how we can support them	Communications Subcommittee , with input from full committee
Create a centralized mailing list based off of the Community Liaison Position list	This will allow for more efficient lines of communication.	

Build a regular newsletter for the mailing list to send updates on the Committee's work.	This will increase clarity about the work the Committee is doing and offer multiple opportunities to engage.	
Potential Long-Term Projects		
Propose a change to the bylaws to allow a community member seat on the Committee	Based on feedback from QLSPs and Pro Bono Council – offering a community member seat would provide valuable feedback to the committee's work.	Rules & Policy Subcommittee , with assistance from Communications Subcommittee and final approval from full committee
Town hall event with community partner organizations (First one in FY22 or FY23, with potential to do so annually)	Creating a space to share the committee's work, gather pro bono organizations in one place to inform the work, and build relationships.	TBD (likely various subcommittee with full committee support)
Pro Bono Pledge Project with a potential partnership with QLSPs, OMVLA, or Pro Bono Council (VLPs)	This would help us to fulfill overall goals of committee to promote pro bono while develop an intentional and collaborative project with community partner(s)	TBD (likely various subcommittee with full committee support)