Annual Spring Section Leaders Meeting

Wrapping Up FY22 and Planning for FY23: Budgeting and Programming
April 27, 2022 | 3:00 p.m. – 5:00 p.m. | Virtual via Zoom

AGENDA

3:00 p.m.  Welcome & Plan for The Day  Carolyn MacGregor, Sections Program Specialist
           Hon. Brian Tollefson (Ret.), WSBA President

3:10     FY23 Budget Planning  Liz Wick, Finance Manager

3:50     Sections Program Updates  Carolyn MacGregor, Sections Program Specialist
           Omar Abdulla, Sections Program Coordinator
           Julianne Unite, Member Services and Engagement (MSE) Manager
           Kevin Plachy, Director of Advancement

4:00     WSBA Structure Study Update  Terra Nevitt, Executive Director
           Hon. Brian Tollefson (Ret.), WSBA President
           Kyle Sciuchetti, WSBA Past President
           Bryn Peterson, WSBA Treasurer
           Francis Adewale, WSBA Board of Governor
           Lauren Boyd, WSBA Board of Governor
           Brent Williams-Ruth, WSBA Board of Governor
           Kevin Plachy, Director of Advancement

4:30     Open Dialogue with Board of Governors Members  Hon. Brian Tollefson (Ret.), WSBA President
           Kyle Sciuchetti, WSBA Past President
           Treasurer Bryn Peterson, WSBA Treasurer
           Francis Adewale, WSBA Board of Governor
           Matthew Dresden, WSBA Board of Governor
           Lauren Boyd, WSBA Board of Governor
           Brent Williams-Ruth, WSBA Board of Governor

5:00     Closing Remarks & Adjourn  Carolyn MacGregor, Sections Program Specialist

Your commitment as a section leader is valued and appreciated—thank you for being here today!
This meeting will be recorded and available for viewing after the event.
ANNUAL SPRING SECTION LEADERS MEETING

Wrapping up FY2022 and Planning for FY2023: Budgeting and Programming

Wednesday, April 27, 2022
3:00 p.m. – 5:00 p.m.
AGENDA

• Welcome and Plan for the Day
• FY23 Budget Planning
• Sections Program Updates
• WSBA Structure Study Update
• Open Dialogue with BOG Members
• Adjourn
FISCAL YEAR (FY) 2023 BUDGET SCHEDULE

- **May 2:** Budget Worksheets and documents sent to Section Leaders
- **May 2 – July 1:** Sections Leaders complete budget template
- **June 22:** Budget Process Drop-In Calls
- **July 1:** Deadline for Sections to submit their budget worksheet and change dues request
- **July 27:** WSBA Budget & Audit (B&A) Committee meeting reviews initial budget drafts
- **July 9 – 30:** Review of budget worksheet and follow-up
- **August 26:** Final budget worksheets due
- **September 14:** B&A reviews final FY22 Section Budgets
- **September 22 – 23:** WSBA Board of Governors approves budget
DOCUMENTS

- FY23 Section Budget Request Worksheet
- Request to Change Member Dues
- Section Membership Dues History
- Section Membership Count History
- Section Fiscal Policies
- CLE Split Summary
- FY23 Per-Member Charge Calculation

- All distributed on May 2nd
FY23 SECTION BUDGET REQUEST WORKSHEET

- Sample spreadsheet attached to meeting materials
- Includes 2019 – 2022 YTD budget and actual numbers
- “Narrative” column to be filled out explaining the purpose of the funds and any calculations or additional information to support the budget figure
- Sections leaders will input FY2023 budget dollar amounts and narrative
- Due July 1st
REQUEST TO CHANGE MEMBER DUES

- Only needed if planning a change to member dues for FY23
- Due July 1st
SECTION MEMBERSHIP DUES HISTORY

- This document shows the membership dues for each section for the past 5 years
SECTION MEMBERSHIP COUNT HISTORY

- This document shows the membership counts for your section over the past 5 years as well as the year-to-date count.
SECTION FISCAL POLICIES

- This explains the WSBA’s guidelines for section financial activity
- General guidelines:
  - Sections fund balance should be enough to sustain a consistent level of programming in the even there are severe fluctuations in annual section membership (six months’ worth of direct programming expenses are recommended as a guideline)
  - Sections are discouraged from maintaining fund balances in excess of two years’ worth of direct programming expenses and specified purposes
  - Limits to certain expense categories may exist e.g., lodging and meal reimbursements, gifts, etc.
  - While section annual budgets are designed as “use it or lose it,” there is a process for proposing use of unbudgeted funds for unexpected or unplanned circumstances.
The current (FY23) PMC calculation of $17.66 was approved by the Budget & Audit Committee at the April 20th meeting. A detailed breakdown of the calculation behind the charge will be distributed along with the other budget materials on May 2nd.
QUESTIONS?
SECTIONS PROGRAM UPDATES

CAROLYN MACGREGOR, SECTIONS PROGRAM SPECIALIST
OMAR ABDULLA, SECTIONS PROGRAM COORDINATOR
JULIANNE UNITE, MEMBER SERVICES AND ENGAGEMENT MANAGER
KEVIN PLACHY, DIRECTOR OF ADVANCEMENT
Elections

• Nominating committees reviewing applications

• Candidate slate form due May 16*

• Ballots finalized by May 31

• Voting begins June 6*

• Final results sent to section chairs by July 8

*Some sections are following an alternate timeline
Year-in-Review Infosheets

- Available now via link on each section webpage
- Designed as tool for section publicity/member recruitment
- Content taken from FY21 section annual reports
Discussion Series

• Virtual lunchtime discussion series to be launched soon
• Opportunity for section leaders to engage in discussion on relevant topics
• 1-2 sessions planned for the rest of FY21
• 1\textsuperscript{st} topic is “What’s Happening with Open Sections Night?”
List Serve Clean Up

• Purpose: Ensure current section members are subscribed to WSBA administered section list serves

• Communication and Implementation Plan
  • Notification to Section Leaders – Late April
  • Notification to Section Members – Early May
  • Clean-up – Mid May
COVID-19 UPDATES

• Updated policies for volunteers and guests are in effect.

• Check the COVID-19 Policy page for latest information, resources, and to upload proof of vaccination or exemption.

• Volunteer Policy: Proof of vaccination, including booster, or qualifying exemption.

• Guest Policy: Proof of vaccination, including booster, or negative PCR test within past 72 hours.

• For masking protocol, follow local Health Dept. and venue guidelines at time of event.
QUESTIONS?
WSBA STRUCTURE STUDY UPDATE

TERRA NEVITT, EXECUTIVE DIRECTOR
HON. BRIAN TOLLEFSON (RET.), WSBA PRESIDENT
KYLE SCIUCHETTI, WSBA PAST PRESIDENT
BRYN PETERSON, WSBA TREASURER
FRANCIS ADEWALE, MEMBER - WSBA BOARD OF GOVERNORS
LAUREN BOYD, MEMBER - WSBA BOARD OF GOVERNORS
BRENT WILLIAMS-RUTH, MEMBER - WSBA BOARD OF GOVERNORS
KEVIN PLACHY, DIRECTOR OF ADVANCEMENT
WHAT IS OUR STRUCTURE NOW?
CA and NE modified their unified bar models.
WHY IS THE STRUCTURE BEING EXAMINED?
# U.S. SUPREME COURT DECISIONS

<table>
<thead>
<tr>
<th>FREE ASSOCIATION</th>
<th>FREE SPEECH</th>
</tr>
</thead>
<tbody>
<tr>
<td>• States may constitutionally require membership <em>to further legitimate interests in raising the quality of professional services</em> even though the organization also engages in some legislative activity.</td>
<td>• Compelled association and integrated bar <em>justified by states’ interest in regulating the legal profession and improving the quality of legal services.</em></td>
</tr>
<tr>
<td>Lathrop v. Donohue (1961)</td>
<td>• <em>The State Bar may constitutionally fund germane activities</em> from mandatory dues. It may not, however, in such manner fund activities of an ideological nature which fall outside of those areas.</td>
</tr>
</tbody>
</table>
Is the activity prohibited under GR 12.2?

Would the activity constitute taking a position on a political issue that is not related to either the administration of justice or the practice of law?

Yes

No

Can we use compulsory license fees for the activity under Keller?

Yes

No

Include in Keller Deduction

Is the activity germane to the bar association’s legitimate interests in regulating the legal profession and improving the quality of legal services?
JANUS V. AFSCME (2018)

• Supreme Court holds that the First Amendment forbids government from requiring their employees to pay union fees.

• Overturned the 1977 decision of Abood v. Detroit Board of Education, which had formed the basis for the US Supreme Court’s 1990 decision in Keller v. State Bar of California.

• Without Abood as a foundation, is Keller still good law?
WHY IS THE STRUCTURE BEING EXAMINED AGAIN?
## CASES FILED AFTER JANUS

### 5th Circuit
- Louisiana – Bourdreaux v. Louisiana State Bar - Keller notice claim remanded. Inability to identify nongermane expenditure is constitutional violation.
- Texas - McDonald v. Longley - Mandatory bars that engage in any nongermane activity violate First Amendment right of free association. Injunction issued.

### 6th Circuit
- Michigan – Taylor v. Buchanan - Mandatory bars that engage in germane activity only are constitutional. Cert. Petition filed 9/1/2021

### 7th Circuit
- Wisconsin – Jarchow v. State Bar of Wisconsin, Cert. Petition denied 6/1/20 with two justices wanting to reconsider Keller

### 8th Circuit

### 9th Circuit-Pending
- Washington - cases dismissed 2017 and 2018

### 10th Circuit-Pending
- Oklahoma – Schell v. Oklahoma Supreme Court - Free association claim remanded. Broader free association claim not yet decided by US Supreme Court.
THREE QUESTIONS FROM THE WASHINGTON SUPREME COURT

1. Does current federal litigation regarding the constitutionality of integrated bars require the WSBA to make a structure change?

2. Even if the WSBA does not have to alter its structure now, what is the contingency plan if the U.S. Supreme Court does issue a ruling that forces a change?

3. Litigation aside, what is the ideal structure for the WSBA to accomplish its mission?
EXAMINING THE HISTORICAL ORGANIZATION AND STRUCTURE OF THE BAR (ETHOS)

• Feb. 5, 2022
• Mar. 5, 2022
• Mar. 25, 2022
• Apr. 23, 2022
• May 21, 2022
• Jun. 18, 2022
• Jul. 23, 2022
• Aug. 13, 2022

Background materials, meeting materials, and meeting information is available at:

https://www.wsba.org/about-wsba/who-we-are/board-of-governors/bar-structure-study
OPEN DIALOGUE WITH BOG MEMBERS

HON. BRIAN TOLLEFSON, WSBA PRESIDENT
KYLE SCIUCHETTI, WSBA PAST PRESIDENT
BRYN PETERSON, TREASURER
GOVERNOR FRANCIS ADEWALE, BOARD OF GOVERNORS
LAUREN BOYD, BOARD OF GOVERNORS
MATTHEW DRESDEN, BOARD OF GOVERNORS
BRENT WILLIAMS-RUTH, BOARD OF GOVERNORS
TERRA NEVITT, EXECUTIVE DIRECTOR
KEVIN PLACHY, DIRECTOR OF ADVANCEMENT
Thank you!

Sections are integral partners in promoting the WSBA’s mission to serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice.
## FY2023 BUDGET DATA:

###叙述:

进入描述如何使用预算资金。

###收入 (REVENUE):

<table>
<thead>
<tr>
<th>描述</th>
<th>FY2022预算</th>
<th>FY2022实际</th>
<th>FY2023预算</th>
<th>半年/全年/多日</th>
</tr>
</thead>
<tbody>
<tr>
<td>利息 - 投资收入</td>
<td>40,500</td>
<td>771</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>演讲会收入其他</td>
<td>41,825</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>演讲会收入与CLE</td>
<td>41,850</td>
<td>13,000</td>
<td>14,846</td>
<td>9,000</td>
</tr>
<tr>
<td>演讲会收入与 Others</td>
<td>41,875</td>
<td>1,000</td>
<td>-</td>
<td>1,000</td>
</tr>
<tr>
<td>部门收入</td>
<td>42,000</td>
<td>36,050</td>
<td>33,635</td>
<td>34,125</td>
</tr>
</tbody>
</table>

###额外收入项 (ADDITIONAL REVENUE LINES IF NEEDED):

(如在"账户"标签下查看项目列表)

###总计收入 (TOTAL REVENUE):

<table>
<thead>
<tr>
<th></th>
<th>FY2023预算</th>
<th>FY2022实际</th>
<th>FY2023预算</th>
<th>半年/全年/多日</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>50,050</td>
<td>49,252</td>
<td>44,125</td>
<td>54,262</td>
</tr>
</tbody>
</table>

###支出 (EXPENSES):

<table>
<thead>
<tr>
<th>描述</th>
<th>FY2022预算</th>
<th>FY2022实际</th>
<th>FY2023预算</th>
<th>半年/全年/多日</th>
</tr>
</thead>
<tbody>
<tr>
<td>会议电话</td>
<td>50,165</td>
<td>500</td>
<td>1,000</td>
<td>208</td>
</tr>
<tr>
<td>年度或其他会议费用</td>
<td>58,325</td>
<td>1,500</td>
<td>-</td>
<td>1,500</td>
</tr>
<tr>
<td>出席会议费用</td>
<td>58,150</td>
<td>3,000</td>
<td>2,000</td>
<td>1,045</td>
</tr>
<tr>
<td>奖励</td>
<td>58,175</td>
<td>1,000</td>
<td>-</td>
<td>1,900</td>
</tr>
<tr>
<td>正式委员会会议费用</td>
<td>58,300</td>
<td>16,000</td>
<td>-</td>
<td>5,956</td>
</tr>
<tr>
<td>执行委员会费用 - 其他</td>
<td>58,305</td>
<td>10,000</td>
<td>2,475</td>
<td>10,000</td>
</tr>
<tr>
<td>会员参与报告费用</td>
<td>58,350</td>
<td>3,430</td>
<td>1,000</td>
<td>1,000</td>
</tr>
<tr>
<td>会员参与报告费用 - 其他</td>
<td>58,375</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>会员发展与招募费用</td>
<td>58,400</td>
<td>10,313</td>
<td>10,000</td>
<td>17,736</td>
</tr>
<tr>
<td>会籍与论坛费用</td>
<td>58,450</td>
<td>2,000</td>
<td>-</td>
<td>10,000</td>
</tr>
<tr>
<td>会员发展与论坛费用 - 其他</td>
<td>58,475</td>
<td>6,000</td>
<td>-</td>
<td>6,000</td>
</tr>
</tbody>
</table>

###额外支出项 (ADDITIONAL EXPENSE LINES IF NEEDED):

(如在"账户"标签下查看项目列表)

###总计直接支出 (TOTAL DIRECT EXPENSES):

<table>
<thead>
<tr>
<th></th>
<th>FY2023预算</th>
<th>FY2022实际</th>
<th>半年/全年/多日</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>62,313</td>
<td>24,456</td>
<td>70,126</td>
</tr>
</tbody>
</table>

###净收入 (NET INCOME LOSS):

<table>
<thead>
<tr>
<th></th>
<th>FY2023预算</th>
<th>FY2022实际</th>
<th>半年/全年/多日</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(12,163)</td>
<td>24,796</td>
<td>(26,001)</td>
</tr>
</tbody>
</table>

###基金余额 (FUND BALANCE):

<table>
<thead>
<tr>
<th></th>
<th>FY2023预算</th>
<th>FY2022实际</th>
<th>半年/全年/多日</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>47,032</td>
<td>117,029</td>
<td>47,032</td>
</tr>
</tbody>
</table>

(如果适用)请列出所有未与WSBA CLE计划的CLE:

- 月/年
- 描述
- 半年/全年/多日