



WSBA

Diversity Committee Meeting Final Minutes

July 15, 2020

12 PM – 1:30 PM

Conference Call 1-866-577-9294 | Access Code 52680

The Washington State Bar Association's Diversity Committee is dedicated to implementing WSBA's Diversity and Inclusion Plan. The work of the committee promotes historically underrepresented groups to enter and stay in the profession of law. The Diversity Committee does this through collaborative relationships and community building activities, which highlight the numerous societal benefits of a diverse law profession.

Members: Gov. Alec Stephens, Allison Ross, Laura Wulf, Yuping Wang, Serena Sayani, Nam Nguyen, Gov. Jean Kang, Andrea Jarmon, Gov. Hunter Abell, Carly Summers, Gov. Sunitha Anjilvel, Gov. Elect Lisa Mansfield

Not: Chelsea Brisbois, Laura Johnson

Staff: Dana Barnett, Diana Singleton

1. Call to Order, Welcome and Approval of Minutes– Laura Wulf, Co-Chair

Sunitha moved to approve the June minutes, and Serena seconded. The minutes were approved unanimously.

Alec put on the record that he was contacted by WSBA General Council, Julie Shankland, who had been contacted by Governor Higginson, raising concern about having her name as an agenda item. Alec pointed out that the comments were made in a public meeting, and that it was within the committee's purview to discuss the comments. Alec also pointed out, that the matter with anyone being defamed, truth is an absolute defense. He asked that when general council joins, she is asked to restate her concerns.

2. BOG Report – Jean Kang, Co-Chair –

The BOG passed a resolution endorsing the Equity and Injustice task force. Gov. Stephens is leading that the task force, and will share the committee's feedback. Governor Tollefson as the next President Elect and Lisa Mansfield was elected as the next BOG At-large.

Alec recounted that in the package of responses to George Floyd, was a proposal to change the mission statement of the Bar association. The proposal did not contain a redlined version. The version said to make legal representation "accessible to all." The original version had dropped the public from the statement, which was amended to be put back in. The proposal had the famous quotes from Dr. King "Injustice anywhere is a threat to justice everywhere." The end of the mission statement had removed championing justice. This seemed antithetical to King's quote. They decided that the proposed changes needed to come in front of the bar members, Governor Higginson mentioned the local bars, Alec pointed out that they should send the info to many stakeholders including the Minority Bar Associations and sections and other entities. Governor's Higginson's comments, which were shared with the committee, were in response to Alec's comments, and where honed in on the mention of MBA's.

Andrea – Governor Stephens did a remarkable poised response, honed in on what was being modified and changed. Applaud Governor Stephens for staying poised and focused.

Julie Shankland joined the call at 12:27. Julie advised the committee, that in this meeting as in all of our meetings, we have to be careful about what we say about individual people, and any liability that may come back on themselves and the WSBA. We are in the middle of an investigation pursuant to the boards comments. We all need to be aware of false light, WSBA published information that identifies a particular person in false light. She recognizes that it is a difficult topic and that she does not mean to make it more difficult, she wants us to focus on topics and avoid labelling people.

Committee members asked clarifying questions, and expressed some frustration about the impact of the way this information was being provided. Members pointed out that the Diversity Committee would like to have a conversation about the statement and the reactions, and that this has a direct impact on the work of the committee to create more inclusion for members from historically marginalized group.

Sunitha, Andrea, and Carly volunteered to work on the mission statement. Carly pointed out that those on the committee who are not on the board of governors do not fully understand the context. Carly wanted to clarify that both changes and the discussion around the proposed changes to the mission were problematic. She asked if the committee also wants to respond also to the comments around the mission statement. Jean shared that he understanding was that this subcommittee would be responding to the mission statement changes not to the board discussion. Sunitha moved that a subcommittee be convened to respond to President Majumdar' s request for the revision of the mission statement. Serena seconded the motion. The motion was approved unanimously by the committee. Alec made a motion that this committee authorize the subcommittee to draft a response to the mission statement and the Chairs review and authorize. Lisa seconded. The motion was unanimously approved.

Serena – gave a report on her presentation on the committee's proposal. She shared that there was not much of a response to her presentation. Bill Picket suggested that there are attorneys on the East Side, because there are attorneys that don't want to spend any money or time on initiatives about diversity. Serena commented on how there are things that need to be fought for even if it is not supported by the majority of the members who may not personally be negatively impacted by inequity and discrimination.

Jean asked the committee member what they see as the next steps regarding the BOG? She shared that the committee received a letter from the MBAs, in which the MBAs named specific action items. Jean suggested that the committee support the MBAs and the action items that they request.

The MBAs asked for a censure of Governor Higginson. Sunitha wants to ask Julie if that is something that the committee can support.

Carly also expressed interest in supporting the MBA letter and demands.

Hunter – I like what Alec said about thinking of the MBAs as primary constituents. With regard to this collective letter from the MBAs, Hunter pointed out that the five bullet points are presented as demands, and if they aren't met the demands are that governor Higginson resigned. Hunter said that he doesn't all of the demands in the letter, for example he doesn't support the mandatory training of the board or of the one ethics credit in elimination of bias.

Alec – The letter is shared with us, we don't have a duty to respond unless we wish to. This is a letter for the board of governors to take up, and the committee may or may not want to weigh in on that.

Jean – As Co-chair she supports this letter. Her recommendation is for the committee to support and lift up the letter.

Serena – Agrees with Jean, and thinks that the MBAs were mild and fair in just demanding a censure. Wants to support their sentiments as members of the profession who are part of marginalized groups.

Sunitha – Question for Julie. MBA wrote a letter in response to comments a governor made. Can the committee discuss the demands of the letter?

Carly – It is important for the committee to take a role in responding to the letter. This committee has a role to look at the policy and make recommendations to look at the policy and talk about how such matters should be handled.

Serena – Pointed out that whatever the committee does in support of the letter, it should not pick and choose the MBA demands to support. If it wants to do that, it should stay silent or write their own letter.

Lisa – This is a marathon not a sprint. Have to deal with the long range and current issues. There was a fight about having her on the board. It will continue to be a fight.

Alec moved that the committee authorizes the chairs to submit a letter to the President and the BOG calling attention to the MBA letter and urging a timely response. Sunitha seconded. The committee unanimously approved the motion.

3. September Meeting Date – The meeting date in September is remaining the same. The meeting will be shorter and virtual.

4. Updates and Reports – tabled

- a. MCLE rule change (new proposal by MCLE Board)
- b. Beyond the Dialogue
- c. Legal Lunchbox
- d. ARC Reception
- e. MBA Scholarship Grants

5. MBA Updates and Reports – tabled

6. Announcements – tabled

The meeting was adjourned at 1:39 PM.