



Diversity Committee Final Minutes

July 17th
12-1:30 PM
Conference Call

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.

In Attendance: Gov. Dan Clark, Allison Ross, Gov. Jean Kang, Roger Hillman, Ailene Limric, Gov. Alec Stephens, Nam Nyguen, Andrea Jarmon,

Unable to Attend: Gov. Sunitha Anjilvel, Chelsea Brisbois, William Locke, Laura Wulf, Lisa Mansfield, Jennifer Cruz, Gov. Athan Papailiou

Guest: Rajeev Majumdar

Staff: Dana Barnett, Tyler Washington

Call to Order, Welcome and Approval of Minutes– Ailene Limric, Co-Chair

Ailene called the meeting to order at 12:17 p.m. On motion by Roger and seconded by Allison, the committee unanimously approved the June meeting minutes.

BOG Report – Alec Stephens, Co-Chair

Alec provided the BOG report. He informed the committee that the next BOG meeting will be held in Richland on July 27-28 and that the non-retaliation policy is up for the first reading. The bill proposes that if there is a complaint against a BOG member or the Executive Director, the entire BOG would recuse itself and refer to Supreme Court.

Structures Workgroup Report – Andrea Jarmon & Dan Clark

Dan Clark emailed a report to the group prior to the meeting. Andrea shared the Structures Workgroup has reached the last of their scheduled meetings and there will be a discussion if there is a need for the meetings to continue. The workgroup is considering conducting a deeper dive into various WSBA programs with a Keller analysis in mind. She also shared that there are several motions on the table but no votes have yet been taken. In the past meeting there was a discussion about governance, but no motions or recommendations have been made.

Justice Fairhurst stated that the Court has taken no official position but shared some comments made by various Justices. One view held by a Justice was that the workgroup had completed their work and a Keller analysis could be conducted by the BOG or the Supreme Court. Another Justice was disappointed that the workgroup hasn't made any recommendations to significantly change the bar structure.

Andrea also shared that there are several motions on the table but no votes have yet been taken. In the past meeting there was a discussion about governance, but no motions or recommendation have been made.

Alec asked for clarification about the diversity program's role and whether or not it would be a part of a mandatory bar. He also asked if the current climate of lawsuits have been considered in the workgroups discussions. Andrea stated that a good number of workgroup members understand the social and political context where the lawsuits have arisen from and that the essential thrust of litigation has been against diversity and ATJ programming. Workgroup members have made it clear that they believe equity and justice issues are important to keep in the legal profession. But there have been discussion about ideological speech and if it will implicate first amendment rights. There are competing narratives of what is ideological language and that issue is unresolved.

September Meeting – Dana Barnett

Dana proposed that the committee invite the new incoming members to the September meeting. She shared that there are three open slots and encouraged current committee members to recruit applicants. Dana will email outgoing committee members to gauge their interest in leading presentations for the new members regarding the work the committee has done in the past year.

OPMA – Dana Barnett

Dana informed the committee that a judge ruled that the WSBA is subject to Open Public Meetings Act. The WSBA filed an appeal, but currently the bar is complying with OPMA. To avoid violating OPMA, the committee should avoid conducting committee business over email. Dana shared that the committee should not reply-all to any emails otherwise there is a risk triggering OPMA.

Structures Workgroup statement

Andrea shared that she does not believe it is too late for the committee to draft a letter to the Structures Workgroup and Supreme Court. Dana stated that the letter will need to be drafted in a special meeting in order to comply with OPMA. Andrea volunteered to create a first draft. Dana will poll the committee to find a suitable date for a special meeting.

Program Updates and Reports

Dana shared the Train the Trainers session will now be held on September 20. Dana will reach out via email to gauge who is committed to this date.

The diversity committee adjourned the meeting at 12:55

Next Meeting: September 21st 10 AM - 3 PM, WSBA Office
If you need special accommodations contact diversity@wsba.org