

# WASHINGTON STATE B A R A S S O C I A T I O N

## SECTION ANNUAL REPORT – 2019

*Deadline: Friday, December 6, 2019*

*Email Annual Report to: [sections@wsba.org](mailto:sections@wsba.org)*

<b>Name of the Section:</b>	<i>Administrative Law Section</i>	
<b>Chair:</b>	<i>Jon Bashford (2018-2019); Robert Krabill (2019-2020)</i>	
<b>Section Information:</b>  <i>*To be completed by WSBA*</i>	Membership Size: <i>(As of December 15, 2019)</i>	255
	Staff Lead:	Eleen Trang
	BOG Liaison:	Bryn Peterson
	FY19 revenue (\$): <i>As of September 30, 2019</i>	\$10,245.86
	FY19 direct expenses (\$): <i>(As of September 30, 2019; does not include the Per-Member-Charge)</i>	\$20,952.62
<b>Purpose:</b>	<p>The purpose of the Administrative Law Section is to seek participation of all interested members of the Bar to benefit section members, their clients, and the general public by:</p> <ul style="list-style-type: none"> <li>• Exchanging ideas and sharing knowledge in administrative law, including the Washington Administrative Procedure Act, Public Records Act, and Open Public Meetings Act, through CLEs, publications, meetings, and other means of communication;</li> <li>• Initiating and implementing common projects;</li> <li>• Improving and facilitating the administration of justice in administrative law through the review of pending legislation and regulations, the development of proposed statutes, and the promotion of uniformity in legislation and administration; and</li> <li>• Providing other services that may benefit section members, the legal profession, and the public.</li> </ul>	

**2019 Accomplishments and Work in Progress:**

**WSBA Administrative Activities (Officers):**

- September 17, 2018 – Young Lawyer Liaisons to Sections Orientation
- January 31, 2019 – Open Sections Night
- March 12, 2019 – Emergency Board of Governors Meeting
- Spring 2019 – Officer and At-Large Executive Committee Elections under WSBA’s new electronic process
- June 7 & 8, 2019 - Mini-CLE and Board Retreat
- August 2, 2019 – FY 2019 Budget submitted
- October 31, 2019 – 2019 Annual Fall Section Leaders Meeting
- Legislative committee Richard Potter, John Gray, and Chair Robert Krabill attending WSBA Legislative training on date TBD in @ December 2019.
- Section Chairs will be meeting quarterly starting 11/18/19.

**Diversity and Outreach (Alexis Hartwell-Gobeske and Robert Rhodes, Co-Chairs):**

- January 24, 2018 – Open Sections Night
- January 31, 2019 – Open Sections Night in Seattle
- Design Mentorship Program Plan designed to pair lawyers with experience in administrative law practice with attorneys with attorneys who have recently started practicing in admin law (or are interested in admin law). This program is designed primarily to focus on age diversity but our goal is that it will act as outreach to a wider group of underrepresented attorneys who could really benefit from the program and the one-on-one experience. Advertising for the program begins in early January and the application period opens mid-January. The program officially begins in April. We are basing our model almost entirely on the WSBA curriculum for the first year.

**Legislative Committee (Richard Potter, Chair):**

- Ongoing input on bills and legislation related to Public Records Act, Administrative Procedure Act, Open Public Meetings Act, the Office of Administrative Hearings, and other codes affecting administrative agency procedures, hearings, rulemakings, appeals, and judicial review. Ninety-three (93) bills (not including companion bills) reviewed during the 2019 legislative session.
- Articles published in Fall 2018 and Winter/Spring 2019 Newsletters regarding State Agencies’ Indices of Orders and

Statements under the Public Records Act (RCW 42.56.070(5)).

**Law Student Grants (Susan Pierini, Chair)**

- 2019 – Seth Alexander
- The Section sponsored a \$5,000 summer grant for law students working in administrative law in a position that supports diversity and inclusion.

**Newsletters (Eileen Keiffer, Prior Chair, and Bill Pardee, Current Chair):**

- Fall 2018
- Winter/Spring 2019
- Summer/Fall 2019

**Publications and Practice Manuals (Gabe Verdugo, Chair):**

- APA Practice Manual – Chapters updated in 2019 include:
  - Chapter 11: Civil Enforcement of Agency Action
  - Chapter 14: Judicial Review of Administrative Proceedings Not Subject to APA
- PRA Deskbook – Supplement scheduled to be published in early 2020

**Seminars and Events (Robert Krabill, Prior Chair, and Eileen Keiffer, Current Chair):**

- June 7, 2019 – “The Public Records Act: Spring 2019 Update” and “Damned If You Do, Damned If You Don’t: The Plight of the Government Whistleblower,” Union, WA
  - Reception following CLE
- October 25, 2019 – “Washington-Oregon Administrative Law Conference,” Sea-Tac, WA and webinar
- December 9, 2019 – “Faithless Electors,” Olympia, WA

**Homan Award:**

- Awarded in 2019 to Katy Hatfield

**Meetings:**

- January 23, 2019 – Executive Committee telephonic meeting
- June 8, 2019 – Retreat & In-Person Executive Committee meeting, Alderbrook Lodge
- June 26, 2019 – Executive Committee telephonic meeting
- August 1, 2019 – Executive Committee telephonic meeting
- August 21, 2019 – Executive Committee telephonic meeting
- September 16, 2019 – Executive Committee telephonic meeting
- October 21, 2019 – Executive Committee telephonic meeting

	<ul style="list-style-type: none"> <li>November 18, 2019 – Executive Committee telephonic meeting</li> <li>December 16, 2019 – Executive Committee telephonic meeting</li> </ul>	
<p><b>Please quantify your section’s current member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>\$3000 Scholarships, donations, grants awarded;</li> <li>4 mini-CLEs produced</li> </ul>	<b>Quantity</b>	<b>Member Benefit</b>
	<b>\$5000</b>	Scholarships, donations, grants awarded
	<b>\$0</b>	Law school outreach events/benefits hosted
	<b>93</b>	Legislative bills reviewed/drafted
	<b>3</b>	Newsletters produced
	<b>2</b>	Mini-CLEs produced
	<b>1</b>	Co-sponsored half/day to multi-day CLEs with WSBA
	<b>2</b>	Receptions/forums hosted
	<b>1</b>	Awards given
	<b>\$50</b>	New Lawyer Outreach events/benefits
	<b>1</b>	Members only Mentorship Program – mentees benefit from one-on-one mentoring while mentors benefit from free CLE credits earned while mentoring
<p><b>2020 Goals &amp; Priorities (Top 5)</b></p>	<b>1</b>	Publish Supplement to Public Records Act Deskbook
	<b>2</b>	Produce full-day CLE on Public Records Act
	<b>3</b>	Develop a mentoring program within the framework of WSBA’s mentoring program to run initially from April 2020 – March 2021
	<b>4</b>	Produce 2+ free/low-cost mini CLEs
	<b>5</b>	Publish 3 newsletters
<p><b>Please report how this section is addressing diversity:</b>  (Are you using any of the tools provided by WSBA and if so, how? Have you sought out training or consultation from the Diversity Specialist? How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your section done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession?)</p>		

The Administrative Law Section is involved in all areas of administrative law of interest to Washington lawyers, including Washington State administrative law, federal administrative law, tribal administrative law, and interstate compact administrative law. We recognize that most attorneys in Washington practice some type of administrative law, even if they never directly apply the Washington Administrative Procedure Act. The section welcomes anyone as a member who has an interest in administrative law. Our members include:

- Assistant attorneys general
- Public agency in-house attorneys
- City attorneys (on private contract as well as municipal employees)
- County prosecutors
- Private practitioners who represent clients subject to government regulation
- Judicial officials
- Administrative Law Judges

The Administrative Law Section board strives to recruit members and board members from historically underrepresented backgrounds, LGBT attorneys, young/new attorneys, and attorneys from all over the state. We also added diversity as a consideration for our law student grant, encouraging law students from underrepresented backgrounds to consider practicing administrative law and to become active in the section. The section's diversity and outreach co-chairs are Alexis Hartwell-Gobeske and Robert Rhodes who have focused primarily on both creating awareness within the section leadership about bias, equality and equity while developing a mentorship program for the 2020 year that is designed to provide guidance and support to new and underrepresented attorneys as they begin their practice in administrative law. Instead of working directly with minority bar associations, we are focused on developing a section that is inclusive and supportive of minorities in the practice area which we hope will foster a diverse population for the practice in the future.

**Please report how this section is addressing professionalism:**

(Does the section's work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior?)

The section is conscientious about ensuring that the board is composed to members who represent state agencies and members who typically practice against state agencies, to ensure a diversity of opinions and balance in programming/publications. The section also has a practice of hosting social receptions in coordination with mini-CLEs, so that members have the opportunity to network and meet socially while learning about the section. In December 2015, the section produced a mini-CLE on professionalism presented by a representative of Robert's Fund, an organization devoted to professionalism in the practice of law. The section remains committed to professionalism. The section leaders have noticed that some of the most engaging and useful conversations about the section and the profession happen during these informal gatherings, likely improving civil and professional relationships among practitioners.

**Please report how this section is integrating new and young lawyers into its work:**

(How have you brought new and young lawyers into your decision making process? Has the section supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities?)

We try to recruit attorneys for the section board and committees who have been practicing for a broad range of years, including attorneys who are planning for retirement and attorneys who have just begun their careers. We encourage all board and committee members—including new attorneys—to serve in all leadership positions, including as section officers and committee chairs. Our Young Lawyer Liaison is a voting member of the executive committee, and past Young Lawyer Liaisons have gone on to other leadership roles, including President. We also encourage our law student grantees to meet the board members by attending our annual retreat, where they can learn more about leading a section and take on any level of responsibility that is appropriate, including joining a committee or contributing to the section newsletter.

**Please describe your Executive Committee’s relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services provided to Section Executive Committee*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections.*

We regularly communicate with our section liaison, Eleen Trang, who responds quickly and either has the information we need or can direct us to the person who can help. The quality of service has been great. We also interacted with WSBA staff regarding legislation that pertains to administrative law. WSBA Programs Manager Shanthi Raghu assisted with putting on the Oregon Washington Administrative Law CLE. She was helpful in guiding the process to a successful completion.

**Note:** Annual Reports will be provided to the WSBA Executive Director, Board of Governors and posted on your section’s webpage. We encourage you to share the Annual Report with your BOG liaison and section membership.

Reports are scheduled to be included in the January 2020 BOG Meeting Materials.

**Return by December 6, 2019 to [sections@wsba.org](mailto:sections@wsba.org)**