

WASHINGTON STATE BAR ASSOCIATION

Small Town and Rural Committee

Small Town and Rural Committee Meeting I Virtual Only

Thursday, November 18, 2021, | 12:00 p.m. – 2:00 p.m.

Via [Zoom](#) | Meeting ID: 856 0140 1009 | Passcode: 004006 | Call-in: 888-788-0099

AGENDA

1. Introductions, October Meeting Recap and Approval of October Minutes
2. Discuss meeting schedule poll results
3. Results of Committee members' interest in items specified in Charter
4. Discussion of Charter items
 - a. Community Education and Outreach
 - b. Pipeline Placement Program
 - c. Job Opportunities and Clearinghouse
5. Next Steps/ Conclusion
6. Adjournment

2021 - 2022 STAR Committee Meeting Schedule

October 26, 2021	Meeting: 3 – 5:00 p.m.	Virtual Only
November 18, 2021	Meeting: 12 - 2:00 p.m.	Virtual Only
January 20, 2022	Meeting: 12 - 2:00 p.m.	Virtual Only
February 17, 2022	Meeting: 12 - 2:00 p.m.	Virtual Only
March 17, 2022	Meeting: 12 - 2:00 p.m.	Virtual Only
April 19, 2022	Meeting: 12 - 2:00 p.m.	Virtual Only
May 19, 2022	Meeting: 12 - 2:00 p.m.	Virtual Only
June 16, 2022	Meeting: 12 - 2:00 p.m.	Virtual Only
July 21, 2022	Meeting: 12 - 2:00 p.m.	Virtual Only
August 28, 2022	Meeting: 12 - 2:00 p.m.	Virtual Only
September 15, 2022	Meeting: 12 - 2:00 p.m.	Virtual Only

WASHINGTON STATE BAR ASSOCIATION

Small Town and Rural Committee Charter

Effective: April 17, 2021
and modified to make
Chair a voting member
on July 16, 2021

Purpose

The WSBA Small Town and Rural (STAR) Committee is committed to strengthen and support the practice of law in the rural communities throughout Washington state. Members of the STAR Committee will work to ensure that the practice of law in rural communities is present, growing, and thriving.

Practitioners in rural communities are few and far between. Additionally, many of these practitioners are nearing retirement without a clear plan of succession for their clients, leaving a void of access to legal representation and counsel. The STAR Committee will guide policy & program development, serves as ambassadors between the WSBA and these communities, explore and advocate for creative and innovative solutions, and regularly assess the legal landscape in rural communities to determine if WSBA policy, advocacy and program development require further resource for sustainability and improvements.

The STAR Committee aligns with the authorized activities outlined in General Rule 12. More specifically, GR 12.1 (a) articulates the Washington Supreme Court’s regulatory objective to provide, in part, “meaningful access to justice. . .” while GR 12.1(d) strives for “affordable and accessible legal services.” In addition, the STAR Committee aligns with the authorized activities outlined in GR 12.2, in particular by providing “services to members and the public,” and “fostering collegiality among its members and goodwill between the legal profession and the public.”

Further, the STAR Committee furthers the WSBA mission to serve the public and the members of the Bar by providing focused attention on the unique needs of residents and members in rural areas both by improving access to legal practitioners in rural communities and outreach and development of a pipeline of younger rural residents to pursue a legal career and serve their communities.

Definition of “Rural”

For the purpose of the STAR Committee and reflective of Washington’s unique geographic and socio-geographic landscape, the definition of “rural” is as follows:

Based on the definitions produced by the U.S. Department of Agriculture Economic Research Service (ERS) and an overview of Washington county population, we focused on counties with populations of less than 50,000 and more than 2,500. These areas are considered ‘urban non-metro areas not part of larger labor markets’ by ERS. As part of the working definition, and for ease, we have termed these counties as ‘rural.’ Based upon WA county population data, we’ve pursued a hypothesis that counties with 30,000 or more as rural, but likely more

adjacent to a labor market and perhaps have a varying set of circumstances that may differ from counties that are less than 30,000.

Composition

Members of the STAR Committee should have demonstrated experience and/or interest in a thriving legal practice in Washington's rural communities. The STAR Committee will consist of 13 members and are outlined as:

- Chair (voting member)
- 2 Current or Former WSBA Board of Governors Members (voting members)
- 1 Active WSBA Member At Large (voting member)
- 4 Active WSBA Members from rural communities - see above for definition of "rural" (voting members)
- 1 Active WSBA Young Lawyer Member, as defined in WSBA Bylaws (voting member)
- 3 Law School Representatives (voting members, must be currently employed with a WA Law School which is not currently represented on the Committee.)
- 1 Active WSBA Lawyer Member currently employed with a Qualified Legal Service Provider (QLSP)(voting member).

WSBA Staff Liaison: Member Services and Engagement Manager or staff member in the Advancement Department, non-voting

Board of Governor Liaison: as assigned annually, non-voting.

Terms

- Chair: two-year term
- Members: three-year term

Initial Committee Terms

The first appointments to the STAR Committee should effectuate a staggered rotation of STAR Committee members. Therefore, the following terms are in place for the first appointment cycle only. All subsequent terms should adhere to the term limits stated above. STAR Committee member serving an initial term less than three years, should be considered an incomplete term. Therefore, the member is eligible to serve two subsequent complete three-year terms in WSBA Bylaws.

- 2 Active WSBA Members
1 member with two-year term, 1 member with three-year term.
- 4 Active WSBA Members from rural communities (see above for definition)
1 member with one-year term, 1 member with two years term, 2 members with three-years term.
- 3 Law School Representatives (voting, must be currently employed with a WA Law School)
- *1 member with one-year term, 1 member with two-years term, 1 member with three-years term.*

The following positions will begin as a standard term as set forth in this charter.

- Chair
- 1 Active WSBA Young Lawyer Member

- 1 Active WSBA Lawyer Member currently employed with a Qualified Legal Service Provider (QLSP).

Scope of Work

The scope of the STAR Committee’s work will focus on what the WSBA is uniquely positioned to do in supporting a sustaining and thriving environment for the practice of law in Washington’s rural communities. The STAR Committee will work with all relevant and interested stakeholders to collaborate where needed. The provision of direct legal services and civil legal aid to the public is outside the scope of the STAR Committee.

Measures of Success

- Increased awareness of the issues and possible solutions to address any gap in practicing members in rural communities.
- A sustainable pipeline of legal practitioners in rural communities.
- Increased numbers of legal practitioners in rural communities.
- The establishment of funding for programs and initiatives for the practice of law in rural communities.

STAR Committee Roles

1. Community Education and Outreach

Coordinated efforts to educate members and potential members about the unique needs, opportunities and benefits of a rural practice. This can include, but should not be limited to, comprehensive information on WSBA’s website, features in WSBA publications, presentations at high schools, law schools and community colleges. Meetings and events, such as a summit or symposium, to highlight the issue, convene interested stakeholders to share their concerns and strategize on possible solutions.

2. Pipeline and Placement Program(s)

Develop WSBA programming, or WSBA supported/partnered programming designed to build a pipeline of practitioners in rural areas as well as an incentive program to encourage members to explore a rural practice on a time-limited or multi-year timeframe. This role should explore a possible collaboration or strategic overlap with WSBA existing and future mentorship program(s). In particular, this role will require extensive strategic planning and identification of external stakeholder support and additional funding sources. Coordinate with law schools and other stakeholders regarding economic incentives to practice in rural areas.

3. Job Opportunities and Clearinghouse

Utilize existing and future WSBA resources to support and highlight job opportunities in rural communities. This role should include making it easier, and perhaps more cost-effective, to add job postings to WSBA’s service. Develop a clearing house to assist retiring members with succession planning and the buying/selling of a practice.

Committee Evaluation

The STAR Committee should conduct an assessment within five years from the date of Board of Governors' approval by 1) conducting a survey of rural practitioners to provide stakeholder feedback regarding the impact of this Committee to effectuate change in these areas, 2) assessing the scope of work to reflect impact and progress in this area and align with trends in the greater legal community, and 3) earnestly examining if the Committee is necessary to continue the scope of work.

WASHINGTON STATE BAR ASSOCIATION

Small Town and Rural Committee 2021-2022 Roster

<p>Hunter Abell, Chair Bar # 37223 habell@williamskastner.com 206-628-6600 Williams Kastner 601 Union St. Ste 4100 Seattle, WA 98101 Term: 10/1/2021 – 9/30/2022</p>	<p>P.J. Grabicki, Board of Governors Member Bar # 5467 pjg@randalldanskin.com 509-747-2052 Randall Danskin PS 601 W Riverside Ave Ste 1500 Spokane, WA 99201 Term: 10/1/2021 – 9/30/2024</p>
<p>Sunitha Anjilvel, Board of Governors Member Bar # 40659 sunitha@amlawseattle.com 206-922-2826 Anjilvel Law Group 7345 164th Ave NE Ste 145-419 Redmond, WA 98052 Term: 10/1/2021 – 9/30/2024</p>	<p>Rusty McGuire, Rural Member Bar # 18808 rmcguire@mdkjlaw.com 509-725-4100 McGuire, DeWulf, Kragt & Johnson PO Box 1187 Davenport, WA 99122 Term: 10/1/2021 – 9/30/2024</p>
<p>Kathryn Burke, Rural Member Bar # 44426 kiburke@co.ferry.wa.us 509-775-5225 ext. 2506 Ferry County Prosecutor's Office 350 E Delaware Ave Stop 11 Republic, WA 99166 Term: 10/1/2021 – 9/30/2022</p>	<p>Sarah Cuellar, Rural Member Bar # 46591 sncuellar@gmail.com 509-207-9162 Law Office of Sarah N. Cuellar, PLLC PO Box 904 Republic, WA 99166 Term: 10/1/2021 – 9/30/2023</p>
<p>Elizabeth Penoyar, Rural Member Bar # 6406 penoyar001@comcast.net 360-875-5321 PO Box 425 South Bend, WA 98586 Term: 10/1/2021 – 9/30/2024</p>	<p>Zachary Bryant, Young Lawyer Member Bar # 50423 zhb@mainstaylaw.com 206-466-8506 Mainstay Law, LLC 336 36th St #706 Bellingham, WA 98225 Term: 10/1/2021 – 9/30/2024</p>
<p>Merf Ehman, Qualified Legal Service Provider Member Bar # 29231 merf.ehman@columbialegal.org 206-464-5936 Columbia Legal Services 101 Yesler Way Ste 300 Seattle, WA 98104 Term: 10/1/2021 – 9/30/2024</p>	<p>Allison Foreman, At-large Member Bar # 41967 allison@fhbzlaw.com 509-662-9602 ext. 115 Foreman Hotchkiss Bauscher & Zimmerman PLLC 124 N Wenatchee Ave Wenatchee, WA 98801 Term: 10/1/2021-9/30/2023</p>

Laurie Powers, Gonzaga Law School Member Bar # 20809 powersl2@gonzaga.edu 509-313-6122 Gonzaga University School of Law 721 N Cincinnati St Ste 142 Spokane, WA 99202 Term: 10/1/2021 – 9/30/2022	Cindy Yeung (pending formal appointment by BOG), Seattle University Law School Member Bar # 35739 yeungcy@seattleu.edu 206-398-4455 Seattle University School of Law 901 12th Ave Seattle, WA 98122 Term: TBD
Vacant, University of Washington Law School Member Term: TBD	TBD, BOG Liaison Term: 10/1/2021 – 9/30/2022

Julianne Unite, Staff Liaison julianneu@wsba.org 206-727-8258 Washington State Bar Association Advancement Department 1325 4 th Ave, Ste. 600 Seattle, WA 98101	Chelle Gegax, Staff support chelleg@wsba.org 206-733-5921 Washington State Bar Association Advancement Department 1325 4 th Ave, Ste. 600 Seattle, WA 98101
STAR Committee List Serve	star-committee@list.wsba.org

2021-2022 STAR Committee DRAFT Meeting Schedule

October 26, 2021	Meeting: 3:00 p.m. – 5:00 p.m.	Virtual
November 18, 2021	Meeting: 1:00 p.m. – 3:00 p.m.	Virtual
January 20, 2022	Meeting: 1:00 p.m. – 3:00 p.m.	Virtual
February 17, 2022	Meeting: 1:00 p.m. – 3:00 p.m.	Virtual
March 17, 2022	Meeting: 1:00 p.m. – 3:00 p.m.	Virtual
April 21, 2022	Meeting: 1:00 p.m. – 3:00 p.m.	Virtual
May 19, 2022	Meeting: 1:00 p.m. – 3:00 p.m.	Virtual
June 16, 2022	Meeting: 1:00 p.m. – 3:00 p.m.	Virtual
July 21, 2022	Meeting: 1:00 p.m. – 3:00 p.m.	Virtual
August 18, 2022	Meeting: 1:00 p.m. – 3:00 p.m.	Virtual
September 15, 2022	Meeting: 1:00 p.m. – 3:00 p.m.	Virtual

WASHINGTON STATE BAR ASSOCIATION

Small Town and Rural Committee

Small Town and Rural Committee | Via Zoom October 26, 2021 | 3:00 p.m. – 5:00 p.m. Meeting Minutes

Present: Allison Foreman, Elizabeth Penoyer, Hunter Abell, Kathryn Burke, Laurie Powers, Merf Ehman, Rusty McGuire, Sarah Cuellar, Sunitha Anjilvel, Zachary Bryant.

Absent: P.J. Grabicki (excused)

WSBA Staff: Julianne Unite – Member Services and Engagement Manager, Chelle Gegax – Member Services and Engagement Administrative Assistant, Kevin Plachy – Advancement Department Manager

Board of Governors (BOG): Hon. Brian Tollefson (retired) (left at 3:58 p.m.)

Public: Sophia Byrd McSherry (left at 4:50 p.m.)

Welcome & Introductions

Small Town and Rural (STAR) Committee Chair, Governor Hunter Abell invited WSBA staff, committee members, and others in attendance to provide personal introductions and reasons for their involvement in the STAR Committee. WSBA President Hon. Brian Tollefson (retired) introduced himself to the Committee and his background practicing in rural committees and shared his support for the Committee's work. STAR Committee member Rusty McGuire shared that he has a practice in a rural area, and one of his biggest challenges is staffing. STAR Committee member Kathryn Burke (Katie) commented that she spent most of her time practicing in only rural areas and that she can sympathize with those having troubles in finding employees (due to limited resources, pay, benefits, etc.). Katie feels that there is difficulty in bringing individuals directly out of law school due to size, recreational activities in the area, social communities, and job market for spouses. She is interested in finding out what we can do as members of the WSBA to make rural practice more lucrative and suggested considering student loan forgiveness for those practicing in rural areas. STAR Committee member Elizabeth Penoyer (Betsy) commented that she and her spouse both practice in South Bend, WA. Betsy is the current North District Court judge and has a private practice. She has the same feelings as previous comments from other members. STAR Committee member Zachary (Zac) Bryant practices in Bellingham, WA, and echoes a lot of other sentiments that have already been said. Zac also grew up in rural area and is looking forward to participating. STAR Committee member Merf Ehman, Executive Director of Columbia Legal Services, shared that Columbia Legal Services has five offices across the state, and one of those was closed due to many reasons including failed recruitment. Merf shared their connection to rural areas, including growing up in a rural area and has a passion for finding solutions. STAR Committee

member Allison Foreman shared that she also experienced difficulties in recruiting, staffing, and access to resources. STAR Committee member Governor Sunitha Anjilvel shared that the Rural Practice Project (RRP) is personal to her because she worked in rural communities in Canada, and now has a son in medical school at UW involved in the Rural Health Program, which is addressing similar issues as the STAR Committee. STAR/RRP both connect to so many issues with access to justice and geographical challenges. STAR Committee member Sarah Cueller shared that she has a solo practice in Republic, Washington. She is interested in the STAR Committee because she is often the only attorney in a rural area. Sarah would like to know how she can help more people in her community and wants to share her experiences to help find solutions. Sophia Boyd McSherry, Deputy Director State Office of Public Defense shared that she has significant difficulties contracting attorneys in rural areas. STAR Committee member Laurie Powers, Gonzaga Law School Representative and Assistant Dean of Careers, shared that she started the Moderate Means Program at Gonzaga, which gave insight to just how many people in rural areas need assistance and how limited it is. Governor Abell shared that he splits time between Seattle and Eastern Washington. Governor Abell is the third generation in his family to grow up in a rural community. He also shared that he feels this committee is important because our community and nation is experiencing young attorneys moving out of rural areas and causing “legal deserts”, which needs to be addressed.

Getting to Know the WSBA

WSBA Staff Liaison Julianne Unite shared a Power Point presentation to help those in attendance become more familiar with the WSBA. Julianne commented on the Board of Governors (BOG) structure, helpful WSBA resources such as the Volunteer Toolbox, Committee & Boards Policy, and other important documents for committee members to review. All resources discussed can be found in the PowerPoint slides. Julianne also discussed the Open Public Meeting’s Policy, expectation of meeting minutes, and those meetings are open to the public whether they are held in person, by videoconference and/or teleconference. Julianne also advised that the STAR Committee cannot have closed session meetings. Julianne also discussed the public records expectations when communicating with WSBA staff, and to be mindful when communicating via email. Julianne acknowledged that we have some members that are engaging in a volunteer capacity with WSBA for the very first time and thanked them for their interest and time. The most current copy of the Power Point presentation in today’s meeting will be circulated via email.

Rural Practice Project

Governor Abell asked if anyone had questions about Julianne’s presentation; no responses from those in attendance. WSBA Advancement Department Director, Kevin Plachy commented on quorum requirements for meetings and that meetings cannot be held without quorum. Governor Abell provided a background of the RRP which began in 2017 and led to the development of the STAR Committee.

It was determined by Governor Abell and feedback from those in attendance that prioritized focus areas for the STAR Committee would be community education and outreach, pipeline placement program, and job opportunities and clearinghouse.

Governor Abell commented that approximately 12 states already have something in place to address rural practice issues.

Roles and Responsibilities

Julianne commented that roles and responsibilities may change as we go, as this is the inaugural year of this Committee. As a general outline, basic roles and responsibilities are communicated in the board policy document in the volunteer toolbox. Julianne also advised all members that there is a STAR Committee webpage on the WSBA.org site and that all meeting notifications, materials packets, and minutes will be posted on the STAR Committee page. Julianne also explained that all members have been added to the STAR Committee list serve and to double check their spam/junk mail folders, as list serve messages are often filtered as spam. The list serve will be used to communicate time sensitive materials. Currently, there are 11 committee members and the Committee must have at least 6 to proceed with the meeting in order to meet quorum requirements. Julianne went over RSVP expectations for meetings and requested that people RSVP in advance and communicate if they will not be able to make meetings. As a rule, two unexcused absences may be grounds for removal from the Committee. An unexcused absence includes no communication that you will not be attending, and/or no show. Julianne also explained that expense reimbursements will fall under the standard WSBA reimbursement policy and to please check with Julianne prior to incurring the expense to clarify any expenses for which you may be seeking reimbursement. The Committee Charter is in the meeting materials and Julianne suggested all members review the Charter. Governor Abell commented that his role is to assist in running meetings, ensuring they start and end on time. He very much envisions committee as one that “gets a product out the door” very quickly. He would like to get something to the BOG to act on that will hopefully address all 3 items in the Charter.

Discussion

Governor Abell opened the remainder of the meeting for general discussion. Rusty commented that all three items on the Charter will all cross over and feels that if we do the education part and present at law schools that this could help fill the void in placement & pipeline. Educating students, possibly at pre-law level, could fill education/pipeline/recruiting issues. Governor Abell commented on going to law schools but also bringing students from law schools out to rural areas to meet with practitioners and local bar associations. Merf commented that their office receives a lot of applications, but it is difficult getting people to stay. Merf believes there should be an incentive around student loans, as they are paying the same salary in King County as they do in Yakima but not experiencing the same hiring struggles. Merf commented that the rural/urban divide is absolutely becoming larger. Merf feels that it would be helpful to have a group of new lawyers in rural areas with connections to each other to help break down barriers. Many clients have a language barrier, and huge issue finding attorneys with that connection. Merf believes that outreach should begin well before law school. Sophia stated that most public defense attorneys are not agency attorneys, but they are contractors working as small practitioner or small firm. Sophia encouraged having LRAP (Loan Repayment Assistance Program) that is open to those who are not with a non-profit entity or a government employee and expanding eligibility surrounding loan repayment assistance programs. Allison commented on reaching out before law school and suggested even going to the high school level. She explained that some of their best employees are those that grew up in the area, and always knew they wanted to be an attorney. Allison also commented that there is no learning curve or need to adapt to “rural life” by recruiting locals. Governor Anjilvel commented that she agreed with Merf’s comment regarding having a cohort or group of young attorneys that work together in rural areas. It needs to be a priority that we ensure that our diverse law students remain in the law profession. Governor Anjilvel suggested community outreach with programs

that have people there as a guide and resource for young rural lawyers. Kevin commented that with sufficient planning that we could get bigger names to speak at law schools about Rural Practice Project. Kevin feels that this could be an easy way for WSBA to help coordinate speakers. Allison suggested meeting with younger practitioners in their areas, via technology and building a short promotional marketing video about rural areas featuring landscapes, kayaking to office door, skiing on lunchbreak at mission ridge, etc. to help promote the highlights of working in rural areas. Katie commented that marketing videos could be very helpful. She feels that most only see the visual of working in a downtown office and because that is all they see, that is all they envision. Sophia suggested a guest lecturer in one of the mandatory 1L classes, as these are the backbone of rural practice. Merf also agreed with the idea of a promotional video, showing the wide range of practice areas from contracts, civil rights, trial practice and environmental law that can take place in a rural area as a part of the video.

Governor Abell asked for feedback on the proposed meeting schedule. Several committee members voiced having standing conflicts with the proposed dates and times. As a result, a Doodle poll will be circulated with alternative options for members to select from. At this time, the next scheduled meeting is set for November 18 and the time is to be determined.

Adjourn

In conclusion, Governor Abell thanked everyone for the work that they will be doing with the STAR Committee. Governor Abell adjourned the meeting at 5:00 pm.