

## Guide: Bringing an Action Item to the WSBA Board of Governors

### Instructions

#### Purpose:

The purpose of this guide is to support you in the process of developing potential action that may come before the WSBA Board of Governors. The instructions detail which information to gather, prompting questions to support your preparation, and areas in which WSBA staff will provide analysis.

#### Timeline & Process:

Review this entire guiding document when you are first considering developing potential action to be considered. Determine which areas need more attention as these may take more time to complete.

The WSBA President determines the agenda for each Board of Governors meeting. The process of preparing to bring a topic to the WSBA Board of Governors can take time. Be sure to consult with Bar staff who perform the risk, financial and equity analysis early on in your process, prior to drafting your memo, so they can help guide you if needed.

When you believe you have addressed all areas of the guide and template; please submit your topic to the President and Executive Director by the Board Meeting Agenda Item deadline. All possible agenda items will be reviewed by the President, who may seek guidance from the Board of Governors Executive Committee. The dates and times for all Executive Committee Meetings are posted online. The WSBA President may add an item to the agenda, suggest the topic be reviewed by a Board standing committee such as Budget and Audit, suggest gathering additional information or community feedback, or decline to take up the item.

In accordance with the WSBA Bylaws, only Bylaw amendments require a first and second reading. The Board of Governors may, however, discuss any topic at multiple meetings before taking action.

Information about the Board of Governors, the Board standing committees, and the BOG meeting schedule and deadlines are available [here](#).

#### Format:

[Click here](#) to view the BOG Action Item memo template which you may use when ready to submit your materials. You will note that the template contains prompting questions. These questions do not all need to be answered; they are intended to guide you in providing sufficient information for the risk, financial and equity analysis and ultimately for the Board of Governors to take action.

#### Role of BOG and Staff Liaison:

Your primary partner through this process (in addition to the other individuals or groups you may be working with) is your staff liaison. The staff liaison can help address or research answers to some of the prompting questions. Additionally, your staff liaison can work with the Office of General Counsel, the Finance and Administration Department, and the Equity and Justice Team for the areas requiring analysis. It is highly recommended that you keep your BOG Liaison informed and updated about this project as well so they can be source of information during the BOG discussion.

If you are unsure of which staff member to inform and/or work with on this topic, please email [Volunteer Engagement Advisor \(parise@wsba.org\)](mailto:parise@wsba.org) for additional guidance.

Provided below is more detailed information regarding the various areas to be addressed in your memo including: *Introduction, Background, Community Input, Risk Analysis, Fiscal Analysis, Equity Analysis and Attachments.*

### Introduction

Summarize the problem and the proposed solution in the first paragraph(s). Please be as concise as possible.

#### *Prompting Questions:*

- *What is the problem we are trying to solve?*
- *How is the solution expected to solve the problem?*
- *What does success look like and how will we measure it?*
- *What are the suggested next steps?*

### Background

Provide the procedural background as well as any supporting data or information in this section.

#### *Prompting Questions:*

- *Describe the proposing entity and any relevant policies, procedures, rules or court orders that impact this decision or grant authority to take action.*
- *Has the request recently come to the Board? If so, what has been done since then? Did the Board request additional information or community input? If so, how was the addressed and how has the proposal changed?*
- *Historically, has WSBA ever taken a position on this issue/had a program to address this? What was it? Has anything changed since then?*
- *How did you learn about the problem? What data or information supports the existence of a problem?*
- *What steps have been taken to arrive at the proposed solution? Were any alternative solutions considered and why were they rejected?*
- *Have you considered the issue through an equity lens? How has that informed your understanding of the problem and/or the proposed solution?*
- *Any barriers to the proposed solution? How will they be addressed?*

### Community Input

Summarize the outreach to and response from communities in this section. When conducting community analysis, consider groups who will be impacted by the outcome, may want to influence the outcome and who may be a proponent or opponent to the topic.

#### *Prompting Questions:*

- *Who will be most affected by this decision? In particular, consider which groups who are underrepresented or marginalized might be most impacted by this decision (e.g., people with disabilities, people from the LGBTQ community, people of color, women, transgender and non-binary people).*
- *How did you meaningfully involve these groups in your process and decision-making?*

### WSBA Risk Analysis

This section will contain information provided by the Office of General Counsel (OGC), with input from the proposing entity or individual. When ready, a staff liaison can email OGC a request for a risk analysis. This request should contain your initial responses to the following questions (also listed above in the *Introduction* and *Background* prompting questions).

- *What is the problem we are trying to solve?*
- *How is the solution expected to solve the problem?*
- *Has the request recently come to the Board? If so, what has been done since then? Did the Board request additional information or community input? If so, how was it addressed and how has the proposal changed?*
- *Historically, has WSBA ever taken a position on this issue/had a program to address this? What was it? Has anything changed since then?*

Based on an initial review of the topic; the Office of General Counsel will provide an estimated time frame in which the risk analysis will be completed. Additionally, the Office of General Counsel may need to provide information attorney-client privileged information and may not be included in the final memo.

#### General Timing:

For new/novel topics: 30-60 days (timing may vary depending on topic)

Current Programming/topics: 2-4 weeks

### WSBA Fiscal Analysis

This section will contain information provided by the Finance Department, with input from the proposing entity or individual. When ready, a staff liaison can contact the Finance Department and request a fiscal analysis. This request should contain your initial responses to the following questions:

- *Is a similar project or program already in the WSBA budget?*
- *If implemented, what is your estimated budget for the project?*
- *If implemented, will this project require staff time?*
- *Is this a new technology? Have other similar technologies been explored?*
- *If implemented, will this project save the WSBA money?*
- *Would this project bring in any revenue?*

Based on an initial review of this topic, the Finance Department will provide you an estimated time frame in which the financial analysis will be completed.

General Timing: 30-60 days

### WSBA Equity Analysis

This section will contain information provided by the Equity and Justice Team with input from the proposing entity or individual. When ready, a staff liaison can contact the Equity and Justice Team and request an equity analysis. This request should contain your initial responses to the following questions:

- *What factors (institutions, existing policies, social conditions, etc.) associated with this issue might be affecting underrepresented or marginalized individuals or communities differently?*
- *What are some of the root causes of these inequities?*
- *Are there any compounding or intersecting dynamics of multiple social identities that are relevant (e.g., inequities for communities who are from LGBTQ communities of color)?*
- *Based on the data presented, how might the proposed action benefit or harm individuals or communities who are underrepresented or have been historically marginalized?*
- *What information is missing that needs to be gathered?*
- *How will the proposed action increase or decrease equity? Are there any potential unintended consequences?*
- *What strategies or ideas might make the proposed process and outcome more equitable and minimize harm to underrepresented or historically marginalized individuals and communities?*
- *How will the proposed action or process be implemented in a way that has ongoing accountability to communities most impacted? How will you know if you have been successful?*

General Timing: 30-60 days

Attachments

List any attachments here.

*Last Updated: September 29, 2022*