

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

Board of Governors Meeting
Public Session Materials

November 16, 2018
WSBA Conference Center
Seattle, Washington

WASHINGTON STATE BAR ASSOCIATION

WSBA MISSION

The Washington State Bar Association’s mission is to serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice.

WSBA GUIDING PRINCIPLES

The WSBA will operate a well-managed association that supports its members and advances and promotes:

- **Access to the justice system.**
Focus: Provide training and leverage community partnerships in order to enhance a culture of service for legal professionals to give back to their communities, with a particular focus on services to underserved low and moderate income people.
- **Diversity, equality, and cultural understanding throughout the legal community.**
Focus: Work to understand the lay of the land of our legal community and provide tools to members and employers in order to enhance the retention of minority legal professionals in our community.
- **The public’s understanding of the rule of law and its confidence in the legal system.**
Focus: Educate youth and adult audiences about the importance of the three branches of government and how they work together.
- **A fair and impartial judiciary.**
- **The ethics, civility, professionalism, and competence of the Bar.**

MISSION FOCUS AREAS

Ensuring Competent and Qualified Legal Professionals

- Cradle to Grave
- Regulation and Assistance

Promoting the Role of Legal Professionals in Society

- Service
- Professionalism

PROGRAM CRITERIA

- Does the Program further either or both of WSBA’s mission-focus areas?
- Does WSBA have the competency to operate the Program?
- As the mandatory bar, how is WSBA uniquely positioned to successfully operate the Program?
- Is statewide leadership required in order to achieve the mission of the Program?
- Does the Program’s design optimize the expenditure of WSBA resources devoted to the Program, including the balance between volunteer and staff involvement, the number of people served, the cost per person, etc?

2016 – 2018 STRATEGIC GOALS

- **Equip members with skills for the changing profession**
- **Promote equitable conditions for members from historically marginalized or underrepresented backgrounds to enter, stay and thrive in the profession**
- **Explore and pursue regulatory innovation and advocate to enhance the public’s access to legal services**

GR 12
REGULATION OF THE PRACTICE OF LAW

The Washington Supreme Court has inherent and plenary authority to regulate the practice of law in Washington. The legal profession serves clients, courts, and the public, and has special responsibilities for the quality of justice administered in our legal system. The Court ensures the integrity of the legal profession and protects the public by adopting rules for the regulation of the practice of law and actively supervising persons and entities acting under the Supreme Court's authority.

[Adopted effective September 1, 2017.]

GR 12.1
REGULATORY OBJECTIVES

Legal services providers must be regulated in the public interest. In regulating the practice of law in Washington, the Washington Supreme Court's objectives include: protection of the public; advancement of the administration of justice and the rule of law; meaningful access to justice and information about the law, legal issues, and the civil and criminal justice systems;

- (a) transparency regarding the nature and scope of legal services To be provided, the credentials of those who provide them, and the availability of regulatory protections;
- (b) delivery of affordable and accessible legal services;
- (c) efficient, competent, and ethical delivery of legal services;
- (d) protection of privileged and confidential information;
- (e) independence of professional judgment;
- (f) Accessible civil remedies for negligence and breach of other duties owed, disciplinary sanctions for misconduct, and advancement of appropriate preventive or wellness programs;
- (g) Diversity and inclusion among legal services providers and freedom from discrimination for those receiving legal services and in the justice system.

[Adopted effective September 1, 2017.]

GR 12.2
**WASHINGTON STATE BAR ASSOCIATION: PURPOSES, AUTHORIZED
ACTIVITIES, AND PROHIBITED ACTIVITIES**

In the exercise of its inherent and plenary authority to regulate the practice of law in Washington, the Supreme Court authorizes and supervises the Washington State Bar Association's activities. The Washington State Bar Association carries out the administrative responsibilities and functions expressly delegated to it by this rule and other Supreme Court rules and orders enacted or adopted to regulate the practice of law, including the purposes and authorized activities set forth below.

- (a) Purposes: In General. In general, the Washington State Bar Association strives to:

- (1) Promote independence of the judiciary and the legal profession.
- (2) Promote an effective legal system, accessible to all.
- (3) Provide services to its members and the public.
- (4) Foster and maintain high standards of competence, professionalism, and ethics among its members.
- (5) Foster collegiality among its members and goodwill between the legal profession and the public.
- (6) Promote diversity and equality in the courts and the legal profession.
- (7) Administer admission, regulation, and discipline of its members in a manner that protects the public and respects the rights of the applicant or member.
- (8) Administer programs of legal education.
- (9) Promote understanding of and respect for our legal system and the law.
- (10) Operate a well-managed and financially sound association, with a positive work environment for its employees.
- (11) Serve as a statewide voice to the public and to the branches of government on matters relating to these purposes and the activities of the association and the legal profession.

(b) Specific Activities Authorized. In pursuit of these purposes, the Washington State Bar Association may:

- (1) Sponsor and maintain committees and sections, whose activities further these purposes;
- (2) Support the judiciary in maintaining the integrity and fiscal stability of an independent and effective judicial system;
- (3) Provide periodic reviews and recommendations concerning court rules and procedures;
- (4) Administer examinations and review applicants' character and fitness to practice law;
- (5) Inform and advise its members regarding their ethical obligations;
- (6) Administer an effective system of discipline of its members, including receiving and investigating complaints of misconduct by legal professionals, taking and recommending appropriate punitive and remedial measures, and diverting less serious misconduct to alternatives outside the formal discipline system;
- (7) Maintain a program, pursuant to court rule, requiring members to submit fee disputes to arbitration;
- (8) Maintain a program for mediation of disputes between members and others;
- (9) Maintain a program for legal professional practice assistance;
- (10) Sponsor, conduct, and assist in producing programs and products of continuing legal education;

- (11) Maintain a system for accrediting programs of continuing legal education;
- (12) Conduct examinations of legal professionals' trust accounts;
- (13) Maintain a fund for client protection in accordance with the Admission and Practice Rules;
- (14) Maintain a program for the aid and rehabilitation of impaired members;
- (15) Disseminate information about the organization's activities, interests, and positions;
- (16) Monitor, report on, and advise public officials about matters of interest to the organization and the legal profession;
- (17) Maintain a legislative presence to inform members of new and proposed laws and to inform public officials about the organization's positions and concerns;
- (18) Encourage public service by members and support programs providing legal services to those in need;
- (19) Maintain and foster programs of public information and education about the law and the legal system;
- (20) Provide, sponsor, and participate in services to its members;
- (21) Hire and retain employees to facilitate and support its mission, purposes, and activities, including in the organization's discretion, authorizing collective bargaining;
- (22) Establish the amount of all license, application, investigation, and other related fees, as well as charges for services provided by the Washington State Bar Association, and collect, allocate, invest, and disburse funds so that its mission, purposes, and activities may be effectively and efficiently discharged. The amount of any license fee is subject to review by the Supreme Court for reasonableness and may be modified by order of the Court if the Court determines that it is not reasonable;
- (23) Administer Supreme-Court-created boards in accordance with General Rule 12.3.

(c) Activities Not Authorized. The Washington State Bar Association will not:

- (1) Take positions on issues concerning the politics or social positions of foreign nations;
- (2) Take positions on political or social issues which do not relate to or affect the practice of law or the administration of justice; or
- (3) Support or oppose, in an election, candidates for public office.

[Adopted effective July 17, 1987; amended effective December 10, 1993; September 1, 1997; September 1, 2007; September 1, 2013; September 1, 2017.]

GR 12.3
WASHINGTON STATE BAR ASSOCIATION ADMINISTRATION
OF SUPREME COURT-CREATED BOARDS AND COMMITTEES

The Supreme Court has delegated to the Washington State Bar Association the authority and responsibility to administer certain boards and committees established by court rule or order. This delegation of authority includes providing and managing staff, overseeing the boards and committees to monitor their compliance with the rules and orders that authorize and regulate them, paying expenses reasonably and necessarily incurred pursuant to a budget approved by the Board of Governors, performing other functions and taking other actions as provided in court rule or order or delegated by the Supreme Court, or taking other actions as are necessary and proper to enable the board or committee to carry out its duties or functions.

[Adopted effective September 1, 2007; amended effective September 1, 2017.]

GR 12.4
WASHINGTON STATE BAR ASSOCIATION ACCESS TO
RECORDS

(a) Policy and Purpose. It is the policy of the Washington State Bar Association to facilitate access to Bar records. A presumption of public access exists for Bar records, but public access to Bar records is not absolute and shall be consistent with reasonable expectations of personal privacy, restrictions in statutes, restrictions in court rules, or as provided in court orders or protective orders issued under court rules. Access shall not unduly burden the business of the Bar.

(b) Scope. This rule governs the right of public access to Bar records. This rule applies to the Washington State Bar Association and its subgroups operated by the Bar including the Board of Governors, committees, task forces, commissions, boards, offices, councils, divisions, sections, and departments. This rule also applies to boards and committees under GR 12.3 administered by the Bar. A person or entity entrusted by the Bar with the storage and maintenance of Bar records is not subject to this rule and may not respond to a request for access to Bar records, absent express written authority from the Bar or separate authority in rule or statute to grant access to the documents.

(c) Definitions.

(1) "Access" means the ability to view or obtain a copy of a Bar record.

(2) "Bar record" means any writing containing information relating to the conduct of any Bar function prepared, owned, used, or retained by the Bar regardless of physical form or characteristics. Bar records include only those records in the possession of the Bar and its staff or stored under Bar ownership and control in facilities or servers. Records solely in the possession of hearing officers, non-Bar staff members of boards, committees, task forces, commissions, sections, councils, or divisions that were prepared by the hearing officers or the members and in their sole possession, including private notes and working papers, are not Bar records and are not subject to public access under this rule. Nothing in this rule requires the Bar to create a record that is not currently in possession of the Bar at the time of the request.

(3) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation in paper, digital, or other format.

(d) Bar Records--Right of Access.

(1) The Bar shall make available for inspection and copying all Bar records, unless the record falls within the specific exemptions of this rule, or any other state statute (including the Public Records Act, chapter 42.56 RCW) or federal statute or rule as they would be applied to a public agency, or is made confidential by the Rules of Professional Conduct, the Rules for Enforcement of Lawyer Conduct, the Admission to Practice Rules and associated regulations, the Rules for Enforcement of Limited Practice Officer Conduct, General Rule 25, court orders or protective orders issued under those rules, or any other state or federal statute or rule. To the extent required to prevent an unreasonable invasion of personal privacy interests or threat to safety or by the above-referenced rules, statutes, or orders, the Bar shall delete identifying details in a manner consistent with those rules, statutes, or orders when it makes available or publishes any Bar record; however, in each case, the justification for the deletion shall be explained in writing.

(2) In addition to exemptions referenced above, the following categories of Bar records are exempt from public access except as may expressly be made public by court rule:

(A) Records of the personnel committee, and personal information in Bar records for employees, appointees, members, or volunteers of the Bar to the extent that disclosure would violate their right to privacy, including home contact information (unless such information is their address of record), Social Security numbers, driver's license numbers, identification or security photographs held in Bar records, and personal data including ethnicity, race, disability status, gender, and sexual orientation. Membership class and status, bar number, dates of admission or licensing, addresses of record, and business telephone numbers, facsimile numbers, and electronic mail addresses (unless there has been a request that electronic mail addresses not be made public) shall not be exempt, provided that any such information shall be exempt if the Executive Director approves the confidentiality of that information for reasons of personal security or other compelling reason, which approval must be reviewed annually.

(B) Specific information and records regarding

(i) internal policies, guidelines, procedures, or techniques, the disclosure of which would reasonably be expected to compromise the conduct of disciplinary or regulatory functions, investigations, or examinations;

(ii) application, investigation, and hearing or proceeding records relating to lawyer, Limited Practice Officer, or Limited License Legal Technician admissions, licensing, or discipline, or that relate to the work of ELC 2.5 hearing officers, the Board of Bar Examiners, the Character and Fitness Board, the Law Clerk Board, the Limited Practice Board, the MCLE Board, the Limited License Legal Technician Board, the Practice of Law Board, or the Disciplinary Board in conducting investigations, hearings or proceedings; and

(iii) the work of the Judicial Recommendation Committee and the Hearing Officer selection panel, unless such records are expressly categorized as public information by court rule.

(C) Valuable formulae, designs, drawings, computer source code or object code, and research data created or obtained by the Bar.

(D) Information regarding the infrastructure, integrity, and security of computer and telecommunication networks, databases, and systems.

(E) Applications for licensure by the Bar and annual licensing forms and related records, including applications for license fee hardship waivers and any decision or determinations on the hardship waiver applications.

(F) Requests by members for ethics opinions to the extent that they contain information identifying the member or a party to the inquiry.

Information covered by exemptions will be redacted from the specific records sought. Statistical information not descriptive of any readily identifiable person or persons may be disclosed.

(3) Persons Who Are Subjects of Records.

(A) Unless otherwise required or prohibited by law, the Bar has the option to give notice of any records request to any member or third party whose records would be included in the Bar's response.

(B) Any person who is named in a record, or to whom a record specifically pertains, may present information opposing the disclosure to the applicable decision maker.

(C) If the Bar decides to allow access to a requested record, a person who is named in that record, or to whom the records specifically pertains, has a right to initiate review or to participate as a party to any review initiated by a requester. The deadlines that apply to a requester apply as well to a person who is a subject of a record.

(e) Bar Records--Procedures for Access.

(1) General Procedures. The Bar Executive Director shall appoint a Bar staff member to serve as the public records officer to whom all records requests shall be submitted. Records requests must be in writing and delivered to the Bar public records officer, who shall respond to such requests within 30 days of receipt. The Washington State Bar Association must implement this rule and adopt and publish on its website the public records officer's work mailing address, telephone number, fax number, and e-mail address, and the procedures and fee schedules for accepting and responding to records requests by the effective date of this rule. The Bar shall acknowledge receipt of the request within 14 days of receipt, and shall communicate with the requester as necessary to clarify any ambiguities as to the records being requested. Records requests shall not be directed to other Bar staff or to volunteers serving on boards, committees, task forces, commissions, sections, councils, or divisions.

(2) Charging of Fees.

(A) A fee may not be charged to view Bar records.

(B) A fee may be charged for the photocopying or scanning of Bar records according to the fee schedule established by the Bar and published on its web site.

(C) A fee not to exceed \$30 per hour may be charged for research services required to fulfill a request taking longer than one hour. The fee shall be assessed from the second hour onward.

(f) Extraordinary Requests Limited by Resource Constraints. If a particular request is of a magnitude or burden on resources that the Bar cannot fully comply within 30 days due to constraints on time, resources, and personnel, the Bar shall communicate this information to the requester along with a good faith estimate of the time needed to complete the Bar's response. The Bar must attempt to reach

agreement with the requester as to narrowing the request to a more manageable scope and as to a timeframe for the Bar's response, which may include a schedule of installment responses. If the Bar and requester are unable to reach agreement, the Bar shall respond to the extent practicable, clarify how and why the response differs from the request, and inform the requester that it has completed its response.

(g) Denials. Denials must be in writing and shall identify the applicable exemptions or other bases for denial as well as a written summary of the procedures under which the requesting party may seek further review.

(h) Review of Records Decisions.

(1) Internal Review. A person who objects to a record decision or other action by the Bar's public records officer may request review by the Bar's Executive Director.

(A) A record requester's petition for internal review must be submitted within 90 days of the Bar's public records officer's decision, on such form as the Bar shall designate and make available.

(B) The review proceeding is informal, summary, and on the record.

(C) The review proceeding shall be held within five working days. If that is not reasonably possible, then within five working days the review shall be scheduled for the earliest practical date.

(2) External Review. A person who objects to a records review decision by the Bar's Executive Director may request review by the Records Request Appeals Officer (RRAO) for the Bar.

(A) The requesting party's request for review of the Executive Director's decision must be deposited in the mail and postmarked or delivered to the Bar not later than 30 days after the issuance of the decision, and must be on such form as the Bar shall designate and make available.

(B)) The review will be informal and summary, but in the sole discretion of the RRAO may include the submission of briefs no more than 20 pages long and of oral arguments no more than 15 minutes long.

(C) Decisions of the RRAO are final unless, within 30 days of the issuance of the decision, a request for discretionary review of the decision is filed with the Supreme Court. If review is granted, review is conducted by the Chief Justice of the Washington Supreme Court or his or her designee in accordance with procedures established by the Supreme Court. A designee of the Chief Justice shall be a current or former elected judge. The review proceeding shall be on the record, without additional briefing or argument unless such is ordered by the Chief Justice or his or her designee.

(D) The RRAO shall be appointed by the Board of Governors. The Bar may reimburse the RRAO for all necessary and reasonable expenses incurred in the completion of these duties, and may provide compensation for the time necessary for these reviews at a level established by the Board of Governors.

(i) Monetary Awards Not Allowed. Attorney fees, costs, civil penalties, or fines may not be awarded under this rule.

(j) Effective Date of Rule.

(1) This rule goes into effect on July 1, 2014, and applies to records that are created on or after that date.

(2) Public access to records that are created before that date are to be analyzed according to other court rules, applicable statutes, and the common law balancing test; the Public Records Act, chapter 42.56 RCW, does not apply to such Bar records, but it may be used for nonbinding guidance.

[Adopted effective July 1, 2014; amended effective September 1, 2017.]

**GR 12.5
IMMUNITY**

All boards, committees, or other entities, and their members and personnel, and all personnel and employees of the Washington State Bar Association, acting on behalf of the Supreme Court under the Admission and Practice Rules, the Rules for Enforcement of Lawyer Conduct, or the disciplinary rules for limited practice officers and limited license legal technicians, shall enjoy quasi-judicial immunity if the Supreme Court would have immunity in performing the same functions.

[Adopted effective January 2, 2008; amended effective September 1, 2017.]

2018-2019
WSBA BOARD OF GOVERNORS MEETING SCHEDULE

MEETING DATE	LOCATION	POTENTIAL ISSUES / SOCIAL FUNCTION	AGENDA DUE	BOARD BOOK MATERIAL DEADLINE*	EXECUTIVE COMMITTEE 2:00 pm–4:00 pm*
November 16, 2018	WSBA Conference Center Seattle, WA	BOG Meeting	October 25, 2018	October 31, 2018	October 24, 2018 9:00 am – 11:00 am
January 17-18, 2019	WSBA Conference Center Seattle, WA	BOG Meeting	December 20, 2018	January 2, 2019	December 20, 2018
March 7, 2019	Red Lion Olympia, WA	BOG Meeting	February 14, 2019	February 20, 2019	February 14, 2019
March 8, 2019	Temple of Justice	BOG Meeting with Supreme Court			
May 16-17, 2019	Hilton Garden Inn Yakima, WA	BOG Meeting	April 25, 2019	May 1, 2019	April 25, 2019
July 25, 2019	Courtyard Marriott Richland, WA	BOG Retreat	June 27, 2019	July 10, 2019	June 27, 2019
July 26-27, 2019		BOG Meeting			
September 26-27, 2019	WSBA Conference Center Seattle, WA	BOG Meeting	September 5, 2019	September 11, 2019	September 5, 2019
September 26, 2019	TBD	WSBA APEX Awards Banquet			

*The Board Book Material Deadline is the final due date for submission of materials for the respective Board meeting. However, you should notify the Executive Director's office in advance of possible meeting agenda item(s).

This information can be found online at: www.wsba.org/About-WSBA/Governance/Board-Meeting-Schedule-Materials

*Unless otherwise noted.



WSBA Board of Governors CONGRESSIONAL DISTRICT MAP



Bill Pickett
President



Rajeev Majumdar
President-Elect



TBD
Immediate Past President



Paula Littlewood, Exec. Dir.
Secretary

2018-2019



BASIC CHARACTERISTICS OF MOTIONS

*From: The Complete Idiot's Guide to Robert's Rules
The Guerilla Guide to Robert's Rules*

MOTION	PURPOSE	INTERRUPT SPEAKER?	SECOND NEEDED?	DEBATABLE?	AMENDABLE?	VOTE NEEDED
1. Fix the time to which to adjourn	Sets the time for a continued meeting	No	Yes	No ¹	Yes	Majority
2. Adjourn	Closes the meeting	No	Yes	No	No	Majority
3. Recess	Establishes a brief break	No	Yes	No ²	Yes	Majority
4. Raise a Question of Privilege	Asks urgent question regarding to rights	Yes	No	No	No	Rules by Chair
5. Call for orders of the day	Requires that the meeting follow the agenda	Yes	No	No	No	One member
6. Lay on the table	Puts the motion aside for later consideration	No	Yes	No	No	Majority
7. Previous question	Ends debate and moves directly to the vote	No	Yes	No	No	Two-thirds
8. Limit or extend limits of debate	Changes the debate limits	No	Yes	No	Yes	Two-thirds
9. Postpone to a certain time	Puts off the motion to a specific time	No	Yes	Yes	Yes	Majority ³
10. Commit or refer	Refers the motion to a committee	No	Yes	Yes	Yes	Majority
11. Amend an amendment (secondary amendment)	Proposes a change to an amendments	No	Yes	Yes ⁴	No	Majority
12. Amend a motion or resolution (primary amendment)	Proposes a change to a main motion	No	Yes	Yes ⁴	Yes	Majority
13. Postpone indefinitely	Kills the motion	No	Yes	Yes	No	Majority
14. Main motion	Brings business before the assembly	No	Yes	Yes	Yes	Majority

1 Is debatable when another meeting is scheduled for the same or next day, or if the motion is made while no question is pending

2 Unless no question is pending

3 Majority, unless it makes question a special order

4 If the motion it is being applied to is debatable



Discussion Protocols Board of Governors Meetings

Philosophical Statement:

"We take serious our representational responsibilities and will try to inform ourselves on the subject matter before us by contact with constituents, stakeholders, WSBA staff and committees when possible and appropriate. In all deliberations and actions we will be courageous and keep in mind the need to represent and lead our membership and safeguard the public. In our actions, we will be mindful of both the call to action and the constraints placed upon the WSBA by GR 12 and other standards."

Governor's Commitments:

1. Tackle the problems presented; don't make up new ones.
2. Keep perspective on long-term goals.
3. Actively listen to understand the issues and perspective of others before making the final decision or lobbying for an absolute.
4. Respect the speaker, the input and the Board's decision.
5. Collect your thoughts and speak to the point – sparingly!
6. Foster interpersonal relationships between Board members outside Board events.
7. Listen and be courteous to speakers.
8. Speak only if you can shed light on the subject, don't be repetitive.
9. Consider, respect and trust committee work but exercise the Board's obligation to establish policy and insure that the committee work is consistent with that policy and the Board's responsibility to the WSBA's mission.
10. Seek the best decision through quality discussion and ample time (listen, don't make assumptions, avoid sidebars, speak frankly, allow time before and during meetings to discuss important matters).
11. Don't repeat points already made.
12. Everyone should have a chance to weigh in on discussion topics before persons are given a second opportunity.
13. No governor should commit the board to actions, opinions, or projects without consultation with the whole Board.
14. Use caution with e-mail: it can be a useful tool for debating, but e-mail is not confidential and does not easily involve all interests.
15. Maintain the strict confidentiality of executive session discussions and matters.



BOARD OF GOVERNORS

WSBA VALUES

Through a collaborative process, the WSBA Board of Governors and Staff have identified these core values that shall be considered by the Board, Staff, and WSBA volunteers (collectively, the “WSBA Community”) in all that we do.

To serve the public and our members and to promote justice, the WSBA Community values the following:

- Trust and respect between and among Board, Staff, Volunteers, Members, and the public
- Open and effective communication
- Individual responsibility, initiative, and creativity
- Teamwork and cooperation
- Ethical and moral principles
- Quality customer-service, with member and public focus
- Confidentiality, where required
- Diversity and inclusion
- Organizational history, knowledge, and context
- Open exchanges of information



BOARD OF GOVERNORS

GUIDING COMMUNICATION PRINCIPLES

In each communication, I will assume the good intent of my fellow colleagues; earnestly and actively listen; encourage the expression of and seek to affirm the value of their differing perspectives, even where I may disagree; share my ideas and thoughts with compassion, clarity, and where appropriate confidentiality; and commit myself to the unwavering recognition, appreciation, and celebration of the humanity, skills, and talents that each of my fellow colleagues bring in the spirit and effort to work for the mission of the WSBA. Therefore, I commit myself to operating with the following norms:

- ◆ I will treat each person with courtesy and respect, valuing each individual.
- ◆ I will strive to be nonjudgmental, open-minded, and receptive to the ideas of others.
- ◆ I will assume the good intent of others.
- ◆ I will speak in ways that encourage others to speak.
- ◆ I will respect others' time, workload, and priorities.
- ◆ I will aspire to be honest and open in all communications.
- ◆ I will aim for clarity; be complete, yet concise.
- ◆ I will practice "active" listening and ask questions if I don't understand.
- ◆ I will use the appropriate communication method (face-to-face, email, phone, voicemail) for the message and situation.
- ◆ When dealing with material of a sensitive or confidential nature, I will seek and confirm that there is mutual agreement to the ground rules of confidentiality at the outset of the communication.
- ◆ I will avoid triangulation and go directly to the person with whom I need to communicate. (If there is a problem, I will go to the source for resolution rather than discussing it with or complaining to others.)
- ◆ I will focus on reaching understanding and finding solutions to problems.
- ◆ I will be mindful of information that affects, or might be of interest or value to, others, and pass it along; err on the side of over-communication.
- ◆ I will maintain a sense of perspective and respectful humor.



BOARD OF GOVERNORS

Anthony David Gipe
President

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November 2014

BEST PRACTICES AND EXPECTATIONS

❖ Attributes of the Board

- Competence
- Respect
- Trust
- Commitment
- Humor

❖ Accountability by Individual Governors

- Assume Good Intent
- Participation/Preparation
- Communication
- Relevancy and Reporting

❖ Team of Professionals

- Foster an atmosphere of teamwork
 - Between Board Members
 - The Board with the Officers
 - The Board and Officers with the Staff
 - The Board, Officers, and Staff with the Volunteers

- We all have common loyalty to the success of WSBA

❖ Work Hard and Have Fun Doing It

Working Together to Champion Justice

999 Third Avenue, Suite 3000 / Seattle, WA 98104 / fax: 206.340.8856



**Board of Governors Meeting
WSBA Conference Center
Seattle, WA
November 16, 2018**

WSBA Mission: To serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice.

PLEASE NOTE: ALL TIMES ARE APPROXIMATE AND SUBJECT TO CHANGE

FRIDAY, NOVEMBER 16, 2018

8:00 A.M. – BOG TRAINING

GENERAL INFORMATION 2

1. AGENDA..... 18

9:15 A.M.

2. EXECUTIVE SESSION

- a. Approve September 27-28, 2018, Executive Session Minutes (**action**) E-2
- b. Approve October 8, 2018, Emergency Executive Session Minutes (**action**)
- c. President’s and Executive Director’s Reports
- d. Litigation Report – Julie Shankland..... E-9

11:30 A.M. – PUBLIC SESSION

- Welcome
- Report on Executive Session
- President’s Report and Executive Director’s Report
- Consideration of Consent Calendar*

MEMBER AND PUBLIC COMMENTS

This time period is for guests to raise issues of interest.

OPERATIONAL

3. FIRST READING/ACTION CALENDAR

- a. Appoint Chair to WSBA Committee (**action**) 22
- b. Approve Mandatory Malpractice Insurance Task Force Charter Extension (**action**) 26

12:00 P.M. – LUNCH WITH LIAISONS AND WASHINGTON LEADERSHIP INSTITUTE

* See Consent Calendar. Any items pulled from the Consent Calendar will be scheduled at the President’s discretion. The WSBA is committed to full access and participation by persons with disabilities to Board of Governors meetings. If you require accommodation for these meetings, please contact Kara Ralph at karar@wsba.org or 206.239.2125.

1:15 P.M.

FIRST READING/ACTION CALENDAR (continued)

c.	Washington State Bar Foundation – Ken Masters, President, and Terra Nevitt, Director of Advancement/Chief Development Officer	
1.	Annual Report	31
2.	Treasurer’s Report	34
3.	Approve Trustee Appointment (action)	38
d.	Legislative Matters	
1.	Approve 2018-2019 Legislative Priorities – Governor Kyle Sciuchetti, BOG Legislative Committee Chair, and Sanjay Walvekar, Legislative Affairs Manager (action).....	47
2.	Approve 2018-2019 Legislative Committee Recommendations (action)	late materials
e.	Approve BOG No-Retaliation Policy – Governor Chris Meserve, Chair, and Frances Dujon-Reynolds, Director of Human Resources (action)	late materials
f.	Council on Public Defense (CPD)	
1.	Approve CPD’s Letter of Support for Office of Public Defense’s 2019 Budget Request – Darryl Rodrigues, CPD Chair (first reading)	49
2.	Approve Performance Guidelines for Attorneys Representing Respondents in Civil Commitment Proceedings – Eileen Farley, CPD Member (first reading).....	52
g.	Update re Fastcase as an Additional Member Benefit – Governor Michael Cherry and Terra Nevitt, Director of Advancement/Chief Development Officer (action).....	64
h.	Approve Senior Lawyers Section Amended Budget – Governor Dan Bridges, Treasurer, and Ann Holmes, Chief Operations Officer (action).....	late materials
i.	Update from Budget and Audit Committee – Governor Dan Bridges, Treasurer, and Ann Holmes, Chief Operations Officer	

GOVERNOR ROUNDTABLE

This time period is for Board members to raise new business and issues of interest.

OPERATIONAL (continued)

4.	<u>CONSENT CALENDAR</u>	69
a.	September 27-28, 2018, Public Session Minutes	70
5.	<u>INFORMATION</u>	
a.	Executive Director’s Report	84
b.	FY2018 Fourth Quarter Management Report	280
c.	Washington Leadership Institute (WLI) Fellows Report	294
d.	Diversity and Inclusion Events	314
e.	Financials	
1.	August 31, 2018, Financial Statements	316
2.	Investment Update for August and September 2018	360
6.	<u>PREVIEW OF JANUARY 17-18, 2019, MEETING</u>	361

2018-2019 Board of Governors Meeting Issues

NOVEMBER (Seattle)

Standing Agenda Items:

- Financials
- FY2018 Fourth Quarter Management Report
- 2018-2019 Legislative Priorities
- 2018-2019 Legislative Review Committee Recommendations
- Office of Disciplinary Counsel Report (ED Report Information – quarterly)
- Outside Appointments (if any)
- Washington Leadership Institute (WLI) Fellows Report
- WSBA Practice Sections Annual Reports (ED Report Information)
- WSBF Annual Report

JANUARY (Seattle)

Standing Agenda Items:

- ABA Midyear Meeting Sneak Preview
- Client Protection Fund (CFP) Board Annual Report
- Financials
- FY2018 Audited Financial Statements
- FY2019 First Quarter Management Report
- Legislative Report
- Office of Disciplinary Counsel Report (ED Report Information – quarterly)
- Outside Appointments (if any)

MARCH (Olympia)

Standing Agenda Items:

- ABA Mid-Year Meeting Report
- Financials
- Legislative Report
- Outside Appointments (if any)
- Supreme Court Meeting

March 2018 Agenda Items:

- BOG Civil Litigation Rules Committee Report

May (Yakima)

Standing Agenda Items:

- BOG Election Interview Time Limits (Executive Session)
- Financials
- FY2019 Second Quarter Management Report
- Interview/Selection of WSBA At-Large Governor
- Interview/Selection of the WSBA President-elect
- Legislative Report/Wrap-up
- Office of Disciplinary Counsel Report (ED Report Information – quarterly)
- Outside Appointments (if any)
- WSBA Awards Committee Recommendations (Executive Session)

JULY (Richland)

Standing Agenda Items:

- ATJ Board Report
- BOG Retreat
- Court Rules and Procedures Committee Report and Recommendations
- Financials
- Draft WSBA FY2020 Budget
- FY2018 Third Quarter Management Report
- Office of Disciplinary Counsel Report (ED Report Information – quarterly)
- WSBA Committee and Board Chair Appointments
- WSBA Mission Performance and Review (MPR) Committee Update
- WSBA Treasurer Election

SEPTEMBER (Seattle)

Standing Agenda Items:

- 2020 Keller Deduction Schedule
- ABA Annual Meeting Report
- Chief Hearing Officer Annual Report
- Professionalism Annual Report
- Report on Executive Director Evaluation (Executive Session)
- Financials
- Final FY2020 Budget
- Legal Foundation of Washington and LAW Fund Report
- Washington Law School Deans
- WSBA Annual Awards Dinner
- WSBF Annual Meeting and Trustee Election

Board of Governors – Action Timeline

Description of Matter/Issue	First Reading	Scheduled for Board Action
Recommendation re Fastcase as an Additional Member Benefit	Sept 27-28, 2018	Nov 16, 2018
Council on Public Defense Letter of Support for Office of Public defense 2019 Budget Request	Nov 16, 2018	Jan 17-18, 2018
Performance Guidelines for Attorneys Representing Respondents in Civil Commitment Proceedings	Nov 16, 2018	Jan 17-18, 2018
Request for BOG Support of Diversity Committee Statement of Solidarity	Nov 16, 2018	Jan 17-18, 2018

**WASHINGTON STATE
BAR ASSOCIATION**

Board of Governors

William D. Pickett, President

TO: WSBA Board of Governors

FROM: William Pickett, WSBA President

RE: 2018-2019 Legislative Review Committee Chair Appointment

DATE: November 2, 2018

Action: Please appoint Taudd Hume as the 2018-19 chair of the WSBA Legislative Review Committee.

In July, 2018, you appointed Kyle Sciuchetti as the 2018-19 chair of the WSBA Legislative Review Committee. Kyle has since graciously proposed, in order to increase member engagement, that another committee member, Taudd Hume, instead be appointed as chair. Taudd's resume is attached.

TAUDD A. HUME

Spokane, WA 99208

LEGAL EXPERIENCE

PARSONS | BURNETT | BJORDAHL | HUME, LLP, SPOKANE, WA

Attorney, September 2010 – Present

Practice concentrated in the areas of real estate, land use, corporate, general counsel and municipal law. Experience includes assisting public and private clients with all aspects of real estate acquisition, finance and development, environmental permitting, SEPA/NEPA, shoreline issues, constitutional issues, federal public lands issues, environmental issues, general counsel advice, and representing clients in administrative appeals/litigation in state and federal courts.

FOSTER PEPPER, PLLC, SPOKANE, WA

Attorney, October 2005 – August 2010

Practice focused on corporate, municipal, real estate and environmental law.

LUKINS & ANNIS, PS, SPOKANE, WA

Attorney, August 2002 - September 2005

Practice focused on litigation, corporate and real property law.

PRESENTATIONS:

- "Understanding the Comprehensive Plan," NBI, December 14, 2017
- "THC and the Politics of 'No,'" WA Hearing Examiner's Ass'n Annual Conf., Nov. 2016
- "Remedies for Boundary Disputes," NBI, Nov. 2015
- "SEPA Rules: Old at Being Young; Young at Being Old," Lorman, Oct. 2014
- "Kenny Rogers on Real Estate Due Diligence," Spokane County Bar Ass'n, Nov. 2013
- "Ethical Considerations in Real Estate Transactions," NBI, Dec. 2012
- "Real Estate Due Diligence," Spokane County Bar Association, Nov. 2011
- "Avoiding Surprises In the Permitting Process (Impact Fees and Exactions)," LSI, Oct. 2008
- "SEPA: Litigation And Mitigation – How To Prepare in Advance," Lorman, March 2008
- "SEPA: Emerging Trends (Carbon Measurement)," Lorman, March 2008
- "Using Development Agreements to Permit Large Projects, Foster Pepper CLE, Oct. 2007
- "Assessing Section 404 Permit Jurisdiction Post *Rapanos* and *Carabell*," LSI, July 2007
- "Assessing the Implications of I-933," Lorman, July 2006
- "The Land Use Petition Act: A Laymen's Guide To Land Use Litigation," Lorman, July 2006
- "The Effect of Zoning and Land Use Laws On Development in Washington," LSI, July 2005

PROFESSIONAL AFFILIATIONS:

- Spokane County Bar Association
- Washington State Bar Association
 - Environmental/Land Use Section (Executive Nomination Committee); Legislative Committee (June 2008 – present; Co-Chair 2016)
- American Bar Association
 - Section of Environment, Energy and Natural Resources; Section of Community Development Law

PUBLICATIONS:

- Author, WASHINGTON CIVIL PROCEDURE DESK BOOK, Section 40 (Wash. St. Bar Assoc.3d ed. 2012)
- Supplement Author, WASHINGTON CIVIL PROCEDURE DESK BOOK, Section 40 (Wash. St. Bar Assoc.2d ed. 2002 & Supp. 2006)
- *It's The End Of The World As We Know It . . . And I Feel Fine: Multi-Disciplinary Practices In Montana*, 63 Mont. L. Rev. 391 (2002).

TEACHING EXPERIENCE

GONZAGA UNIVERSITY SCHOOL OF LAW, SPOKANE, WA

Adjunct Professor, January 2015 - Present

Land Use & Zoning Law

Public Lands Law

EXPERIENCE (OTHER)

JRP LAND, LLC

Member, June 2008 - Present

Owner/developer of residential property in Spokane, WA

AUCTUS ENTERPRISES, LLC

Member, August 2009 - Present

Investment fund targeting the acquisition of small (under \$1M) companies

BR3 DEVELOPMENT GROUP, LLC

Member and President, October 2009 – October 2011

Owner/developer of multi-property historic rehabilitation project in downtown Spokane, WA

EDUCATION

University Of Montana School of Law, Missoula, MT

Doctorate of Jurisprudence, 2002

Honors: American Jurisprudence Awards - Legal Research and Writing, Business Transactions; International Moot Court Team Best Brief Award; Academic Achievement Scholarship; Moulton, Bellingham, Longo & Mather Achievement Scholarship; Judge Russell and Mary Larson Award; Order of Barristers Award; Justin Miller Award; Scribes Society Award

Activities: Montana Law Review (Editor-in-Chief), International Moot Court Team, International Legal Society, Environmental Law Group

Whitworth University, Spokane, WA

B.A. in International Relations, 1994

Activities: Central American Study Tour; Varsity Soccer; KWRS Radio DJ;

CIVIC INVOLVEMENT (VOLUNTEER)

University District Public Development Authority Board – Pro Bono Counsel (2012 – present)

University District Development Association Board – Pro Bono Counsel (2009 – present)
Spokane Club Board (2009 – 2015)(Board President: 2013 - 2014)
Spokane Club Foundation (2015)
Krista Foundation for Global Citizenship Board (2005 - 2011)(Board Vice Pres.: 2009 - 2011)
Whitworth University – Alumni Rep. to Board of Trustee’s Academic Committee (2011 – present)
Washington State Bar Association - Legislative Committee (2008 – present)(Chair 2017-2018)
Habitat for Humanity-Spokane Board (2004 - 2010)(Board President: 2009 – 2010)
Spokane Club Athletics Committee (2008 – 2009)
Spokane Mayor’s Task Force on Long-Term Financial Stability (2007)
Leadership Spokane - 2005 Graduate
Junior Achievement - Teacher (2003 - 2004)
Whitworth University - Murdock Student Mentor Program (2002 - 2004)
Spokane Neighborhood Action Programs - Long Range Planning Committee (2002 - 2003)

ADDITIONAL INFORMATION

Fluent in conversational Spanish

WASHINGTON STATE
BAR ASSOCIATION
Mandatory Malpractice Insurance Task Force

MEMO

To: WSBA Board of Governors
From: Hugh Spitzer, Chair of Mandatory Malpractice Insurance Task Force
Douglas J. Ende, WSBA Chief Disciplinary Counsel, Staff Liaison
Date: November 8, 2018
Re: Extension of Mandatory Malpractice Insurance Task Force timeline for completion

<p>ACTION: Approve extension of Mandatory Malpractice Insurance Task Force timeline for completion to no later than the March 2019 BOG meeting</p>

On September 28, 2017, the Board of Governors approved the Charter for the WSBA Mandatory Malpractice Insurance Task Force. (A copy of the Charter is attached.) The Charter specifies that the Task Force is to “Complete work and submit a final report not later than the January 2019 BOG meeting, unless the timeline for completion is extended by the BOG.”

The Task Force has met monthly since January 2018. The Chair presented the Task Force’s Interim Report to the Board of Governors at its July 2018 meeting. Since then, the Task Force published an article about the work of the Task Force and the Interim Report in the August 2018 edition of *NWLawyer* and held an open forum to receive member feedback on October 16, 2018. The Task Force has received a great deal of member feedback as a result of that outreach. The Task Force has continued to meet monthly and has commenced work on its final written report.

Because Task Force Chair Hugh Spitzer will be unavailable to present to the Board in January, and because it would improve the quality of the final report for the Task Force to hold at least one additional meeting beyond its last scheduled meeting in December 2018, it is requested that the Board of Governors extend the timeline for completion specified in the Charter so that the final report can be submitted to the Board for a first reading at the March 7, 2019, BOG meeting. This timeline will also allow the Task Force to circulate the Report to the membership prior to the Board’s first reading.



MANDATORY MALPRACTICE INSURANCE TASK FORCE
(Adopted by the WSBA Board of Governors on September 28, 2017)

CHARTER

Background

Admission and Practice Rule (APR) 26 requires annual reporting of whether a lawyer is covered by professional liability insurance. Washington State does not, as a condition of licensing, require that lawyers have such insurance. By contrast, Washington's two other licenses to practice law (limited practice officers and limited license legal technicians) are, by court rule, obligated to show proof of insurance coverage or demonstrate financial responsibility in order to obtain and maintain their licenses to practice. In 2016, the Board of Governors (BOG) convened a Mandatory Malpractice Insurance Work Group to gather information about jurisdictions that require lawyers to have professional liability insurance and the systems used to implement such requirements. The Work Group gathered information from Oregon, Idaho, and other non-U.S. jurisdictions, investigated a number of system models, examined data collected from APR 26 insurance disclosure records, and reviewed historical documentation about a 1986 WSBA initiative to adopt a mandatory malpractice rule. Without formulating a recommendation or proposal, the Work Group presented this information to the Board of Governors as a generative discussion topic at the May 2017 Board meeting. After consideration of the information presented, the BOG decided to form a Task Force to review the topic in greater depth, receive member input, and present a recommendation about whether to proceed with a mandatory malpractice insurance proposal.

Task Force Purpose

1. Solicit and collect input from WSBA members and others about whether to recommend a system of mandatory malpractice insurance for lawyers in Washington State.
2. Review information gathered by Mandatory Malpractice Insurance Work Group and gather any additional information needed for a comprehensive analysis of the topic, including alternative options.
3. Consider oral presentations and/or written materials regarding mandatory malpractice insurance systems used in the U.S. and elsewhere, together with other potential system models, and evaluate the feasibility, suitability, and practicality of such a regulatory requirement in Washington.
4. Determine whether to recommend adoption of a mandatory malpractice insurance requirement in Washington.
5. If a regulatory requirement is recommended, determine the most suitable contours of such a system, including development of a model that addresses the means of providing or procuring coverage, as well as issues of scope, exemptions, and enforcement.

6. After considering relevant materials and input, submit a final report to the BOG, including, as appropriate, draft rules to implement a system of mandatory malpractice insurance for Washington lawyers, and including any minority report(s).

Timeline

- Begin meeting no more than six weeks after appointments are completed;
- Complete work and submit a final report not later than the January 2019 BOG meeting, unless the timeline for completion is extended by the BOG;
- If the task force recommends adoption of a mandatory malpractice system, prepare a BOG-approved set of suggested rule amendments for submission to the Supreme Court before the first GR 9 deadline after the draft amendments are approved by the BOG;
- Provide updates on the work of the task force as requested by the BOG.

Task Force Membership

The task force shall consist of the following voting members:

- A WSBA member who shall be appointed to serve as Chair;
- Three current or former members or officers of the BOG;
- Not fewer than ten at-large members of the WSBA, including
 - at least one lawyer member with substantial experience in insurance coverage law;
 - at least one lawyer member who is also an active member of the Oregon State Bar and who participates in Oregon's Professional Liability Fund;
 - at least one limited practice officer or limited license legal technician member;
- A full-time superior court, district court, municipal court, or court of appeals judge;
- An individual with professional experience in the insurance/risk management industry;
- Two community representatives who are not licensed to practice law.

The Executive Director will designate a WSBA staff liaison.

In accordance with WSBA Bylaws Art. IX(B)(2)(e) and (f), the members and the Chair of the task force will be appointed by the WSBA President subject to being accepted or rejected by the BOG. Such appointment and approval shall be completed by no later than the BOG's November 2017 meeting.

**WASHINGTON STATE
BAR ASSOCIATION**

MANDATORY MALPRACTICE INSURANCE TASK FORCE

NAME	EMAIL
Hugh D. Spitzer, Chair University of Washington School of Law	spith@uw.edu
John Bachofner Jordan Ramis PC	john.bachofner@jordanramis.com
Stan Bastian United States Courthouse	stan_bastian@waed.uscourts.gov
Dan Bridges McGaughey Bridges Dunlap PLLC	dan@mcbdlaw.com
Christy Carpenter MyLLLT.com	christy@mylllt.com
Gretchen Gale Attorney at Law	gretchen@halehana.com
P.J. Grabicki Randall Danskin PS	pjg@randalldanskin.com
Lucy Isaki Attorney at Law	pl.isaki@comcast.net
Mark A. Johnson Johnson Flora Sprangers PLLC	mark@johnsonflora.com
Rob Karl Sprague Israel Giles, Inc.	rkarl@SIGinsures.com



NAME	EMAIL
Kara Masters Masters Law Group	kara@appeal-law.com
Evan McCauley Jeffers Danielson Sonn & Aylward PS	evanm@jdsalaw.com
Brad Ogura	
Suzanne Pierce Davis Rothwell Earle & Xochihua	spierce@davisrothwell.com
Brooke Pinkham Seattle University School of Law	pinkhamb@seattleu.edu
Todd Startzel Kirkpatrick & Startzel PS	tstartzel@ks-lawyers.com
Stephanie Wilson Seattle University School of Law	
Annie Yu State of Washington Office of the Attorney General	anniey@atg.wa.gov

<i>WSBA Staff Liaisons</i>	
Douglas J. Ende Chief Disciplinary Counsel	douge@wsba.org
Thea Jennings	theaj@wsba.org
Rachel Konkler	rachelk@wsba.org

To: WSBA Board of Governors

From: Ken Masters, President

Date: November 1, 2018

Re: Foundation Annual Report of Activities for FY18

The Washington State Bar Foundation mission is to provide financial support for the programs of the Washington State Bar Association that promote diversity within the legal profession and enhance the public's access to, and understanding of, the justice system. The Foundation is separately incorporated as a Washington state nonprofit, and is recognized as a public charity under section 501(c)(3) of the Internal Revenue Service Code.

The Foundation is a membership organization comprised of the sitting members of the Board of Governors. The Foundation Bylaws require the Foundation President to present an annual report to the Members within ninety (90) days after the close of the fiscal year, which ends September 30th. This report is an opportunity for the Foundation's members to learn about its activities, priorities and direction.

Foundation Highlights

The Foundation focused FY18 on developing stronger relationships with donors and prospective donors, and strengthening its connection to the WSBA programs it supports. These goals were accomplished by staff and Trustees working together to meet with current and prospective donors, as well as ensuring that the Foundation was recognized consistently on relevant program materials.

The Foundation secured \$13,900 in corporate sponsorships, including \$6,900 in sponsorships for the Diversity & Inclusion 5-Year Celebration, enabling the scope of the celebration to be broadened.

The Foundation Trustees, after consultation with original donors to the fund, voted to award remaining funds in the Presidents' & Governors' Diversity Scholarship Fund as scholarships to law students at four law schools. Criteria for these awards are currently in development.

Fundraising Highlights

- **3,942** Washington lawyers (10%) made a voluntary contribution to the Foundation on their license forms, indicating their support for WSBA's justice and diversity efforts. (This represents a second consecutive year of increased support over the previous year.)

- The Foundation again took the lead in securing sponsors for the APEX Awards Dinner, resulting in **\$35,600** in sponsorships, a 23% increase over FY17.
- Donations and pledges (exclusive of sponsorships) to the Foundation for the FY18 APEX Awards Dinner totaled **\$7,825**. The total raised for the Foundation through this event in FY18 - \$44,325 - represents a 23% increase over the Foundation's FY17 total of \$35,925.

Funding Achievements

- The Foundation awarded \$275,000 to WSBA for FY19 to support public service and diversity programs (representing a 37% increase over FY18).
- The **Moderate Means Program** completed its seventh year, during which it has referred over 3,500 family, housing and consumer law cases, including 570 cases in FY17. Many of the participating attorneys are new and young lawyers, who benefit from the referrals, the opportunity to serve their communities, and receive access to free public service seminars and training.
- Hundreds of legal professionals have been connected with training and service opportunities by taking the **WSBA Call to Duty Pledge**, and veterans continue to receive free services from legal professionals at Day of Service events.
- WSBA **Diversity Programs** held its third **Experience Exchange** mentorship breakfast, which paired mentors and mentees met for episodic mentoring. This event was hosted and sponsored by K&L Gates in Seattle. Diversity Programs also hosted the annual reception for incoming law students from the Seattle University **Academic Resource Center**.
- WSBA reached over 300 people through eight **Community Networking Events** held across the state. These Diversity & Inclusion events are designed to foster connections among WSBA staff, volunteers, members and local communities. They also provide an opportunity to forge relationships among new members and seasoned professionals, to deepen community connections, and highlight the work of local and minority bar associations.
- **Diversity & Inclusion** staff provided over 50 diversity trainings across the state, including sessions for staff of the Attorney General's office. These trainings will continue, and expand, in FY19.
- The Foundation administered scholarship fundraising for two WSBA sections:
 - **\$2,500** was awarded through the **WSBA Elder Law Section's Peter Greenfield Internship Fund**, which placed University of Washington law student Lulu Anderson at Columbia Legal Services for the summer to support advocacy on behalf of low income seniors.
 - **\$1,800** was awarded for three scholarships for law students and new lawyers to attend the annual **WSBA Environmental and Land Use Law Section 2018 Midyear Meeting and Conference**.

Conclusion and Look Ahead

The Foundation enters FY19 with an energized Board of Trustees, with a deep understanding of their fundraising responsibilities, robust WSBA programs to support, active practice sections and student and member volunteers, and a strong base of supporters excited about the WSBA's efforts to expand justice, public service and diversity. Continuing outreach to both our loyal and prospective donors and enhancing our communications to link the achievements of WSBA programs with the importance of Foundation gifts will continue to grow the Foundation's financial support of WSBA's public service and diversity goals.



To: Washington State Bar Association Board of Governors
Washington State Bar Foundation Trustees

From: Richard Bird, Treasurer

Date: November 1, 2018

Re: Treasurer's Report, Year Ending September 30, 2018

Attached are the draft financial statements for the Washington State Bar Foundation for the fiscal year 2018. Below is a summary of the net cash fund balances.

The WSBA provides staffing, office space, and support to the Foundation in order for the Foundation to fulfill its mission to support WSBA programs that promote diversity within the legal profession and enhance the public's access to, and understanding of, the justice system. This support includes the time and expertise of WSBA's Associate Director - Finance, who is the keeper of the Foundation's books.

WSBF Cash Fund Balances

For the WSBF Cash Fund balances as September 30, 2018, please see the attached memo dated October 11, 2018, regarding the Draft Foundation Financial Statements as of September 30, 2018.

Notes and Comments

The Foundation recognized revenue of \$450,584, which was \$84,823 or 23.2% higher than the prior year. The increase was offset by a modest increase in expenses from the prior year of \$9,409 or 2.6%. Note that the Foundation's expenses include indirect costs of \$155,742 (i.e., staffing/operating), which is provided by the Washington State Bar Association as in-kind support. They also include the Foundation's annual support for WSBA programming. As a result, FY18 net income for the Foundation was \$80,457, which was an improvement of \$75,415 or 149.6% over the FY17 net income of \$5,042.

Conclusion

Since the first professional staff dedicated solely to the Foundation was hired in 2010, the Foundation has been growing in size and sophistication and its financial systems and policies appear appropriate to our current capacity. Execution of the Fund Development and Disbursement Policy ensures that the Foundation fulfills its mission and that donor intent is met.



**WASHINGTON STATE BAR
FOUNDATION**

Advancing WSBA's Vision of a Just Washington

To: Paula Littlewood and Terra Nevitt
 From: Tiffany Lynch, Associate Director for Finance
 Re: **Draft** Foundation Financial Statements as of September 30, 2018
 Date: October 11, 2018

Attached are the **Draft** financial statements for the Washington State Bar Foundation as of September 30, 2018. Please note that the “in kind” expense and staff support provided by the WSBA for September amounts are estimated figures due to WSBA’s year-end audit process. Final figures will be provided in December. Below is a summary of the fund balances¹ as of September 30, 2018.

**WSBF Fund Balances¹
As of September 30, 2018**

Fund Name	Cash	Pledges/Grants Receivable	Committed Funds	Available Funds
ATG/AGO	0	0	0	0
Call to Duty	2,005	0	0	2,005
Diversity	9,830	0	0	9,830
ELUL Midyear Scholarship Fund	1,651	0	(1,651)	0
McMahon	8,352	0	0	8,352
Moderate Means	0	0	0	0
Peter Greenfield Internship	1,428	0	0	1,428
Presidents’ and Governors’ Diversity Scholarship	28,611	0	0	28,611
Tax Section Scholarship Fund	2,600	0	(2,600)	0
WLI General Support	0	0	0	0
WSBA Justice & Diversity Opportunities	3,328	0	0	3,328
Unrestricted	<u>287,278</u>	<u>0</u>	<u>(632)</u>	<u>286,646</u>
Total Fund Balances	<u>\$345,083</u>	<u>\$0</u>	<u>(\$4,883)</u>	<u>\$340,200</u>

¹ Excludes fixed assets (\$14,400 in artwork).

WSBA Foundation
DRAFT Statement of Activities (Profit & Loss)

October 2017 through September 2018
Oct '17 - Sep 18

Ordinary Income/Expense	
Income	
Contributions & Grants Income	
Corporate	44,724
Foundations & Nonprofits	1,000
Individuals/Private Donors	<u>246,391</u>
Total Contributions & Grants Income	292,115
In Kind Donations	155,742
Miscellaneous Income	<u>1,814</u>
Total Income	449,671
Expense	
In Kind Expenses	
WSBA Staff Support	150,335
WSBA Expenses	<u>5,407</u>
Total In Kind Expenses	155,742
Bank Service Charges	12
Credit Card Fees	1,382
Insurance	1,871
Licenses and Permits	70
Office Supplies	54
Program Expense	
ELUL Section Scholarship Fund	1,629
WSBA Justice & Div. Opportunity	1,672
WSBA Funding	202,195
Peter Greenfield Scholarship	2,500
Program Expense - Other	<u>1,187</u>
Total Program Expense	<u>209,183</u>
Total Expense	368,314
Net Ordinary Income	81,357
Other Income/Expense	
Other Income	
Interest Income	913
Total Other Income	<u>913</u>
Other Expense	
Other Expenses	<u>1,813</u>
Total Other Expense	<u>1,813</u>
Net Other Income	-900
Net Income	<u>80,457</u>

10:32 AM
10/11/18
Cash Basis

WSBA Foundation
DRAFT Balance Sheet
As of September 30, 2018
Sep 30, 18

ASSETS

Current Assets

Checking/Savings

Wells Fargo Checking 293,428

Wells Fargo Heritage Money Mkt 51,707

Total Checking/Savings 345,135

Total Current Assets 345,135

Fixed Assets

Artwork 14,400

Total Fixed Assets 14,400

TOTAL ASSETS 359,535

LIABILITIES & EQUITY

Equity

Increase/Decrease Fund Balance 279,078

Net Income 80,457

Total Equity 359,535

TOTAL LIABILITIES & EQUITY 359,535



To: WSBA Board of Governors
From: Ken Masters, President
Re: 2018-19 Board of Trustees Appointment
Date: November 1, 2018

ACTION REQUESTED: Approve the appointment of the Trustee listed below, as recommended by unanimous consent of the Foundation Board of Trustees.

The Washington State Bar Foundation is the fundraising arm of the WSBA. The current members of the WSBA Board of Governors constitute the membership of the Foundation. Per the Foundation's bylaws, the WSBA Executive Director serves as the Foundation's Secretary ex officio, the WSBA Past President serves as a trustee ex officio, and the WSBA President each year appoints a first year Governor to serve a 3-year term on the Foundation Board. The remaining seats are recommended by the Foundation Board and appointed by the Board of Governors, convened as the members of the Foundation.

The Foundation Board of Trustees has unanimously approved the following to join the 2018-19 Board:

- Tracy Flood, to complete the remainder of the term ending September 2020, vacated by James W. Armstrong, Jr., when he became an Additional Year Officer

Attachments:

- Proposed roster
- Application materials



2018-2019 Board of Trustees, Recommendation

	POSITION	RECOMMENDATION	TERM, ending
1	WSBA 1 st Year Governor	<i>Appointed by 2018-2019</i> <i>BOG President</i> Michael Cherry	September 2021
2	WSBA 2 nd Year Governor	<i>Appointed by 2017-2018</i> <i>BOG President</i> Kyle Sciuchetti	September 2020
3	WSBA 3 rd Year Governor	<i>Appointed by 2016-2017</i> <i>BOG President</i> Athan Papailiou	September 2019
4	WSBA Past President or Governor	Ken Masters, President	2 nd Term, September 2020
5	WSBA Member	Vernon Harkins	2 nd Term, September 2021
6	WSBA Member	Tracy Flood	Remainder 1 st Term, September 2020
7	WSBA Member	Kinnon Williams	1 st Term, September 2020
8	WSBA Member	Sims Weymuller	1 st Term, September 2019
9	Minority/ Specialty Bar Rep.	Chad Arceneaux	2 nd Term, September 2021
10	Law Student	Jabu Diagana	Graduation
11	Public Member	Joan Duffy Watt	2 nd Term, Sept. 2020
12	Public Member	Richard C. Bird, Jr., Treasurer	1 st Term, September 2019
13	At Large	<i>Vacant</i>	Remainder, September 2019
14	At Large	Kristina Larry, Vice President	2 nd Term, September 2021
15	At Large	Blake Kremer	2 nd Term, September 2020
16	WSBA Immediate Past President	TBD	September 2019
17	Secretary	Paula C. Littlewood	Executive Director serves Ex Officio

Tracy Flood Bio

Tracy is from the Windy City and came to Kitsap County, Washington while serving on Active Duty in the United States Navy. She graduated from the Olympic College with AA degree and University of Washington with two BA degrees. After working one year for the State of Washington, Tracy attended Seattle University School of Law graduating in 1999. Tracy has one daughter Anna who is entering her third year of college at Fisk University in Nashville, on a full tuition academic scholarship.

Tracy was President-Elect of the Kitsap County YWCA and President of the Kitsap County Chapter of Washington Women Lawyers for two years. She was elected to the Family Law Executive Committee for the Family Law Section of the WSBA, President of the Pierce County Minority Bar Association and Chair of the Civil Rights Committee. Tracy was appointed interim chair of the Civil Rights Law Section. She was a past co-chair of the Minority Bar Associations Annual Diversity Conference and co-presented for the WSBA Family Law Section in Las Vegas in 2007 at the Annual Community Property Symposium. Tracy is the past co-chair of the Kitsap County Human Rights commission and is a current member. She serves on the Council for Public Legal Education and they just completed Summit 2 with U.S. Supreme Court Justice Sonya Sotomayor in January. Tracy is the current President of the NAACP Unit 1134 Bremerton/Kitsap. She teaches the teens at her Church Sinclair M.B. on the second and third Sundays. Additionally, Tracy is a graduate of the Washington State Bar Associations Leadership Institute Inaugural class and Tracy is a graduate of Leadership Kitsap 2017. Furthermore, Tracy is on the Olympic College Foundation Board and the WSBA's Client Protection Board.

As a solo practitioner for seven years Tracy practiced in Kitsap, Mason and Pierce Counties in criminal law and family law. Tracy worked for the Office of Administrative Hearings in Olympia as a Pro Tem Judge and for Kitsap County as a Pro Tem Judge in District Court. Tracy worked as a Specialized Examiner/Adjudicator for the U.S. Department of Labor. Tracy served three years on the Washington State Bar Associations Board of Governors as an At Large Governor where she served on numerous committees and board. She also co-chaired and was key in establishing their mentorship program. Tracy has received recognitions as a Rising Star, Madison's Who's Who and Seattle University School of Law Black Law Students Award, Washington Women Lawyers 2013 Presidents award and the Loren Miller Bar Associations Social Justice Award. Tracy was a Judicial candidate for Kitsap County District Court in 2014. She continues to serve as a Pro Tem Judge in King County. She received a Dean's Scholarship for the Seattle University School of Law LL.M program and is a 2018 YWCA Woman of Achievement.

Tracy joined Compass Legal Services, PS in May 2018 in Silverdale, WA after working 8 years with the US Department of Labor and with the Social Security Administration. She specializes in Elder Law.

Tracy S. Flood

PO Box 786, Port Orchard, WA 98366 ♦ (360) 271-3381
fltracylaw@gmail.com

PROFESSIONAL LICENSE:

- Washington State Bar Association # 30330 10/2000
- United States District Court, Western District of Washington

PROFESSIONAL EXPERIENCE:

Compass Legal Services, PS

Attorney

05/18-Present

- Areas of practice included Estate Planning, Elder Law, Guardianships, Family law, and Criminal Law
- Advocate for clients' in marriage dissolutions, parentage actions, third party custody actions and modification of orders
- Estate Planning for client including wills, power of attorneys, healthcare directives, trust
- Representation of clients in criminal misdemeanors and felonies from initial appearance to trial in cases involving assaults, burglaries, robberies, forgeries, vehicular homicide and DUI's
- Research and analyze laws, regulations, policies, and precedent decisions to prepare for hearings and to determine conclusions and
- Prepare written motions, conduct legal research and case investigations
- Represent clients in civil and criminal trials, settlement conferences, and all aspects of pre-trial negotiations
- Trial Attorney

Social Security Administration Region 10

Attorney Advisor

04/17-12/17

- Drafted decisions that are grammatically and technically correct, persuasive, legally sufficient decisions on behalf of Administrative Law Judges which are supported by the evidence and addresses all medical and legal aspects of the case.
- Reviewed and evaluated the decisions to insure they are appropriate for issuance to claimants and representatives and are consistent with the agency rules and regulations.
- Reviewed and analyzed remanded decisions to insure the Court and/or Agency instructions are followed.
- Made recommendations (as needed) to the Administrative Law Judges to insure an accurate, legally sufficient decision is issued.
- Issued written decisions largely related to disability determinations in applications for Social Security Disability Benefits and Supplemental Security Income.

U. S. Department of Labor

Specialized Examiner

01/13-04/17

- Issued written recommended decisions on claims that include findings of fact, conclusions of law and recommendations for wage loss and impairment compensation up to \$250,000
- Research and analyze laws, regulations, policies, and precedent decisions to prepare for hearings and to determine conclusions.
- Review and evaluate data on documents, such as claim applications, birth certificates, social security earnings records, physician reports, medical records and employer records.
- Recommend the acceptance or rejection of claims according to laws, regulations, policies, and precedent decisions.
- Rule on exceptions and admissibility of evidence.
- Confer with individuals or organizations involved in cases to obtain relevant information.

U. S. Department of Labor

Adjudicator/Examiner

03/09-01/13

- Adjudicate claims for current and former employees of the Department of Energy by interpreting and applying laws, regulations, policies and procedures on exposures to radiation and other toxins
- Review medical records and supporting evidence in determining eligibility
- Issue written recommended decisions on claims that include findings of fact, conclusions of law and recommendations for acceptance awarding lump sum, wage loss, impairment and medical benefits up to \$400,000
- Research policies and statutes of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) to determine employee and survivorship eligibility for benefits
- Ensuring there is a complete and accurate record adhering to directives affecting EEOICPA
- Work independently to produce a quality work product in written letters, medical summaries and recommended decisions; managing an active case load of 65-70

King County

District Court Judge Pro Tem

01/13-present

- Conduct hearings in formal proceedings imposing deferred sentences
- Conduct hearings in formal proceedings entering pleas and quashing warrants
- Analyze legal issues during contested traffic citation proceedings and issue oral decisions
- Conduct hearings in formal proceedings for small claims cases
- Conduct hearings in formal proceedings for harassment orders
- Review written motions for mitigation proceedings and issue written decisions
- Problem solving with Pro Se litigants ensuring proper procedure is followed

Kitsap County

District Court Judge Pro Tem

03/07-12/15

- Conduct hearings in formal proceedings imposing fines and deferred sentences
- Analyze legal issues during contested traffic citation proceedings and issue oral decisions
- Issue written decisions in cases with license suspension issues
- Problem solving with Pro Se litigants ensuring proper procedure is followed

City of Port Orchard Municipal Court

01/08-12/08

Judge Pro Tem

- Conducted pre-trial hearings in criminal misdemeanor cases
- Analyzed legal issues during contested traffic infraction proceedings, rendering contemporaneous decisions based on evidence presented and the law
- Conducted arraignments and pre-trial hearings in criminal matters with opposing parties.

Office of Administrative Hearing, Washington State

10/07-1/09

Administrative Law Judge, Pro Tem

- Conducted adversarial hearings on the record between adverse pro se parties
- Reviewed parties' oral and written arguments, applied relevant laws and statutes for issuance of decisions
- Issued findings of fact and conclusions of law in initial and final orders
- Decided requests for modification of orders based on oral testimony, review of written briefs and relevant policies

Law Office of Tracy S. Flood, INC, PS

General practitioner

8/02 – 03/09

- Areas of practice included Family law, Criminal Felonies and Misdemeanors, Civil Litigation, Wills, Collections, Personal Injury, Mediation, and Arbitration
- Advocate for clients' in marriage dissolutions, paternity determinations, child dependency cases, and modification of orders
- Represented clients in criminal misdemeanors and felonies from initial appearance to trial in cases involving assaults, burglaries, child molestation, robberies, forgeries, vehicular homicide and DUI's
- Represented parties in civil cases including employment discrimination, labor and industries claims, unemployment compensation administrative hearings and Department of Licensing administrative hearings
- Conducted legal research and case investigations
- Prepared written motions
- Represented clients in civil and criminal trials, settlement conferences, and all aspects of pre-trial negotiations
- Court Appointed Special Advocate
- Special Appointed Guardian addressing financial and dependent issues
- Experienced Trial Attorney

Crawford, McGilliard, Peterson and Yelish

Associate Attorney and Public Defender

1/01 – 7/02

- Represented clients accused of criminal felonies at initial appearance

- Counseled clients regarding plea offers, immigration status, bail hearings, and extradition hearings
- Represented clients on civil contempt calendar regarding child support matters
- Represented clients in felony probation violation matters in contested court hearings conducting direct and cross examination
- Represented clients in adversarial administrative hearings with the Department of Corrections
- Drafted motions, briefs and pleadings
- Managed high-volume caseloads of criminal, administrative and civil matters efficiently
- Represented clients in felony matter from initial appearance to trial

Department of Assigned Counsel

Contract Attorney

11/00 – 01/01

- Provided representation to assigned cases with daily court appearances representing clients at Western State Hospital in mental health hearings
- Conducted research, investigations, and interviews with clients and doctors in preparation for contested hearings

Ness and Associates

Legal Intern

1/99 – 8/00

- Provided public defense representation in District court for misdemeanor and gross misdemeanor charges
- Conducted client interviews and investigations. Drafted letters, motions and briefs

Department of Assigned Counsel

Legal Extern Dependency Unit

8/98 – 12/98

- Provided assistance on motions calendar, researched issues, interviewed clients and assisted in trial preparation

Department of Assigned Counsel

Legal Externship Felony Division

5/98 – 7/98

- Performed client interviews and legal research. Prepared letters, memos and motions in felony criminal cases. Counseled clients on plea agreements.

EDUCATION:

Washington State Bar Association Leadership Institute 2005 Inaugural Class Graduate
 Seattle University School of Law, Juris Doctor - May 1999
 University of Washington in Sociology and Political Science, Bachelor of Arts - 1995
 Olympic College in Administration of Justice, Associate of Arts – 1992
 Judicial Institute Training Graduate 2012
 Mediation and Dispute Resolution Certificate (40 hours) 2016
 WSAJ Female Trial Attorney Program 2016
 Bob Dawson’s Trial Skills Workshop 2016
 Seattle University School of Law, LLM- December 2019

VOLUNTEER EXPERIENCE:

- Washington State Bar Association Board of Governors, Governor at Large, September 2010-September 2013
- Washington State Bar Association, Mentorship Workgroup Co-Chair June 2013 to 2015
- Washington State Bar Association Board of Governors, Chair of BOG Diversity Committee, September 2012-September 2013
- Washington State Minority Bar Associations Annual Diversity Conference Committee Member 2006, 2008 2013
- Washington State Minority Bar Associations Annual Diversity Conference, Co-Chair 2007
- Washington State Leadership Institute Advisory Board September 2011-September 2013
- Council on Public Legal Education, October 2010-Present
- Hospice of Kitsap County Board of Directors February 2013 –2014
- Kitsap County Human Rights Council March 2013-Present Co-Chair
- Grandridge Homeowners Association Board Vice President 2012-2013, President 2013- Present
- Olympic College Foundation Board 2015-Present
- Olympic College Women’s Advisory Committee, November 1999-2009
- Pierce County Palmer Scholars Mentor, September 2009-2015
- Pierce County Minority Bar President, December 2006-March 2009
- Kitsap County Minority Services Board, April 2003-March 2009
- Washington State Trial Lawyers Association, 2004-2005, 2014- present Eagles Member 2006
- Washington Women Lawyers Kitsap County President, January 2003-November 2004; Membership Representative, 2005; Judicial Evaluations Committee
- Washington State Bar Civil Rights Committee, 2005-2008, Chair 2007-2008
- Washington State Bar Civil Rights Section Chair 2008-2010
- Washington State Bar Family Law Executive Committee, 2005-2010
- American Bar Association, 1999-Present
- Kitsap County Domestic Violence Task Force, April 2003-May 2005
- Court Appointed Special Advocate Kitsap County, 2001-2006
- YWCA Kitsap County Board of Directors President –Elect, August 1999-2007
- Bar Leader Conference Planning Committee, 2008, 2015
- Pierce County Minority Bar Association Youth and Law Forum Facilitator 2006-Present

MILITARY SERVICE:

- United States Navy (Active Duty) Honorable discharge, November 1986-1990
- United States Navy (Active Reservist), 1990-1994

RECOGNITIONS

- Rising Star of Washington State 2006-2007
- Madison’s Who’s Who
- Seattle University School of Law Black Law Students Alumni Award
- WSBA WLI Two Thumbs Up Award 2010

- Social Justice Award Loren Miller Bar Association 2013
- Washington Women Lawyers President's Award 2013
- WSBA Civil Rights Law Section Award 2015
- Kitsap County YWCA 2018 Women of Achievement Award
- 2018 Washington State African American Community Service Award

REFERENCES

- Judge Susan Serko, Pierce County Superior Court (253)798-3646
- Mark Wagner, Attorney (253) 460-3265
- Ron Ward, Past President Washington State Bar Association (206)850-5558
- Judge Helen Whitner, Pierce County Superior Court (253)426-9359
- Jill Mortimer, Manager US Department of Labor (253) 332-1142

WASHINGTON STATE BAR ASSOCIATION

MEMO

To: WSBA Board of Governors

From: Kyle Sciuchetti, BOG Legislative Committee Chair, and Sanjay Walvekar, WSBA Outreach and Legislative Affairs Manager

Date: November 16, 2018

Re: 2019 WSBA Legislative Priorities

ACTION: Approve the 2019 WSBA Legislative Priorities for the upcoming legislative session.

OVERVIEW:

The WSBA Legislative Affairs Office is pleased to propose the 2019 WSBA Legislative Priorities for consideration and approval by the Board of Governors (BOG).

BACKGROUND:

The WSBA and its entities are allowed to engage in the legislative process and take positions on issues that relate to or affect the practice of law or the administration of justice (GR 12.2).

The 2019 WSBA Legislative Priorities seek to make improvements to the practice of law and administration of justice that ultimately benefit the public and legal professionals across the state. The genesis of these priorities is tied directly to the WSBA Guiding Principles. These include supporting access to justice, increasing public understanding of Washington's justice system, and supporting a fair and impartial judiciary.

2019 WSBA Legislative Priorities

- Solicit and receive input from the members, sections and committees of the WSBA regarding setting the legislative priorities of the WSBA.
- Support Bar-request legislative proposals initiated by WSBA Sections that are approved by the Board.
- Support non-Bar request legislative proposals approved by the Board under GR 12, that seek to:
 - Create and promote access to justice for all Washington residents;
 - Enhance statewide civics education;
 - Provide funding for the state's court system; and
 - Provide funding for civil legal aid services through general-fund state dollars.
- Monitor and take appropriate action on legislative proposals that would:
 - Increase existing court user fees;
 - Alter court rules and/or the structure of the state's judicial branch; and
 - Other items of significance to the practice of law and administration of justice.

WASHINGTON STATE BAR ASSOCIATION

MEMO

To: Board of Governors

From: Daryl Rodrigues, Chair, Council on Public Defense

Date: October 29, 2018

Re: Council on Public Defense Support of the Washington State Office of Public Defense FY19 Budget Request

ACTION: Approve the Council on Public Defense’s position to support the Washington State Office of Public Defense budget request.

The Council on Public Defense (Council) regularly receives updates from the Washington State Office of Public Defense (OPD), including updates on the OPD’s budget requests. When the Washington State Bar Association created the Council on Public Defense it made the Washington State Office of Public Defense a Core Member of the Council. The Bar Association also directed the Council to, among other tasks, “...Address current issues relating to the provision of constitutional public defense services in Washington, including efforts to ensure adequate support.”

The Council followed the WSBA Legislative and Court Rule Comment Policy guidelines prior to requesting this approval. On October 5, 2018, the Council voted, with a supermajority, to affirm that the matter under consideration meets the GR12 guidelines and voted, with a supermajority, to support the Washington State Office of Public Defense budget request for FY19. The Council submitted a similar letter of support during the 2017 and 2018 sessions. A draft letter for the 2019 session is attached for your consideration.

The Council greatly appreciates your consideration of the request.

**WASHINGTON STATE
BAR ASSOCIATION**

Office of the Executive Director

January XXXXXXXX

Senator Christine Rolfes, Chair
Senate Ways and Means Committee
311 J.A. Cherberg Building
P.O. Box 40466
Olympia, WA 98504-0466

Representative Timm Ormsby, Chair
House Appropriations Committee
222A John L. O'Brien Building
P.O. Box 40600
Olympia, WA 98504-0600

Dear Chair Rolfes and Chair Ormsby,

The Washington State Bar Association (WSBA) Council on Public Defense urges you to support the Washington State Office of Public Defense (OPD) biennial budget request for \$11 million to address seriously lagging compensation for state OPD contract attorneys. The requested funding will help slow high turnover among attorneys representing indigent parents in dependency and termination proceedings and indigent clients on appeal.

A recently updated study by an independent business consultant found that OPD contract attorneys earn, on average, \$30,000 a year less than other publicly funded attorneys in Washington. OPD must be able to offer competitive compensation in order to meet the state's obligation to provide indigent clients a constitutionally adequate level of representation.

The WSBA Council on Public Defense unites members of the public and private defense bar, the bench, elected officials, prosecutors, and the public to address new and recurring issues impacting the public defense system. The Council, by a supermajority, voted to support the Office of Public Defense request because its members are familiar with the significant disparity in pay, the resulting turnover in counsel for parents and for clients seeking review in the court of appeals and the harmful delays this turnover causes parents, children, defendants, and victims. This position has been approved through the WSBA's legislative and court rule comment policy and the position is solely that of the Council on Public Defense.

The Council respectfully requests inclusion of the requested \$11 million for OPD contract attorney compensation in the Legislature's upcoming 2019-2021 biennial operating budget.

Sincerely,

Paula C. Littlewood
Executive Director

cc: Bill Pickett, President, Washington State Bar Association
Mario Cava, Governor, Washington State Bar Association
Joanne Moore, Director, Washington State Office of Public Defense
Senator David Frockt, Vice Chair, Senate Ways and Means Committee
Senator John Braun, Ranking Minority Member, Senate Ways and Means Committee
Representative June Robinson, Vice Chair, House Appropriations Committee
Representative Bruce Chandler, Ranking Minority Member, House Appropriations Committee

MEMO

To: Board of Governors
From: Daryl Rodrigues, Chair, Council on Public Defense
Date: October 29, 2018
Re: *Performance Guidelines for Attorneys Representing Respondents in Civil Commitment Proceedings*

ACTION: Recommend to the Supreme Court that the Court add the *Performance Guidelines for Attorneys Representing Respondents in Civil Commitment Proceedings* to the *Standards for Indigent Defense*, add the *Standards* to the Mental Proceedings Rules (MPR), and require that appointed counsel representing clients in civil commitment proceedings file Certifications of Compliance, as the *Standards* already require of appointed counsel representing clients in criminal proceedings.

The scope, substance and process for developing the attached *Performance Guidelines for Attorneys Representing Respondents in Civil Commitment Proceedings* are outlined in the following memo from the Council on Public Defense’s Mental Health Committee, led by Eileen Farley, immediate past Chair of the Council.

Scope of Request

At its October 5, 2018, the WSBA Council on Public Defense (“CPD”) voted by a supermajority to ask the Board of Governors to submit the *Performance Guidelines for Attorneys Representing Respondents in Civil Commitment Proceedings* to the Supreme Court with a recommendation that the Court 1) add the *Guidelines* to the *Standards for Indigent Defense*, 2) add the *Standards* to the Mental Proceedings Rules (MPR), and 3) require that appointed counsel file Certifications of Compliance, as is currently required by the *Standards* of appointed counsel in criminal proceedings.

The CPD’s request will be on the Board’s agenda for a “first reading” at the November 2018 meeting. Current CPD members will attend the meeting and be prepared to present information about the proposed *Guidelines* and answer questions.

Background

The *Standards for Indigent Defense Services* adopted by the Washington Supreme Court set qualifications and a caseload limit for appointed counsel representing clients in criminal cases and for appointed counsel representing clients in civil commitment proceedings. The *Standards*

require appointed counsel in criminal cases: 1) to be familiar with the *Performance Guidelines for Criminal Defense Representation* and the *Performance Guidelines for Juvenile Defense Representation* approved by the Washington State Bar Association; and 2) to file quarterly Certifications that they are in compliance with qualifications and the caseload limits included in the *Standards*.

The Council on Public Defense’s request to the Board of Governors addresses the lack of performance guidelines for civil commitment practitioners and the gap in required Certifications of Compliance filings.¹ Civil commitment petitions are primarily filed in 13 Washington counties. In 2017, 11,000 civil commitment petitions were filed by the State, yet appointed counsel had – and still have – no uniform guidance for client representation. In response to this critical need, the Council formed a mental health committee whose members included then-Council Chair Eileen Farley, Superior Court Judges Association Representative Johanna Bender, Clark County’s public defense manager Ann Christian, Washington Defender Association (WDA) Executive Director Christie Hedman, and Pierce County attorney and Tacoma Human Rights Commissioner Rebecca Stith.

In early 2017, the committee conducted a survey of practitioners and began drafting *Performance Guidelines for Civil Commitment Proceedings*. A first draft was circulated for comment on the WDA civil commitment practitioners’ listserv. The committee revised the draft *Guidelines* in light of the feedback received.

The revised *Guidelines* were sent again to the practitioners’ listserv and to the WDA Directors’ listserv. The committee revised them a second time in light of comments received and discussions at several Council meetings during the late summer and early fall of 2018. Shortly before the Council’s September 2018 meeting, the committee sent the penultimate version of the *Guidelines*, along with a request for comments, to the Washington State Association of Counties, the Gender and Justice Commission, the Minority and Justice Commission, Disability Rights Washington, and the National Alliance on Mental Illness (NAMI) Greater Seattle chapter. The Director of NAMI Greater Seattle provided the *Guidelines* to directors of other NAMI chapters at their monthly meeting.

Upon review and discussion of the latest comments received, the committee finalized the *Guidelines* and the Council approved them by a supermajority at its October 5, 2018 meeting. The Council now asks the Board of Governors to recommend that the Supreme Court: 1) add the *Guidelines* to the *Standards*; 2) include the *Standards* in the Mental Proceedings Rules; 3) and

¹ Because the Certification currently is required only of appointed counsel representing clients in criminal proceedings, appointed attorneys in civil commitment proceedings do not file them even though the current *Standards* prescribe a caseload limit and define a “case.” A survey of attorneys representing clients in civil commitment proceedings across the state found variation in how a civil commitment “case” is defined for caseload purposes in each county. This lack of standardization raises equal protection concerns. Requiring certifications to be filed will help address the concern.

require appointed counsel representing clients in civil commitment proceedings to file Certifications of Compliance, as is already required of appointed counsel in criminal cases. The proposed *Guidelines* before the Board of Governors are the result of significant work by the Council. We look forward to presenting the proposed *Guidelines* at the November Board meeting.

Performance Guidelines for Attorneys Representing Respondents in Civil Commitment Proceedings

GUIDELINES PREAMBLE

The following guidelines are intended to assist defense attorneys in providing vigorous and effective representation to clients responding to a civil commitment petition. The facts of each case, the circumstances of each respondent, and developments in the law and in court procedures require counsel to determine, with the client's assistance and on a case-by-case basis, the best manner to proceed.

As used in these Guidelines, "must" and "shall" are intended to describe mandatory requirements. "Should" is not mandatory but is used when providing guidance about what attorneys can and are encouraged to do in the interest of providing quality representation.

Guideline 1. Role of Counsel

Counsel shall assist the client in determining the client's goals and objectives in the commitment proceedings, shall explain to the client how best to achieve those goals, and advocate for the client at all stages of the commitment process.

Counsel shall represent the client's expressed wishes. Where counsel believes that the client's directions will not achieve the best long-term outcome for the client, counsel shall provide the client with additional information to help the client understand the potential outcomes and offer an opportunity to reconsider. In the end, counsel shall act in accordance with the client's expressed interests.

Counsel shall not substitute counsel's view of the client's best interests for those expressed by the client. Counsel shall not substitute the interests or views of a family member or friend, a guardian or holder of a durable power of attorney for those expressed by the client.

Guideline 2. Role of Counsel When a Client Does Not Express His or Her Ultimate Goals

When a client cannot express his or her ultimate goals and objectives, then counsel shall protect the client's constitutional and statutory rights. Counsel should assume that the client does not wish to be involuntarily detained or treated. Counsel shall abide by the Rules of Professional Conduct (RPCs) throughout the representation, including RPC 1.14.

In taking any protective action, counsel should be guided by such factors as the wishes and values of the client to the extent known, the client's best interests, and the twin goals of intruding to the least extent possible on the client's right to make independent decisions and maximizing the client's capacities. In considering alternatives, counsel should be aware of any law that requires counsel to advocate for the least restrictive action on behalf of the client. *See* Comment 5 to RPC 1.14.

Guideline 3. Education, Training and Experience of Counsel

Counsel shall, at minimum, have the qualifications required by the Washington Supreme Court's *Standards for Indigent Defense*, Standard 14.1 and 14.2(M), for representation of a respondent in a civil commitment proceeding.

Counsel shall have a basic knowledge of the classification of mental disorders, as described in the most recent Diagnostic and Statistical Manual of Mental Disorders ("DSM") and other resources, and the ability to read and understand medical terminology related to mental disorders and treatment of persons with a mental illness, substance use disorder, co-occurring disorders, and chemical dependency. Counsel shall have ready access to the most recent DSM, as well as research resources for related medical conditions. Counsel should also have basic knowledge and understanding of common personality disorders and medical conditions that may produce similar symptoms.

Counsel shall be familiar with the classes of medication prescribed to treat mental disorders and chemical dependency and the possible effect of those medications on the client's ability to interact with counsel and to participate in court proceedings.

Counsel should be familiar with treatment facilities, both in-patient and out-patient, that provide services to persons with mental illness, including the scope of those services. Counsel should be familiar with local facilities and state hospitals that may be remote from where the client lives. Counsel should be familiar with the limitations on available treatment and transportation obstacles associated with such facilities.

Counsel should attend CLEs or specialized training for further education on substantive issues, substantive law, statutes, local court rules, and local practice relating to commitment proceedings. Counsel should also develop interviewing and de-escalation skills through appropriate training opportunities. Counsel should develop a resource list of local mental and behavioral health experts who may be consulted or used as testifying experts on available resources for the client and other matters.

Counsel should know where socio-economic disparities and racial, gender, and age biases exist in the civil commitment system, and how they might affect a client and might influence counsel's perspective. For example, gender bias might influence a mental health provider's treatment recommendations or a court's treatment requirements. Counsel also should know about the potential effects of past sexual assault or trauma on a client.

Guideline 4. General Issues and Duties of Counsel for Respondents in Civil Commitment Proceedings

Before agreeing to act as counsel or accepting appointment by a court, counsel shall determine if counsel has sufficient time, resources, and knowledge to effectively represent the client.

Counsel shall be alert to potential and actual conflicts of interest that would impair counsel's ability to represent a client. Counsel shall not represent a client in a civil commitment proceeding

and act as guardian ad litem for that client in the same or any other proceeding. Counsel shall not reveal information relating to the representation of a client unless:

- the client gives informed consent to the release; or
- disclosure is impliedly authorized to carry out the representation; or
- disclosure is an exception to the rule of confidentiality permitted by the Rules of Professional Conduct.

Disclosures, for example to prevent reasonably certain death or substantial bodily harm, are permitted only to the extent necessary to prevent the harm.

Counsel should assess and advise how a client's participation and position in a civil commitment proceeding may affect the client's participation in other proceedings, such as a criminal case. To the extent authorized by the client, the attorney should consult with counsel representing the client in the other proceedings.

Guideline 5. Preparation for Initial Client Meeting

Prior to the first meeting with the client, counsel shall be knowledgeable about civil commitment law, procedures, and court rules. Counsel should have obtained copies of the initial petition or petition for continued court-ordered treatment, statements in support of the petition, and other materials that will be submitted to the court in support of the petition, reviewed them, and researched any unfamiliar terms in advance of the meeting.

When first appointed, counsel shall make every effort to consult with the client to determine the client's goals and to develop evidence to present to the court that will support those goals. Counsel should recognize that communication with the client may require additional efforts.

The initial client meeting shall be in private and occur enough in advance of any scheduled hearing to allow time for preparation and reasonable efforts to contact potential witnesses on the client's behalf. If there is not sufficient time for adequate preparation between counsel's appointment and the scheduled hearing, then counsel must advise the court and make every effort to continue the hearing, even if only for a few hours, to allow sufficient time for preparation.

In some cases, an attorney will be appointed to represent a client only after the client is detained pursuant to a 72-hour hold. Counsel should meet with the client within 24 hours of being notified of assignment when preparing to respond to a 14-day petition. Counsel representing a client responding to a 90-day petition, shall meet with the client within 24 hours of appointment or as soon as practicable thereafter, regardless of whether counsel previously represented the client when responding to a petition for a 14-day commitment or is newly appointed. Counsel representing a client responding to a 180-day petition shall meet with the client within 24 hours of appointment or as soon as practicable thereafter, regardless of whether counsel has previously represented the client when responding to a petition for a 14-day or 90-day commitment or is newly appointed.

Guideline 6. Substance of Client Meetings

Counsel shall communicate information to the client during the initial or subsequent meeting. Counsel shall determine the amount and kind of information the client is able to absorb in one meeting. If necessary or as requested by the client, counsel shall repeat this information during the course of the representation.

Counsel shall explain that conversations between client and attorney are confidential, counsel's role, the civil commitment process and the client's rights during that process.

Counsel shall obtain, when possible in light of the client's symptoms, the client's version of the facts of the case, the names and contact information of persons with knowledge of the circumstances that led to the filing of the petition, the names and contact information of persons knowledgeable about the client's current level of functioning relative to discharge to the community, information about past treatment, and information relevant to possible alternatives to commitment.

Counsel shall advise the client of the legal basis under which the Court can order the client be discharged, committed, or released conditionally, and the length of any commitment period. Counsel shall advise the client of the right to request experts to complete an independent evaluation and assist in defending the case, and if a 90-day petition is filed, the right to request a mental health professional to seek less restrictive alternatives. Counsel shall specifically advise the client of the right to remain silent and possible consequences following civil commitment, such as the loss of the right to possess a firearm.

Counsel shall explain the different consequences that could follow from a voluntary agreement to enter treatment, an involuntary commitment following a contested hearing, an agreement to a stipulated order of commitment, and a negotiated agreement to a less restrictive order. These may include, among others, an impact on the right to possess a firearm and whether a hospital will help the client find a place to live after the client leaves the hospital or to enroll in a supplemental income program such as SSI or outpatient treatment. Counsel should inquire of any proposed provider whether a client will be billed for voluntary or outpatient treatment.

Guideline 7. Preparation for Commitment Hearing

Counsel shall obtain and review the court file, investigation report, medical records, police reports, if any, and all other evidence offered by the petitioner(s) or opposing counsel. In advance of the hearing, counsel should attempt to interview witnesses who will be called by opposing counsel. Counsel also should attempt to contact persons the client has identified as possible witnesses and who, in counsel's assessment, may provide relevant information. Counsel shall make any appropriate request for expenses to pay for the services of expert witnesses.

Counsel shall determine whether the petition and/or request for commitment should be challenged because it does not satisfy the statutory criteria required for civil commitment and/or constitutional protections. Counsel shall determine whether the client was given a

timely opportunity to refuse psychotropic medications for the 24 hours before a potential hearing. If the treatment team has failed in this regard, counsel must advise the client of the options available to address such failure. Counsel shall be familiar with the rules of evidence, particularly those that apply to civil commitment hearings and govern the admissibility of documentary and testimonial evidence.

Guideline 8. Planning for Release Following Commitment

Counsel should evaluate whether it would be helpful to consult with an independent social worker or mental health professional to aid in planning for the client's release or a less restrictive commitment order and, if so, apply for funds. Counsel should contact persons whom the client has identified as willing to assist in arranging an alternative to hospitalization or otherwise support discharge at the hearing.

If counsel learns of persons who may be willing to assist with an alternative to hospitalization or otherwise support discharge from a source other than the client, then, with the client's permission, counsel should contact those persons. Counsel should evaluate whether release planning is adequately provided by the hospital staff and, if so, with the client's permission, provide information supporting an alternative to hospitalization or discharge to hospital or other personnel involved in discharge planning.

Guideline 9. Commitment Hearing

Counsel shall, prior to the commitment hearing, communicate to the client what is expected to happen before, during, and after the hearing. Counsel shall continue to consult with the client during the hearing.

Counsel should provide the client with information regarding appropriate courtroom conduct. Counsel shall apply for accommodations that will assist the client in participating in the hearing, including accommodations for physical disability, interpreter services or, transportation assistance.

If the hearing is scheduled to be conducted by video, then counsel shall advise the client of the process and ask whether the client wishes to object to proceeding by video. If the client objects to proceeding by video, then counsel shall make that objection on the client's behalf.

Counsel shall be familiar with the legal and technological requirements for video proceedings. If the hearing will proceed by video, whether or not the client objects, counsel shall make every effort to ensure those requirements are satisfied and make objections, if needed.

Counsel shall assert and seek to protect the client's right to actively participate in the civil commitment proceeding. If at the time of the hearing the client is under the influence of prescribed medication, counsel shall consider introducing evidence regarding the nature of the medication and its likely effects on the client's demeanor. Counsel shall contest whether a client will be hospitalized and, to the extent feasible, whether appropriate placement and resources are available.

Counsel should make an opening statement describing the client's goal and the facts that support that goal, cross-examine expert and lay witnesses as is appropriate to the case, and present alternatives to confinement as approved by the client.

At the hearing, counsel should be prepared to:

- raise procedural motions, including exclusion of witnesses;
- assert privileges, including physician/patient, psychotherapist/patient, spouse/domestic partner, Fifth Amendment, social worker/patient and other privileges; and
- as appropriate, introduce evidence on the client's behalf.

Counsel representing a client in a jury trial contesting the State's commitment petition shall be familiar with the laws and procedures governing the selection of a jury and jury instructions. Counsel shall, to the extent feasible, include as an issue not just whether a client will be hospitalized or housed, but how a client shall be hospitalized or housed.

Counsel shall communicate the advantages and disadvantages of the client testifying. The decision to testify ultimately rests with the client. Counsel shall be familiar with state law regarding examination of the client and what information may be admissible for purposes of the hearing.

Counsel should make a closing argument that includes the evidence presented, the burden of proof, and the statutory requirements for commitment.

Counsel should consider proposing findings of fact and conclusions of law and/or making objections to findings and conclusions proposed by opposing counsel and should ensure that any proposed findings and objections are included in the record for appeal.

Guideline 10. Limited Basis for Waiver of Client's Presence at the Hearing and Alternatives to Waiver

Counsel shall be familiar with the practice of the local jurisdiction regarding waiver of presence and inform the client about local practice. Some jurisdictions will not permit a client to waive presence at a hearing. Others will allow the client to waive presence only after the court has advised the client about the possible loss of the right to possess firearms.

Counsel shall not waive the client's presence at the hearing, except when the client elects to waive or unequivocally refuses to attend, despite encouragement to attend.

If the court is considering whether the client's behavior constitutes a constructive waiver of presence, then counsel shall, after consultation with the client, offer alternatives to removing the client from the hearing. Possible alternatives may include:

- offering the client a paper and pencil to write down questions rather than orally responding;
- taking frequent breaks;

- asking the judge to give the client a “roadmap” regarding who will be testifying and when;
- offering to mute client and counsel’s microphone during witness testimony during video proceedings other than when making an objection or responding to an objection; and/or
- offering the client, if available, the option to observe video proceedings from a separate room.

Guideline 11. Post-Commitment Proceedings When the Client Is Committed

If the court orders the client committed for up to 14 days, then counsel has a continuing obligation to maintain contact with the client and prepare to represent the client if the State seeks a 90-day commitment. Such representation shall include consulting with the client to determine the client’s goals and to develop evidence to present to the court that will support those goals. Such evidence may include, for example, proposals for less restrictive treatment, housing alternatives, or an individualized treatment plan appropriate to the client’s needs. Counsel shall, to the extent the client agrees, argue against all provisions that are unnecessarily restrictive or unsupported by the record.

If the State seeks a 180-day commitment, then counsel should seek to provide continuity of representation and to represent the client in the 180-day commitment hearing. If the client is transferred to another hospital outside the jurisdiction in which counsel works then, when feasible, counsel shall work to ensure a smooth transition to the new counsel who will represent the client at the 180-day hearing.

Mental Proceeding Rules (MPR) 2.4 and 3.4 provide that commitment hearings “shall be proceeded with as in any other civil action.” Counsel should be familiar with Civil Rule (CR) 71(b), which provides “A court appointed attorney may not withdraw without an order of the court. The client of the withdrawing attorney must be given notice of the motion to withdraw and the date and place of the motion to be heard.”

The Rules “govern the procedure in the superior court in all suits of a civil nature whether cognizable as cases at law or equity...”. The limited exceptions to CR 71 are found in CR 81 and do not, on their face, include civil commitment proceedings.

Guideline 12. Post-Commitment Proceedings When the Client Is Not Committed

If a petition is dismissed or if the court does not order a client committed, then counsel should, where appropriate, inform the client of social services or direct the client to appropriate hospital or treatment staff who can assist the client. Such services may include housing and food available in the community, the existence and location of mental health providers, and the existence of medical treatment available upon discharge from a hospital.

Guideline 13. Advising the Client about Revisions and Appeals

Counsel shall advise the client of the right to seek revision of a commissioner’s ruling or to appeal, and the process for each. Counsel shall explain to the client the consequences of any decision to waive the right to seek revision or to appeal. The decision whether to seek revision or to appeal belongs to the client. If the client is not able to absorb the information immediately

following a hearing, then counsel shall consult with the client in person or by phone to explain the revision or appeal process and the client's choices.

Counsel shall take the necessary steps to seek revision of a commissioner's ruling or to perfect an appeal if the client requests it.

Counsel should consider developing a short advisory sheet to give clients outlining the right to appeal and deadlines by which an appeal must be filed. The advisory should include information about how to contact counsel to discuss an appeal and, in appropriate cases, counsel's recommendation about whether to appeal. Such an advisory may be helpful when counsel must immediately appear in another hearing or leave for another hospital to represent another client.

Guideline 14. Perfecting an Appeal

When the client chooses to appeal, counsel shall file a notice of appeal and preserve the client's right to appeal, including presenting a motion to proceed *in forma pauperis*. Counsel shall assist the client in obtaining appellate representation.

To preserve issues for appeal, counsel should consider proposing findings of fact and conclusions of law and/or making objections to findings and conclusions proposed by the prosecutor or entered by the court, and should ensure that counsel's proposed findings, conclusions, and/or objections are included in the record.

When the client, at the time that commitment is ordered, is unable to decide whether to appeal, counsel shall make clear to the client the deadline for filing an appeal, seek a decision from the client in time to meet the deadline, and be prepared to file the appeal should the client decide to appeal. If a guardian or person holding a durable power of attorney believes the client should not pursue an appeal, counsel should advise the court in writing that counsel assumes the client has the authority to make the decision to appeal and proceed as the client wishes.

Guideline 15. Obligations of Counsel to Appellate Attorney

Counsel should be available to appellate counsel to answer questions and issues regarding the appeal and provide privileged information and documents requested by appellate counsel, to the extent authorized by the client.

Guideline 16. Continuity of Representation

Counsel should make every effort to represent the client for the duration of the commitment process. Even if the client is transferred out of the jurisdiction, CR 71 provides the attorney may not withdraw without an order from the court.

If counsel is not able to continue to represent the client, then counsel shall work to ensure a smooth transition to new counsel when possible. Steps to provide a smooth transition shall include:

- advising the client about the process for the client's transfer to a different hospital;

- move the court pursuant to CR 71 for an order allowing counsel to withdraw and appointment of new counsel;
- advise the client how to contact substituted counsel; and
- to the extent permitted by the client, providing the substituted counsel with privileged information and documents counsel received when representing the client.

WASHINGTON STATE BAR ASSOCIATION

Memo

To: Board of Governors

From: Michael Cherry, Governor, District One
Destinee Evers, Practice Management Assistance Advisor
Terra Nevitt, Advancement Department Director

Date: November 2, 2018

Action: Determine whether to add Fastcase as a second free legal research tool available to our members as a member benefit.

To serve members and support the integrity of the legal profession, the Washington State Bar Association (WSBA) contracts with a third-party vendor to provide an electronic legal research tool as a member benefit. This research tool is available to all members, including active, inactive, judicial, and emeritus status.

During the Public Session of the July Board of Governors (BOG) meeting, two legal research tools—Casemaker and Fastcase—were discussed.¹ To ensure there was no gap in the availability of a legal research benefit, and because the current contract with Casemaker was expiring, the BOG expressed a preference to move forward with renewing a non-exclusive contract with the existing legal research tool, and for WSBA to potentially add Fastcase as a second tool. As a result, WSBA executed a two-year, non-exclusive contract with Casemaker.

During the Public Session of the September BOG meeting, Fastcase presented the benefits and differences in their legal research tool.

The question before the BOG now is whether to add Fastcase as a second legal research tool to provide more options to members.

Offering Fastcase as a second research tool would offer members more choices and it would also contribute to the WSBA's mission of championing justice and serving the public. First, offering Fastcase may help increase access to justice. Member feedback indicates that some members rely on a free legal research tool in order to provide pro bono services.² For solo and small-firm attorneys, having a viable legal research option is a critical part of their ability to achieve good outcomes for clients when they are up against larger firms with more robust legal research platforms.

¹ These are the only known vendors that participate in the marketplace for legal research member benefits for bar associations.

² For example, one member shared: "I have a pro bono case where I use Casemaker to do research, as my employer does not allow us to use our Westlaw account or pro bono matters."

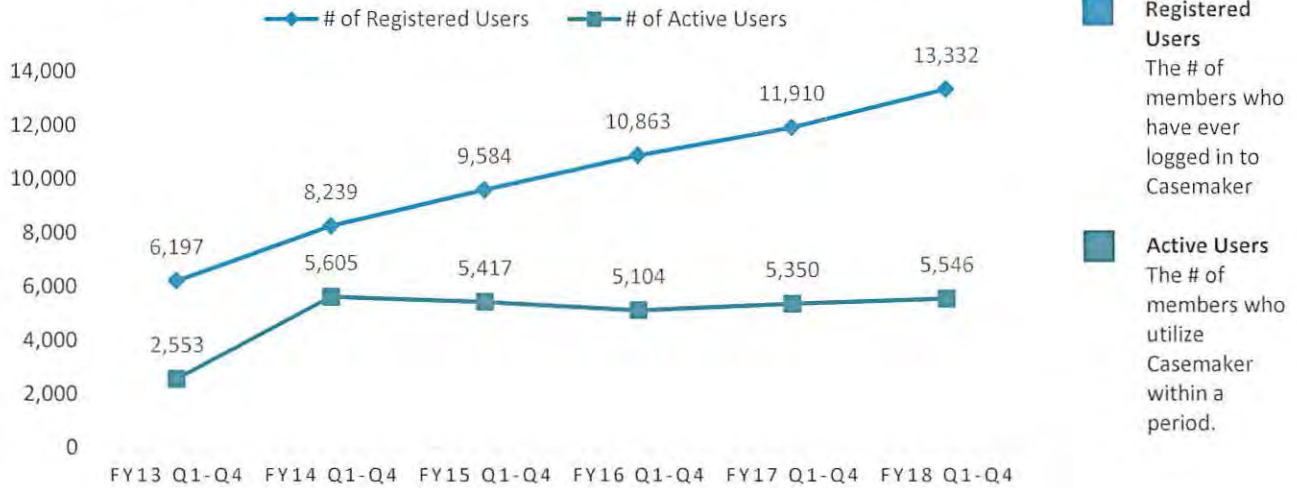
Second, offering Fastcase may help reduce malpractice. WSBA has a task force that is currently considering requiring attorneys practicing in Washington State to carry malpractice insurance, but equally important is malpractice prevention. Studies indicate that a high number of malpractice claims (11.3%) occur because the attorney failed to know the law, or failed to properly apply the law. Having two research tools may help attorneys find the cases they need. Attorneys can repeat searches with both tools, comparing results to ensure they find cases and cases that represent good law. Sometimes the additional research may assist attorneys in identifying issues such as statutes of limitations (about 6% of the causes). Our member survey indicates that one-third of members using Casemaker now rely on a second commercial research tool to verify their results. If the WSBA offers two legal research tools, members would be able to perform important supplemental searches for free.

The following pages discuss the data regarding the existing usage rates for Casemaker, including the members who do not use Casemaker and may benefit from a second research option. Also included is a summary of the budget impact of the Fastcase proposal. Note that if the BOG adds a second legal research tool, it would require an amendment to the FY19 budget.

The Budget & Audit Committee will be taking this issue up at its November 13 meeting and will provide their recommendation at the BOG meeting.

Snapshot of the Existing Legal Research Benefit

USAGE RATES FOR LEGAL RESEARCH BENEFIT



KEY

- Registered Users**
The # of members who have ever logged in to Casemaker
- Active Users**
The # of members who utilize Casemaker within a period.

NUMBERS OF NOTE

58% The rate that members opt out of using Casemaker after registering.

6,993 The average # of members who stop using Casemaker after registering.

12,739 The # of members in an office of five legal professionals or less.³

48% The % of members who indicate that they use Westlaw or Lexis.⁴

30% The % of members using Casemaker who indicate they also rely on Westlaw or Lexis.⁵

³ As of August 1, 2018 (<http://bit.ly/2wQRUjB>). Based on observations of the Practice Management Assistance Advisor, this is the group most likely to utilize a free legal research benefit. Based on a recent survey to members (which received 636 responses), 75% of respondents who use Casemaker are practicing in a firm of 1-5 lawyers. Another 11% of respondents using Casemaker are government or public interest attorneys.

⁴ In that same survey referenced above, 29% of respondents said that Westlaw and Lexis were their primary research tools.

⁵ Same survey referenced above.

Fastcase Proposal

	STANDARD OPTION	JOURNAL ADD-ON	DOCKET ADD-ON
Description	Standard Fastcase Benefit	HeinOnline Access for All WA Law Review/Journals	Docket Alarm
Cost	\$1.75/member ⁶	1 st Year Free ⁷ Then \$0.15/member ⁸	\$1.00/member ⁹
Timeline	30-60 Days	Available Early 2019	Available in 2 nd Term of Contract (FY20)

DEFINITIONS

- **Docket Alarm** is a Fastcase tool and commercial product that is a substitute for PACER.¹⁰ It incorporates PACER data so it offers more robust data analysis and searching, usually at a cheaper price while allowing for aggregate data analysis. We do not currently offer anything like this. If a member paid for a subscription on their own it would cost \$1,188 per year.
- **HeinOnline** is the largest library of law review articles. Our contract with Casemaker provides law review articles only up until 2013–2016. This would provide integrated searching for law review articles until the most recent publication date. It should be noted that many law review articles are now available for free from Google Scholar or from the Law School or Journal’s Website.

Cost-Comparison: Other Legal Research Tools

LEXIS ADVANCE	WESTLAW	FASTCASE LICENSE	CASEMAKER & FASTCASE WSBA Contract Price
\$1,704/year ¹¹	\$1,692/year ¹²	\$995/year	Cost per Member: \$3-5/year ¹³

Summary

For many members, Casemaker is an important member benefit. However, data indicates that almost 7,000 members do not use Casemaker after registering with Casemaker, and 30% of members who use Casemaker still find it necessary to maintain paid subscriptions to Westlaw and Lexis. Offering Fastcase as a second research tool would provide an excellent, cost-saving alternative to those members that choose not to use Casemaker or who value accessing two legal research tools.

⁶ As of August 1, 2018, there are 39,872 total members. At a cost of \$1.75 per member, this would be \$69,776 per year.

⁷ Fastcase negotiated with HeinOnline to offer this option for the first time. HeinOnline will waive the first year fees.

⁸ See note 6. This Journal Add-on would carry an additional cost of \$5,981 after the first year.

⁹ See note 6. This Docket Add-on would carry an additional cost of \$39,872.

¹⁰ See also this article for a discussion of PACER issues: <http://bit.ly/2M90LCT>

¹¹ Average cost for a one-year subscription (1-2 attorneys): <https://tmsnrt.rs/2Cy4PgJ>.

¹² Average cost for a one-year subscription, across 3 different plans (1 attorney): <https://tmsnrt.rs/2Cy4PgJ>.

¹³ Cost per member would be \$3.38 to include the standard Fastcase benefit with Casemaker, and \$4.53 for the full suite from Fastcase.

Recap: Platform Comparisons

Originally provided in the July BOG Materials

	CASEMAKER	FASTCASE
Bar Association Relationships	State bars: 20 (not including WSBA) Local/specialty bars: 7	State bars: 30 Local/specialty bars: 11
Frequency of Updates	Cases: Available within 1 day Legislation: Available within days	
Customer Support	5 a.m. to 5 p.m. PT	5 a.m. to 5 p.m. PT; Available by email after hours.
Platform Features	Both vendors are launching significant updates to their platforms this year. We only evaluated the existing platforms.	
• Authority Check	Negative Citator*	Authority Check with Bad Law Bot*
• Type-Ahead*	✘	✔
• Authority Indicator	✔	✔
• Seminal Case Suggestions	✘	✔
• Search Filtering	✔	✔
• Interactive Timeline	✘	✔
• Visualization of Citations	✔	✔
• Semantic Tag Cloud*	✘	✔
• Statute Annotation	✔	✔
• Citation	Both provide public linking and the ability to copy text with the citation.	
• Note taking*	✔	✘

PLATFORM FEATURE DEFINITIONS

Bad Law Bot:	A Fastcase algorithm that identifies cases with negative signals—cases overturned or reversed, but were cited by a court. This differs from a traditional citation service, which includes broader citatory signals such as “criticized,” “distinguished,” and “clarified.”
Negative Citator:	A traditional citatory that indicates whether a case has been overturned, distinguished, etc. In Casemaker, we identified instances where a case was flagged with a negative citatory history, but the citing case was not authoritative and was in another jurisdiction.
Notetaking:	Casemaker offers notetaking within a document, but only for the whole document, not specific passages. It offers no form of highlighting.
Semantic Tag Cloud:	Similar to a word cloud, Fastcase provides a list of common words used within the search results shown to help indicate key terms or language. As search results narrow, the semantic tag cloud adjusts.
Type-Ahead:	Similar to Google’s autocomplete that suggests popular searches as you type, Fastcase offers suggestions to users typing within the search box depending on the terms used.

**WASHINGTON STATE
BAR ASSOCIATION**

Board of Governors

**Board of Governors Meeting
WSBA Conference Center
Seattle, WA
November 16, 2018**

How the Consent Calendar Operates: The item listed below is proposed for approval on the Consent Calendar. Following introductions in the Public Session, the President will ask the Board if they wish to discuss any matter on the Consent Calendar. If they do, the item will come off the Consent Calendar and be included for discussion under First Reading/Action Items on the regular agenda. If no discussion is requested, a Consent Calendar approval form will be circulated for each Governor’s signature.

Consent Calendar Approval

- a. September 27-28, 2018, Public Session Minutes..... 70

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

BOARD OF GOVERNORS MEETING

Public Session Minutes

Seattle, WA

September 27-28, 2018

The Public Session of the Board of Governors of the Washington State Bar Association (WSBA) was called to order by President Bill Pickett on Thursday, September 27, 2018, at 1:10 p.m., recessed at 4:45 p.m., and reconvened on Friday, September 28, 2018, at 8:20 a.m., at the WSBA Conference Center, Seattle, Washington. Governors in attendance were:

Dan W. Bridges
Daniel D. Clark
James K. Doane (by phone)
Angela M. Hayes
Carla J. Higginson
Kim E. Hunter
Jean Y. Kang
Christina A. Meserve
Athanasios P. Papailiou
G. Kim Risenmay
Kyle D. Sciuchetti
Alec Stephens
Paul Swegle
Judge Brian Tollefson (ret.)

Also in attendance were President-elect Rajeev Majumdar, Immediate Past-President Bill Hyslop, Executive Director Paula Littlewood, Interim General Counsel Julie Shankland, Chief Disciplinary Counsel Doug Ende, Chief Regulatory Counsel Jean McElroy, Director of Human Resources Frances Dujon-Reynolds, Chief Operations Officer Ann Holmes, Director of Advancement/Chief Development Officer Terra Nevitt, Chief Communications and Outreach Officer Sara Niegowski, and Executive Assistant Margaret Shane. Also in attendance were Chief Justice Mary Fairhurst as well as Governors-elect Michael Cherry, P. J. Grabicki, and Russell Knight.

The following items were discussed on Thursday, September 27, 2018.

PRESIDENT'S REPORT

President Pickett welcomed Chief Justice Fairhurst and other guests to the Board meeting and urged those in attendance to join the Board at the APEX Awards Dinner that evening. He reported on his attendance at the National Conference of Bar Presidents in Chicago, and the creation of a "Build a Bridge Initiative" with the minority bar associations.

MEMBER AND PUBLIC COMMENTS

Jean Cotton advised that this would be her last meeting as the Family Law Section Executive Committee liaison and that she would attend future meetings on behalf of her local bar. She noted that her local bar is interested in participating in the discussion between the Board and the Court.

Nancy Hawkins requested that the Board respond to the comments that are made during the Member and Public Comment section of the BOG meeting agenda and to provide the meeting materials sooner.

Chief Justice Mary Fairhurst referred to the Washington Supreme Court's letter dated September 21, 2018, and stated that the Court made the decision to act as it did in its plenary authority. She explained that it was the unanimous decision of the Court to suspend all proposed WSBA Bylaw amendments in light of *Janus* and other national developments, as well as litigation against the Court and the Bar; and to affirm that the Executive Director is the administrative head of the organization, that most of the organization is regulatory, and that it is the Court's role and responsibility to decide what must be done. She noted that Executive Director Littlewood had been making the Court aware of this situation for quite some time and that the Court's action was not intended to stop a collaborative discussion among the Court, the Board, and other interested Bar members in considering how to move forward both from a

legal and structural standpoint. She further advanced the concerns expressed in the letter by a majority of the court about how Board members are treating each other, staff, and others. She emphasized that it is important for people to have a safe place to work and govern, and that it is the Court's direction that the Board adopt an anti-harassment and anti-retaliation policy if such policies were not already in place. She stated that the Board has the privilege of governing under the authority of the Supreme Court and that the actions of individual members of the Board reflect on the Board, the Bar, the community, and the state. She concluded by stating that the Court has made no decisions other than what was included in the letter and that the letter was unanimously agreed upon by the Court.

President-elect Majumdar stated that case law recognizes there are areas that are not regulatory, but the domain of the Board, and that the letter did not come as an order. He stated that he would like to make the Court's intent crystal clear and asked Chief Justice Fairhurst if the Court intends to stop the Board from considering or working on any Bylaw amendments as an order of law or is it a recommendation and suggestion that the Board table all proposed Bylaw amendments. Chief Justice Fairhurst responded that the language used in the letter is that the Court "directed" and if that language was not clear, she invited President-elect Majumdar to write her and she would ask the Court to be more clear, and that if he preferred an order, to include that in the letter and the Court would consider that as well.

Discussion ensued regarding timeline and process; suspension of proposed Bylaw amendments; the Court being more transparent with the information on which it bases its decisions regarding the WSBA; how to best communicate the plenary authority of the Court to WSBA members; and the Court's plenary authority living side by side with the State Bar Act for many years. President Pickett expressed appreciation for Chief Justice Fairhurst's attendance at the July Board Retreat and meeting, as well as the September Board meeting. Chief Justice Fairhurst reiterated that the Court wants to work with the Board and anyone interested in order to examine and address WSBA structural issues, and emphasized that the Court will be acting deliberately and thoughtfully. She expressed her gratitude for the understanding and receptiveness of the meeting attendees.

CONSENT CALENDAR

a. July 27-28, 2018, Public Session Minutes

WASHINGTON STATE BAR FOUNDATION (WSBF) ANNUAL MEETING – James Armstrong, President, and Terra Nevitt, Director of Advancement/Chief Development Officer

Appoint Members to WSBF Board of Trustees

WSBA President Pickett passed the gavel to WSBF President Armstrong, who called the WSBF meeting to order at 1:55 pm. President Armstrong referred the Board to the proposed slate of Foundation Board member renewals contained in the meeting materials and noted that there were still open positions, which will be brought for approval at a future Board meeting. WSBF member Pickett moved to approve the proposed slate as contained in the meeting materials. Motion passed unanimously.

WSBF President Armstrong reported that the Trustees had approved a disbursement to WSBA in the amount of \$275,000, a \$75,000 increase from last year, to support the Bar's public service and diversity programs. He highlighted WSBF's accomplishments to date and advised that WSBF has been successful in growing its donor base and increasing fundraising. He reported that a WSBF restricted fund had been successfully unrestricted and that the Trustees voted to disburse the monies to the four area law schools (three in Washington and one in Idaho) for diversity scholarships. Discussion ensued regarding the ratio of donations to cost and both outgoing Treasurer Risenmay and incoming Treasurer Bridges expressed their confidence that the Foundation had made significant progress in this area and is headed in the right direction. In response to a question about strategic goals, Director Nevitt referred to the three-year strategic plan developed the year prior, in which the Foundation seeks to fully fund the direct costs of the WSBA's public service programs by the end of FY2019 and to fully fund all costs within ten years. WSBF President Armstrong adjourned the Foundation member meeting at 2:20 pm and passed the gavel to WSBA President Pickett.

COUNCIL ON PUBLIC DEFENSE (CPD) – Eileen Farley, Chair, and Diana Singleton, Access to Justice Manager

Approve CPD Providing Input to Washington Supreme Court Rules Committee re CrR4.1

Chair Farley reviewed the background and explained the issue. Governor Clark moved to approve the request. Motion passed 11-0-1. Governors Kang and Papailiou were not present for the vote.

Approve amendments to CPD Charter

Chair Farley reviewed the proposed amendments to the CPD Charter and explained the decisions on excused absences, emeritus, and removal of term limits. Governor Swegle moved to approve the proposed amendments to the CPD Charter as contained in the meeting materials. Motion passed 12-0-1. Governor Kang was not present for the vote.

BUDGET AND AUDIT COMMITTEE RECOMMENDATIONS – Governor Kim Risenmay, Treasurer; Ann Holmes, Chief Operations Officer; and Tiffany Lynch, Associate Director of Finance

Treasurer Risenmay introduced the Budget and Audit Committee’s recommendations by noting that the WSBA budget is a policy and management document. He explained that projected revenues and expenses are the best estimates available when the Board approves the budget and that in FY2018, WSBA is exceeding budget expectations, which has a positive impact on reserves.

He then provided an overview, by fund, of the final draft FY2019 budget for Board approval as unanimously recommended by the Budget and Audit Committee. With respect to the General Fund, he referred the Board to the meeting materials, which identified developments and changes following the presentation of the first draft at the Board’s July meeting; including specifically (1) the Supreme Court’s September 6, 2018, Order setting the Limited License Legal Technician (LLLT) and the Limited Practice Officer (LPO) fees, and the LLLT Client Protection Fund assessment, as recommended by the Committee and presented to the Board at its July meeting; and (2) in addition to the \$23,000 increase presented in July for all Officers and Board members to attend the Western States Bar Conference, further increasing the Board budget by

\$5,000 so that the President and President-elect may attend the same out-of-state conferences together.

With respect to the Capital Fund, Treasurer Risenmay advised that the Capital Fund budget reflects Board discussion and decisions at its July meeting, which resulted in a net reduction of \$90,000 from the draft presented at the July Board meeting. Concern was expressed about the adequacy of the Capital Fund budget to address unplanned issues or events throughout the year. Chief Operations Officer Holmes explained that additional funds had been added to the final Capital Budget to address these concerns, and if needed, there is flexibility to shift budgeted funds by appropriate approval levels according to the WSBA Fiscal Responsibility Matrix.

As mentioned in July Treasurer Risenmay advised the Board that it is important to build the Facilities Reserve Fund to anticipate costs when WSBA's current lease expires as the current balance is \$200,000 and the lease expires at the end of 2026. Given that WSBA is exceeding FY2018 budget expectations, he recommended that the Board move \$250,000 from Unrestricted Reserves into the Facilities Reserve Fund at the end of FY2018.

Discussion ensued regarding the difficulty of holding meetings due to changes in quorum rules; the Board's resistance to meeting at the request of the President; WSBA's ability to balance the budget to zero; needing more time to review materials thoroughly; the optics of a budget increase to enable the entire Board to attend the Western States Bar Conference; and the budgeted increase to WSBA CLE compared to a budgeted decrease in Sections revenue. With respect to the latter, Treasurer Risenmay explained that, as previously discussed with both the Board and Sections, this apparent discrepancy is a timing issue: profit splits under the new model will be made once the FY2019 books close, which means they will not be realized until the FY2020 budget. A request was made to break out mandatory and non-mandatory items on the budget.

Governor Meserve congratulated Treasurer Risenmay, staff, and the Budget and Audit Committee for developing a thoughtful and remarkably closely balanced budget.

Governor Clark then moved to approve the budget as presented. Governor Bridges moved to make a friendly amendment to approve the FY2019 budget as presented, subject to any changes the Board might make to one line item that will be considered in the next day's Executive Session. Governor Clark and seconder agreed. Motion passed unanimously. [Director of Human Resources Dujon-Reynolds confirmed that no changes were made to the line item discussed in the next day's Executive Session.] Treasurer Risenmay moved to transfer \$250,000 Unrestricted Reserves into the Facilities Reserve Fund in anticipation of facilities costs when the lease at Puget Sound Plaza expires. Motion passed 11-0-3.

APPROVE KELLER DEDUCTION SCHEDULE – Julie Shankland, Interim General Counsel

Interim General Counsel Shankland referred the Board to the information contained in the meeting materials and explained the formula for arriving at the per-member charge for the Keller Deduction amount. Governor Hayes moved to approve the Keller Deduction Schedule as contained in the meeting materials. Motion passed 12-0-2. Governors Doane and Higginson requested that their abstentions be noted in the Minutes.

FASTCASE PRESENTATION – Phil Rosenthal, President, and Joe Patz, Alliance Manager

Fastcase President Rosenthal reviewed the history of the company and explained why Fastcase is different and where the company is headed. He highlighted the improved technology utilized by Fastcase, its emphasis on data-driven law, and focus on driving member engagement. He stated that bar associations are the center of the legal profession and that 30 state bar associations are currently using Fastcase. He gave a short demonstration and concluded by stating that Fastcase is determined, and would be honored, to be added as a legal research tool for WSBA members. Discussion ensued regarding the visual representation and impressive

technology; whether the budget can handle offering two packages (Casemaker and Fastcase) to WSBA members; the learning curve and potential training sessions; and integration of law students as users. Fastcase President Rosenthal concluded by stating that Fastcase has offered to integrate WSBA Deskbooks in its platform, which would result in non-fee revenue for WSBA, syndication of existing WSBA publications, and would help WSBA build new publications.

ANNUAL DISCUSSION WITH DEANS OF WASHINGTON STATE LAW SCHOOLS – Annette Clark, Dean of Seattle University School of Law, and Jacob Rooksby, Dean of Gonzaga University School of Law

Executive Director Littlewood advised that University of Washington School of Law Dean Mario Barnes was regrettably unable to attend due to a prior commitment.

Both of the Deans present shared current practices, priorities, and experiences at their respective schools including an increase in applications; statistics regarding historically under-represented groups; better employment statistics for law school graduates; live streaming at the law schools of the recent senate judiciary hearings; satellite campuses; exploring methods to add value beyond the Juris Doctor (JD) education; and Gonzaga's launch of the Center for Human and Civil Rights. Both Deans invited the Board to visit their respective schools to spend the day and experience what law schools are like currently. Discussion ensued regarding the cost of law school education and the resulting impact on students and graduates; diversity and inclusion efforts in admission practices; helping law students embrace technology; acceptance of Graduate Record Examination (GRE) as a way of entry into law school in place of the Law School Admission Test (LSAT); and exploring ways to integrate law faculty with undergraduate education.

APPROVE SUPPORT FOR LAW SCHOOL TRANSPARENCY REPORT – Jordan Couch, WYLC Incoming Chair-elect, and Julianne Unite, Member Services and Engagement Specialist

Incoming Chair-elect Couch reviewed the background of the initiative and explained that the WYLC would like to add its support of the Iowa State Bar Association Young Lawyers Division's Law School Transparency Report and to offer its support in any other way. He advised that the Report would require law schools to make clear what the various fiscal impacts are of attending

law school broken down by demographics. He concluded by stating that the WYLC is asking for the Board's permission to sign on to this initiative. In answer to inquiries, he stated that the WYLC had not yet spoken with the Washington law schools regarding this initiative and that the information would be given to all admitted students when they receive the offer to attend, and would require that all law schools publish the information on their respective websites. Governor Stephens moved to authorize the WYLC to move forward as they have requested. Executive Director Littlewood clarified that if the Board approves the WYLC doing as they requested, then the Board is approving WSBA doing the same. Motion passed unanimously. Governor Hayes was not present for the vote.

APPROVE EXTENSION OF MEMBER ENGAGEMENT WORK GROUP CHARTER – President-elect Rajeev Majumdar, Work Group Member

President-elect Majumdar advised that he was presenting this item on behalf of Governor Clark, Chair of the Work Group. He explained that the Work Group is requesting an open-ended extension of the Charter and empowering the Chair to decide on the process to add five non-Governor members to the Work Group. Governor Swegle moved to approve the request. President Pickett stated that Governor Clark and Governor Hunter will co-Chair the Work Group. Motion passed unanimously. Governor Hayes was not present for the vote.

APPROVE RECOMMENDATIONS FROM THE COURT RULES AND PROCEDURES COMMITTEE – Shannon Kilpatrick, Chair, and Julie Shankland, Interim General Counsel

Chair Kilpatrick summarized the recommendations and explained the proposed amendments. Governor Risenmay requested that Governor Hunter also give her recommendations on the proposed amendments since her practice is in criminal law, the subject matter of the rules in question.

CrR 1.3, CrR 3.4, and CrR 4.4

Governor Hunter advised that CrR 1.3 and CrR 4.4 are clarifications to the rules and that CrR 3.4 would ease the burden of sanctions on individuals who cannot pay, and encouraged the Board to support the recommendations as contained in the meeting materials. Governor Higginson

expressed concern regarding CrR 3.4 because she believed the Legislature had already fixed the problem. Governor Hunter explained that the judges manage this situation well and that it clarifies the warrant requirement. She noted that warrants cannot be eliminated because they are a means to get people into court and that the Legal Financial Obligation (LFO) requirement does not adequately address the warrant requirement. Governor Hunter moved to approve the suggested amendments as contained in the meeting materials. Governor Higginson reiterated her concern regarding CrR 3.4 in comparison with recent legislative changes and moved to amend the motion and adopt the suggested amendments to CrR 1.3 and CrR 4.4, but for CrR 3.4 to be sent back to the Committee to rework and resubmit to the Board for its consideration. Motion to amend failed 5-6-2. Governor Doane asked that his abstention be recorded in the Minutes. Governor Hunter's original motion passed 10-1-2. Governors Clark and Risenmay requested that their abstentions be recorded in the Minutes. Governor Hayes was not present for these two votes.

CrR 4.2

Chair Kilpatrick explained that the suggested amendments to CrR 4.2 are to correct various typos. Governor Hunter moved to approve the suggested amendments as contained in the meeting materials. Motion passed unanimously. Governor Hayes was not present for the vote.

CR 30

Chair Kilpatrick explained that CR 30 updates the language and accounts for the use of new technology, such as storage on the Cloud. Governor Stephens moved to adopt the recommendations as contained in the meeting materials. Governor Risenmay offered a friendly amendment, which was accepted by Governor Stephens and seconder, to bifurcate and discuss the two recommendations regarding CR 30 separately. Governor Stephens moved to approve the recommendations regarding updating the language as contained in the meeting materials. Motion passed unanimously. Regarding the use of new technology, Governor Higginson moved to exclude the portion of proposed amendment contained on page 321 of the meeting materials:

...If the video recording is stored exclusively on a computer or service (including cloud storage) and not on an easily removable and portable storage device, the certificate shall so state and indicate measures taken to preserve it....”

Motion failed 4-9-1. Governor Doane requested that his abstention be recorded in the Minutes. Governor Papailiou moved to approve the recommendations regarding updating the technology as contained in the meeting materials. Motion passed 12-2.

APPROVE RECOMMENDATIONS FROM COMMITTEE ON MISSION PERFORMANCE AND REVIEW (CMPR)

Governor Bridges moved to approve the CMPR recommendations as contained in the meeting materials. Motion passed 11-0-3. Governors Higginson and Risenmay requested that their abstentions be recorded in the Minutes.

RECOMMENDATIONS FROM CIVIL LITIGATION RULES DRAFTING TASK FORCE – Ken Masters, Chair

Chair Masters advised that the purpose of the Task Force recommendations is to help lower the cost of civil litigation. He stated that the recommendations consist of eight rules that utilize the expertise of over 50 highly qualified lawyers and judges who dedicated countless hours over an eight-year period for the rules to be submitted for the Board’s deliberation and action. He explained that thousands of people vetted the recommendations and comments were received from members of the Bar and public over a 12-month period, that the recommendations are responses to access-to-justice issues, and that they are Court rules, not Board rules or Task Force rules. He urged the Board to send the recommended rules to the Washington Supreme Court so they can go through the Court’s process, which includes a period for further comments, so the Court can make a decision on the recommended rules. Discussion ensued regarding the thorough and transparent process used by the Task Force; the overwhelming civil rules expertise of the Task Force; the potential for the recommendations to increase, rather than decrease, the cost of civil litigation; the need for more time for input regarding the recommendations; adding conferral requirements similar to Oregon to the recommendations; clarification regarding why some family law rules were carved out and others not; adding exclusions to rules that do not apply to family law; further opportunity for comment once the

Court publishes the proposed rules; and the desire to have public members present to make comments on the proposed rules. Chief Justice Fairhurst advised that the Court does have a process and a schedule it normally adheres to, but will accept the proposed rules when they are received and can do so out of cycle.

Chair Masters responded to various statements and questions. (1) Nothing has been stated in this meeting that the Task Force has not already heard, discussed, carefully considered, and dealt with. (2) The stakeholder list contains 263 names and is seven pages long; materials were sent to every person on the list; and the job of the liaison to the Task Force is to report to the Board what the Task Force is doing. (3) The proposed rules help people with low incomes because they will lower the cost of civil litigation and make access to lawyers broader. The Task Force decided not to focus on District Court rules at this time because further study needs to be done before doing so. (4) When the Board formed the Task Force, it did not eliminate Family Law from consideration, so the only choice the Task Force had was to apply exemptions. For example, Family Law is exempted from the case schedule; therefore, it is exempted from everything. (5) The Task Force considered adopting Oregon's system, but ultimately decided not to. (6) Whatever period of time the Board takes to reconsider the proposed rules, it will hear the same input the Task Force heard.

Governor Bridges moved to (1) table action on approval of the draft proposed civil rule amendments; (2) create a four-person Board of Governors, of which two representatives must have actual trial experience (judicial or as attorney) to take direct input from members on the proposed amendments, and those Governors will determine how to best carry that out but it should include at the very least direct contact with the executive committees of WDTL, WSAJ, Litigation section, Family law section, and DRAW; (3) all direct member input shall be forwarded in a timely manner to Chair Masters for consideration; and (4) with a report back three Board meetings hence with a meaningful time reserved for discussion and a final vote for whatever action the Board deems appropriate. Chair Masters noted that he should not be named in the motion as the work of the Task Force, and his tenure as the Chair, has been completed and he no longer has any authority regarding the Task Force. Motion passed 9-5. Governor Papailiou encouraged the Board members to contact the members in their districts when an item is on the agenda for action so the WSBA members are aware of the opportunity to provide input.

President Pickett asked that anyone interested in serving on the Committee submit their name to him. He then thanked Chair Masters for all the time that he and the Task Force members spent on this matter.

PROPOSED UPDATED JUDICIAL RECOMMENDATION COMMITTEE (JRC) GUIDELINES – Sanjay Walvekar, Outreach and Legislative Affairs Manager

Manager Walvekar explained that the proposed updated Guidelines involve revisions to mental health questions that are prohibited under the law and instead focus on skills and abilities. Governor Swegle moved to approve the updated Guidelines as contained in the meeting materials. Motion passed unanimously.

PROPOSED POLICY STATEMENT AND RESOLUTION RE FISCAL TRANSPARENCY – Governor Paul Swegle

Governor Swegle moved to remove this item from the agenda since what he was requesting in the policy statement and resolution regarding fiscal transparency was already being done by staff. Motion passed 13-0-1.

APPOINT CHAIRS AND VICE-CHAIRS TO WSBA COMMITTEES AND BOARDS

Governor Papailiou moved to approve the proposed 2018 WSBA committee and board chairs and vice-chairs as contained in the meeting materials. Motion passed 12-0-2. Governor Sciuchetti requested that his abstention be recorded in the Minutes.

TECHNICAL CORRECTION TO RPC 1.12, COMMENT 1

Governor Papailiou moved to approve the technical correction to Comment 1 of RPC 1.12. Motion passed unanimously.

NO RETALIATION POLICY – Governor Angela Hayes, Personnel Committee Chair

President Pickett advised the Board that this item had been added to this meeting's agenda for "first reading." Chair Hayes explained the background of the proposed policy and advised that it would expand the scope and explanation of "no retaliation" to incorporate some of the Equal Employment Opportunity Commission (EEOC) guidelines that exist in the WSBA policy, but do not clearly apply to Board members. Suggestions were made to use more specific wording re "disciplinary action," and to define "repeatedly" and "appropriate action." Concerns were expressed regarding vetting the proposed Policy with applicable federal and state case law and methods for keeping the Policy compliant as those

laws change. Governor Hayes moved to send the Policy back to the Personnel Committee for further work. Motion passed 13-0-1. Governor Higginson requested that her abstention be recorded in the Minutes.

BOARD OF GOVERNOR ROUNDTABLE

Several Board members expressed their appreciation for the opportunity to serve the WSBA members and to work with the WSBA staff and the Court. In addition, they expressed appreciation for the dedication of members who attend Board meetings throughout the year and to the dedication and amount of service evidenced by WSBA member Ken Masters. Immediate Past-President Hyslop stated his appreciation for the opportunity to serve and emphasized the importance of supporting access to justice and sustaining the rule of law. He urged the Board to get out of the weeds and start focusing on the future of the legal profession and to communicate with each other. He concluded by stating that the WSBA is fortunate to have a phenomenal and professional staff.

ADJOURNMENT

There being no further business, the Public Session portion of the meeting was adjourned at 12:15 p.m. on Friday, September 28, 2018.

Respectfully submitted,

Paula C. Littlewood
WSBA Executive Director & Secretary

WASHINGTON STATE BAR ASSOCIATION

Office of the Executive Director

EXECUTIVE DIRECTOR'S REPORT

November 8, 2018

Meeting with WSBA Officers and Washington Supreme Court

The Officers and I had the traditional Fall meeting with the Supreme Court at the Temple of Justice on October 10th. General Counsel Julie Shankland also joined us. Topics for discussion at the meeting included:

- Updates from President Bill Pickett, including an update on the Mandatory Malpractice Insurance Task Force, the Civil Legal Rules Drafting Task Force, the new health exchange for our members, the APEX dinner and celebration, and the progress being made on rule drafting for the coordinated discipline system.
- The bulk of the meeting was then focused on discussion of two major U.S. Supreme Court decisions that could impact the current structure of the WSBA.

The WSBA Private Health Insurance Exchange Launches!

The WSBA Private Health Insurance Exchange, a new member benefit, launched earlier this month and is now open for enrollment. Our administrator, Member Benefits, has also contacted WSBA members with further details. Open enrollment will end on Dec. 15 for coverage beginning Jan. 1, 2019. We are excited that this new benefit will provide additional options for our members beyond the Washington state health insurance exchange.

Executive Director Activity Report (attached)

WSBA Demographics Report (attached)

Correspondence and Other Informational Items (attached)

Summary of WSBA Outreach Visits (attached)

Media Contacts Report (attached)

Update on Various Court Rules (attached)

Quarterly Discipline Report (attached)



ACTIVITY REPORT
Paula C. Littlewood
September 28, 2018 – November 16, 2018

Current Service on Boards and Committees

Local: University of Washington School of Law Leadership Council, Executive Committee Member; University of Washington School of Law Public Interest Law Association Board of Advisors.

National: Institute for the Advancement of the American Legal System (IAALS) Board of Advisors.

International: International Institute of Law Association Chief Executives (IILACE), Vice President.

Meetings with Other WSBA and External Constituents

Executive Directors' Lunch	Oct 2
Legal Community Leaders	9
New Lawyers and Law Students	3
Other	4

WSBA- and BOG-Related Meetings:

50-Year Member Tribute Luncheon	Oct 24
BOG Executive Committee Meeting	Oct 24
BOG Meeting	Nov 16
BOG Officers Meeting with Supreme Court	Oct 10
BOG Personnel Committee Meeting	Nov 9
BOG President Weekly Calls	7
Budget & Audit Committee Meeting	Nov 13
Committee Chairs and Liaisons Annual Meeting	Oct 31
Future of the Profession Presentation at Diversity Committee Meeting	Nov 14
Fall Section Leaders Meeting	Oct 22
Structure Group Meetings	2
Volunteer Orientation Webcast	Oct 31
Washington State Bar Foundation Board Meeting	Nov 1
Other	3

Staff-Related Meetings:

All-Manager Meeting	Oct 23
All-Staff Meeting	Oct 1
Coffees with New Staff	3
Executive Management Team Meetings	7
New Hires Lunch	Oct 3
R.A.P. (Random Acts of Pizza)	Oct 23
S.A.F.E. (Staff Advocacy Forum for Employees)	Nov 13
Service Awards	Nov 14
Washington Legal Link Project Meeting	2
Washington State Bar Foundation	2
Weeklies with Staff Direct Reports	22
Other	4

National/International-Related Meetings:

International Institute of Law Association Chief Executives (IILACE) Executive Committee Conference Calls	2
Institute for the Advancement of the American Legal System (IAALS) at Seattle University	Nov 15
NW Bars Leadership Conference in Portland, OR	Oct 10-11
Paris Legal Delegation at the WSBA Offices	Nov 7
Ethiopian Legal Delegation at the WSBA Offices	Nov 15

Presentations

Professionalism Presentation at Gonzaga with David Gardner in Professor Spearlt's class	Oct 12
LLLT Presentation at National Association for Presiding Judges and Court Executive Officers (NAPCO) 2018 Annual Leadership Academy and Conference (funded by host)	Oct 17
Institute for the Advancement of the American Legal System (IAALS) Board Meeting (funded by host)	Oct 18-19
Presentation at 2018 National Federation of Paralegal Associations (NFPA) Annual Convention	Oct 25
Professionalism Presentation at Seattle University with Allen Unzelman in Professor Duras' class	Nov 1
Future of the Profession Presentation at the National Association of Trial Lawyer Executives Government Affairs Conference in Seattle	Nov 12

Organizational Events

Crosscut Courage Awards	Oct 10
Welcome at Washington Attorneys with Disabilities Association (WADA) in Seattle	Oct 24

WSBA Member* Demographics Report 11/1/18 10:47:39 AM GMT-07:00

By Years Licensed		By Firm Size	
Under 6	8,832	Solo	5,987
6 to 10	5,442	Solo in Shared Office or	1,740
11 to 15	5,630	Government/ Public Secto	5,250
16 to 20	4,562	2-5 Lawyers in Firm	5,054
21 to 25	4,140	6-10 Lawyers in Firm	2,202
26 to 30	3,210	11-20 Lawyers in Firm	1,603
31 to 35	3,345	21-35 Lawyers in Firm	979
36 to 40	2,466	36-50 Lawyers in Firm	732
41 and Over	2,762	51-100 Lawyers in Firm	758
Total:	40,389	100+ Lawyers in Firm	2,360

Respondents 29,543
No Response 10,846
All Member Types 40,389

By Ethnicity	
American Indian / Native America	251
Asian	1,433
Black / African American / African	640
Hispanic / Latinx	694
Multi Racial / Bi Racial	794
Not Listed	181
Pacific Islander / Native Hawaiian	58
White / European Descent	23,927
Respondents	27,978
No Response	12,411
All Member Types	40,389

By Gender	
FEMALE	12,155
MALE	17,200
Respondents	29,355
No Response	11,034
All Member Types	40,389

By Disabled Status	
N	18,411
Y	950

By LGBT	
N	18,224
Y	1,033

By Age	All	Active
21 to 30	2,039	1,974
31 to 40	9,176	8,252
41 to 50	9,698	8,037
51 to 60	8,742	6,921
61 to 70	7,798	5,933
71 to 80	2,372	1,604
Over 80	564	126
Total:	40,389	32,847

By Practice Area		By Languages Spoken	
Administrative-regulator	2,335	Afrikaans	8
Agricultural	235	Akan /twi	4
Animal Law	115	Albanian	2
Antitrust	305	American Sign Language	13
Appellate	1,702	Amharic	16
Aviation	170	Arabic	53
Banking	465	Armenian	6
Bankruptcy	1,100	Bengali	11
Business-commercial	5,403	Bosnian	8
Cannabis	1	Bulgarian	13
Civil Litigation	5,574	Burmese	2
Civil Rights	1,106	Cambodian	6
Collections	620	Cantonese	94
Communications	235	Cebuano	3
Constitutional	670	Chamorro	4
Construction	1,380	Chaozhou/chiu Chow	1
Consumer	823	Chin	3
Contracts	4,372	Croatian	19
Corporate	3,610	Czech	7
Criminal	4,042	Danish	18
Debtor-creditor	1,058	Dari	3
Disability	721	Dutch	23
Dispute Resolution	1,407	Egyptian	2
Education	511	Farsi/persian	59
Elder	988	Fijian	1
Employment	2,960	Finnish	7
Entertainment	333	French	699
Environmental	1,345	French Creole	3
Estate Planning-probate	3,668	Fukienese	4
Family	3,027	Ga/kwa	2
Foreclosure	582	German	428
Forfeiture	94	Greek	28
General	2,951	Gujarati	15
Government	2,900	Haitian Creole	2
Guardianships	948	Hebrew	38
Health	998	Hindi	90
Housing	326	Hmong	1
Human Rights	338	Hungarian	13
Immigration-naturaliza	1,055	Ibo	4
Indian	624	Icelandic	2
Insurance	1,798	Ilocano	9
Intellectual Property	2,298	Indonesian	11
International	943	Italian	151
Judicial Officer	398	Japanese	210
Juvenile	945	Kannada/canares	4
Labor	1,208	Khmer	1
Landlord-tenant	1,413	Kongo/kikongo	1
Land Use	862	Korean	232
Legal Ethics	300	Lao	6
Legal Research-writing	790	Latvian	6
Legislation	428	Lithuanian	4
Lgbtq	2	Malay	3
Litigation	4,718	Malayalam	9
Lobbying	178	Mandarin	339
Malpractice	815	Marathi	5
Maritime	315	Mongolian	2
Military	387	Navajo	1
Municipal	984	Nepali	4
Non-profit-tax Exempt	640	Norwegian	37
Not Actively Practicing	1,754	Not_listed	31
Oil-gas-energy	227	Oromo	3
Patent-trademark-copyr	1,339	Other	23
Personal Injury	3,478	Pashto	1
Privacy And Data Securit	2	Persian	22
Real Property	2,628	Polish	33
Real Property-land Use	2,407	Portuguese	121
Securities	822	Portuguese Creole	1
Sports	162	Punjabi	57
Subrogation	106	Romanian	20
Tax	1,365	Russian	230
Torts	2,221	Samoan	9
Traffic Offenses	754	Serbian	18
Workers Compensation	759	Serbo-croatian	8
		Sign Language	22
		Singhalese	2
		Slovak	2
		Somali	1
		Spanish	1,784
		Spanish Creole	8
		Swahili	3
		Swedish	53
		Tagalog	67
		Taishanese	2
		Taiwanese	20
		Tamil	10
		Telugu	3
		Thai	14
		Tigrinya	3
		Tongan	1
		Turkish	10
		Ukrainian	40
		Urdu	39
		Vietnamese	85
		Yoruba	9
		Yugoslavian	2

* Includes active attorneys, emeritus pro-bono, honorary, inactive attorneys, judicial, limited license legal technician (LLLT), and limited practice officer (LPO).

WSBA Member* Licensing Counts 11/1/18 10:27:45 AM GMT-07:00

Member Type	In WA State	All	By District		By State and Province		By WA County		By Admit Yr		
			All	Active							
Attorney - Active	26,360	32,847			Alabama	28	Adams	15	1940	3	
Attorney - Emeritus	111	116	0	2,870	2,077	Alaska	200	Asotin	28	1941	2
Attorney - Honorary	344	388	1	2,906	2,401	Alberta	8	Benton	355	1942	1
Attorney - Inactive	2,329	5,388	2	1,979	1,601	Arizona	347	Chelan	240	1944	1
Judicial	612	638	3	2,053	1,735	Arkansas	15	Clallam	155	1945	1
LLLT - Active	34	34	4	1,342	1,132	Armed Forces Americas	4	Clark	799	1946	2
LLLT - Inactive	4	4	5	3,172	2,582	Armed Forces Europe, Middle East	27	Columbia	8	1947	6
LPO - Active	802	814	6	3,213	2,697	Armed Forces Pacific	19	Cowlitz	136	1948	8
LPO - Inactive	149	160	7N	5,307	4,516	British Columbia	101	Douglas	25	1950	16
	30,745	40,389	7S	7,027	5,806	California	1,721	Ferry	14	1951	27
			8	2,150	1,829	Colorado	242	Franklin	48	1952	27
			9	4,840	4,103	Connecticut	50	Garfield	2	1953	25
			10	2,811	2,368	Delaware	5	Grant	112	1954	29
				39,670	32,847	District of Columbia	340	Grays Harbor	106	1955	20
						Florida	237	Island	136	1956	40
						Georgia	88	Jefferson	92	1957	32
						Guam	19	King	15,267	1958	39
						Hawaii	145	Kitsap	732	1959	38
						Idaho	412	Kititas	78	1960	32
						Illinois	158	Klickitat	23	1961	29
						Indiana	36	Lewis	95	1962	35
						Iowa	28	Lincoln	12	1963	33
						Kansas	27	Mason	97	1964	41
						Kentucky	23	Okanogan	99	1965	57
						Louisiana	54	Pacific	25	1966	62
						Maine	13	Pend Oreille	18	1967	61
						Maryland	115	Pierce	2,136	1968	95
						Massachusetts	89	San Juan	72	1969	105
						Michigan	69	Skagit	274	1970	112
						Minnesota	101	Skamania	18	1971	120
						Mississippi	4	Snohomish	1,495	1972	188
						Missouri	65	Spokane	1,686	1973	284
						Montana	165	Stevens	47	1974	276
						Nebraska	16	Thurston	1,465	1975	337
						Nevada	135	Wahkiakum	8	1976	412
						New Hampshire	9	Walla Walla	106	1977	408
						New Jersey	65	Whatcom	559	1978	461
						New Mexico	63	Whitman	73	1979	499
						New York	243	Yakima	421	1980	516
						North Carolina	74			1981	548
						North Dakota	9			1982	526
						Northern Mariana Islands	6			1983	561
						Nova Scotia	1			1984	643
						Ohio	70			1985	455
						Oklahoma	26			1986	701
						Ontario	14			1987	615
						Oregon	2,667			1988	588
						Pennsylvania	71			1989	621
						Puerto Rico	2			1990	760
						Quebec	1			1991	751
						Rhode Island	14			1992	745
						Saskatchewan	1			1993	785
						South Carolina	30			1994	810
						South Dakota	7			1995	818
						Tennessee	55			1996	766
						Texas	340			1997	857
						Utah	179			1998	807
						Vermont	20			1999	848
						Virginia	273			2000	862
						Virgin Islands	1			2001	924
						Washington	30,745			2002	1,004
						West Virginia	7			2003	1,028
						Wisconsin	42			2004	1,046
						Wyoming	19			2005	1,069
										2006	1,100
										2007	1,176
										2008	1,093
										2009	998
										2010	1,086
										2011	1,062
										2012	1,103
										2013	1,240
										2014	1,363
										2015	1,628
										2016	1,319
										2017	1,397
										2018	1,178

Misc Counts		All	Previous Year
All License Types **		40,692	
All WSBA Members		40,389	
Members in Washington		30,745	
Members in western Washington		23,667	
Members in King County		15,267	
Members in eastern Washington		3,410	
Active Attorneys in western Washington		20,220	
Active Attorneys in King County		13,447	
Active Attorneys in eastern Washington		2,803	
New/Young Lawyers		7,285	
MCLE Reporting Group 1		10,564	
MCLE Reporting Group 2		11,057	
MCLE Reporting Group 3		11,628	
Foreign Law Consultant		19	
House Counsel		274	
Indigent Representative		10	

By Section ***		All	Previous Year
Administrative Law Section		285	278
Alternative Dispute Resolution Section		363	383
Animal Law Section		110	118
Antitrust, Consumer Protection and Unfair Business Practice		227	212
Business Law Section		1,295	1,384
Cannabis Law Section		71	
Civil Rights Law Section		177	202
Construction Law Section		523	526
Corporate Counsel Section		1,109	1,164
Creditor Debtor Rights Section		516	548
Criminal Law Section		451	535
Elder Law Section		664	708
Environmental and Land Use Law Section		806	838
Family Law Section		1,159	1,290
Health Law Section		396	415
Indian Law Section		325	337
Intellectual Property Section		908	990
International Practice Section		251	279
Juvenile Law Section		206	218
Labor and Employment Law Section		1,010	1,048
Legal Assistance to Military Personnel Section		100	100
Lesbian, Gay, Bisexual, Transgender (LGBT) Law Section		118	136
Litigation Section		1,068	1,185
Low Bono Section		109	132
Real Property Probate and Trust Section		2,366	2,388
Senior Lawyers Section		268	299
Solo and Small Practice Section		983	1,036
Taxation Section		666	666
World Peace Through Law Section		106	116

* Per WSBA Bylaws 'Members' include active attorney, emeritus pro-bono, honorary, inactive attorney, judicial, limited license legal technician (LLLT), and limited practice officer (LPO) license types.

** All license types include active attorney, emeritus pro-bono, foreign law consultant, honorary, house counsel, inactive attorney, indigent representative, judicial, LPO, and LLLT.

*** The values in the All column are reset to zero at the beginning of the WSBA fiscal year (Oct 1). The Previous Year column is the total from the last day of the fiscal year (Sep 30). WSBA staff with complimentary membership are not included in the counts.

**WASHINGTON STATE
BAR ASSOCIATION**

Office of the Executive Director
Paula C. Littlewood, Executive Director

October 4, 2018

Hon. Mary E. Fairhurst
Chief Justice, Washington Supreme Court
Temple of Justice
P.O. Box 40929
Olympia, WA 98504-0929

RE: Suggested Amendment to the Rules of Professional Conduct RPC 1.12, Comment 1

Dear Chief Justice Fairhurst,

Enclosed is a suggested minor technical correction to RPC 1.12. The Committee on Professional Ethics proposed, which the Board of Governors approved at its September 28, 2018, meeting, an update to Comment 1 of RPC 1.12. After learning of the out-of-date CJC reference in the comment, the committee reviewed the previous and current CJC rule and determined the RPC comment should be revised. No other substantive changes to RPC 1.12 are required.

If you have any further questions about the enclosed materials, please contact Jeanne Marie Clavere, WSBA Professional Responsibility Counsel and staff liaison to the CPE, at jeannec@wsba.org or (206) 727-8298.

Sincerely,



Paula C. Littlewood

Enclosures

cc (w/o enclosures):

William Pickett, President, WSBA
J. Donald Curran, Chair, WSBA Committee on Professional Ethics
Jeanne Marie Clavere, Staff Liaison, WSBA Committee on Professional Ethics
Julie Shankland, WSBA Interim General Counsel
Shannon Hinchcliffe, Administrative Office of the Courts

**SUGGESTED AMENDMENT TO
RULES OF PROFESSIONAL CONDUCT**

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RPC 1.12 – FORMER JUDGE, ARBITRATOR, MEDIATOR OR OTHER THIRD-PARTY NEUTRAL

(a) – (d) Unchanged.

Comment

[1] [Washington revision] This Rule generally parallels Rule 1.11. The term "personally and substantially" signifies that a judge who was a member of a multimember court, and thereafter left judicial office to practice law, is not prohibited from representing a client in a matter pending in the court, but in which the former judge did not participate. So also the fact that a former judge exercised administrative responsibility in a court does not prevent the former judge from acting as a lawyer in a matter where the judge had previously exercised remote or incidental administrative responsibility that did not affect the merits. Compare the Comment to Rule 1.11. The term "adjudicative officer" includes such officials as judges pro tempore, referees, special masters, hearing officers and other parajudicial officers, and also lawyers who serve as part-time judges. There are corresponding provisions in the Code of Judicial Conduct. See CJC paragraphs ~~(A)(1)(b)~~II.(B) and ~~(2)(b)~~III.(C). (application of the Code of Judicial Conduct to part-time and pro tempore judges).

SUGGESTED AMENDMENT TO
RULES OF PROFESSIONAL CONDUCT

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(a) – (d) Unchanged.

Comment

[1] [Washington revision] This Rule generally parallels Rule 1.11. The term "personally and substantially" signifies that a judge who was a member of a multimember court, and thereafter left judicial office to practice law, is not prohibited from representing a client in a matter pending in the court, but in which the former judge did not participate. So also the fact that a former judge exercised administrative responsibility in a court does not prevent the former judge from acting as a lawyer in a matter where the judge had previously exercised remote or incidental administrative responsibility that did not affect the merits. Compare the Comment to Rule 1.11. The term "adjudicative officer" includes such officials as judges pro tempore, referees, special masters, hearing officers and other parajudicial officers, and also lawyers who serve as part-time judges. There are corresponding provisions in the Code of Judicial Conduct. See CJC paragraphs II.(B) and III.(C). (application of the Code of Judicial Conduct to part-time and pro tempore judges).

**WASHINGTON STATE
BAR ASSOCIATION**

Office of the Executive Director
Paula C. Littlewood, Executive Director

October 5, 2018

Hon. Charles W. Johnson
Associate Chief Justice
Washington Supreme Court
PO Box 40929
Olympia, WA 98501-2314

Re: Input Regarding Suggested amendments to CrR 4.1 – Arraignment

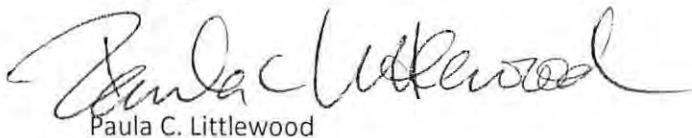
Dear Justice Johnson,

Please find the Council on Public Defense's memo and suggested amendments in response to your March 23, 2018, request for input on the suggested amendments to CrR 4.1 – Arraignment attached. After considering the issue, the Council on Public Defense instead recommends amending CrR 3.3, which the Council believes will better address the concerns raised by the earlier proposal relating to CrR 4.1. The WSBA Board of Governors approved submitting this proposal at their September 2018 meeting. The position is solely that of the Council on Public Defense.

The WSBA Council on Public Defense unites members of the public and private defense bar, the bench, elected officials, prosecutors, and the public to address new and recurring issues impacting the public defense system and the public that depends upon it and we appreciate the request for their consultation on this matter.

Please let me know if you have any questions or need additional information.

Sincerely,



Paula C. Littlewood

cc: William D. Pickett, President
Julie Shankland, Interim General Counsel
Daryl Rodrigues, Chair, Council on Public Defense
Diana Singleton, Access to Justice Board Manager

MEMO TO CPD

FROM: Kim Ambrose (and working group which includes Christie Hedman, Mark Conrad, Harry Gasnick, Rob O'Neal and a handful of others)

DATE: September 12, 2018

RE: Proposed Amendment to CrR 3.3 (formerly proposed amendment to CrR 4.1)

Purpose: To address unnecessary delay in time to trial for felony cases filed in District Court.

Background:

On March 23, 2018, Justice Charles Johnson as chair of the Washington Supreme Court Rules Committee wrote a letter to the WSBA (and other stakeholders) seeking input on a proposed amendment to CrR 4.1 (Arrestment) that had been submitted by a defendant from Snohomish County concerned about the delay in his felony trial caused when it was filed originally in District Court. The CPD was asked to respond on behalf of WSBA. The CPD discussed the proposed change at its May 2018 meeting and agreed with the underlying premise, but determined that a closer look should be taken at the mechanism for addressing the problem. WSBA forwarded our memo to the Court and the Court has given CPD/WSBA time to propose language to address the issue of time to trial for felony defendants who were filed on in District Court.

CrRLJ 3.2.1(g) *Preliminary Hearing on Felony Complaint*¹ establishes the procedure for filing felony complaints in District Court. The process allows for a preliminary hearing where the

¹ CrRLJ 3.2.1(g) Preliminary Hearing on Felony Complaint.

(1) When a felony complaint is filed, the court may conduct a preliminary hearing to determine whether there is probable cause to believe that the accused has committed a felony unless an information or indictment is filed in superior court prior to the time set for the preliminary hearing. If the court finds probable cause, the court shall bind the defendant over to the superior court. If the court binds the accused over, or if the parties waive the preliminary hearing, an information shall be filed without unnecessary delay. Jurisdiction vests in the superior court at the time the information is filed.

(2) If at the time a felony complaint is filed with the district court the accused is detained in jail or subjected to conditions of release, the time from the filing of the complaint in district court to the filing of an information in superior court shall not exceed 30 days plus any time which is the subject of a stipulation under subsection (g)(3). If at the time the complaint is filed with the district court the accused is not detained in jail or subjected to conditions of release, the time from the accused's first appearance in district court which next follows the filing of the complaint to the time of the filing of an information

court determines whether there is probable cause and if it so finds, the court “shall bind the defendant over to superior court.” If the court “binds the accused over” then “an information shall be filed without unnecessary delay.”

In fact, the preliminary hearing/bind over procedure contemplated in the rule is not utilized regularly by any jurisdiction. According to the Washington State Courts Caseload Report for 2017, the number of felonies filed in District Courts range from 0 (a majority of counties) to 2,765 (Snohomish County.) However, only 4 counties documented hearings to bind over defendants: Kitsap (587 cases), Skagit (3 cases), Spokane (19 cases) and Stevens (2 cases).

Snohomish County, with the highest number of felonies filed in District Court, did not hold preliminary hearings or “bind over” any cases. According to the Kitsap County Prosecutor’s Office, although the 2017 data indicates it has the highest number of cases “bound over” in the state, preliminary hearings were not actually held. Kitsap County has recently abandoned the practice of filing all felonies in District Court, a practice that was begun less than 10 years ago.

King County has the second largest number of felonies filed in District Court in 2017 (1149). A majority of these cases were reduced to misdemeanors; the King County Prosecutor’s Office uses the process to “expedite” low level felonies (as opposed to Snohomish County which files most, if not all felony cases in Superior Court.) Grays Harbor and Klickitat Counties also filed a number of felonies in District Court, without recording a preliminary or “bind over” hearing.

If a person is arrested for a felony, they may be held for 72 hours before the information is filed if probable cause for the arrest is found. If the felony is filed in Superior Court (as they are in a vast majority of jurisdictions), a defendant who is detained in jail must be arraigned within 14 days. Arraignment triggers the speedy trial expiration date. However, if a person is filed on in District Court, CrRLJ 3.2.1 allows for a complicated process for “bind over” and an additional 30 days before the case has to be filed in Superior Court, hence delaying arraignment and speedy trial timelines. It seems that the bind over process, which provides for a preliminary hearing where the District Court finds PC for a felony offense, is a holdover from grand jury-type proceedings. But, District Courts are not holding these hearings, so the delay in filing is

in superior court shall not exceed 30 days, excluding any time which is the subject of a stipulation under subsection (g) (3). If the applicable time period specified above elapses and no information has been filed in superior court, the case shall be dismissed without prejudice.

(3) Before or after the preliminary hearing or a waiver thereof, the court may delay a preliminary hearing or defer a bind-over date if the parties stipulate in writing that the case shall remain in the court of limited jurisdiction for a specified time, which may be in addition to the 30-day time limit established in subsection (g) (2).

unnecessary and prejudices defendants who may lose access to discovery (e.g. video logs, eye witnesses, etc.)

Proposed Amendment

The Working Group considered the proposed change to CrR 4.1 which would address the time for arraignment, but instead determined that a change to CrR 3.3 Time for Trial was a simpler way to address the problem. Attached is the proposed amendment to CrR 3.3 for consideration.

(c) Commencement Date.

(1) Initial Commencement Date. ~~The initial commencement date shall be the date of arraignment as determined under CrR 4.1.~~

(i) In the event the charge is initially filed into superior court the commencement date shall be the date of arraignment as determined under CrR 4.1.

(ii) In the event a felony complaint is initially filed under CrRLJ 3.2.1(g), the defendant is detained in jail, and a preliminary hearing is not held, the commencement date shall begin 14 days after the expiration of the time limits specified under CrR 3.2.1(f).

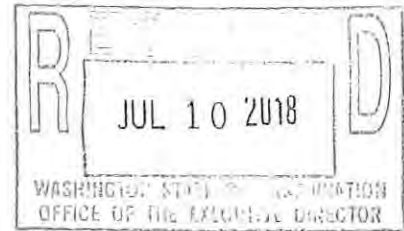
The Supreme Court
State of Washington

CHARLES W. JOHNSON
JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON
98504-0929



(360) 357-2020
FACSIMILE (360) 357-2103
E-MAIL J.C.JOHNSON@COURTS.WA.GOV

July 6, 2018



Ms. Paula Littlewood, Executive Director
Washington State Bar Association
1325 Fourth Avenue, Suite 600
Seattle, WA 98101-2539

Dear Ms. Littlewood:

Thank you for the May 31, 2018, response to the Supreme Court Rules Committee's request for feedback from the Council on Public Defense (CPD) on suggested amendments to CrR 4.1—Arrestment. In the correspondence, the CPD offered to discuss the suggested amendment further and make suggestions based on the input from its membership that includes judges, public defenders, prosecutors, court administrators, and interested persons.

The Supreme Court Rules Committee has agreed to forward the suggested amendment to the WSBA CPD to consider the rule and propose alternative suggested language after consideration, if appropriate. The next regularly scheduled Supreme Court Rules Committee meeting is scheduled for October 15, 2018.

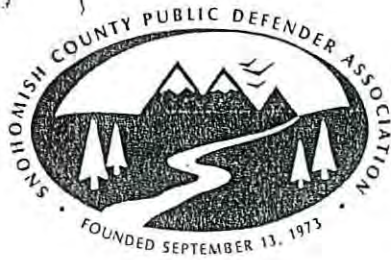
Very truly yours,

A handwritten signature in cursive script, appearing to read "Charles W. Johnson".

Charles W. Johnson, Chair
Supreme Court Rules Committee

cc: ✓ Ms. Eileen Farley, CPD Chair

Enclosures



Snohomish County Public Defender Association

2722 Colby Avenue, Suite 200 • Everett, WA 98201-3527 • www.snocopda.org
Phone: 425-339-6300 • 1-800-961-6609 • Fax: 425-339-6363

RECEIVED
MAY 17 2018

Washington State
Supreme Court

May 2, 2018

Washington State Supreme Court's Rules Committee
Temple of Justice
PO Box 40929
Olympia, WA 98504-0929

To the Washington State Supreme Court's Rules Committee:

Thank you for the opportunity to provide input regarding amendments to CrR 4.1. I am the Managing Director at the Snohomish County Public Defender Association (SCPDA). Mr. Dowdney's description of the Snohomish County practice is accurate. The current practice is very detrimental to Snohomish County defendants.

For the purposes of this letter, I am going to use the acronym EDC-F for felony cases charged in Snohomish County District Court, Everett Division. See attached Table 1 for 2018 SCPDA data.

In Mr. Dowdney's case, he raised concerns about the speedy trial calculation, but there are also issues related to access to discovery, ability to preserve defense evidence (such as video surveillance footage which is often recycled after a limited number of days), and other issues related to ability to participate in your defense. On low level property and drug offenses, by the time a defendant is arraigned in Superior Court, the defendant has already served more than the low end of the standard range sentence and/or more than the prosecutor's plea offer which is provided at the Superior Court arraignment. For those cases, this process is coercive to extracting a guilty plea so that the defendant can get out of custody as opposed to waiting in custody for a motions hearing or trial date, even in cases with viable legal and/or factual defenses. For defendants suffering from serious mental illness, the process increases delays to RCW 10.77 competency and restoration orders.

SCPDA has strategized about how to challenge the practice, but with no success. In Snohomish County, the prosecutor's office will dismiss or file into Superior Court to avoid the preliminary

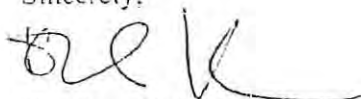
hearing process. Snohomish County District Court, Everett Division, have denied defense motions for a preliminary hearing. The court made a finding that "SCPO (Snohomish County Prosecutor's Office), as a matter of long-standing practice, does not schedule or request a preliminary hearing at the time of or after filing a criminal complaint for a felony in District Court; instead, SCPO sets a deadline two Fridays in the future (FDD) by which they will either resolve the case in District Court, continue the FDD by agreement, move to dismiss the case from District Court, or file an Information in Snohomish County Superior Court." Ultimately, the District Court ruled that SCPO's practice is not inconsistent with CrRLJ 3.2.1. SCPDA has a pending RALJ challenging this ruling.

SCPDA also represents a partial caseload in Skagit County, and in one case, our attorney's demand for a preliminary hearing pursuant to CrRLJ 3.2.1 led to the defendant's release. The client was a youthful adult charged with a serious crime. The Skagit County District Court Judge granted the defense request to schedule a preliminary hearing over the prosecutor's objection. The State dismissed the charge on the eve of the preliminary hearing. Charges have not been refiled. The demand for a preliminary hearing was transformative to that defendant.

SCPDA has also prepared cases within the time for trial period and achieved an acquittal at trial at the first trial setting. Those defendants have waited longer in custody to be arraigned, contrary to CrR 4.1, and have also waited longer for their trial dates to defend themselves from the charges.

SCPDA wholeheartedly supports Mr. Dowdney's request to the Washington State Supreme Court's Rules Committee to reconcile CrR 4.1 with CrRLJ 3.2.1 and CrR 3.3. Thank you for soliciting public defender input. Clients with wealth are more likely to post bail and are less likely to be negatively impacted by this practice. Indigent clients are disproportionately impacted as for many of our clients any amount of bail results in incarceration during the course of the case. CrR 4.1 should apply equally to the wealthy and the poor.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathleen Kyle', written over a horizontal line.

Kathleen Kyle

Table 1

The Snohomish County Prosecutor's Office files a large volume of felony cases into Snohomish County District Court. The volume has shifted over the years. This table provides current information.

Month (2018)	January	February	March
EDC-F cases assigned to SCPDA	165	145	160
Preliminary Hearings on EDC-F cases	0	0	0
EDC-F cases opened this month & resulting in a misdemeanor plea offer	45	38	36
EDC-F cases filed into Superior Court prior to the Felony Dismissal Deadline (i.e., defendant arraigned in custody)	69	60	78
Felony cases assigned to SCPDA (partial credits result in decimals)	251.25	218.5	245.75
Felony cases assigned to SCPDA with a prior EDC-F hold (directly from ECD-F hold or there may have been a delay between ECD-F hold/dismissal and Superior Court filing)	112	92	89

Jennings, Cindy

From: Christie Hedman <hedman@defensenet.org>
Sent: Friday, May 25, 2018 2:41 PM
To: Johnson, Justice Charles W.
Cc: Harry Gasnick
Subject: Comments on Proposed Amendments to CrR 4.1
Attachments: WDA Comments on Proposed CrR 4.1.pdf

Dear Justice Johnson,

Thank you for contacting us on behalf of the Supreme Court Rules Committee about proposed amendments to Superior Court Criminal Rule 4.1 – Arraignment. Attached is a letter outlining our thoughts on the proposed changes.

Please let me know if you have any questions or would like further information.

Thank you for your consideration.

Christie Hedman
Executive Director
she/her/hers
Tel: 206.623.4321 | Fax: 206.623.5420
hedman@defensenet.org





May 23, 2018

Justice Charles Johnson
Temple of Justice
P.O. Box 40929
Olympia WA 98504

RE: Proposed amendments to CrR 4.1 – Arraignment

Dear Justice Johnson and Supreme Court Rules Committee:

Thank you for requesting input from the Washington Defender Association (WDA) on the proposed amendment to CrR 4.1 – Arraignment.

We appreciate the problem that has been identified and we would like to see resolved; however, remedying the problem is more complex than the fix suggested in the proposal. It appears to interact with a number of other court rules that would have to be addressed simultaneously. It also is unclear how often this practice occurs across the state and whether it makes sense for that practice to continue. We would suggest further study before adopting the proposed amendment.

Thank you for your consideration. Please let us know if you have any questions or if we can provide further information.

Sincerely,

Harry Gasnick
Chair, WDA Court Rules Committee

Christie Hedman
Executive Director

**WASHINGTON STATE
BAR ASSOCIATION**

Office of the Executive Director
Paula C. Littlewood, Executive Director

May 31, 2018

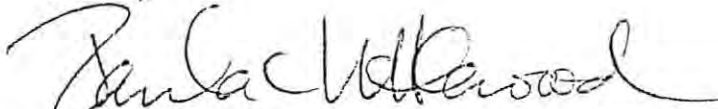
Hon. Charles W. Johnson
Associate Justice
Washington Supreme Court
PO Box 40929
Olympia, WA 98501-2314

Dear Justice Johnson,

Enclosed please find the Council on Public Defense's memo in response to your March 23, 2018, request for input on the proposed amendments to CrR4.1 – Arraignment.

Please let me know if you have any questions or need additional information.

Sincerely,



Paula C. Littlewood

Encl.

05-14-18 Memo from Council on Public Defense
03-23-18 Letter from Hon. Charles W. Johnson

cc: William D. Pickett, WSBA President
Eileen Farley, Council on Public Defense Chair
Diana Singleton, WSBA Access to Justice Manager

WASHINGTON STATE BAR ASSOCIATION

TO: Paula Littlewood
FROM: Eileen Farley (CPD Chair), Daryl Rodrigues (CPD Vice Chair), and Travis Stearns (CPD Member)
DATE: May 31, 2018
RE: Council on Public Defense's Comments to CrR 4.1

At the request of Justice Charles Johnson the Council on Public Defense (CPD) at its May 4, 2018 meeting discussed whether Criminal Rule (CrR) 4.1 appropriately allows a delay between filing a felony charge in district court and subsequent refiling the same charge in superior court. Justice Johnson sent with his request a motion from a Snohomish County defendant explaining that there was a 30-day delay between filing a charge against him in district court and refiling of the charge in superior court. Justice Johnson requested comments by June 1, 2018.

After a full discussion at its May meeting the CPD recommend the rule be amended. We understand that the delay caused under the current rule can create significant problems for investigation and defense of cases. It also, as described in the letter from the Snohomish County defendant which Justice Johnson included with his request for comment, extends the time in which a case may be brought to trial. For poor defendants who are unable to post bail, particularly defendants charged with low level offenses, this additional time for trial pressures them to plead guilty to get out jail, forgoing their right to a trial.

Amending CrR4.1 will also reduce geographic disparity. An informal poll of practitioners on the CPD revealed that many jurisdictions have first appearances in superior court, meaning that they do not use this rule to extend the time a person is held before trial. An amendment to CrR 4.1 will eliminate this disparity.

The CPD, if the Court would find it of assistance, would be happy to discuss the rule further and suggest amending language. The CPD is made up of diverse interests including judges, public defenders, prosecutors, court administrators, and other interested persons, and is in an excellent position to consider the rule and propose language to solve the problems the current version of this rule creates.

There was a majority vote at the last CPD meeting in favor of changes to CrR4.1 changes and willingness, if the Court should ask to propose alternative language to address the concerns outlined above. The CPD did not feel the changes currently proposed to the rule would necessarily resolve the issue. Please let us know if you have any questions or if we can be of further assistance regarding Justice Johnson's request. Thank you for the opportunity to share our input.

The Supreme Court
State of Washington

CHARLES W. JOHNSON
JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON
98504-0929



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E-MAIL J_C.JOHNSON@COURTS.WA.GOV

March 23, 2018

Bob Ferguson
Washington State Attorney General
PO Box 40100
Olympia, WA 98504-0100

Paula Littlewood, Executive Director
Washington State Bar Association
1325 Fourth Avenue, Suite 600
Seattle, WA 98101-2539

Tom McBride, Executive Secretary
Washington Association of
Prosecuting Attorneys
206 10th Avenue SE
Olympia, WA 98501

Teresa Mathis, Executive Director
Washington Association of Criminal
Defense Lawyers
1511 Third Ave, Suite 503
Seattle, WA 98101

Maggie Sweeney, Executive Director
Washington Defense Trial Lawyers
701 Pike Street, Suite 1400
Seattle, WA 98101

Christie Hedman, Executive Director
Washington Defender Association
110 Prefontaine Place S, Suite 610
Seattle, WA 98104

Dear Attorney General and Association Directors:

I am writing as chair of the Washington State Supreme Court's Rules Committee. The Rules Committee has received proposed amendments to Superior Court Criminal Rule (CrR) 4.1—Arrest, which the proponent claims are necessary to avoid conflict with established constitutional principles and other court rules, such as CrR 3.3.

The Supreme Court Rules Committee is in the process of reviewing the proposed amendments to CrR 4.1 and would like input from various stakeholders on these proposed changes. I am enclosing a copy of the GR 9 cover sheet, the proposed amendment, and other supporting documentation received.

March 23, 2018
Page 2

We appreciate your expertise and thank you in advance for your help in the rulemaking process. If possible, please provide your comments by June 1, 2018.

Very truly yours,



Charles W. Johnson, Chair
Supreme Court Rules Committee

Enclosures

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SUPREME COURT
OF THE STATE OF WASHINGTON

GENERAL RULE 9 SUPREME COURT RULEMAKING

- (A)(B) STEPHEN P. DOWDNEY JR. #971036
Proponent/Spokesperson
Stafford Creek Corrections Center
191 Constantine Way
Aberdeen, Wa, 98520
- (C) The current version of CrR 4.1 necessitates amendment as it conflicts with established constitutional principals as well as other court rules (CrR 3.3).
- (D) A public hearing should only be conducted upon order of the court.
- (E) Expedited consideration should be applied as the current rule is allowing for individuals held to answer for a crime to remain separated from liberty without consideration for time for trial and for disparate periods compared to similarly situated persons.

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Table of Authority

<u>Washington State</u>	<u>page</u>
<u>State v. Edwards,</u> 94 Wn2d 208;616 p2d 620(1980)	3
<u>State v. George,</u> 160 Wn2d 727;158 p3d 1169(2007)	11
<u>State v. Greenwood,</u> 120 Wn2d 585;845 p2d 971(1993)	13
<u>State v. Hardesty,</u> 149 Wn2d 230;66 p3d 621(2003)	4
<u>State v. Harris,</u> 130 Wn2d 35;921 p2d 1052(1996)	11
<u>State v Kray,</u> 31 Wn.App 388;641 p2d 1210(1982)	4
<u>State v. Striker,</u> 87 Wn2d 870;557 p2d 847(1976)	3,11
<u>Federal</u>	
<u>Rothgery v. Gillespie County,</u> 554 US 191,207.128 S.Ct. 2578,171 L.Ed. 2d 366(2008) US lexis 5057	13
<u>United States v. LoudHawk,</u> 474 US 302,310-11,88 L.Ed 2d 640,651,106 S.Ct. 648 (1986)	13
<u>United States v. Marion,</u> 404 US 307,30 L.Ed. 2d 486, 92 S.Ct. 455 (1971)	11
<u>Constitutional</u>	
<u>Amendment 5, US Const.</u>	12

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Table of Authority (Cont.)

<u>Amendment 6, US Const.</u>	8
<u>Amendment 14, US Const.</u>	15
<u>Art. 1 § 12 Wash. Const.</u>	15
<u>Art. 1 § 22 Wash. Const.</u>	14,8
<u>Art. 1 § 25 Wash. Const.</u>	14
<u>Art. 1 § 32 Wash. Const.</u>	15
<u>Art. 4 § 6 Wash. Const.</u>	11
<u>Revised Code of Washington</u>	
<u>RCW 2.08.010</u>	11
<u>RCW 10.37.015</u>	14
<u>Criminal Court Rules</u>	
<u>CrR 3.3</u>	1,3,4,5,6,9,12
<u>CrR 4.1</u>	1,2,3,4,5,6,9,10,14,15
<u>CrR 3.2.1.</u>	3,8,11
<u>CrRLJ 3.3</u>	4
<u>CrRLJ 4.1</u>	2,4,14
<u>CrRLJ 3.2.1.</u>	3,14

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PROPOSED AMENDMENTS

4. PROCEDURES PRIOR TO TRIAL

RULE 4.1 ARRAIGNMENT

(a) Time.

(1) Defendant Detained in Jail. The defendant shall be arraigned not later than 14 days after the date the information or indictment is filed in the adult division of the superior court, defendants arraignment in the adult division of the superior court after an information or indictment has been filed shall not be later than 14 days after defendant was detained in jail for the pending charge for purposes of commencement date for CrR 3.3(b)(1)(i), if the defendant is (i) detained in the jail of the county where the charges are pending or (ii) subject to conditions of release imposed in connection with the same charges.

(2) Defendant Not Detained in Jail. The defendant shall be arraigned not later than 14 days after that appearance which next follows the filing of the information or indictment, if the defendant is not detained in that jail or subject to such conditions of release. Any delay in bringing the defendant before the court shall not effect the allowable time for arraignment, regardless of the reason for that delay. For purposes of this rule, "appearance" has the meaning defined in Crr 3.3(a)(3)(iii).

(b) Objection to Arraignment Date--Loss of Right to Object. A party who objects to the date of arraignment on the ground that it is not within the time limits prescribed by this rule must state the objection to the court at the time of the arraignment. If the court rules that the objection is correct, it shall establish and announce the proper date of arraignment. that date shall constitute the arraignment date for purposes of CrR 3.3. a party who fails to object as required shall lose the right to object, and

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the arraignment date shall be conclusively established as the date upon which the defendant was actually arraigned.

(c) Counsel. If the defendant appears without counsel, the court shall inform the defendant of his or her right to have counsel before being arraigned. The court shall inquire if the defendant has counsel. If the defendant is not represented and is unable to obtain counsel, counsel shall be assigned by the court, unless otherwise provided.

(d) Waiver of Counsel. If the defendant chooses to proceed without counsel, the court shall ascertain whether this waiver is made voluntarily, competently and with knowledge of the consequences. If the court finds the waiver valid, an appropriate finding shall be entered in the minutes. Unless the waiver is valid, the court shall not proceed with the arraignment until counsel is provided. waiver of counsel at arraignment shall preclude the defendant from claiming the right to counsel in subsequent proceedings in the cause, and the defendant shall be so informed. If such claim for counsel is not timely, the court shall appoint counsel but may deny or limit a continuance.

(e) Name. Defendant shall be asked his or her true name . If the defendant alleges that the true name is one other than that by which he or she is charged, it must be entered in the minutes of the court, and subsequent proceedings shall be had by that name or other names relevant to the proceedings.

(f) Reading. The indictment or information shall be read to the defendant, unless the reading is waived, and a copy shall be given to defendant.

Although linked, CrRLJ 4.1 does not apparently seem to need amending in proponents considerations.

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DISCUSSION

The current version of CrR 4.1 allows for individuals initially filed on in district court for prescribed conduct to ultimately be filed on in superior court for that same conduct previously held to answer for, without consideration for time for trial.

Warrantless Arrest

An individual detained in jail on a warrantless arrest under CrR/CrRLJ 3.2.1. must be formally charged within 72 hours. CrR/CrRLJ 3.2.1(f).

Under CrR 3.2.1(f) an individual filed on directly in superior court by information or indictment within 72 hours will be arraigned within 14 days CrR 4.1(a). A rule based time for trial will take place within 60 days. CrR 3.3(b)(1)

An individual filed on in district court under CrRLJ 3.2.1(g) by a "felony complaint" within 72 hours may be held for 30 days in district court. CrRLJ 3.2.1(g)(2). An information then may be filed in superior court. An arraignment will then take place within 14 days per CrR 4.1(a). Thus an arraignment in superior court will be within 44 days of being held to answer. A 60 day rule based time for trial will then occur per CrR 3.3(b)(1).

From the time an individual is held to answer in superior court per CrR 3.2.1(f) a time for trial will take place in 74 days, an individual held to answer in district court for the same conduct will have a time for trial period of 104 days.

Procedural History

Prior to the 1980 amendments to the time for trial rule(s) there were issues with providing a prompt trial for defendants once a prosecution had been initiated. see State v Striker, 87 wn2d 870;557 p2d 847(1976);State v. Edwards, 94 Wn2d 208;616 p2d 620(1980).

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The 1980 amendments seem to cure, at least the issue of abusing the "felony complaint" district court filing procedure, as the time spent in district court was calculated into the time for trial period. see former CrR 3.3 and the dissent of James, J. in State v Kray, 31 Wn.App.388,390-92;641 p2d 1210(1982).

Where he states:

"The judicial Council's 1979 proposed amendments to CrR 3.3 will remedy this problem. The starting point for the time for trial period is the arraignment in superior court. Arraignment must occur by a certain date. In addition time spent in district court proceedings will be included in the time for trial period. This should limit the use of district court proceedings to delay the time for trial period. Washington State Judicial Council, Twenty Eighth Annual Report at 46-47(1979)."

Also see State v Hardesty, 149 Wn2d 230,235;66 p3d 621(2003) where this court states:

"If the state files a complaint and holds the defendant on the charge or subjects him to conditions of release, he will suffer a loss of liberty due directly to the current charge, thus, justice and fairness require that time elapsed in district court commence with the filing of the complaint and that this time be included in calculating the time for trial."

In 2003 the time for trial rules were amended again. CrR/CrRLJ 3.3 & 4.1. At least the amendments to CrR 3.3 & 4.1 either allow for individuals to be held to answer and detained in jail prior to the filing of an information in superior court without consideration for time for trial or stand facially vague, to where a person of ordinary intelligence may have trouble understanding what is prescribed or lacks standards sufficiently specific to prevent arbitrary enforcement.

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Related Rules /Harmonizing all Provisions

CrR 3.3 has many provisions that relate directly to CrR 4.1.

CrR 3.3(a)(3) Definitions.

(i) "pending charge" means the charge for which the allowable time for trial is being computed.

According to CrR 3.3 "pending charge" does not specify a charge filed in superior court by information.

(ii) "related charge" means a charge based on the same conduct as the pending charge that is ultimately filed in superior court.

CrR 3.3(a)(5) Related Charges. The computation of the allowable time for trial of a pending charge shall apply equally to all related charges.

According to CrR 3.3 "related charges" and "pending charges" are to be calculated equally.

CrR 3.3(a)3(iv) "arraignment" means the date determined under CrR 4.1(b).

CrR 4.1(b) is the date of the true commencement date, reflecting the start time per CrR 3.3 after an objection is raised at the physical arraignment in superior court. (also see CrR 3.3(c)(1))

CrR 3.3(a)3(v) "detained in jail" means held in custody of a correctional facility pursuant the pending charge and that only "unrelated charges" are excluded from the time for trial period.

(note) there are instances in which periods of "related charges" are excluded CrR 3.3 (e)(4)(5).

Generally CrR 3.3 specifies a time for trial period from when an individual is held to answer for conduct even if ultimately prosecuted in superior court.

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4 Vagueness

5 Is the current version of CrR 4.1 merely
6 vague ?

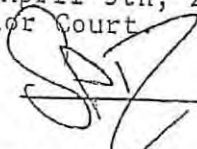
7 Facially, CrR 4.1(a) only specifies an end
8 point to when an arraignment may occur and does not
9 delineate an arraignment only after an information
10 has been filed.

11 Indeed, CrR 4.1 subjects an arraignment
12 date to objection under CrR 4.1(b) for purposes of
13 CrR 3.3. allowing for adjustment.

14 However, CrR 4.1 is construed to mean an
15 arraignment may only occur after an information has
16 been filed in superior court.

17 The following is an excerpt from the
18 verbatim reports of State v. Dowdney, COA 75416-5-I(
19 1 RP 19)

20 I declare under penalty of perjury of the laws of
21 Washington State the following is a true and correct
22 reproduction in relevant part of the April 5th, 2016
23 arraignment in Snohomish County Superior Court.

24 
25 THE DEFENDANT: I'm actually going to object to those
26 dates.

27 THE COURT: What's the objection?

28 THE DEFENDANT: Well, we're 21 days past filing today.

THE COURT: Right.

THE DEFENDANT: So I'm objecting to the arraignment
date because I believe today is the only day I can
object to it, if I'm not mistaken.

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And also I have, with the court's indulgence, I actually have another issue that I'd like to raise.

THE COURT: What's that?

THE DEFENDANT: I actually believe that the expiration date should be -- the expiration date should be May 13th. The commencement date should be March 15th, the day of filing.

THE COURT: Mr. Dowdney, your case was filed April 1st.

THE DEFENDANT: It was actually filed --well-- yea, from the filing from district court. This was filed in district court.

And this brings me to another issue. At my PC hearing in front of Judge Bui I objected to my case being filed in district court. I filed actually a motion that was timely filed and properly before the court, but it was promptly ignored, to be at that dismissal date. So it wasn't -- I wasn't brought to that hearing. I filed a motion to docket. Filed the motion. I have a service of mailing, and --

THE COURT: You filed in what --

THE DEFENDANT: I'm sorry, Your Honor?

THE COURT: You filed in what court, sir?

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THE DEFENDANT: District court.

THE COURT: The case is in superior court now.

THE DEFENDANT: I understand that, Your Honor. I understand that. But I didn't file the case in district court. I mean, the State filed in district court. So due to that, somewhere along the line now we're past the 14-day which -- and that kind of brings me to why I want my commencement date to start on the day of filing because that coincides with -- it would be Criminal Court Rule 3.2.1.(f)(1) where I'm charged within 72 hours if filed in district court, and so that's what I want.

According to Washington Supreme Court and all the divisional courts, they continuously said that the United States Constitutional Amendment 6, and the Washington Article I, Section 22, basically are the same. The Washington Supreme Court has said --

THE COURT: Wait. Stop. Your getting way ahead of yourself.

what's the State's position with regard to the commencement date for the 60 day rule?

MS. YAHYAVI: Your Honor, the State's position is the commencement date is today, the date of arraignment.

THE COURT: Even if it was filed in district court?

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MS. YAHYAVI: Well, I haven't done any research. I'm happy --

THE COURT: I'm asking you specifically right here, right now, I'm going to take a break, you need to take a look at the rule now. I'll be back out in a few minutes. The defendant needs to be maintained in the court room over there. We're in recess.

(Recess taken)

THE COURT: Ms Yahyavi, have you reviewed Criminal Rule 3.3?

MS. YAHYAVI: I have Your Honor. Can I go ahead and answer?

THE COURT: Sure.

MS. YAHYAVI: Under Criminal Rule 3.3, time for trial, (c), the initial commencement date. (1) The initial commencement date shall be the date of arraignment as determined under Criminal Rule 4.1.

Criminal Rule 4.1 states: The defendant detained in jail. The defendant shall be arraigned not later than 14 days after the date the information or indictment is filed in the adult division of the superior court. This information was filed April 1st.

THE COURT: All right. Mr. Dowdney, is there some

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theory under which that's not a correct reading of the rule?

THE DEFENDANT: I'm sorry?

THE COURT: is there some theory under which that is not a correct reading of the rule?

THE DEFENDANT: She read directly from the rule. I'm reading myself. She read it directly from the rule.

THE COURT: All right. Well, today is your arraignment date. It was properly set. 4.2 requires that you be arraigned within 14 days of the day charges were filed. And so today is the arraignment date. Today is the commencement date.

MS YAHYAVI: Your Honor, I just want to clarify, it's 4.1.

THE COURT: I'm sorry, 4.1. I misspoke. It's 4.1.

THE DEFENDANT: Defense objects.

This, first of many disputes over the commencement date and misuse of the district court filing process, clearly shows competing interpretations of how the rule applies to time one has spent held on same charge in district court that

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that is ultimately filed in superior court.

The filing of a "felony complaint" in district under CrR 3.2.1.(g) or a "criminal complaint" under CrR 3.2.1.(f) that is eventually amended up to a felony and charged by information in superior court are either "pending charges" or "related charges". Either way an individual has been held to answer in a state court, by the same prosecuting authority. Superior court has jurisdiction over both courts see RCW 2.08.010, and Article 4 § 6. also see State v Harris, 130 Wn2d 35,42;921 p2d 1052(1996).

It bears noting that although State v George, 160 Wn2d 727;158 p3d 1169(2007) states in uncertain terms that time spent in district court is no longer deducted from the superior court calculation, George was originally charged in "municipal" court and thus separate under Harris.

Held to Answer

"The standard indicates that if at the time of the filing of a charge a defendant is being held to answer --- whether in custody, or on bail or recognizanced for the same crime or a crime based on the same conduct or arising from the same episode; then the time begins running as of the date the charge is filed, charge means a written statement with the court which accuses a person of an offense and which is sufficient to support a prosecution; it may be an indictment, information, complaint or affidavit, depending upon the circumstances and the law of the particular jurisdiction" State v Striker, 87 Wn2d at 877. (also see progeny)

United States v Marion, 404 US 307,30 L.Ed.2d 486,487,92 S.Ct. 455(1971) at 321 states:

"Under ABA standards, after a defendant is charged it is contemplated that his right to speedy trial would be measured by a statutory time period excluding necessary and other justifiable delays; There is no necessity to allege or show prejudice to the defense. Rule 2.1 *ibid*"

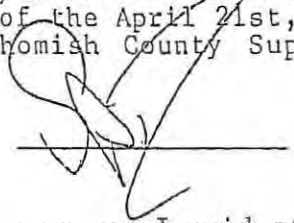
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The term "HELD TO ANSWER" is presumed not to have been merely drawn out of a hat, indeed, it has its roots dating back to The Great Charter, Magna Carta, Lord Coke and Blackstone speak of it, as well as our Founding Fathers:

"No person shall be held to answer for a capitol, or otherwise infamous crime, unless on a presentment.."
Amendment 5 US Const.

The following is an excerpt from the verbatim reports of State v. Dowdney, COA 75416-5-I (2 RP 14-15).

I declare under penalty of perjury of the laws of Washington State the following is a true and correct reproduction in relevant part of the April 21st, 2016 CrR 3.3(d)(3) hearing in Snohomish County Superior Court.



MR. DOWDNEY:However -- so, as I said at the beginning, Your Honor, dealing kind of with the 3.3(d)3, and I think it's fairly clear that you are not held to answer. You haven't been held to answer. I haven't been held to answer before my arraignment.

So -- and clearly the only reason ---

THE COURT: This phrase you keep using, held to answer.

MR DOWDNEY: That's correct.

THE COURT: Where is that in the rule?

MR DOWDNEY: So basically it says being held to answer, and it's discussed in phelps (phonetic

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spelling). It's discussed in, I believe Greenwood,
and it's U.S. vs -- (Loudhawk)

MR DOWDNEY: And I have it there. It says the
defendant was never served an arrest warrant, issued
conditions of release. And the defendant and the
charges were never simultaneously before the court
that's triggering speedy trial rights. Because your
speedy trial rights actually trigger --

THE COURT: I'm going to ask you to stop at this
point.

" What counts as a commitment to
prosecute is an issue of Federal Law unaffected by
allocations of power among state officials under a
state's law...and under the federal standard, an
accusation filed with a judicial officer is
sufficiently formal and the government's commitment
to prosecute it sufficiently concrete, when an
accusation prompts arraignment and restrictions on
the accused liberty facilitate the prosecution
...from that point on, the defendant is "faced
with the prosecutorial forces of organized society,
and immersed in the intricacies of substantive and
procedural criminal law."

" [I]t would defy common sense to say
that a criminal prosecution has not commenced against
a defendant who, perhaps incarcerated and unable to
afford Judicially imposed bail, awaits preliminary
examination on the authority of a charging document
filed by the prosecutor, less typically by the police
and approved by a court of law."

Rothgery v. Gillespie County, 554 US 191,207,208,233,
128 S.Ct. 2578, 171 L.Ed. 2d 366, (2008) US lexis
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CONCLUSION

The current version of CrR 4.1 allows for individuals to sit jail for up to 44 days without any formal process.

In the case of Snohomish County, whom utilizes the district court "preliminary hearing" or preliminary examination procedures and files most if not all warrantless arrests in district court, either CrR 4.1 is being misunderstood or wantonly abused.

In Snohomish County, upon a warrantless "felony arrest" 99.999% are filed in district court as "criminal complaints". One is not present in court pursuant this "filing" ever. One is not formally served this complaint, formally read this complaint in court.

This stands contrary to Article 1 § 22 Wash. Const., Amendment 6 US. Const., CrRLJ 4.1(f).

CrR 4.1, currently allows Snohomish County to operate under the assumption that one does not have to be "held to answer" as prescribed by the 5th amendment to the US Const. by a "presentment".

In Washington State, a presentment or grand jury indictment has been replaced by an "information" Article 1 § 25 also see RCW 10.37.015 (one will not be held to answer unless by information).

Amending CrR 4.1 to reflect the total time an individual has been removed from liberty, at least equally to those initially charged in superior court, would deter the state from delaying arraignment to gain tactical advantage.

(although irrelevant to proposal, it should be noted that Snohomish County never has any intentions of holding a "preliminary hearing" per CrRLJ 3.2.1(g)(1).) see exhibit 1 & 2, 4.1 allows for this.

CrR 4.1 should also be amended as individuals filed on initially in district court

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would receive time for trial periods equal to those initially filed on in superior court in application of equal protection. see Article 1 § 12 as a time for trial under CrR 3.3 seems to be "fundamental".also see Amendment 14 US Const.

Proponent believes in Washington State the right to be held to answer and to be treated equally are Fundamental Principles essential to the security of individual rights Article 1 § 32 Wash. Const.

And Respectfully asks this court to review the validity and constitutionality of CrR 4.1. for a time for trial period under 3.3 protects a constitutional right to speedy trial, is fundamental and needs to be protected by rules that reflect as much.

I hereby certify under penalty of perjury of the laws of Washington State, that the foregoing is true and correct.

Respectfully Submitted this 6 day of Febuary, 2018.

Signed in Aberdeen, Wa, 98520,

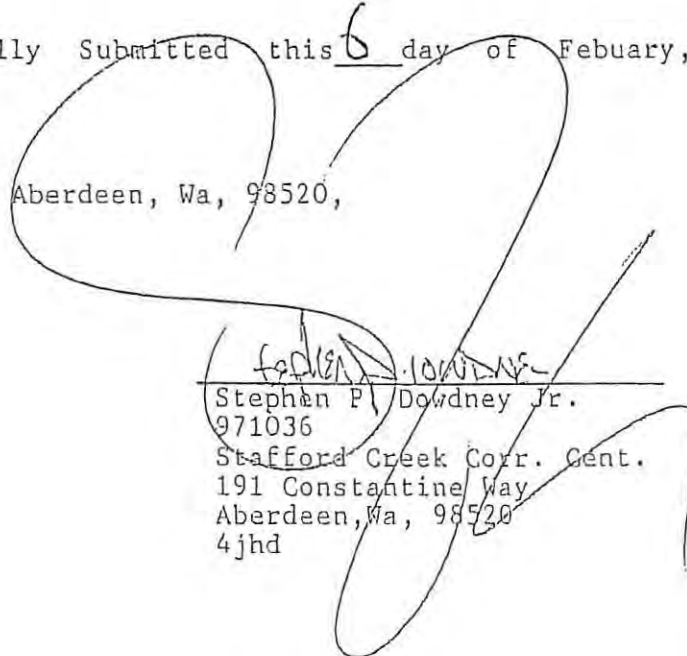

Stephen P. Dowdney Jr.
971036
Stafford Creek Corr. Cent.
191 Constantine Way
Aberdeen, Wa, 98520
4jhd

EXHIBIT 1



Snohomish County

District Court
Everett Division

Roger M. Fisher, Judge
Tara Bul, Judge

SNOHOMISH COUNTY DISTRICT COURT
FELONY COMPLAINT
INFORMATION SHEET

M/S #508
3000 Rockefeller Ave.
Everett, WA 98201-4046

(425) 388-3331
FAX (425) 388-3565

The Snohomish County Prosecutor's Office has filed a complaint with the Everett Division of the Snohomish County District Court charging you with a felony. A copy of this felony complaint has been provided to you.

A District Court Judge has previously reviewed the facts and circumstances related to your arrest and found that probable cause exists to support your current detention.

YOU WILL NOT BE REQUIRED TO APPEAR BEFORE THE DISTRICT COURT UNTIL FURTHER ACTION IN YOUR CASE IS NECESSARY.

You will be held in custody on the felony complaint until it is dismissed at 5:00 PM on the felony dismissal date noted on the complaint. The following actions may result in an earlier or a later release date:

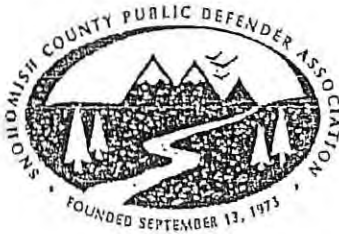
- 1) You and the prosecutor negotiate a guilty plea to a lesser charge.
- 2) The prosecutor requests that the District Court case be dismissed, but files the charge in Superior Court with another bail request.
- 3) You and the prosecutor agree to an extension of the felony dismissal date.

You may choose to negotiate with the Prosecutor or you may wait and see if the Prosecutor will file your case in Superior Court. Unless you have hired private counsel, the Snohomish County Office of Public Defense will contact you to determine if you want to negotiate with the Prosecutor.

If you decide to accept the Prosecutor's offer, you will appear in District Court to enter a plea of guilty. These calendars are held every Monday through Friday (except on holidays) @ 1:00 PM.

If you decide you do not want to take the Prosecutor's offer, contact your attorney to inform the Prosecutor of your decision. If your case is filed in Superior Court, you will be scheduled to appear in Superior Court to be formally arraigned on the charge and to receive notice on how to have a public defender represent you.

EXHIBIT 2



Snohomish County Public Defender Association
2722 Colby Avenue, Suite 200 • Everett, WA 98201-3527
Phone: 425-339-6300 • Fax: 425-339-6363 • www.snocopda.org

PROBABLE CAUSE HEARING

The State of Washington is holding you in jail and a Judge will determine today whether there is Probable Cause (PC) to continue holding you. This can be a very frustrating stage in the process. The information contained in this handout will help you understand the process. Please read it carefully.

You are not CHARGED with a crime at this point, and a Judge's finding of PC does not mean that the Prosecutor will charge or convict you of this/these crime(s). It only means that there is a reasonable belief that you may have committed one or more felonies. The law allows the Prosecutor to hold you in jail for 72 hours (not counting holidays or weekends) upon a finding of PC to give them time to decide: (1) if any charges will be filed against you, (2) what charges to file against you, and (3) in which court to file the charges. If the Prosecutor fails to file charges within 72 hours, you will be released on this hold.

IF CHARGES ARE FILED IN DISTRICT COURT

If your felony charges are filed in District Court, you will not have an arraignment hearing; you will simply receive paperwork indicating a deadline for the prosecutor to file in Superior Court. This deadline is called a Felony Dismissal Date (FDD). The FDD will be set two Fridays from the date of filing at 5:00pm (between 14 and 18 days, depending on the day of the week charges are filed). Your FDD is NOT a court date, but simply a deadline for the Prosecutor. The Prosecutor will have until the FDD to decide (1) whether the felony charges will be transferred to Superior Court for prosecution or (2) whether they will offer you a plea bargain for one or more misdemeanors. If the Prosecutor does not file charges in Superior Court and they do not offer you a plea bargain to one or more misdemeanors by the FDD, you will be released on this hold. However, this does not mean that charges will never be filed against you—the Prosecutor has time allowed by the statute of limitations, a minimum of 3 years, to file charges against you.

IF CHARGES ARE FILED IN SUPERIOR COURT

If the Prosecutor files felony charges in Superior Court, you will have an arraignment hearing where you will hear the charge(s) against you and have another opportunity to argue bail. If you qualify for a public defender, you will have an attorney assigned after the Prosecutor files in Superior Court.

RELEASE

If you are released on your personal recognizance, or if you post bail, you must keep your address updated with the Court & Prosecutor. If the Prosecutor decides to file charges, you will

THE SUPREME COURT
STATE OF WASHINGTON

DECLARATION OF SERVICE
BY MAILING GR 3.1(c)

I, Stephen P. Dowdney Jr., Proponent, in accordance with General Rule 3.1(c), do hereby declare that I have served the following documents:

Brief in accordance with General Rule 9 Rulemaking.

To the following parties:

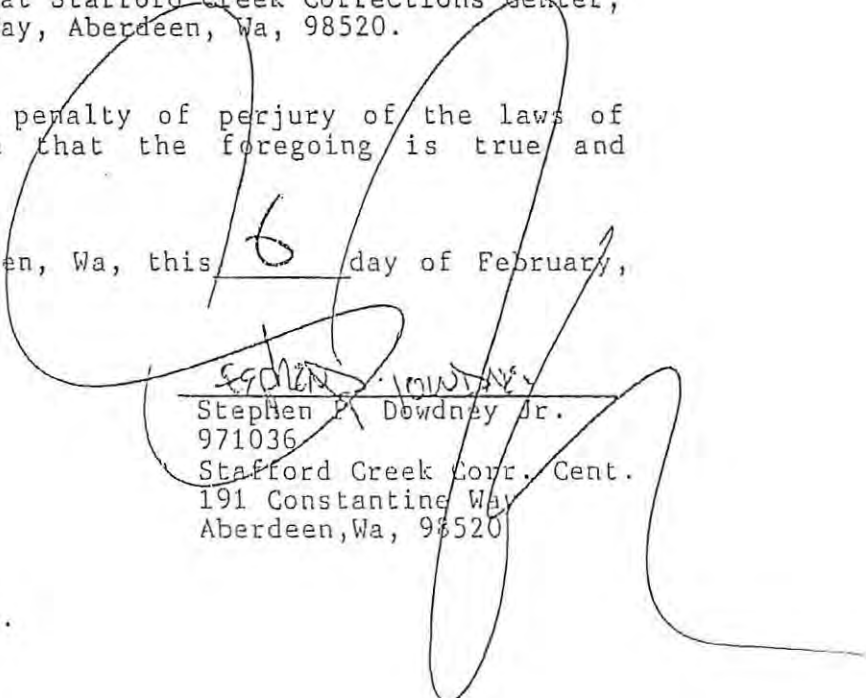
Susan L. Carlson, Supreme Court Clerk
Temple of Justice
PO Box 40929
Olympia, Wa, 98504-0929

(E-Mail/Electronic Filing unavailable)

I deposited the aforementioned document in the U.S. Postal Service by of process LEGAL MAIL through an officers station at Stafford Creek Corrections Center, 191 Constantine Way, Aberdeen, Wa, 98520.

I declare under penalty of perjury of the laws of Washington State that the foregoing is true and correct.

Signed in Aberdeen, Wa, this 6 day of February, 2018.


~~Stephen P. Dowdney Jr.~~
Stephen P. Dowdney Jr.
971036
Stafford Creek Corr. Cent.
191 Constantine Way
Aberdeen, Wa, 98520

Cc: Dowdney file.

**WASHINGTON STATE
BAR ASSOCIATION**

Office of the Executive Director
Paula C. Littlewood, Executive Director

October 8, 2018

Dean Mario L. Barnes
University of Washington School of Law Foundation
William H. Gates Hall
Box 353020
Seattle, WA 98195

Re: FY19 Funding for Washington Leadership Institute

Dear Dean Barnes, *Mario*

Enclosed please find a fully executed copy of the FY19 Washington Leadership Institute Partnership Grant Agreement, along with our check for \$60,000, which represents WSBA's FY19 funding of the Washington Leadership Institute (WLI).

We are pleased to partner with you in supporting the WLI in its mission to recruit, train, and develop minority and traditionally underrepresented attorneys for future leadership in the Bar and the community.

Sincerely,


Paula C. Littlewood

Encl.

Thank you!

**WASHINGTON STATE
BAR ASSOCIATION**

Office of the Executive Director
Paula C. Littlewood, Executive Director

October 15, 2018

VIA ELECTRONIC AND FIRST CLASS MAIL

Honorable Mary E. Fairhurst
Chief Justice, Washington Supreme Court
Temple of Justice
P.O. Box 40929
Olympia, Washington 98504-0929

Honorable Charles W. Johnson
Associate Chief Justice, Washington Supreme Court
Temple of Justice
P.O. Box 40929
Olympia, WA 98504-0929

RE: Request to Enact Newly Revised Technology Principles as Court Rules

Dear Chief Justice Fairhurst and Justice Johnson:

We are writing to submit the enclosed GR 9 cover sheet and text for the proposed Access to Justice Technology Rules. We request that the Court review the proposed Technology Rules and publish them for public comment.

In the Access to Justice Board's August 7, 2018, letter, we submitted updated Technology Principles which were approved by the Access to Justice (ATJ) Board on July 13, 2018. Since then, the ATJ Board met with you and the rest of the Court on September 6, 2018, and discussed needing to submit a GR 9 cover sheet if the Board desired to have the Court review them as rules. Also, since then, the ATJ Board received additional comments from the Administrative Office of the Courts (AOC) in a letter dated September 4, 2018.

The ATJ Board's Technology Principles Workgroup met with representatives from AOC on October 8, 2018, to discuss their comments. The workgroup incorporated all but two of AOC's suggested changes: the use of "must" vs. "should" and whether they should remain as principles or become rules.

The ATJ Board reviewed the newly revised rules on October 12, 2018, and approved the use of

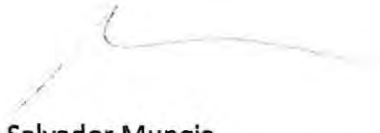
"must" and submitting them to the Court as rules. Enclosed are the proposed rules and GR 9 cover sheet which were approved by the ATJ Board.

If you have any questions, please feel free to contact us by directing them to Diana Singleton, Access to Justice Manager and staff to the ATJ Board, at dianas@wsba.org or 206-727-8205.

Sincerely,



Paula C. Littlewood
Executive Director, WSBA



Salvador Mungia
Chair, Access to Justice Board

Enclosures

cc: William D. Pickett, President, WSBA
Diana Singleton, Access to Justice Manager, WSBA
Shannon Hinchcliffe, Administrative Office of the Courts

GR 9 Cover Sheet

Before the Supreme Court of the State of Washington

Request to Enact Newly Revised Technology Principles as Court Rules

Name of Proponent: Sal Mungia, Chair of the Access to Justice Board
SMungia@gth-law.com

Spokesperson: Sart Rowe
sart@sarterus.com

Diana Singleton
dianas@wsba.org

Purpose: The Technology Principles were adopted in 2004 after much discussion and vetting. Understandably, few, if any, knew at that time how technology would evolve over the next ten plus years. In 2015, the Supreme Court noted that the Technology Principles needed to be updated.

In September 2016, the Access to Justice Board's Technology Committee launched an initiative to revise the principles with the Access to Justice Technology Symposium hosted by the University of Washington. Over 100 people participated in this event with presentations about legal technology innovation.

Following the symposium a work group was formed with Sart Rowe as the chair to continue the revision work. The invitation to join the workgroup was sent to the ATJ Technology Committee, everyone who attended the symposium and expressed interest in helping to update the principles, and the ATJ Community Listserv (see attached rosters of listserv members). The work group met monthly starting in March 2017. Attached is the list of people who actively participated in the workgroup. From March 2017 through October 2017, the committee solicited feedback on the principles using an [online survey](#) and one-on-one interviews. Sart Rowe attended the Spokane Regional Justice Planning Group meeting to solicit feedback from them.

On October 27, 2017, the workgroup organized another event titled, "Rethink, Retool, Reboot: Technology and Justice" where over 50 people gathered together at the University of Washington School of Law. Attached is an RSVP list showing who attended. The event started with a panel of speakers to provide context on how much has changed since the 2004 Principles were adopted. The remainder of the event was a hackathon style format where attendees split up into facilitated small group discussions focusing on each principle.

Following the event, the workgroup continued the discussions from the October 27 event and set out an ambitious schedule of reviewing the feedback and drafting newly revised Principles. Between November 2017 and January 2018, the workgroup split up

into smaller groups focusing on each principle and engaging in a rigorous drafting process.

On February 9, 2018, the workgroup met as a larger group for a full day at Seattle University School of Law to review the work of the smaller groups and discuss the revisions together. The ATJ Technology Committee (see attached roster of Technology Committee) and Tech Principles Workgroup members were invited. See attached RVSP list showing who attended. This was an interactive event where the language was projected on a large screen for all to see what changes were being made. The conversation was both detailed (what word best reflects the intention) and global (what best serves the aims of access to justice). At the end of the day, the workgroup had a working draft of the updated Principles.

In recognition of the need to get feedback from diverse voices including client communities, the workgroup asked the University of Washington School of Law's Tech Policy Lab to gather input using their Diverse Voices protocol. The Tech Lab solicited input from the following four different focus groups: 1) formerly or currently incarcerated people, 2) legal professionals, 3) immigrant communities, and 4) rural communities. See attached Diverse Voices report.

On July 3, 2018, the workgroup reviewed, evaluated and incorporated the feedback received through Diverse Voices into the final proposed draft. The Technology Committee presented the final draft to the ATJ Board on July 13, 2018. The ATJ Board unanimously approved presenting the updated Principles to the Supreme Court for adoption as court rules. The ATJ Board sent a letter to the Supreme Court dated August 7, 2018, submitting the updated principles for their consideration (see attached letter).

Subsequent to the July 13, 2018 ATJ Board meeting and sending the updated principles to the Supreme Court, the Administrative Office of the Courts (AOC) shared their concerns and feedback on the revised principles directly with the Supreme Court (see attached AOC letter dated September 4, 2018). Representatives from AOC were invited to all technology principle events, workgroup meetings, and Technology Committee meetings. The ATJ Board believes it created an inclusive process to gather feedback on the technology principle revisions including from entities like AOC. Nevertheless, on October 8, 2018, the workgroup met with several members from AOC to discuss their concerns. Some changes were made to the principles based upon that discussion. In other areas, the workgroup and AOC agreed to disagree. The revisions made as a result of that meeting were presented to the ATJ Board on October 12, 2018. The ATJ Board voted to (insert decision here).

The Technology Principles are for general application to all courts and other actors in the justice system. While the previous version was adopted by Order of the Supreme Court and was published with the Court Rules book at one time, the principles have not been published recently. In addition, while there was some monitoring of AOC and the ATJ Board's implementation of the principles since the order was entered, many actors

in the justice system have no idea they exist or how they could be implemented. Making the principles rules of the Court will allow for wider dissemination and publication and will clearly indicate the Court's expectations with regard to implementation of new technology.

Hearing: The attached revised Technology Principles have been the result of extended study and discussion among technology experts and legal professionals. Input was sought from certain populations of court users. **Detailed information about who was invited to participate and feedback received is attached.** As such, we do not believe a public hearing is required.

Expedited? No.

WASHINGTON STATE BAR ASSOCIATION

Office of the Executive Director
Paula C. Littlewood, Executive Director

October 15, 2018

Honorable Mary E. Fairhurst
Chief Justice, Washington Supreme Court
Temple of Justice
P.O. Box 40929
Olympia, WA 98504-0929

Honorable Charles W. Johnson
Associate Chief Justice, Washington Supreme Court
Temple of Justice
P.O. Box 40929
Olympia, WA 98504-0929

RE: Suggested Rule Amendments to Definition of the Practice of Law (GR 24)

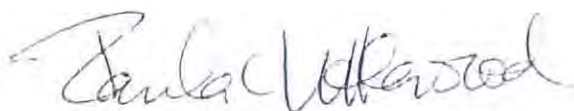
Dear Chief Justice Fairhurst and Justice Johnson:

Pursuant to the discussion the Practice of Law Board (POLB) had with the Court at the annual meeting between the POLB and Court last April, the POLB submits this suggested amendment to GR 24 authorizing online document services to assist pro se consumers. The Board considered several alternatives, including the statutory solution adopted in North Carolina. The Board's suggested solution is a court rule because it determined that the court should retain control over the definition of the practice of law and regulation of legal services in Washington. Additionally, the Board's suggested solution defines the providers more broadly than the North Carolina statute in recognition of the pace of technological development and innovation in the delivery of legal services.

The Board is also working with the WSBA to propose legislative change consistent with the POLB's recommendation to make the unauthorized practice of law a per se violation of the Consumer Protection Act.

If you have questions or would like additional information, please contact me or Paul Bastine, Chair of the Practice of Law Board, at paulbastine@msn.com.

Sincerely,



Paula C. Littlewood
Executive Director



Hon. Paul Bastine, ret.
Chair, Practice of Law Board

Enclosures

cc: William D. Pickett, President, WSBA
Hon. Paul Bastine, ret., Chair, Practice of Law Board
Shannon Hinchcliffe, Administrative Office of the Courts
Julie Shankland, Staff Liaison, Practice of Law Board



GR 9 COVER SHEET DRAFT

Suggested Amendment

General Rule 24

Submitted by the Practice of Law Board

A. Name of Proponent:

Practice of Law Board

Hon. Paul Bastine, ret. , Chair

Practice of Law Board

806 S. Raymond Rd.

Spokane Valley, WA 99206-3530 (Email paulbastine@msn.com)

B. Spokespersons:

Staff Liaison/Contact

Julie Shankland, General Counsel

Washington State Bar Association

1325 Fourth Avenue, Suite 600

Seattle, WA 98101-2539 (Phone: 206-727-8280)

C. Purpose:

General Rule (GR) 24 defines the practice of law in Washington. Section (b) of the current rule permits certain conduct whether or not it constitutes the practice of law. Pursuant to the discussion with the Court in April, this proposal would add new language to section (b) permitting online self-representation legal service providers. Pursuant to the discussion regarding this issue in April at the Practice of Law Board's annual meeting with the Court, the Practice of Law Board initially prepared this submission as a report for the Court . Given the suggested amendments to GR 24, however, the report has been incorporated into this GR 9 Cover Sheet.

Consumers are, in the context of self-representation, increasingly going online to seek legal information, generate legal documents, and seek assistance from unlicensed entities. The public interest is served by protecting consumers from incompetent, unfair, and deceptive online self-representation legal service providers (OLSRLSPs). In addition, online

legal service providers want guidance on where the boundaries are in providing self-representation legal services and avoiding the unauthorized practice of law (UPL). Additionally, Washington consumers need to have clarity on where to go with concerns related to OLSRLSPs.

To address these changing consumer needs, the POLB recommends that the Washington Supreme Court amend the definition of “the practice of law” to explicitly authorize’ information and document preparation services under clear limitations with registration of such provider entities with the WSBA.

What does “practicing law” mean in the age of information technology, globalization, and market disruptions that are transforming everything from health care and transportation to the music industry? The lines separating unauthorized from authorized practice of law have blurred. Online legal information, generation of legal documents, online dispute resolution, and direct representation are not just an inevitable part of the future—they are here and growing at an exponential rate. The concept of a law office being an entity owned and run exclusively by lawyers is changing. Multi-jurisdictional practice is an inescapable consequence of technology. The traditional idea of the lawyer-client relationship is changing as disciplines start to merge and innovate to find more effective and efficient ways to solve complex problems that have a legal component.

Like it or not, the culture is rapidly and continually producing innovative business models that promise more competitive services and products. The practice of law, as defined and regulated by the Court and administered by the state bar association, must thoughtfully and incrementally adjust to changing conditions by exploring ways to expand access to justice while protecting the public from the risk of harm. As technology marches forward and people look for cheaper and more efficient legal services, the organized bar should be a central player. The court, the bar association, and individual lawyers can play a leading role or sit back and watch an under-regulated potpourri of technological innovators, predators, lay people, and legislative partisans define the new world of legal

services.¹

The current sources of regulation of OLSRLSPs are RCW 2.48 (Unauthorized Practice of Law (UPL)); the Consumer Protection Act, chapter 19.86 RCW, which regulates all matters in trade or commerce; and GR 24, which defines the practice of law and identifies otherwise permitted exceptions to the definition of the practice of law.

The rationale in support of a significant revision to GR 24 flows from the recognition that the internet is inexorably a marketplace where people seek information and assistance in every aspect of life, including legal matters.² Many consumers in need of legal information and assistance believe they cannot afford to hire a lawyer and have limited access to free or low-cost traditional legal services. It is estimated that 80% of consumers with legal matters do not seek the assistance of a licensed attorney. Often, consumers seek information and assistance online because it is accessible, affordable, and efficient.

As online self-help legal services expand, providers who are currently operating in Washington are largely doing so without effective regulation or oversight, albeit they are subject to the criminal prohibition of the unauthorized practice of law and the Consumer Protection Act (CPA) and held accountable through contract and tort law to the professional standard of care. *Perkins v CTX*, 137 Wn.2d 93, 106, 969 P.2d 93 (1999). The rationale for regulating this marketplace and displacing competition is that consumers of OLSRLSPs are at risk of harm by under-regulated online providers that knowingly, deceptively, or negligently create the misperception that licensed lawyers are assisting consumers or that the particular

¹ Deborah L. Rhode & Lucy Buford Ricca, *Protecting the Profession or the Public? Rethinking Unauthorized Practice Enforcement*, 82 FORDHAM L. REV. 2588 (2014); Joshua Kubick, *2013 Was a Big Year for Legal Startups; 2014 Could Be Bigger*, TECHCO (Feb.14, 2015), available at <http://tech.co/2013-big-year-legal-startups-2014-bigger-2014-02>; Raymond H. Brescia et al., *Embracing Disruption: How Technological Change in the Delivery of Legal Services Can Improve Access to Justice*, 78 ALBANY L. REV. (2014); Roger Smith, *Ten Ways in Which Technology Can Expand Access to Justice* (Feb. 12, 2018), available at <https://law-techa2j.org/digital>; John McGinnis and Russell Pearce, *The Great Disruption: How Machine Intelligence Will Transform the Role of Lawyers in the Delivery of Legal Services*, 82 FORDHAM L. REV. 3041 (2014), available at <http://ir.lawnet.fordham.edu/flr/vol82/iss6/16>.

² Examples of websites offering internet-based legal services include: <https://www.legalzoom.com/>; <https://www.rocketlawyer.com/>; <https://www.lawdepot.com/>; <https://www.nolo.com/>; <https://www.legalshield.com/>; <https://www.bizfilings.com/>.

provider is legally authorized to provide the legal assistance adapted to individual needs.³

Existing practice of law rules in Washington do not expressly authorize the provision of *interactive* online legal assistance outside the scope of the conventional lawyer-client relationship. Once a legal service is personalized for an individual's situation, it crosses over from lawful provision of generic legal information (or a mere form/scrivener service) to particularized legal advice subject to the rules and regulations governing the practice of law. Thus, only individuals authorized to practice law may lawfully provide web-based legal assistance adapted to individuals' needs. OLSRLSPs may wish to introduce innovative interactive software and helpful online services in Washington, but the legitimate prospective players will only do so if the Washington practice of law rules clearly provide permission for the services.

To address the regulatory gap, emerging OLSRLSPs could be fairly characterized as "*pro se*" assistance businesses that are an exception to the lawyer-centric practice of law. And, if the providers have attributes of the traditional "practice of law," they could nonetheless be expressly "authorized" within the qualified *pro se* exception. This authorization would be justified because these providers deliver critical information and guidance to consumers who are seeking non-lawyer assistance to assess and respond to legal issues that routinely arise in their lives. Whatever mechanism for regulation and accountability is put forward, it should be narrowly tailored to protect consumers' expectations; promote competition and access to justice; and adhere to the GR 12.1 Regulatory Objectives

The North Carolina Statute (NCS) § 84-2.2 is an example of state regulation of online legal assistance involving software that generates legal documents based on information inputted by a consumer. However, rapidly evolving technology and artificial intelligence inevitably will enable entrepreneurs to offer consumers particularized legal advice and opinions (not just documents) based on consumer input and needs. These technological developments in online legal services should be considered by the court as it considers amending GR 24.

³ See Letter from Marina Lao, Director of Office of Policy Planning, Federal Trade Commission, and Robert Potter, Chief of Legal Policy Section, Antitrust Division, U.S. Dep't of Justice (June 10, 2016), https://www.ftc.gov/system/files/documents/advocacy_documents/comment-federal-trade-commission-staff-antitrust-division-addressing-north-carolina-house-bill-

The Practice of Law Board recognizes that this suggested amendment to GR 24 could be viewed as impacting competition in the legal services marketplace. This suggested amendment attempts to narrowly tailor the proposed regulations to protect consumers while avoiding unnecessary inhibitions on competition and innovation. In a June 2016 letter to the North Carolina legislature, DOJ and FTC Anti-Trust Division staff offered support for the proposed North Carolina statute. The letter stated, in part:

[S]taff believe that “the practice of law” should mean activities for which specialized legal knowledge and training is demonstrably necessary to protect consumers and an attorney-client relationship is present. Overbroad scope-of-practice and unauthorized-practice-of-law policies can restrict competition between licensed attorneys and non-attorney providers of legal services, increasing the prices consumers must pay for legal services, and reducing consumers’ choices.

Accordingly, the Agencies recommend that the North Carolina General Assembly consider the benefits of interactive websites for consumers and competition in evaluating HB 436. Interactive software for generating legal forms may be more cost-effective for some consumers, may exert downward price pressure on licensed lawyer services, and may promote the more efficient and convenient provision of legal services. Such products may also help increase access to legal services by providing consumers additional options for addressing their legal situations.

The Agencies also recognize that such interactive software products may raise legitimate consumer protection issues. The Agencies recommend that any consumer protections, such as requiring disclosures, be narrowly tailored to avoid unnecessarily inhibiting competition and new ways of delivering legal services that may benefit consumers.⁴

The Rule the POLB proposes here would expand competition in the legal services marketplace while establishing the minimum regulation necessary to protect consumers.

Rationale for Additional Regulation of Online Self-Help Legal Service Providers

To protect consumers from entities operating outside the scope of the authorized practice of

⁴ Letter from Marina Lao, Director of Office of Policy Planning, Federal Trade Commission, and Robert Potter, Chief of Legal Policy Section, Antitrust Division, U.S. Dep’t of Justice, supra note 3.

law (including outside the amended GR 24), the POLB has recommended to the WSBA and Attorney General's Office that they consider a bill providing that the Unauthorized Practice of Law is a *per se* Consumer Protection Act violation. See Attachment A for rationale and details of this approach.

Criteria for Evaluating Potential Regulatory Approaches

The threshold question in evaluating potential regulatory approaches is, "Which branch of government should regulate online legal services activity?" If it is deemed "permitted activity" under GR 24 *within* the definition of the practice of law, the Court may prefer to maintain control over such entities in order to fulfill its traditional constitutional role to regulate the practice of law in Washington. If it is deemed an exception to the definition of the practice of law, it could be regulated as "mere" commercial activity by the legislature and executive branches of government.

Our recommendation is that the Court structure the "permission" so as to retain control of the scope of the exception and who is authorized to engage in the restricted activities. Consumer protection could be strengthened by having the legislature make the unauthorized practice of law a *per se* violation of the CPA (the Practice of Law Board is currently working with WSBA to advance this suggestion). This statutory change will empower consumers, who suffer *actual* damages caused by UPL, to obtain recovery and deter unfair and deceptive practices in this emerging online self-representation legal services marketplace, while keeping authority over the practice of law with the judicial branch. This advances the public interest in access to justice and promoting a fair and non-deceptive market place.

Benefits and Drawbacks of Potential Regulatory Approaches

The POLB's recommendation focuses on the Court retaining regulatory authority over of online self-help legal service providers. This recommendation is based on our anticipation of the Court's potential concerns that legislative/executive branch oversight may violate separation of powers and tread on the Court's inherent and plenary authority to regulate the practice of law.

The POLB makes its recommendation in light of the Supreme Court Order Reconstituting the POLB dated July 8, 2015, which directs that the POLB focus on “educating the public about how to receive competent legal assistance and consider new avenues for nonlawyers to provide legal and law related services.” Our recommendation is fully aligned with that charge.

D. Hearing:

A hearing is not recommended.

E. Expedited Consideration:

Expedited consideration is not requested.

Supporting Material:

The Board has involved stakeholders during the development of this rule proposal, including representatives from the Access to Justice Board. The proposed rule was provided to the WSBA Board of Governors. The Board has not received written comments from stakeholders on this rule.

Attachments:

GR 24 Proposed Redline

GR 24 Proposed-Clean

**WASHINGTON STATE
BAR ASSOCIATION**

Office of the Executive Director
Paula C. Littlewood, Executive Director

October 15, 2018

Honorable Mary E. Fairhurst
Chief Justice, Washington Supreme Court
Temple of Justice
P.O. Box 40929
Olympia, WA 98504-0929

Honorable Charles W. Johnson
Associate Chief Justice, Washington Supreme Court
Temple of Justice
P.O. Box 40929
Olympia, WA 98504-0929

RE: Suggested Rule Amendments to Criminal Rules

Dear Chief Justice Fairhurst and Justice Johnson:

On September 28, 2018, the WSBA Board of Governors approved suggested rule amendments for submission to the Court. These suggested amendments were recommended and approved by the WSBA Court Rules and Procedures Committee. The suggested amendments would modify CrR 1.3, CrR 3.4, CrR 4.4, CrRLJ 4.2, CrRLJ 4.4, CrRLJ 7.3, and CR 30. Enclosed please find the GR 9 cover sheets and text for the suggested amendments.

If you have any questions, please feel free to contact me, or direct them to Jefferson Coulter, Chair of the WSBA Court Rules and Procedures Committee, at Jeffersonc@NWJustice.org or (509) 324-9128.

Sincerely,



Paula C. Littlewood
Executive Director

Enclosures

Cc: William D. Pickett, President, WSBA
Jefferson Coulter, Chair, WSBA Court Rules and Procedures Committee
Shannon Hinchcliffe, Administrative Officer for the Courts
Nicole Gustine, Staff Liaison, WSBA Court Rules and Procedures Committee



GR 9 COVER SHEET

Suggested Amendments to SUPERIOR COURT CRIMINAL RULES (CrR)

CrR 1.3 - EFFECT

A. Name of Proponent:

William D. Pickett, President, Washington State Bar Association

B. Spokesperson:

Jefferson Coulter
Chair of Court Rules and Procedures Committee
NW Justice Project
1702 W. Broadway Ave.
Spokane, WA 99201 (Phone: 509-324-9128)

Staff Liaison/Contact:
Nicole Gustine, Assistant General Counsel
Washington State Bar Association (WSBA)
1325 Fourth Avenue, Suite 600
Seattle, WA 98101-2539 (Phone: 206-727-8237)

C. Purpose:

The proposed amendment is intended to clarify the rule and be consistent with case law. The Criminal Rules were first enacted in 1973, and section (a) was designed to provide continuity in procedure for cases pending on the date the rules first became effective. As that is no longer a concern, the proposed amendment would eliminate the language about what rules apply in which situation. This would make the language consistent with case law that new criminal rules apply to pending cases, regardless of when the case began, unless the court finds the interest of justice would be served by adhering to the prior formulation. *State v. Matlock*, 27 Wn. App. 152, 157, 616 P.2d 684 (1980); *State v. Olmos*, 129 Wn. App. 750, 757,

120 P.3d 139 (2005). The language of the rule still gives a court the authority to apply the prior rules of procedure “in the interests of justice.”

The Committee received no stakeholder feedback about these suggested amendments.

The proposed revisions were circulated widely to the WSBA's list of stakeholders, including: representatives from the Supreme Court, the three Courts of Appeal, the Superior Court Judges Association, and the District & Municipal Court Judges Association; specialty bars (the WA Defense Trial Lawyers, WA Association for Justice, NW Justice Project, WA Association of Criminal Defense Lawyers, WA Appellate Lawyers Associations, International Association of Defense Counsel, WA Association of Prosecuting Attorneys, WA State Association of Municipal Attorneys, Public Defenders Association, ACLU of Washington, Columbia Legal, and section leaders for the WSBA's sections); and local and minority bar associations.

D. Hearing: A hearing is not requested.

E. Expedited Consideration: Expedited consideration is not requested.

WASHINGTON STATE BAR ASSOCIATION

October 16, 2018

Via Email to kyle@lawschooltransparency.com

Kyle McEntee, Esq.
Executive Director, Law School Transparency
607 James Doak Parkway
Greensboro, NC 27455

Re: *A Way Forward: Transparency in 2018 report*

Dear Mr. McEntee,

After consideration of the report, *A Way Forward: Transparency in 2018*, the Washington Young Lawyers Committee (WYLC) of the Washington State Bar Association (WSBA) supports the proposals presented in the report. Thank you for your efforts in gathering and presenting this important information.

We look forward to supporting your efforts in law school transparency. Please do not hesitate to contact me if there are additional ways we can help.

Sincerely,



Kim Sandher
Washington Young Lawyers Committee Chair 2018-2019

CC: William D. Pickett, President, Washington State Bar Association
Paula C. Littlewood, Executive Director, Washington State Bar Association
Julianne Unite, Member Services and Engagement Specialist, Washington State Bar Association
Maggie White, President, Iowa Young Lawyers Division
Kyle Fry, Co-Chair, Iowa Young Lawyers Division Law Innovation Task Force
Rob Poggenklass Co-Chair, Iowa Young Lawyers Division Law Innovation Task Force



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The Supreme Court
State of Washington

CHARLES W. JOHNSON
JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON
98504-0929



(360) 357-2020
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E-MAIL J.C.JOHNSON@COURTS.WA.GOV

October 23, 2018

Ms. Paula Littlewood
Executive Director
Washington State Bar Association
1325 Fourth Avenue, Suite 600
Seattle, WA 98101-2539

Dear Ms. Littlewood:

Recently, the Supreme Court Rules Committee requested the Washington State Bar Association's Court Rules and Procedures Committee review the current statewide Mandatory Arbitration Rules (MAR) as a result of legislation enacted effective September 1, 2018. I understand that a MAR subcommittee has been convened to complete this request.

On August 15, 2018, the Rules Committee received a request from Ms. Barbara Miner, King County Superior Court Clerk, to clarify the language of MAR 7.2. I am sharing this request with you in case it may be prudent for the subcommittee to consider it during its review process.

Very truly yours,

A handwritten signature in black ink, appearing to read "Charles W. Johnson".

Charles W. Johnson, Chair
Supreme Court Rules Committee

Enclosure

cc: Ms. Nicole Gustine, WSBA Assistant General Counsel
Mr. Jefferson Coulter, WSBA Court Rules and Procedures Committee Chair



King County

Department of Judicial Administration
Barbara Miner
Director and Superior Court Clerk
(206) 296-9300 (206) 296-0100 TTY/TDD

August 15, 2018

Justice Charles Johnson, Chair
Supreme Court Rules Committee
PO Box 40929
Olympia, WA 98504-0929

Re: Mandatory Arbitration Rule 7.2

Dear Justice Johnson:

I write with a question and possible suggested rule edit regarding MAR 7.2.

Highlighted below is section (a) of MAR 7.2 which dictates the sealing of the arbitration award upon the filing of a de novo request. The language in the other sections goes on to instruct keeping the arbitration award information completely out of court filings and hearings as the case proceeds through the de novo process.

My question is in regard to the audience to whom the arbitration award is sealed. Pursuant to the current rule language, Clerks around the state would seal the document and not allow public or parties access to the arbitration award. However, it is regular procedure that a document which is sealed is accessible to any judicial officer of that court. Is that what is intended by this rule language?

Historically we interpreted old rule language or case law to mean that judicial officers were prohibited from accessing/viewing arbitration awards, though parties were allowed access. It appears the current language does the exact opposite: it allows judicial officers to see the award, but the parties are prohibited.

If the intent of the language is to keep judicial officers who might be handling the de novo trial from seeing the award, I would suggest that a rule change is necessary. Perhaps something like this language could be added to the current language: "judicial officer access to the award is also prohibited." Or this edit could be applied: "The clerk shall seal any arbitration award from judicial officers if a de novo is requested."

Justice Charles Johnson
August 15, 2019
Page 2

Current Mandatory Arbitration Rule 7.2 language:

RULE 7.2

PROCEDURE AFTER REQUEST FOR TRIAL DE NOVO

~~(a) Sealing. The clerk shall seal any award if a trial de novo is requested.~~

(b) No Reference to Arbitration; Use of Testimony.

(1) The trial de novo shall be conducted as though no arbitration proceeding had occurred. No reference shall be made to the arbitration award, in any pleading, brief, or other written or oral statement to the trial court or jury either before or during the trial, nor, in a jury trial, shall the jury be informed that there has been an arbitration proceeding.

(2) Testimony given during the arbitration proceeding is admissible in subsequent proceedings to the extent allowed by the Rules of Evidence, except that the testimony shall not be identified as having been given in an arbitration proceeding.

(c) Relief Sought. The relief sought at a trial de novo shall not be restricted by RCW 7.06, local arbitration rule, or any prior waiver or stipulation made for purposes of arbitration.

(d) Arbitrator as Witness. The arbitrator shall not be called as a witness at the trial de novo.

Proposed Mandatory Arbitration Rule 7.2 language:

RULE 7.2 (version 1)

PROCEDURE AFTER REQUEST FOR TRIAL DE NOVO

~~(a) Sealing. The clerk shall seal any award from judicial officers if a trial de novo is requested.~~

....

Or

RULE 7.2 (version 2)

PROCEDURE AFTER REQUEST FOR TRIAL DE NOVO

~~(b) Sealing. The clerk shall seal any award if a trial de novo is requested. Judicial officer access to the award is also prohibited.~~

....

Thank you for your attention to this and please feel free to contact me should you have questions or need more information. I can be reached at (206) 477-0777.

Sincerely,



Barbara Miner
King County Superior Court Clerk

cc: Shannon Hinchcliffe; Office of Legal Services and staff to Superior Court Rules Committee

TO: Paula Littlewood
FROM: Terra Nevitt, Director of Advancement and Chief Development Officer
Pat Mead, Sections Program Specialist
Eleen Trang, Sections Program Specialist
RE: WSBA Sections Annual Reports
DATE: **November 1, 2018**

Summary of WSBA Sections for FY18 (October 1, 2017 – September 30, 2018)

Approximately one-quarter of all WSBA members belong to one or more of the WSBA’s 29 sections. The WSBA sections help to carry out the work of the Bar and meet the organization’s mission of serving the public and the members of the Bar. Each year, section executive committees and the WSBA staff work together to increase and improve the services and support available to section members. Sections generally rely on member dues, CLE registration revenue, and publication royalties to fund their activities. Section benefits and activities also directly connect to WSBA’s Strategic Goals for 2016-2018:

- *Equip members with skills for the changing profession:*
 - Section volunteers dedicate significant time and effort to producing high quality continuing legal education opportunities, newsletters and legal publications.
 - Section volunteers also develop resources for members transitioning to new areas of practice and/or learning new technologies.

- *Promote equitable conditions for members from historically underrepresented backgrounds to enter, stay and thrive in the profession:*
 - Sections provide a significant and valuable touch point for WSBA and its members.
 - A number of sections participate in mentorship activities to strengthen legal skills, increase knowledge, reduce barriers, and expand their networks of professional colleagues.
 - Sections continued to support WSBA’s diversity and inclusion efforts, including the provision of resources for creating inclusive environments, consultation to guide section leadership in their efforts to increase representation in all activities of section work, and presentations on the development and implementation of such tools.

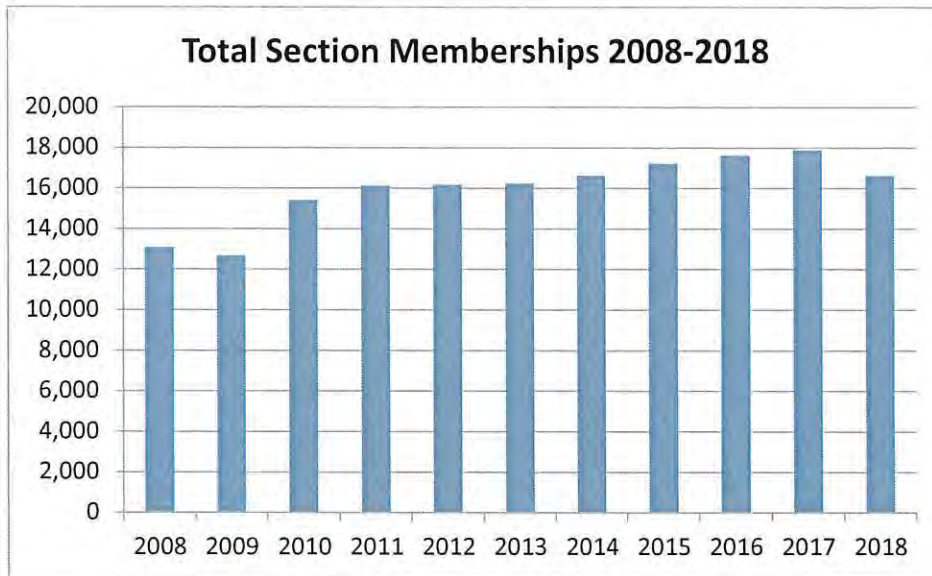
- *Explore and pursue regulatory innovation and advocate to enhance the public’s access to legal services:*
 - Many sections sponsor grant and scholarship programs aimed at increasing access to justice and/or providing resources for new/young lawyers and law students.

Sections by the Numbers for FY18

- **16,622** section memberships.¹ Decrease of appx. 1,260 members from FY17. In August, the Sections Team surveyed 1,601 WSBA members who did not renew their membership for 2018. Of the 312 responses received, nearly 59% did not renew due to natural causes, such as change of practice, change in status, or moved out of state. Approximately 45% of respondents did not renew based on cost or value.

- **381** section executive committee members across all 29 sections.ⁱⁱ
- **71** section-sponsored educational programs with WSBA: CLE seminars (25) and mini-CLEs (46).ⁱⁱⁱ

- **\$107,830** approximate total amount distributed by sections for donations, grants and/or scholarships.



- **\$39,355** average section fund balance as of August 31, 2018 (range: \$281 - \$72,996).^{iv}

- **\$20,165.50** average FY18 budgeted expenditures across all sections, not including the per-member-charge (range: \$350 - \$78,200).^v
- **\$30** average dues amount to join a section in FY18 (range \$20-\$40). Law student rate is \$18.75.
- **\$18.75** per member charge in FY18, collected by WSBA to staff and administer services to sections.

Note: In addition to references provided, this information was gathered using sources including section annual reports, section financial statements, and WSBA calendars.

Sections Team: Internal Goals & Highlights

The “Sections Team” is comprised of three full-time WSBA staff dedicated to the support and success of the 29 WSBA Sections through close partnership with the section executive committees. In addition, several other staff members/departments throughout WSBA provide section-related support at different times, including financial/accounting staff, CLE staff, legislative staff and communications staff.

The Sections Team focuses its activities on achieving the following goals:

- Support active and sustainable sections.
- Provide valuable benefits to members.
- Support a pipeline of future leaders.
- Facilitate collaboration between sections and other WSBA programs/efforts.

Highlights in our work with sections during FY18 include:

WASHINGTON STATE BAR ASSOCIATION

- Partnered with WSBA CLE to conduct a series of meetings and discussions around proposed changes to the financial model between WSBA CLE and Sections regarding CLE costs and revenue. The proposed model incorporated all actual costs as well as revenue from online products (previously not part of the revenue sharing model).
- Cannabis Law, WSBA's newest section, formed in November 2017. This effort was membership-driven with the goal of creating a community for those who practice in this area of law.
- As required by recent bylaws changes, the Sections Team designed and implemented the inaugural electronic nominations and elections process for all sections.
- Successfully transitioned web pages and web content for all sections to the new WSBA website.
- Beginning in 2018, the WSBA Legal Directory now allows section members to opt-in to displaying section membership information on the Legal Directory. This change was made in coordination with other updates to the WSBA Legal Directory.
- Historically, the membership year for Sections has been October 1 through September 30 of the following year. Beginning FY18, the membership year now coincides with the calendar year.
- Continued monthly publication of the *Sections Bulletin*. The *Bulletin* is intended to provide section leaders with up-to-date information regarding WSBA matters; best practice tips; supplemental resources regarding leadership, diversity, and educational development; and to connect sections with existing and relevant WSBA programs.
- Provided individualized support to executive committees, including but not limited to design and implementation of member surveys; preparation of materials for leadership retreats; event planning; and financial and data analysis.
- Completed a successful budgeting process, including review of budget histories and follow-up with sections before budgets were submitted to the Budget & Audit Committee.
- Assisted with the coordination and hosting of two "Open Sections Night" networking events in Tacoma and Seattle, which provided an opportunity for new/young lawyers to mingle with section executive committee members and learn about section benefits.
- Engaged in ongoing collaboration with Legislative, Communications and Finance staff to update materials and processes related to sections.
- Maintained and updated the online "Volunteer Toolbox," including new tools and resources to help section leaders implement their activities (e.g., templates, meeting tools, and policies).

The primary focus of FY19 will be implementing improved communications and tools for new section executive committee members, continuing to refine the section elections process, and exploring innovative member benefit ideas.

WSBA 2017-2018 Section Annual Reports (see full reports in Appendix)

Per the WSBA Bylaws, each WSBA section is required to submit an annual report on section activities and priorities to the WSBA Executive Director. Please refer to the Appendix to review each annual report in full.

ⁱ Membership Database, Sept. 2018

ⁱⁱ Hand count, Oct. 2018

ⁱⁱⁱ WSBA CLE, October 2018

^{iv} Financial Reports, Aug. 2018

^v FY18 Section budgets



WSBASections

WSBA SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Administrative Law Section</i>	
Chair:	<i>Polly McNeill</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	287
	Staff Lead:	Eleen Trang
	BOG Liaison:	Athan Papailiou
	FY18 revenue: \$	\$14,424.07 (as of 8/31/18)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$19,325.58 (as of 8/31/18)
Purpose:	<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"> • 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; • Initiating and implementing common projects; • 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 • Providing other services that may benefit section members, the legal profession, and the public. 	
2017-2018 Accomplishments and Work in Progress:	WSBA Administrative Activities (Officers): <ul style="list-style-type: none"> • October 26, 2017 – Fall Section Leaders Kickoff • January 26, 2018 – CLE Finance Reorientation Workshop 	

- April 2018 – Officer and Trustee Elections under new electronic process
- June 21, 2018 – FY 2019 Budget submitted

Diversity and Outreach (Alexis Quinones, Chair):

- November 1, 2017 – Open Sections Night in Tacoma
- January 24, 2017 – Open Sections Night in Seattle
- February 10, 2018 – “Diversity from the Inside Out” Training (Robin Nussbaum)
- May 10, 2018 – Networking event co-hosted with Health Law Section
- APA Practice Manuals sent to 7 nonprofit organizations

Legislative Committee (Richard Potter, Chair):

- Ongoing input on bills and legislation related to Public Records Act and Administrative Procedures Act

Law Student Grants (Susan Pierini, Chair)

- 2017 – Sabiha Ahmad
- 2018 – Kenzie Legg

Educational Materials:

Newsletters (Eileen Keiffer, Chair):

- Fall 2017, Winter 2017-2018, Spring 2018, Summer 2018

Publications and Practice Manuals (Gabe Verdugo, Chair):

- APA Practice Manual – Chapters updated = Indian County, Ethics, 1983 Claims, Adjudications under APA
- PRA Deskbook – Update scheduled for 2019

Seminars and Events:

1. November 30, 2017 – Mini CLE (“Sexual Misconduct on College Campuses and Disciplinary Hearings”)
 - Including Homan Award (Kim O’Neal)
 - And Dinner, Mercato Restaurant
2. December 28, 2017 – Mini CLE (“Dead, Drunk and Naked”)
 - Including Dinner, Endolyne Joe’s
3. June 8, 2018 – Mini CLE (ALJ Panel Presentation)
 - Including Reception, Alderbrook Lodge

Meetings:

- October 13, 2017 – Telephonic meeting
- December 18, 2017 – Telephonic meeting
- February 10, 2018 – In person meeting, Summit Law Group

	<ul style="list-style-type: none"> • April 11, 2018 – Telephonic meeting • June 9, 2018 – Retreat & Board Meeting, Alderbrook Lodge • July 10, 2018 – Telephonic meeting • August 29, 2018 – Telephonic meeting 	
<p>Please quantify your section’s current member benefits:</p> <p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	Quantity	Member Benefit
	\$5,000	Scholarships, donations, grants awarded
		Law school outreach events/benefits hosted
	Over 75	Legislative bills reviewed/drafted
	4	Newsletters produced
	3	Mini-CLEs produced
		Co-sponsored half/day to multi-day CLEs with WSBA
	3	Receptions/forums hosted
	1	Awards given
	2	New Lawyer Outreach events/benefits
	Other (please describe):	
<p>2018-2019 Goals & Priorities (Top 5)</p>	1	Host three Mini-CLEs
	2	Host one all-day CLE on Public Records Act
	3	Publish three newsletters
	4	Select Homan Award recipient
	5	Select recipients for public service and law student grants
<p>Please report how this section is addressing diversity:</p> <p><small>(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?)</small></p> <p>The Administrative Law Section board strives to recruit members to the board from historically underrepresented backgrounds, LGBT attorneys, and attorneys from all over the state. We also added diversity as a consideration for our law student grant, encouraging law students from disproportionately underrepresented backgrounds to consider practicing administrative law</p>		

and to become active in the section. The section's diversity and outreach chair reached out to minority bar associations with a message of inclusion.

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 has a practice of hosting social receptions in coordination with mini-CLEs, so that members have the opportunity to meet while learning about the section. 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. 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 Sections

WSBA ADR SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Alternative Dispute Resolution Section</i>	
Chair:	<i>Courtney Kaylor</i>	
Section Information: <i>As of September 30, 2018</i>	Membership Size:	362
	Staff Lead:	Patrick Mead
	BOG Liaison:	Kyle Sciuchetti
	FY18 revenue: \$	\$15,919.67 (as of August 31, 2018)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$5,275.74 (as of August 31, 2018)
Purpose:	Promoting informed use and best practices of alternative dispute resolution processes by: providing resources; educating members of the bar and the public, and addressing issues relating to the growth and development of alternative dispute resolution services in the State of Washington.	
2017-2018 Accomplishments and Work in Progress:	<p><u>Executive Committee</u> The Executive Committee met for its annual retreat November 10-11, 2017. We began by reviewing the goals and achievements for the past year. That review formed the basis for discussion of key priorities for the 2017-18 year. We concluded with identification of steps necessary to implement these priorities. The “work product” of the retreat were minutes that detailed accomplishments from the prior year, goals for 2017-18, and actions to implement those goals.</p> <p><u>NW DR Conference Planning Committee</u> Each year, the WSBA ADR Section and University of Washington School of Law co-sponsor the Northwest Dispute Resolution Conference. The 24th annual conference was held on March 22-23, 2018 on the UW Law School campus, and was attended by more than 300 attorneys and mediators. FY 2017-18 Section Chair Courtney Kaylor made remarks at the evening reception in support of the Conference and the ADR Section.</p>	

As in prior years, members of the WSBA ADR Section provided leadership in planning and organizing this nationally recognized ADR conference. Executive Committee member Sasha S. Philip is a co-Chair of the planning committee, and four other Executive Committee members serve on the conference planning committee. In addition, Executive Committee members were selected as presenters for the conference:

Mel Simburg: *Interim Measures in Arbitration – TROs, Preserving Assets, etc.* and *Apology: When and How to Give, How to Receive, How to Coach*

Craig Beles: *Just a Lawyer or “Problem Solver!”: How Litigators Can Differentiate Themselves in the Marketplace With Their ADR Practice*

Each year, the Section sponsors competitive scholarships to enable those with financial needs to attend the Conference at no cost.

Professional Development Committee

Three Executive Committee members participated in Open Sections Night in January 2018. Also in January, the Section arranged a mixer with the Seattle University School of Law ADR Board for law students and ADR practitioners. In March, the Section co-sponsored a CLE with the King County Bar Association at the WSBA offices on Winning Arguments on Persuasion Strategies. In October, the Section co-sponsored with KCBA a CLE on Civility in Our Communities with a reception for 2018 mediation week. In addition to these events, the Committee continued steps to create an ADR Inn of Court in Seattle. The Inn’s first meeting was planned for October 16, 2018, at the WSBA offices.

Land Use & Environmental Mediation Committee

The Land Use & Environmental Mediation Committee continued to support the use of mediation in land use and environmental matters. Members of the Committee participated on a panel to discuss land use and environmental mediation at the WSBA ELUL Section’s midyear conference held in May 2018. The Committee continues to provide information to the public on land use and environmental mediation on the Committee web page hosted by the WSBA.

Legislative Committee

The Legislative Committee actively monitors legislation and rules relating to the practice of ADR in Washington. We also promote legislation and rules on policies endorsed by the ADR Section Executive Committee. During the past year we have continued to look at early mandatory mediation through legislation and rules,

working with stakeholders, legislators, judges and practitioners at both a state and county level. We have continued to look at legislation requiring early mediation in family law cases concerning parenting. We looked at specific legislation regarding civil arbitration and minimum CLE requirements for arbitrators (HB1128) and legislation requiring mediation between seed buyers and dealers (HB1132). We made no recommendations on pending legislation in the last year. At the end of this fiscal year, the WSBA Committee on Professional Ethics issued a proposed Advisory Opinion to replace Advisory Opinion 2223 regarding the drafting of agreements by attorney-mediators, which we have been working toward for several years. Currently we are in the process of analyzing the proposed opinion for comment.

Media & Communications Committee
 The Media & Communications Committee supported the Section’s mission by helping to publicize Section events and upcoming activities of interest to Section Members. Additionally, the webmaster added new Ning social platform members to grow the reach of the Section.

Law School Partnerships Committee/ECCL
 The Law School Partnerships/ECCL Committee reviewed and provided comment on the proposed amendments to the Civil Rules regarding early mediation. This built on the Committee’s prior work in identifying recommended practices for mediation.

<p>Please quantify your section’s current member benefits:</p> <p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	Quantity	Member Benefit
	\$4,500	Scholarships, donations, grants awarded
	1	Law school outreach events/benefits hosted
	2	Legislative bills reviewed/drafted
		Newsletters produced <i>Section members are provided timely information through the Section listserv and website</i>
		Mini-CLEs produced
	1	Co-sponsored half/day to multi-day CLEs with WSBA <i>Co-sponsored the 2-day 24th Annual Northwest Dispute Resolution Conference</i>
	2	Receptions/forums hosted
		Awards given

	1	New Lawyer Outreach events/benefits
	2	Other (please describe): <i>Co-sponsorship with KCBA of CLE entitled Winning Arguments on Persuasion Strategies; Co-sponsorship with KCBA of 2018 mediation week CLE on Civility in Our Communities</i>
2018-2019 Goals & Priorities (Top 5)	1	Support and promote the Northwest Dispute Resolution Conference
	2	Reach out to law students and newer lawyers to provide information and mentoring on incorporating alternative dispute resolution practices (ex. mediation and arbitration)
	3	Connect with Section members and ADR practitioners state-wide (beyond Seattle/King County)
	4	Connect and coordinate with other alternative dispute resolution organizations, including other Bar Associations, Dispute Resolution Centers and the Washington Mediation Association
	5	Act to fulfill mission by providing resources; educating members of the bar and the public; and addressing issues relating to the growth and development of alternative dispute resolution services in the State of Washington

Please report how this section is addressing diversity:

(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?)

The ADR Executive Committee welcomes the participation of practitioners who bring a diverse perspective, whether it be based on age, gender, ethnicity, geography, or another factor. For the FY 2018-2019, the Chair and Secretary are women.

As addressed later in the report, the Executive Committee continues to direct energy toward involving new/younger lawyers in the Section to foster age/practice experience diversity.

The Executive Committee has not consulted with the Diversity Specialist or used the WSBA tools, however outgoing Chair (Courtney Kaylor, FY 2017-18) will communicate the availability of these to the incoming Chair (Joanna Roth, FY 2018-19).

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 continued steps to create an ADR Inn of Court in Seattle. The Inn's first meeting was planned for October 16, 2018, at the WSBA offices.

Additionally, the work of the Section to further the skills of knowledge of all practitioners—ADR professionals and advocates—supports constructive resolution of disputes in a manner that promotes civility and respectful discourse.

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?)

As an Executive Committee, we frequently consider how we can reach out to support new/younger lawyers; this has been a formal topic of discussion at our annual retreat, is a part of the mission of our Professional Development Committee, and often comes up informally in Executive Committee meetings.

We consistently have numerous Executive Committee members attend the Open Sections night in an effort to connect with new and young lawyers.

We host events for law students and new and young lawyers, including the Seattle University Mixer held in January 2018.

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.*

The Section has been fortunate to receive excellent support from the WSBA Staff. There have been no issues in our involvement with the Board of Governors.



WSBA ANIMAL LAW SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Animal Law Section</i>	
Chair:	<i>Gemma Zanowski</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	111
	Staff Lead:	Patrick Mead
	BOG Liaison:	James Doane
	FY18 revenue: \$	\$3,070 (as of August 31, 2018)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$2,112.71 (as of August 31, 2018)
Purpose:	The purpose of the Section shall be to seek the participation of all interested members of the Bar and other interested non-Bar members.	
2017-2018 Accomplishments and Work in Progress:	<p>Our major focus this year has been on networking with and establishing a collaborative national front for animal law and animal lawyers. To further our goal we have:</p> <p>Coordinated and participated in Animal Law Summit, a multi-country CLE and networking experience spearheaded by this ALS section in 2015.</p> <p>Working on coordinating a joint CLE with the Idaho Bar Association, likely to be held Spring 2019 in Coeur d’Alene.</p>	

Please quantify your section's current member benefits:	Quantity	Member Benefit
<p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	\$500	Scholarships, donations, grants awarded
		Law school outreach events/benefits hosted
		Legislative bills reviewed/drafted
		Newsletters produced
		Mini-CLEs produced
		Co-sponsored half/day to multi-day CLEs with WSBA
		Receptions/forums hosted
		Awards given
	1	New Lawyer Outreach events/benefits
	1	Other (please describe): co-sponsored multi-state CLE
2018-2019 Goals & Priorities (Top 5)	1	Plan and hold 2 mini-CLEs on timely animal law topics
	2	Plan, coordinate and participate in the Fifth Annual Animal Law Summit
	3	Continue planning 2019 CLE with the Idaho Bar Association
	4	Recruit new members and leadership with diversity a priority
<p>Please report how this section is addressing diversity: (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> <p>We have not used any of the tools provided by the WSBA and are unaware of what those tools are. We would be interested in learning what these tools are, what the Diversity Specialist can help us with. We are always interested in increasing the diversity of our section and in our board leadership. From a diversity perspective, presently our board consists of four women, one of whom is an ethnic minority, and four men. Unfortunately, we do not have a large section and historically do not generate a large pool of interested candidates for board membership.</p>		

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?)

Our section is small and professionalism has never been an issue within the section. We have a listserv which we monitor for unprofessional responses, with the intention of fostering only respectful dialogue. Because the section and the practice area are small, we tend to see the same faces, which also fosters collegiality.

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?)

ALS members represent all stages of a legal career, from new graduates trying to make a living in animal law to senior lawyers doing pro bono animal law cases. Animal law is an emerging practice that attracts young lawyers. ALS benefits are designed to provide assistance to members at all levels, with emphasis on younger lawyers who dominate our membership. ALS board member Jessica Johnson is a new/young lawyer with a recently-established animal law practice.

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.*

It's been fine. We are reminded of upcoming deadlines for the most part. But there's not a really cohesive feel to the relationship. We are a small section. What works for us probably is not what works for the larger sections. Our contacts at WSBA seem to change at least yearly; it's hard to keep track of who is doing what.



WSBASections

WSBA SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Antitrust, Consumer Protection and Unfair Business Practices Section</i>	
Chair:	<i>Christopher Wyant (for FY18)</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	223
	Staff Lead:	Eleen Trang
	BOG Liaison:	Rajeev Majumdar
	FY18 revenue: \$	\$5,225.00 (as of 8/31/18)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$2,969.91 (as of 8/31/18)
Purpose:	The purpose of the Antitrust, Consumer Protection and Unfair Business Practices Section is devoted to keeping its members informed about significant developments in the field of trade regulation law and in providing opportunities for members to network with one another.	
2017-2018 Accomplishments and Work in Progress:	<p>2018 Progaming: Consumer Law CLE & Networking Event (Gonzaga University Law School); Attorney General and FTC Update CLE; Ninth Circuit Update CLE; Antitrust Day at UW; Data Ethics CLE; Law Professor CLE; Cryptocurrency and Consumer Protection CLE; Vertical Merger CLE</p> <p>Work In Progress: Preparing to host similar CLEs for 2019; Antitrust Law Day; Developing a Student Scholarship or Fellowship Program</p>	

Please quantify your section's current member benefits:	Quantity	Member Benefit
<p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 		Scholarships, donations, grants awarded
	2	Law school outreach events/benefits hosted
	4	Legislative bills reviewed/drafted
		Newsletters produced
	6	Mini-CLEs produced
		Co-sponsored half/day to multi-day CLEs with WSBA
	1	Receptions/forums hosted
		Awards given
	1	New Lawyer Outreach events/benefits
		Other (please describe):
2018-2019 Goals & Priorities (Top 5)	1	Continuing expanding our series of mini-CLEs in order to reduce cost to members and increase attendance, following the transition away from the annual single-day CLE
	2	Expand outreach to law schools to generate a pipeline of new Section members
	3	Finalize plans for a law school scholarship or fellowship award
	4	Find new ways to provide value to members new and old
	5	Continue progress on Deskbook update
<p>Please report how this section is addressing diversity: (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> <p>Members of the executive committee have attended diversity and inclusion trainings in the last 12 months. In addition, we encourage a diverse range of law students to consider WSBA section membership while they are in school through our outreach (UW Antitrust Law Day and Consumer Protection CLE at Gonzaga University Law School). We've also changed our CLE offering from one full-day CLE to multiple, free mini-CLEs to generate greater participation from Section and non-Section members.</p>		

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?)

We host high-quality programming and maintain long-term relationships with judges, governmental enforcers, academics, and attorneys who practice in this area from inside and out of Washington. We believe the interaction at these programming events fosters professionalism by offering individuals opportunities to meet informally with those they may practice with or against in litigation.

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 are actively seeking a new young lawyer liaison.

There were also two events we put on at the law schools. First, Antitrust Day, co-sponsored by the ABA, has been recognized as the largest event of its kind in the country. It is widely attended and held at the University of Washington. Second, the Consumer Protection CLE was being held at Gonzaga University Law School. These events bring practitioners from private, in-house, and government to speak with students about careers in these areas. These are wonderful events that will continue.

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.*

Our WSBA liaison, Eleen Trang, has attended this year and has been very helpful in completing our annual budget, report and elections process, as well as providing information for CLE planning.

WSBA staff has also been helpful and responsive in planning our mini-CLEs and in completing the update to our bylaws.



WSBA SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Business Law Section</i>	
Chair:	<i>Drew Steen</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	1,295
	Staff Lead:	Eleen Trang
	BOG Liaison:	Paul Swegle
	FY18 revenue: \$	\$34,135.00 (as of 8/31/18)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$16,324.87 (as of 8/31/18)
Purpose:	<p>The purpose of the Section is to benefit the members of the Section and their clients: (a) by encouraging research and study, and the development of best practices, in the area of business law in the State of Washington, and sharing these efforts through continuing legal education where possible and appropriate; (b) by participating in the development of state legislation and regulations in order to improve and facilitate the administration of justice in the area of business law; and (c) by undertaking such other services relating to the area of business law as may be of benefit to members of the Section, members of the Bar and the greater public.</p>	
2017-2018 Accomplishments and Work in Progress:	<p><u>Legislation.</u> Although this year’s legislative session did not include the usual number of bills that impact the practice of business law, the Business Law Section continued its tradition of strong legislative involvement, with the active review of dozens of proposed bills (and the initiation of one) through the legislative session.</p> <p><u>Programming.</u> The Section co-sponsored one of its two perennial programs to the securities-focused legal community – the “Meet the Regulators” securities event. The Section also participated in the Northwest Securities Institute, which was held in Portland this year, as happens every other year. Further, the Section co-sponsored two outreach events with the Corporate Counsel Section in areas outside</p>	

	<p>of Seattle. We held one in Tacoma and the other in Spokane. Finally, the Section re-introduced its annual mid-year meeting as a stand-alone social event for the business law community.</p> <p><u>Bylaws and Structure.</u> The Section amended its bylaws for the first time in seven years and made various structural modifications to Section leadership. Among other things, the Section adopted a wider and more rigorous election process, which increased the diversity of our Executive Committee by including individuals practicing outside of Seattle and business law academics.</p>	
<p>Please quantify your section's current member benefits:</p> <p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	<p>Quantity</p>	<p>Member Benefit</p>
	<p>\$5,000</p>	<p>Scholarships, donations, grants awarded</p>
		<p>Law school outreach events/benefits hosted</p>
	<p>Approx. 15 this year</p>	<p>Legislative bills reviewed/drafted</p>
	<p>2 per year</p>	<p>Newsletters produced</p>
	<p>1 (co-hosted with Corporate Counsel Section in Spokane)</p>	<p>Mini-CLEs produced</p>
		<p>Co-sponsored half/day to multi-day CLEs with WSBA</p>
	<p>2 (one co-hosted with Corporate Counsel Section in Tacoma)</p>	<p>Receptions/forums hosted</p>
		<p>Awards given</p>
		<p>New Lawyer Outreach events/benefits</p>
		<p>Other (please describe):</p>
<p>2018-2019 Goals & Priorities (Top 5)</p>	<p>1</p>	<p>Continue the Section's strong tradition of legislative participation</p>
	<p>2</p>	<p>Improve upon programming initiatives of the past year, including the new format of the mid-year meeting and the collaborative programming with the Corporate Counsel Section</p>

	3	Conduct two mini-CLEs for our membership
	4	Continue the publication of our semi-annual newsletter and improve the content and member benefit on our WSBA-hosted website

Please report how this section is addressing diversity:

(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?)

Even as compared to other segments of the legal profession, the business law bar is historically lacking in diversity. The Section has tried to be cognizant of this in the constitution of our executive committee. Women and racial and ethnic minorities currently represent almost 25% of our executive committee, which seems like a good starting point in a historically homogeneous bar, if only a starting point. We have also sought out opportunities to participate in business law-tailored events in the community that focus on the inclusion and participation of underrepresented segments of the business law bar. For example, the Section has sponsored events in the past through the McMahon Fund that serve the dual purpose of addressing business issues and targeting underrepresented groups. As a Section, we continue to look for opportunities of this sort.

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 seeks to promote professionalism among our members by growing the sense of community among them. To this end, we have hosted and sponsored events which we hope helps foster personal relationships among attorneys. We do not currently have any plans for an ethics-focused CLE program, but some portion of the mini-CLEs planned this year may include an ethics component.

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?)

The Section has a policy drafted into its bylaws of including a Young Lawyer Liaison in our executive committee as a full voting member. We attend and participate in Open Sections Nights to try to promote business law among new/young lawyers. Further, we have co-sponsored and participated in specific CLEs coordinated by the young lawyers' group that focus on business law issues in the practices of more junior lawyers. We firmly understand that the long-term health of our Section is dependent on succession planning and outreach to new and young lawyers.

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 believe the Section's relationship with the WSBA staff and governors continues to improve and we are excited about that. For example, we appreciate the lengths to which the WSBA staff always goes to acknowledge the contributions of the section leaders; we appreciate the WSBA leadership's willingness to consider questions of section support and autonomy; and we appreciate the WSBA's willingness to revisit the financial terms of CLE programming. Of course, in all these areas, there are also continuing tensions and frustrations, but we are hopeful that improved (and improving) dialogue about the issues most bothering section leaders will continue to push us forward.

Unfortunately, the logistics of our immediate relationship with the WSBA has been difficult to manage as a result of the constant turnover at the Section Liaison position. Since last summer, we have worked with Joe, Julianne, Korrina, Paris and Eleen in that position. Each of them has been very personable and tried to be helpful. We certainly appreciate that each of these individuals is doing their best at the job. Nevertheless, it would help the Section's leadership to have more consistency in this role. We are excited at the prospect of working with Eleen in the upcoming year.

We look forward to continued productive dialogue with the WSBA on these topics and, more generally, the best way to serve the business lawyers of Washington.



WSBA SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Cannabis Law Section</i>	
Chair:	<i>Joshua Ashby</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	70
	Staff Lead:	Eleen Trang
	BOG Liaison:	None
	FY18 revenue: \$	\$1,870.00 (as of 8/31/18)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$445.20 (as of 8/31/18)
Purpose:	To provide networking and education opportunities to attorneys who practice in, or are interested in, cannabis law	
2017-2018 Accomplishments and Work in Progress:	During the 2017-2018 year the section was formed and held its first few section meetings, and its first official CLE and networking event. We are in the process of developing the next CLE, setting up committees to handle legislative updates, a quarterly newsletter to the membership, young lawyer/student engagement, and diversity.	
Please quantify your section's current member benefits: <i>For example:</i> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	Quantity	Member Benefit
		Scholarships, donations, grants awarded
		Law school outreach events/benefits hosted
		Legislative bills reviewed/drafted
		Newsletters produced
	1	Mini-CLEs produced
		Co-sponsored half/day to multi-day CLEs with WSBA
1	Receptions/forums hosted	

		Awards given
		New Lawyer Outreach events/benefits
		Other (please describe):
2018-2019 Goals & Priorities (Top 5)	1	Develop and host half day CLE with networking event
	2	New lawyer and law student outreach
	3	Establish quarterly newsletter
	4	Develop and host multiple Mini-CLEs
	5	Increase membership through outreach

Please report how this section is addressing diversity:

(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?)

We are in the process of establishing a diversity and outreach committee that will focus on increasing diversity in the membership through young lawyers/students, regional diversity, increasing racial and LGBTQ membership and positions on the soon to be established committees. Once established, we will seek diversity training from the WSBA and seek out a potential mentorship partnership with one of the diversity/minority bar associations.

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?)

Our first Mini-CLE focused on professionalism, specifically professional responsibility as it pertains to practicing in an area that is federally illegal. This is a topic of concern for new lawyers and a topic that the section shall continue to address through Mini-CLEs, especially as developments on the federal level progress. We also intend to include professionalism on a larger scale in our CLEs such as by addressing civility as a topic. We also seek to partner with the administrative law section to host either a mixer or a Mini-CLE with administrative law judges who preside over WSLCB appeal hearings; we hope this not only educates the members on the position and function of the ALJs but also fosters relationship development between members and the ALJs. We have yet to reach out to the administrative law section, but it has been an idea that the board has discussed on multiple occasions.

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 recently onboarded a young lawyer liaison who is assisting the executive committee with outreach to young lawyers, and can provide insight on the matters most important to young lawyers, whether those are finding work, education to prepare for employment, etc. We have discussed the possibility of having a job board on our section page specific to the legal cannabis industry, which may help young lawyers job search, and expect that our liaison will provide many suggestions to our board about the best way to assist young lawyers.

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.*

So far, we have had tremendous support from the WSBA, and specifically our staff liaison, as we attempt to bring this fledgling section to a fully functioning section that is representative of the WSBA.



WSBA SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Civil Rights Law Section</i>	
Chair:	<i>La Rond Baker (2017-2018), Sarah Derry (2018-2019)</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	177
	Staff Lead:	Eleen Trang
	BOG Liaison:	Alec Stephens
	FY18 revenue: \$	\$4,461.70 (as of 8/31/18)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$1,580.38 (as of 8/31/18)
Purpose:	<p>The mission of the Civil Rights Law Section (CRLS) is to educate and advocate for civil liberties and equal rights in the context of the legal issues of Washington State residents. The Section focuses on civil rights issues including forms of racial, ethnic, religious, gender, national origin and sexual-orientation discrimination, and persons with mental or physical disabilities, the socio-economically marginalized, and those experiencing homelessness. The section also focuses on issues involving civil liberties including freedom of speech, freedom from state-promulgated religion, and privacy rights. Lawyers who practice in any of these areas of law, or persons who are interested in public policy or these topics, are encouraged to join the Civil Rights Law Section.</p>	
2017-2018 Accomplishments and Work in Progress:	<ol style="list-style-type: none"> 1. Produced half-day CLE with WSBA on March 23, 2018 titled "Pressing Issues in Civil Rights Enforcement II: Continuing the Conversation." 2. Hosted Post-CLE social event on March 23, 2018 for member outreach, particularly for new and young lawyers. 3. Attended two Open Sections Nights in 2018 to provide outreach to new and young lawyers. 4. Reviewed 28 bills and provided input to WSBA on civil rights perspectives on those bills. 	

	<ol style="list-style-type: none"> 5. Spoke with the BOG Legislative Committee about civil rights legislation, including the Washington Voting Rights Act and various bills to repeal the death penalty. 6. Sent letters of support to the House Committee on State Government, Elections, and Information Technology regarding the Washington Voting Rights Act. 7. Supported SB 6052 (bill to repeal the death penalty) to the State Senate. 8. Began work to create legal outreach program for Washington youth. 	
<p>Please quantify your section's current member benefits:</p> <p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	<p>Quantity</p>	<p>Member Benefit</p>
	\$100	Scholarships, donations, grants awarded (\$50 donation for open sections night)
		Law school outreach events/benefits hosted
	28	Legislative bills reviewed/drafted
		Newsletters produced
	1	Mini-CLEs produced
	1	Co-sponsored half/day to multi-day CLEs with WSBA
	1	Receptions/forums hosted
		Awards given
	1	New Lawyer Outreach events/benefits
		Other (please describe):
<p>2018-2019 Goals & Priorities (Top 5)</p>	1	<p>Educate our membership on local and national civil rights matters via newsletters, listserv, and volunteer opportunities</p>
	2	<p>Provide continuing legal education opportunities for our members in the area of civil rights at least once annually</p>
	3	<p>Create opportunities for interaction between young/new lawyers and experienced civil rights lawyers through mixers, YLL activities, and mentorships.</p>
	4	<p>Increase general membership participation in monthly Section meetings with increased communication about the meetings via listserv and website</p>

	5	Advocate for civil rights, equity, diversity and inclusion issues to the BOG and within WSBA
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Please report how this section is addressing diversity:

(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?)

- CRLS ensures that its CLE presenters and panels represent and reflect the diversity of voices within the legal community as can be seen from the presenters in our CLEs during 2018.
- CRLS provides information about a variety of opportunities and issues in its listserv that relate to diversity issues.
- Our CLEs are on topics of interest to people of color, persons who identify as LGBTQ, people with disabilities, and new and young lawyers.
- CRLS will continue to work with WSBA’s mentoring programs and help to solicit volunteers for (1) developing civil rights worksheets in the coming year (e.g., public policy attorney, government attorney, legal aid attorney, etc.) and (2) recruiting our members to serve as mentors and mentees.
- CRLS has attempted to improve relationships and increase cross-collaboration with the minority bar associations. This has been occurring through meetings with their leadership and supporting their public statement denouncing white supremacy and white nationalism and encouraging WSBA itself to take positions on these issues.

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?)

This has not been a focus of our work this past year. In 2017, we had some issues with our listserv where comments started becoming personal attacks, and a reminder to abide by the professional code of conduct was sent to all subscribers. We have not had any issues with our listserv since then.

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?)

- Our Young Lawyer Liaison is a voting member of our Executive Committee
- We have solicited young lawyers to participate in our Executive Committee meetings
- We have provided information about employment, training, and leadership opportunities on our listserv.
- We held two networking receptions after our CLEs to encourage young/new lawyers to interact with more experienced lawyers.
- We recruited and selected a new young lawyer liaison to serve from October 1, 2017, to September 31, 2019. We specifically focused our selection on the candidate who had ideas for how to increase involvement on young and new lawyers.

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 are incredibly appreciative of the support we receive from WSBA staff and Eleen Trang in particular. She is prompt, responsive, and thoroughly professional. She keeps us on track, within deadlines, and plays a major role in our ongoing education about running the section.
 - We are delighted to have Alec Stephens as our BOG liaison. His continued participation in our Section is appreciated and we are always grateful for his guidance. He has kept us up to date on developments at the BOG that are of particular concern to our small section.



WSBASections

WSBA SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Construction Law</i>	
Chair:	<i>Jason T. Piskel</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	520
	Staff Lead:	Eleen Trang
	BOG Liaison:	Dan Bridges
	FY18 revenue: \$	\$14,462.50 (as of 8/31/18)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$10,800.35 (as of 8/31/18)
Purpose:	Provide outreach, education, social discussions, and speaking opportunities to lawyers practicing Construction Law in Washington State.	
2017-2018 Accomplishments and Work in Progress:	<ul style="list-style-type: none"> • Granted law student scholarship based upon presented construction law article. • Held one Mini-CLE (1 hour) and dinner • Held an all-day CLE jointly with the Benton Franklin County Legal Aid Society in Kennewick, WA • Held fall forum discussing recent changes to AIA forms • Held a section dinner and CLE at Cutters in Seattle discussing building information modeling. • Held annual mid-year meeting and full-day seminar • Held law student and section member outreach event after annual mid-year CLE • Published 3 newsletters • Continued development of Construction Law Deskbook 	

Please quantify your section's current member benefits:	Quantity	Member Benefit
<p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	\$2500	Scholarships, donations, grants awarded
	2	Law school outreach events/benefits hosted
		Legislative bills reviewed/drafted
	2	Newsletters produced
	3	Mini-CLEs produced
	1	Co-sponsored half/day to multi-day CLEs with WSBA
	2	Receptions/forums hosted
	1	Awards given
		New Lawyer Outreach events/benefits
		Other (please describe):
2018-2019 Goals & Priorities (Top 5)	1	Publish Construction Law Deskbook
	2	Continue outreach to lawyers outside of Seattle & obtain new lawyer members
	3	Promote our existing form documents to membership and general public
	4	Publish 3 newsletters
	5	Have a successful midyear meeting and CLE
<p>Please report how this section is addressing diversity: (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> <p>In this and in prior years, the executive committee has successfully focused on geographic diversity and increased gender diversity on the council/executive committee. The primary geographic challenge has been the difficulty in active participation by council members practicing outside the Seattle area. We will inform the membership that there are reimbursement policies to assist with travel costs. With respect to gender diversity, there appear to be a lower percentage of women construction attorneys than in other areas of practice. Despite this, the council has a number of active women members, a woman Chair-elect, a woman Treasurer, and two new female council members (one from outside King County). We are also intent on including more gender diversity in CLE speakers and in outreach</p>		

and have done so. We did not utilize a WSBA diversity specialist because we did not deem it necessary, but we welcome any input.

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 prides itself on respect, civility and professionalism. We attempt to foster this by the numerous professional and social events that we host throughout the year, and through coordinating with judges to participate in panel discussions.

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 have extensive outreach to law students through our scholarship program, and inclusion of students in CLEs and social events. We have a Young Lawyer Liaison (which we have had in past years), that we include in all council meetings, seek assistance from in CLEs and in newsletter articles and in decision making processes.

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.*

It has been a short period with current staff, but the staff person is responsive. We have no interaction with the BOG.



WSBA SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Corporate Counsel Section</i>	
Chair:	<i>Scott Schrum</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	1,096
	Staff Lead:	Eleen Trang
	BOG Liaison:	Kyle Sciuchetti
	FY18 revenue: \$	\$42,907.94 (as of 8/31/18)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$21,117.17 (as of 8/31/18)
Purpose:	To provide attorneys working in corporate law departments and in general business and corporate law opportunities to network and earn CLE credits.	
2017-2018 Accomplishments and Work in Progress:	<p>Three very successful CLEs on:</p> <ol style="list-style-type: none"> 1. Section 203 of the DMCA 2. Blockchain 3. Alaska Airlines acquisition of Virgin America <p>Non Profit Law Institute</p> <p>Corporate Counsel Institute</p> <p>Upcoming:</p> <p>Ethics Institute</p> <p>Non Profit Law Institute</p> <p>Regional Section event in Spokane</p>	

<p>Please quantify your section's current member benefits:</p> <p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	Quantity	Member Benefit
	\$ 5,000	Scholarships, donations, grants awarded
		Law school outreach events/benefits hosted
		Legislative bills reviewed/drafted
		Newsletters produced
	4	Mini-CLEs produced
	1	Co-sponsored half/day to multi-day CLEs with WSBA
	4	Receptions/forums hosted - 4 networking happy hours before Mini-CLEs
		Awards given
	2	New Lawyer Outreach events/benefits (i)Tacoma Open Sections Night; (ii)Seattle Open Sections Night
	Other (please describe):	
<p>2018-2019 Goals & Priorities (Top 5)</p>	1	Continue to put on compelling, relevant Mini-CLEs
	2	Develop and present 2019 Corporate Counsel Institute
	3	Continue and grow regional outreach efforts (Spokane/Eastern Washington, greater Puget Sound)
	4	Recruit new, diverse members to Executive Committee
	5	Provide new speaking opportunities to newer attorneys
<p>Please report how this section is addressing diversity:</p> <p>(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> <p>Our Executive Committee is relatively diverse but we want to increase its diversity and its representativeness of the profession as a whole. Many of our programs are relevant for new attorneys seeking promotions and professional growth. Additionally, offering speaking opportunities to members of historically under-represented groups is a core value and priority.</p>		

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?)

Section events regularly stress the importance of knowing who the client is (in a corporate setting), maintaining client confidentiality, and being competent to provide advice. Because our focus is on corporate counsel, we typically are engaged less with the court system and individual clients than other sections.

Our bi-annual half-day ethics institute is particularly focused on the ways in which we can promote the values of integrity and honesty that underpin our profession.

Our Mini-CLEs almost always include reception hours intended to help members of the legal community connect with their peers and establish rapport with future opposing counsel.

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 are actively reaching out to the University of Washington School of Law to bring more law students into our Section. We have a new Young Lawyer Liaison, David Commisa, who recently joined us, who has already completed YLL training. In addition, our treasurer Beth St. Clair is our new YLL executive committee contact.

We advertise all of our Section events across multiple platforms with the hope that we will attract attorneys who are new to profession and to the area. We usually have a very diverse group in attendance at our CLEs, which includes attorneys who are just starting out or have recently moved.

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.*

Our Executive Committee is committed to having a stellar relationship with WSBA and the BOG, and works to be professional and timely in interactions. Our Section liaison, Eleen Trang, is very responsive and helpful. Kevin Plachy has also been helpful in brainstorming ways to best leverage WSBA-CLE's resources for our annual event.



WSBA Sections

WSBA CREDITOR DEBTOR RIGHTS SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Creditor Debtor Rights</i>	
Chair:	<i>Kevin D. O'Rourke</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	517
	Staff Lead:	Patrick Mead
	BOG Liaison:	Paul Swegle
	FY18 revenue: \$	\$20,128.43 (as of August 31, 2018)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$8,038.89 (as of August 31, 2018)
Purpose:	Provide continuing legal education programs on topics of interest to the section membership with the purpose of devoting revenue generated from said programs to debt related legal clinics or debt related education organizations; Provide communication amongst members of the section; Review and comment on proposed creditor-debtor legislation.	
2017-2018 Accomplishments and Work in Progress:	<ol style="list-style-type: none"> 1) Provide grant funding of \$5,000.00 to various low income legal clinics across Washington; 2) Provide quality CLE programs, including co-sponsorship of the annual Northwest Bankruptcy Institute (NWBI); 3) Review and comment on proposed creditor-debtor related legislation referred to section executive committee by the WSBA lobbyist; 4) Publication of the section's semi-annual newsletter; 5) Maintain active discussions amongst section members via the section's list serve; and 6) Continue to monitor and respond to the propose LLLT Practice Expansion Proposal 	

Please quantify your section's current member benefits:	Quantity	Member Benefit
<p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	\$5,000	Scholarships, donations, grants awarded
		Law school outreach events/benefits hosted
	4-6	Legislative bills reviewed/drafted
	2	Newsletters produced
		Mini-CLEs produced
	2	Co-sponsored half/day to multi-day CLEs with WSBA
		Receptions/forums hosted
		Awards given
	1	New Lawyer Outreach events/benefits
	1	Other (please describe): Co-sponsorship with the Oregon State Bar of the annual Northwest Bankruptcy Institute
2018-2019 Goals & Priorities (Top 5)	1	Continue high quality legal education seminar presentations.
	2	Continue grant programs that provide low income persons access to creditor debtor related legal assistance.
	3	Review and comment when appropriate on proposed creditor-debtor related legislation.
	4	Publication of semi-annual section newsletter.
	5	Improve and continue list serve discussions amongst section membership.

Please report how this section is addressing diversity:

(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?)

The Creditor Debtor Section's Executive Committee is aware of the need to be inclusive in all our activities. We are inherently diverse in that some of us represent creditors, some of us represent debtors, and others represent both. As lawyers, our primary objective is to address the substantive areas of the law and substantive legal problems facing our clients. As lawyers, it is our nature to judge others on the basis of their behavior and not on their race, color, creed or

other inappropriate criteria. What is more difficult to discern and avoid are the more subtle forms of discriminatory habits we have developed over our lives which can result in implicit bias. We strive to take positive steps to deal with those issues and the Section welcomes any member of the Bar that is interested in a substantive area of practice that we are involved with. We also strive to embrace the cultural differences that make interaction amongst us more interesting. The Section has not utilized the services of the WSBA Diversity Specialist and have not had any contact with or from that person. The Executive Committee continues to keep its focus on the issues of diversity and inclusion, together with the issue of avoiding inappropriate discrimination in our activities.

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?)

Professionalism is an issue that is addressed regularly in the Continuing Legal Education seminars we sponsor and co-sponsor. Our efforts in this area are ongoing and will continue. It is apparent to most lawyers practicing in the creditor-debtor area that a high degree of professionalism is in their economic best interest as those practicing in this area will encounter other section members on a regular basis throughout the course of their practice.

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?)

Most, if not all, current members of the Executive Committee and most, if not all, past members of the Executive Committee, have worked to include new and young lawyers in the creditor debtor substantive area of practice. Many of the members of the Executive Committee were mentored as younger lawyers by Section members in the past and have continued that tradition as we have gotten older and more experienced. The Executive Committee also historically has elected a young lawyer representative as a non-voting but fully participating and active member of the committee in the performance of its duties.

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.*

- 1) The Section receives excellent support from the Bar staff.
- 2) Board of Governors: The Section has not been directly involved with the Board of Governors, but welcomes its relationship with our assigned BOG liaison.
- 3) Ideas: In light of the issues raised in connection with Sections workgroup during the past year, it is our hope that the BOG will include Section executive committee members in their efforts to address issues that arise and which affect the Sections. The Section members and their respective executive committees are some of the best supporters of the WSBA and should be viewed by the BOG and the WSBA staff as resources that benefit the WSBA as a whole.



WSBA CRIMINAL LAW SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Criminal Law Section</i>	
Chair:	<i>Kim Hunter</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	447
	Staff Lead:	Patrick Mead
	BOG Liaison:	Kim Hunter
	FY18 revenue: \$	\$16,466.55 (as of August 31, 2018)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$7,647.43 (as of August 31, 2018)
Purpose:	<p>The Criminal Law Section seeks the participation of the Bar, including prosecutors and defense counsel, by providing a forum for the exchange of ideas in the areas of criminal law, correction, procedure, and evidence. The section works with pending legislation and development of statutory enactments to improve and facilitate the administration of justice within the criminal arena.</p> <p>With an equal number of defense and prosecuting attorney positions, the executive board champions the rights of both the accused and victims in the criminal justice system. Activities include publishing a newsletter, as well as assisting with the Criminal Law Institute.</p>	
2017-2018 Accomplishments and Work in Progress:	<ol style="list-style-type: none"> 1. Participated in the 2017-18 Legislative Process by taking a position on several bills 2. New Lawyer visits to Gonzaga and Seattle U – possibly UW 3. Host a member forum 4. Crim Law listserv 5. Mentor program for young lawyers 6. Case Law Notebook distributed to all members 7. Search and Seizure Information given to all members 	

<p>Please quantify your section's current member benefits:</p> <p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	Quantity	Member Benefit
	\$1180	Scholarships, donations, grants awarded
	FY2019	Law school outreach events/benefits hosted
	9	Legislative bills reviewed/drafted
	1	Newsletters produced
	1	Mini-CLEs produced
	2 days	Co-sponsored half/day to multi-day CLEs with WSBA
	FY2019	Receptions/forums hosted
	FY2019	Awards given
	FY2019	New Lawyer Outreach events/benefits
	FY2019	Mentor program
<p>2018-2019 Goals & Priorities (Top 5)</p>	1	Improve member communication and outreach
	2	Member Benefit CLE
	3	Plan a successful CJI
	4	Young Lawyer Mentor program
	5	Meet with Judges to foster better interaction and understanding of criminal law
	6	Continue to provide Case Law and Search and Seizure updates and information
<p>Please report how this section is addressing diversity: (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> <p>We have never had to "address it." The practice of Criminal Law has always been an area of the Law with many individuals from many different backgrounds. Our section, by its very nature, has always had diversity.</p>		

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 practice of Criminal Law is such that our members are in front of Judges, court staff and other lawyers. We represent both defense and prosecution. Our mission statement and goal is to promote positive working relationships between these two factions, so that we may improve the practice of Criminal Law. Professionalism is something foremost in our minds every day and discussed frequently at meetings.

Our Criminal Law Justice Institute frequently has topics that cover Ethics in the Courtroom and with "adversaries." Professionalism within our practice and respect for the Judges.

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?)

Mentoring, Providing assistance with cases, on the job experience

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.*

Criminal Law Section has worked closely with WSBA staff in financials updates, creating the next year's budget, and planning and implementing the Criminal Justice Institute. The treasurer has had a good experience connecting with the liaison, Julianne Unite and Paris Erickson, who has been very helpful. Sondra, Joel and Kevin are indispensable to our section.

Kim Hunter is on the Board, HOWEVER, the whole BoG needs to appreciate the sections more and work with them in a much more positive manner than in the past. The sections have the belief that the BoG just wants to regulate them and take money from them. This needs to be addressed.



WSBA SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Elder Law Section</i>	
Chair:	<i>Megan S. Farr</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	667
	Staff Lead:	Eleen Trang
	BOG Liaison:	Angela Hayes
	FY18 revenue: \$	\$22,838.75 (as of 8/31/18)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$3,741.54 (as of 8/31/18)
Purpose:	<p>The purpose of the Section is to:</p> <p>Improve understanding by members of the Bar of the legal needs that are faced by elderly citizens in the State of Washington, which are often different from and in addition to those faced by the population at large;</p> <p>Provide a cooperative structure through which members of the Bar who are interested in elder law issues can work together to better understand the issues in the field and effective problem solving approaches;</p> <p>Assist the elderly citizens of Washington State, and those who represent the elderly, to better understand how their legal needs can be met;</p> <p>Strengthen the ability by members of the Bar to more effectively identify the legal needs of the elderly. Provide information to and facilitate coordination with those agencies of government that provide services to the elderly in the State of Washington;</p> <p>Act as a liaison between the Bar, its Board of Governors, and other organizations dedicated to serving the needs of the elderly;</p>	

	<p>Provide a cooperative structure through which research and publications in the field of elder law can serve the needs of all members of the Section and Bar.</p>
<p>2017-2018 Accomplishments and Work in Progress:</p>	<p>Elder Law Section Bylaws 2.0</p> <p>The Elder Law Section is proud to support the Peter Greenfield Senior Advocacy Summer Internship at Columbia Legal Services. The Peter Greenfield Senior Advocacy Summer Internship supports a summer internship each year, rotating students from each of Washington’s three law schools. Interns provide advocacy and research that supports the systems reform that was the hallmark of Peter Greenfield’s work, while learning the broader themes of elder law.</p> <p>In addition, the Section provides an annual donation (\$15,000 in FY 2017) to the Legal Foundation of Washington to be used solely for the benefit of Columbia Legal Services (CLS) in the area of elder law services and advocacy for low-income seniors.</p> <p>The Executive Committee of the Elder Law Section continues to be highly engaged in the legislative process concerning elder law issues.</p> <ul style="list-style-type: none"> - Members of the Executive Committee are spearheading a Public Guardianship Taskforce to look into long term issues involving the viability of the Office of Public Guardianship in Washington. - At the request of the Chair of the Senate Judiciary Committee a Subcommittee was formed to review the Uniform Guardianship Act and provide input on procedural aspects of WA’s current guardianship laws that the legislature may want to consider retaining. This work is ongoing. - Members of the Executive Committee continue to meet on an annual basis with the Superior Court Judges Guardianship and Probate Committee.

<p>Please quantify your section's current member benefits:</p> <p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	Quantity	Member Benefit
	\$17,500	Scholarships, donations, grants awarded
		Law school outreach events/benefits hosted
	Many	Legislative bills reviewed/drafted
		Newsletters produced
		Mini-CLEs produced
	2	Co-sponsored half/day to multi-day CLEs with WSBA
	2	Receptions/forums hosted
		Awards given
	2	New Lawyer Outreach events/benefits
	Other (please describe):	
<p>2018-2019 Goals & Priorities (Top 5)</p>	1	Continue to monitor legislation affecting elder law.
	2	Co-sponsor two one-day CLE programs with the WSBA.
	3	Continue to support members through list serve and website updates.
	4	Continue to promote and support the Peter Greenfield Internship program with Columbia Legal Services and the state's three law schools.
	5	Provide social, mentoring and networking opportunities for members through events and gatherings.
<p>Please report how this section is addressing diversity: (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> <p>The Section is working with the WSBA and internally to increase diversity on the Executive Committee, within the Elder Law Section, and at the CLEs we co-sponsor.</p>		

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 Elder Law Section encourages civility, collegiality, and professionalism in its membership and actively promotes these principles in Section sponsored educational and networking opportunities, as well as on our list serve. Our relationship and annual meeting with Superior Court Judges Association is a part of this effort.

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?)

The Section Mentorship and Outreach committee is tasked with reaching out to young lawyers. The Section hosts two outreach events each year, in which young lawyers have an opportunity to discuss the practice area of Elder Law with other section members. The Executive Committee involves the Young Lawyer Liaison in all Committee communications and meetings. Every Young Lawyer Liaison has graduated to an appointed or elected position on the Committee.

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 have enjoyed a very good working relationships with many WSBA staff, including Eleen Trang, and others. We include our BOG liaison on Executive Committee communications. Eleen Trang is very responsive and excellent to work with.



WSBA Sections

WSBA SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Environmental and Land Use Law (ELUL) Section</i>	
Chair:	<i>Kristie Elliott</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	805
	Staff Lead:	Eleen Trang
	BOG Liaison:	Dan Clark
	FY18 revenue: \$	\$28,210.00 (as of 8/31/18)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$14,952.78 (as of 8/31/18)
Purpose:	<p>The ELUL Section is a formal association of attorneys, other professionals, and law students who share a common focus and interest in the practice of environmental and land use law. Our Section represents a diverse membership with individuals who are often on different sides of an issue, but who are all committed to civil and professional cooperation for the protection and enhancement of our communities. Accordingly, our Section endeavors to continually and regularly provide opportunities and forums for the interchange of ideas surrounding environmental and land use law.</p>	
2017-2018 Accomplishments and Work in Progress:	<p>The main event for our Section is the three-day Midyear Conference and Membership Meeting held each spring. In 2018, this conference was held at Suncadia Resort. Topics included case law and legislative updates by individuals working in those fields, hot topics such as the <i>Hirst</i> legislative “fix,” the state’s long-range transportation infrastructure plans, green building, and insights into alternative dispute resolution in environmental and land use practice. Each year we also have a high-level keynote speaker, and this year we were thankful to have Regional Counsel Allyn Stern from EPA Region 10.</p>	

In December, we held our annual mini-CLE on ethics relating to the State of Washington's environmental lawsuits against the federal government, as well as the State's challenge to the first federal travel ban Executive Order. While other mini-CLEs were not held this year, we are looking into providing more opportunities as webcast(s) that will be available beyond the initial conference date. This is also the first year the Section will offer its Midyear as an online product, in coordination with WSBA.

This year the Section produced one newsletter, which is fewer than normal due to turnover on the editorial board. However, we are in the process of re-envisioning the format of our newsletter in favor of smaller, more targeted, more easily digestible, and more frequently disseminated articles that can be accessed through social media.

We have also continued to provide legislative updates this past legislative session with targeted environmental and land use bill information sent to members by the list-serve so members can keep up with the ever-changing legislative sessions. Given the diversity of membership, the Section does not take positions on any particular bill.

Finally, for our soon-to-be and young lawyers, we continued our annual networking receptions in both Seattle and Spokane – coordinated with the law schools – and were deeply appreciative of the number of practicing attorneys who took time out of their busy schedules to network and encourage those new to the field. We were also graciously joined in the sponsorship of these events by the Environmental and Land Use Section of the King County Bar Association and the ABA Section of Environment, Energy, and Resources. These activities go hand-in-hand with our highly successful grant program that awards funds to each of the three law schools (UW, Seattle University, and Gonzaga University) to allow students to participate in activities that further their interest and commitment to the practice of environmental or land use law.

Please quantify your section's current member benefits:	Quantity	Member Benefit
<p>For example:</p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	\$2,200	Scholarships, donations, grants awarded (<i>\$1200 in mid-year scholarships; \$1000 in law school grants</i>)* <i>*double checking figures, will update as necessary</i>
	2	Law school outreach events/benefits hosted
		Legislative bills reviewed/drafted
	1	Newsletters produced
	1	Mini-CLEs produced
	1	Co-sponsored half/day to multi-day CLEs with WSBA (<i>***we are though, for the first time, co-sponsoring the conversion of our mid-year seminar into an online product</i>)
	3	Receptions/forums hosted (law school receptions and midyear reception, partly counted above)
	4	Awards given (<i>glass awards to departing EC members</i>)
	2	New Lawyer Outreach events/benefits (<i>*cross-over with law school outreach</i>)
		Other (please describe):
2018-2019 Goals & Priorities (Top 5)	1	Continue to enhance our educational program by producing high quality CLEs with knowledgeable speakers and timely, relevant topics.
	2	Maintain fiscal and financial responsibility, which will allow continued development of programming as well as additional outreach and grants.
	3	Work to increase timely access to relevant information, such as social media posts and legislative updates during the session
	4	Promote networking of ELUL attorneys and further engagement of attorneys entering our area of practice.
	5	Explore greater interactions and cooperative efforts with other sections, other aspects of the WSBA, and other bar associations to increase member benefits.

Please report how this section is addressing diversity:

(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?)

The ELUL Section Executive Committee previously received training from the WSBA Diversity Specialist and reviewed and discussed the common misperceptions and barriers regarding achieving diversity and how to overcome them. Based on numbers provided by the Bar, the Section is improving; however, we acknowledge there is always more that could be done. Currently, we actively solicit from multiple minority groups to participate in the slate of candidates for election to the Executive Committee and for mid-year co-chairs and speakers. We have also contacted minority student law associations to garner interest in joining our yearly student-professional social events. We also evaluate venues for barrier free accessibility, and changed the location of our westside law student-professional social this year, in part to increase accessibility.

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 ELUL Section has historically been an association of members with diverse backgrounds and opposing interests on any particular topic. Accordingly, civility and professionalism have long been part of our core moral compass. Our networking events strive to engage members in a fun and casual manner so that the person behind the client is known, as this often douses the flames of disagreement. Our educational events also frequently include a "view from the bench" to provide practitioners with insight of what our court and administrative judges need and wish to see to effect justice.

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?)

The ELUL Section has, in recent years, more actively involved our young lawyer liaison and so has received valuable insight as to how to better engage law students and new lawyers into the fields of environmental and land use law. The Section also has seen success in providing grants to each law school and co-sponsoring networking events with students and practitioners. Not only does this expose students to the field, but it promotes involvement by attorneys and furthers civility and professionalism by creating an environment of inclusion and open communication.

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.*

The level of WSBA staff turnover has been a continuing concern for our committee, though we have established good working relationships and appreciated the role served by each sections liaison and BOG liaison assigned to our section. There has been good continuity in the WSBA personnel responsible for coordinating and planning midyear seminars in the past few years, which has been very helpful, and we have greatly valued our good working relationships with Kevin Plachy and Sondra Livingston-Carr, in particular.

Overall, we remain concerned and continue to try to monitor communications between the Board of Governors and the various sections. It is not always clear, however, what is going on at the larger policy level. A more thoughtful approach and coordination with regard to sections would be helpful to institute and maintain, in general. After opening remarks by Bill Pickett at the last Section Leaders' meeting that seemed to call into question the role of sections vis-à-vis the Bar, in an ad-hoc and unexpected fashion, and the subsequent but not well-explained issues that have since transpired, clarity on the fundamental role filled by sections is really needed moving forward. We are unsure and unclear what message to pass on to our members, regarding events and internal deliberations on the role of sections that seem to be transpiring at higher levels. Fundamentally, the Bar should appreciate that sections are a vital part of the Bar Association that directly serve its members, yet are administered by section executive committee members who serve as volunteers only - and the Bar should do what it can to better facilitate thoughtful and considerate communications on any subsequent assessment of the sections' fundamental roles and responsibilities.



WSBASections

WSBA SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Family Law Section</i>	
Chair:	<i>James Lutes</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	1,161
	Staff Lead:	Eleen Trang
	BOG Liaison:	Brian Tollefson
	FY18 revenue: \$	\$42,587.25 (as of 8/31/18)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$28,906.07 (as of 8/31/18)
Purpose:	<p>The purpose of the Section is to improve the practice of family law in Washington and to involve all interested members of the WSBA in cooperation with state and local bar associations in order to benefit its members, their clients, and the general public:</p> <ul style="list-style-type: none"> a. By providing the opportunity and forum for the interchange of ideas in all areas of law affecting families and juveniles; b. By initiating and implementing common projects, including but not limited to an annual meeting; c. By reviewing pending legislation, providing input and timely responses to pending and proposed legislation and development of proposed statutory enactments to improve and to facilitate the administration of justice within the Section’s area of interest and expertise; d. By hosting CLEs to improve the quality of family law practice; and e. By undertaking such other service as may be of benefit to the members, the legal profession, and the public. 	

<p>2017-2018 Accomplishments and Work in Progress:</p>	<p>Legislation: We have a renewed emphasis on reviewing pending legislation and providing input to WSBA and stakeholders as appropriate.</p> <p>Board of Governors: We are working well with the current Board of Governors and have established an open and healthy line of communication to address questions posed by the Section.</p> <p>Workgroups: We are placing a liaison with the Washington State 2019 Child Support Workgroup.</p> <p>Midyear CLE: We are working to map out several years' worth of midyear CLE locations.</p>	
<p>Please quantify your section's current member benefits:</p> <p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	<p>Quantity</p>	<p>Member Benefit</p>
	<p>\$2,000 (approx.)</p>	<p>Scholarships, donations, grants awarded</p>
		<p>Law school outreach events/benefits hosted</p>
	<p>Unknown</p>	<p>Legislative bills reviewed/drafted</p>
	<p>1 (in progress)</p>	<p>Newsletters produced</p>
	<p>1</p>	<p>Mini-CLEs produced</p>
	<p>2</p>	<p>Co-sponsored half/day to multi-day CLEs with WSBA</p>
	<p>1</p>	<p>Receptions/forums hosted</p>
	<p>3</p>	<p>Awards given</p>
		<p>New Lawyer Outreach events/benefits</p>
		<p>Other (please describe):</p>
<p>2018-2019 Goals & Priorities (Top 5)</p>	<p>1</p>	<p>Continued CLEs. We are putting together a strong CLE, have renewed our Spring Skills Training Seminar for new lawyers, and are continuing to host our year-end, single-day December CLE in King County.</p>
	<p>2</p>	<p>Review Legislation. Work with the Board of Governors and WSBA generally to appropriately provide feedback to improve legislation touching on family law.</p>

	3	<p>Improve Diversity. We have placed an emphasis on identifying diverse potential FLEC members. We are also working to ensure that our future CLEs appropriately accommodate those with disabilities.</p>
	4	<p>Continue BOG Relationship. FLEC has worked well with the Board of Governors in recent years, and we hope to continue improving that relationship.</p>
	5	<p>Emphasize Public Service. We recognize there is a gap for low-income families needing family law assistance. There are county clinics throughout the state that provide services to those underserved communities. Those clinics' survival is rooted in the active participation of local lawyers, which we seek to encourage.</p>

Please report how this section is addressing diversity:

(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?)

We have placed an emphasis on identifying diverse potential Family Law Executive Committee (FLEC) members. We are also working to ensure that our future CLEs appropriately accommodate those with disabilities. In doing so we believe outreach to diverse FLEC candidates is important, and this is an emphasis on our 2018/2019 efforts.

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?)

We participate annually in a joint meeting with the Family and Juvenile Law Subcommittee of the Superior Court Judges' Association. This meeting provides an opportunity for Family Law and Juvenile Judges and Family Law Practitioners to share ideas and concerns in an informal setting. Discussions span the gamut of professionalism, forms, court appearances, consistency, dealing with pro ses, and every manner of issue facing family law professionals. In addition, there is increased understanding between the judiciary and practitioners.

We regularly include ethics issues in our CLE presentations and skills training, to keep up with evolving issues and to share them with the membership and others.

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 work closely with our Young Lawyer Liaison – Amanda Gamble. Her involvement with FLEC has been so significant that we recently appointed her to serve out a vacant term. Further, the

current chair (this writer) is also a young lawyer, and FLEC has been very supportive of giving new lawyers input and opportunities in the committee's decision-making processes.

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.*

For years we have maintained a regular presence at the Board of Governors meetings. Our current Liaison – Nancy Hawkins – has continued a strong presence at the meetings. We are identifying goals for communication with the BOG and appear to be moving in a positive direction.

We work extremely well with WSBA staff. They are extremely helpful in identifying CLE locations, obtaining BEOs, and handling administrative issues we otherwise would struggle with. They are friendly and timely in responding to any questions we may have, and in fact, Kevin Plachy will be attending our next meeting to discuss the new CLE pricing models.



WSBA HEALTH LAW SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Health Law Section</i>	
Chair:	<i>Lee Kuo</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	395
	Staff Lead:	Patrick Mead
	BOG Liaison:	Rajeev Majumdar
	FY18 revenue: \$	\$8,648.75 (as of August 31, 2018)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$3,457.31 (as of August 31, 2018)
Purpose:	<p>As set forth in the Health Law Section (“HLS”) Bylaws approved by the WSBA Board of Governors on July 27, 2017, the purposes of the HLS are:</p> <ol style="list-style-type: none"> 1. To further the knowledge of section members and the WSBA in the areas of law involving both federal and local health care; 2. To form an available working unit to assist in the activities of the WSBA; and 3. To otherwise further the interests of the WSBA and the legal professional as a whole. 	
2017-2018 Accomplishments and Work in Progress:	<p>In the 2017-2018 fiscal year, HLS focused our efforts on outreach and education activities. Our main accomplishments over this past fiscal year are as follows:</p> <ul style="list-style-type: none"> • One half-day in-person CLE co-sponsored with the WSBA • Two webinars completed, with additional webinar planned for October/November 2018 • Social networking sessions in Olympia/Tacoma and Spokane • Completed survey of section membership; incorporated results of survey into HLS plans • Three HLS executive committee members trained by WSBA to produce webinars 	

<p>Please quantify your section's current member benefits:</p> <p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	Quantity	Member Benefit
	\$	Scholarships, donations, grants awarded
		Law school outreach events/benefits hosted
		Legislative bills reviewed/drafted
		Newsletters produced
	2, 1 pending	Mini-CLEs produced
	1	Co-sponsored half/day to multi-day CLEs with WSBA
	3	Receptions/forums hosted
		Awards given
	2	New Lawyer Outreach events/benefits
		Other (please describe):
<p>2018-2019 Goals & Priorities (Top 5)</p>	1	Produce at least 1 in-person half-day CLE
	2	Produce at least 3 short mini-CLES (webinar only)
	3	Host social/networking event in Olympia/Tacoma and Spokane
	4	Expand law student/young lawyer outreach
	5	Strengthen new member welcome/outreach process
<p>Please report how this section is addressing diversity: (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> <p>In the 2017-2018 fiscal year, we have continued to focus on expanding our geographic diversity. Specifically, we were thoughtful in developing our education programs to better accommodate our members from locations outside the Greater Seattle area (by producing webinars and by offering a half-day in person CLE to accommodate travel needs). We also expanded our social/networking events beyond the greater Seattle area to Olympia/Tacoma and Spokane. We held our first election under our revised bylaws, which expanded the eligibility requirements for membership, established an alternative process for nominating candidates to the Executive Committee, and provided for electronic elections over an extended period of time. In our election process, we continued our commitment to ensuring that the section's</p>		

leadership reflects varied legal practice areas and geographic diversity; our 2018-2019 Executive Committee reflects such diversity.

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?)

This is not an area our section specifically addressed this year. We are planning to discuss this at our Executive Committee retreat this fall to develop ideas for addressing professionalism next year. We are open to guidance regarding how we can better promote professionalism without our section.

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?)

The section hosted a YLD liaison and participated in the Open Sections night. Our YLD liaison actively participated in Executive Committee and section activities, including serving as a co-chair for our Education Committee. We will host a YLD liaison again in 2018-2019. Additionally, the section will begin actively addressing how we can better integrate new and young lawyers into the section.

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.*

Our section continued to receive great support from WSBA staff, including our staff liaisons, Julianne Unite and Patrick Mead. They were both reliable, knowledgeable and timely in supporting our section. We also continued to receive very helpful support from WSBA's CLE planning team. They were always willing to answer our questions and assist with our needs, ranging from providing training on how to carry out webinars, to supporting our half-day in person CLE. Further, Kevin Plachy did a good job of communicating and explain the revenue sharing model, which was appreciated. Our BOG liaison, Governor Rajeev D. Majumdar, also did a very good job of keeping our section informed of BOG activities relevant to our section, attended many of our section meetings, and always made himself available for questions. We hope to have a new BOG liaison assigned to our section soon, as we have found this liaison to be very helpful in keeping our section connected to the BOG.



WSBA Sections

WSBA SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Indian Law</i>	
Chair:	<i>Claire Newman</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	325
	Staff Lead:	Eleen Trang
	BOG Liaison:	Angela Hayes
	FY18 revenue: \$	\$15,157.12 (as of 8/31/18)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$6,357.00 (as of 8/31/18)
Purpose:	To provide a forum for attorneys representing tribes and tribal members to put their heads together on difficult issues, to educate other attorneys about tribal governments, sovereignty and the Indian law canon, and to expand opportunities for Native American attorneys and law students seeking to practice in Washington state.	
2017-2018 Accomplishments and Work in Progress:	<ul style="list-style-type: none"> • The executive committee submitted revised bylaws which are consistent with WSBA's alignment effort and which strive to maintain traditions central to ILS, including our in-person election. • Increased outreach in eastern Washington by sponsoring food at the Indian Law Section CLE for the Spokane Bar Association. • Increased outreach to youth and outreach in eastern Washington by participating in Yakima Valley Youth and Justice Forum. • Hosted Reception for Native American Law Student Association members from the University of Washington and Seattle University Schools of Law. • In November 2017 the executive committee sent a letter to the Washington Supreme Court in support of a revision to Admission to Practice Rule 8, which waives association of counsel and fee requirements for out-of-state attorneys representing tribes in ICWA cases in Washington state. The Supreme Court joined Oregon and Michigan by adopting the 	

	<p>revision.</p> <ul style="list-style-type: none"> • Hosted Northwest Indian Bar Associations annual holiday party and donated \$6,000 to the Northwest Indian Bar Association's Indian Legal Scholars Program to increase access to law school for Native American and Alaska Native students. • In May, ILS hosted its 30th Anniversary Indian Law Section Seminar, which also provided a natural gathering space for our first luncheon for past Chairs of the Indian Law Section and the current executive committee • Continued to expand ILS's work beyond the annual CLE. 	
<p>Please quantify your section's current member benefits:</p> <p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	<p>Quantity</p>	<p>Member Benefit</p>
	<p>\$6,250</p>	<p>Scholarships, donations, grants awarded</p> <ul style="list-style-type: none"> - Donation awarded to the Northwest Indian Bar Association for their law school scholarship program.
	<p>1</p>	<p>Law school outreach events/benefits hosted Reception for members of Native American Law Student Association from UW and SU Law Schools</p>
	<p>Unsure, perhaps 4-5</p>	<p>Legislative bills reviewed and bills which ILS responded to using the WSBA process.</p>
	<p>1</p>	<p>Newsletters produced</p>
		<p>Mini-CLEs produced</p>
	<p>1</p>	<p>Co-sponsored half/day to multi-day CLEs with WSBA</p>
	<p>2</p>	<p>Receptions/forums hosted</p> <ul style="list-style-type: none"> - Holiday Party - Luncheon with past ILS Chairs
		<p>Awards given</p>
		<p>New Lawyer Outreach events/benefits</p>
	<p>2</p>	<p>Other (please describe):</p> <ul style="list-style-type: none"> - Sponsored food at Indian Law Bar Ass'n Conference in Spokane - Attended Yakima Valley Youth and Justice Forum

2018-2019 Goals & Priorities (Top 5)	1	Increase mentorship for: Native American college students, law students seeking to practice Indian law and junior attorneys
	2	Strengthen partnership with the Northwest Indian Bar Association
	3	Continue to build capacity to quickly review and respond to proposed legislation using the WSBA
	4	Continue to advance policies that increase support within the Bar for our members
	5	Increase institutional capacity within the Section in terms of our new committees, to coordinate our annual CLE, record keeping, fill Young Lawyer Liaison Position, etc.

Please report how this section is addressing diversity:

(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?)

The Indian Law Section continues to be one of the most diverse WSBA sections. ILS has increased its percentage of members of color from 38.8% in 2017 to 43.4% in 2018. The amount of female members increased from 51.2% in 2017 to 53.3% in 2018.

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?)

This has not been a priority of ILS thus far, nor has it been clearly raised as a priority.

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?)

In 2018-2019 ILS did not have a designated Young Lawyer Liaison. However, beginning in the summer of 2018 there was interest in filling this position, and the new executive committee is taking steps to do so.

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.*

- *Quality of WSBA staff support/services provided to Section Executive Committee: Eleen Trang was very prompt in her responses to questions and requests for information, which*

ILS greatly appreciated. She had a strong understanding of WSBA policies and if knew where to obtain additional information if necessary.

- *Involvement with Board of Governors, including assigned BOG liaison:* At the beginning of the 2017-2018 term, WSBA did not clarify which BOG would be assigned to ILS, which BOG was interim, and which was permanently assigned. This took several weeks when ILS would have liked to have the same BOG attend an ILS meeting and to be available for concerns and questions. Later in the year, Angela Hayes was more responsive to a concern from ILS regarding the implementation of new election procedures.
- *Ideas you have on ways WSBA can continue to strengthen/support services to sections:* WSBA staff should view themselves as assistants regarding administration of the Section and should not weigh in on substantive issues before a Section. In addition, WSBA staff should be careful not to micromanage a section. For example, ILS made very clear that a key component of its bylaw alignment was keeping the in-person nature of our election, in addition to the newly mandated electronic election. Instead of allowing the Chair to send the email announcing Executive Committee candidates for election, WSBA staff preemptively sent an email to the list serve regarding the candidates without permission, overstepping its role and causing confusion. WSBA will not win support by appearing to take over or commandeer a section. WSBA staff should also have an understanding of how different sections are handling different issues that arise. Aside from WSBA staff, many WSBA policies continue to aimed at reducing work and expense for WSBA, streamlining their processes and administering the sections with a one-size-fits-all approach, which, generally speaking will rarely be a good solution for the Indian Law Section. For example, ILS typically has not had a Young Lawyer Liaison. When the Executive Committee decided in the summer of 2018 that it was interested in bringing a Young Lawyer Liaison on board, we were informed that we were too late, that we had missed the deadline to submit required paperwork, and that additional process would be necessary. The process appeared to be burdensome and constitutes bureaucracy for the sake of bureaucracy and intended to make WSBA's life easier. As a result, ILS has not moved forward with a Young Lawyer Liaison. Thus, WSBA's rigid policy defeated ILS's interest in developing this aspect of the Section.



WSBASections

WSBA INTELLECTUAL PROPERTY SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Intellectual Property Section</i>	
Chair:	<i>Tom Satagaj</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	907
	Staff Lead:	Patrick Mead
	BOG Liaison:	Paul Swegle
	FY18 revenue: \$	\$21,678.26 (as of August 31, 2018)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$16,362.70 (as of August 31, 2018)
Purpose:	<p>Pursuant to Section 1.01 of the IP Section’s bylaws:</p> <p>In general, the Section strives to promote the practice of intellectual property law, including by promoting the participation of, and furthering the knowledge of, all interested members of the Bar and of other state and local bar associations, as to intellectual property law, in order to benefit the Section members, their clients and the general public. To that end, the Section may:</p> <p>(A) Provide the opportunity and forum for the interchange of ideas and education in areas of law relating to intellectual property rights, including patents, trademarks, copyrights, trade secrets and unfair competition, including without limitation:</p> <p>(1) Sponsoring and providing continuing legal education events; preparing and publishing a Section newsletter and website; and providing assistance and financial support as to the activities of other organizations that promote the purposes, goals, or activities of the Section;</p>	

	<ul style="list-style-type: none"> (2) Promoting the understanding of intellectual property laws through outreach activities to new Section members and law students, including by providing financial support to law students attending law schools in Washington State; (3) Promoting Section members through intellectual property-related networking, referrals, speakers' panels and press contacts; (B) Promote cooperation between sections within the Bar and between the Bar and other groups having common interests in the proper development and administration of the law relating to intellectual property rights; (C) Review, comment on, and make recommendations related to pending legislation and propose statutory enactments to improve and to facilitate the administration of justice within the Section's area of interest; (D) Promote the development of industry and the useful arts by encouraging the establishment, maintenance, respect for and utilization of intellectual property rights that fairly balance the limited monopoly enjoyed by the owner of intellectual property rights with the benefit to society derived from the creation of useful subject matter protectable by those rights; (E) Assist in familiarizing other members of the Bar with intellectual property law; and (F) Undertake such other service as may be of benefit to the Section members, the profession and the general public.
<p>2017-2018 Accomplishments and Work in Progress:</p>	<ul style="list-style-type: none"> 1) Conducted WSBA IP Section's 23rd Annual IP Institute CLE (included nationally recognized IP practitioners) (April 2018); 2) Advance planning for the WSBA IP Section's 24th Annual IP Institute CLE is already underway with two nationally prominent speakers already confirmed) (April 17, 2019); 3) Conducted Eastern Washington IP issues Mini-CLE (Feb 2018); 4) Conducted an IP For The Rest Of Us CLE (involving regionally prominent practitioners) (September 2018); 5) Conducted IP Licensing CLE (July 2018); 6) Participated in China IP Road Show (November 2017); 7) Participated in USPTO Attachés program (May 2018);

	<p>8) Formed and exercised work of Nominating Sub-Committee; Conducted online elections for IP Section officers (May 2018)</p> <p>9) Participated in open section night to provide insights about the IP section and careers in IP law to new and young lawyers;</p> <p>10) Provided scholarships to law students at the University of Washington, Seattle University, and Gonzaga University, based on demonstrated interest in Intellectual Property law, as assessed by their respective law schools;</p> <p>11) Engaged with Washington Lawyers for the Arts (WLA), expressed support for the organization, though no funding was provided in FY2018.</p>																							
<p>Please quantify your section's current member benefits:</p> <p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	<table border="1"> <thead> <tr> <th data-bbox="565 688 703 747">Quantity</th> <th data-bbox="711 688 1435 747">Member Benefit</th> </tr> </thead> <tbody> <tr> <td data-bbox="565 747 703 814">\$7500</td> <td data-bbox="711 747 1435 814">Scholarships, donations, grants awarded</td> </tr> <tr> <td data-bbox="565 814 703 882"></td> <td data-bbox="711 814 1435 882">Law school outreach events/benefits hosted</td> </tr> <tr> <td data-bbox="565 882 703 949"></td> <td data-bbox="711 882 1435 949">Legislative bills reviewed/drafted</td> </tr> <tr> <td data-bbox="565 949 703 1016"></td> <td data-bbox="711 949 1435 1016">Newsletters produced</td> </tr> <tr> <td data-bbox="565 1016 703 1083">1</td> <td data-bbox="711 1016 1435 1083">Mini-CLEs produced</td> </tr> <tr> <td data-bbox="565 1083 703 1150">3</td> <td data-bbox="711 1083 1435 1150">Co-sponsored half/day to multi-day CLEs with WSBA</td> </tr> <tr> <td data-bbox="565 1150 703 1218">1</td> <td data-bbox="711 1150 1435 1218">Receptions/forums hosted</td> </tr> <tr> <td data-bbox="565 1218 703 1285"></td> <td data-bbox="711 1218 1435 1285">Awards given</td> </tr> <tr> <td data-bbox="565 1285 703 1352">2</td> <td data-bbox="711 1285 1435 1352">National/International Outreach events/benefits</td> </tr> <tr> <td data-bbox="565 1352 703 1419"></td> <td data-bbox="711 1352 1435 1419">Other (please describe):</td> </tr> </tbody> </table>	Quantity	Member Benefit	\$7500	Scholarships, donations, grants awarded		Law school outreach events/benefits hosted		Legislative bills reviewed/drafted		Newsletters produced	1	Mini-CLEs produced	3	Co-sponsored half/day to multi-day CLEs with WSBA	1	Receptions/forums hosted		Awards given	2	National/International Outreach events/benefits		Other (please describe):	
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<p>2018-2019 Goals & Priorities (Top 5)</p>	<table border="1"> <tbody> <tr> <td data-bbox="565 1438 703 1535">1</td> <td data-bbox="711 1438 1435 1535">Provide high quality but affordable CLEs to attorneys interested in IP-focused issues.</td> </tr> <tr> <td data-bbox="565 1535 703 1631">2</td> <td data-bbox="711 1535 1435 1631">Continue to grow Section membership.</td> </tr> <tr> <td data-bbox="565 1631 703 1770">3</td> <td data-bbox="711 1631 1435 1770">Provide outreach to law students and new lawyers with respect to education and IP Section activities/benefits.</td> </tr> <tr> <td data-bbox="565 1770 703 1875">4</td> <td data-bbox="711 1770 1435 1875">Provide scholarships to law students who show a demonstrated interest in IP law.</td> </tr> <tr> <td data-bbox="565 1875 703 1959">5</td> <td data-bbox="711 1875 1435 1959">Provide networking opportunities for Section members.</td> </tr> </tbody> </table>	1	Provide high quality but affordable CLEs to attorneys interested in IP-focused issues.	2	Continue to grow Section membership.	3	Provide outreach to law students and new lawyers with respect to education and IP Section activities/benefits.	4	Provide scholarships to law students who show a demonstrated interest in IP law.	5	Provide networking opportunities for Section members.													
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Please report how this section is addressing diversity:

(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?)

The WSBA IP Section does not discriminate in its membership. People of all backgrounds, geographic locations, and business structures (e.g., in-house, solo, general practice, boutique law firms, non IP law-practicing attorneys, and law students) are treated equitably and afforded the same opportunities to participate in all section activities.

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 WSBA IP Section encourages ethics, civility, professionalism and competence in its membership and provides CLEs with ethics presentations to promote the same.

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?)

1. The IP Section has the FY2019 goal of continuing to promote the practice of IP law via financial scholarships to each of Washington's three accredited law schools, which leads to opportunities for discussion of employment prospects & the business of IP law;
2. The IP Section participates in Open Sections night and annually conducts an IP Essentials CLE to new and young lawyers as well as non-IP lawyers;
3. The IP Section has a Young Lawyers Liaison.

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.*

The IP Section Executive Committee has a cordial and productive working relationship with WSBA staff and Board of Governors. In particular, Governor James K. Doane, the IP Section's liaison, and Governor Paul Swegle have been open and accessible to the IP Section Executive Committee, and Mr. Patrick Mead has provided excellent CLE support.



WSBASections

WSBA INTERNATIONAL PRACTICE SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>International Practice Section</i>	
Chair:	<i>Matthew Dresden</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	251
	Staff Lead:	Patrick Mead
	BOG Liaison:	Paul Swegle
	FY18 revenue: \$	\$11,560.00 (as of August 31, 2018)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$4,564.28 (as of August 31, 2018)
Purpose:	<p>The International Practice Section has a broad focus that includes not only the study of current developments in the field of international law but also immigration law, international transactional work, and international dispute resolution. Members represent a wide variety of backgrounds and practices, including full-time and part-time practitioners, government, business, non-profit, foreign lawyers, academia, internationally-focused law students, retired professionals, and those simply intellectually interested.</p>	
2017-2018 Accomplishments and Work in Progress:	<ol style="list-style-type: none"> 1. The IPS held two major events during 2017-2018 year: a Spring CLE and networking event, and a combined event that included the Annual General Meeting, a law student presentation, and a reception for foreign lawyers, law students, and practitioners. 2. The IPS provided 5 credits worth of mini CLEs at no cost to Section members. 3. The IPS administered a foreign lawyer / law student mentoring program. 4. The IPS co-sponsored, with the IP Section, the USPTO IP Attaché Roadshow. 	

Please quantify your section's current member benefits:	Quantity	Member Benefit
<p>For example:</p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	\$1,000	Huneke Fellowship awarded to law student
	1	Law school outreach events/benefits hosted
		Content and communications through the Section listserv, <i>The Global Gavel</i> (www.globalgavelnews.org), and <i>IPS LinkedIn Group</i> . We are focusing the Section's communications with our members on these content streams, and have a regular stream of content, including event announcements, event summaries, and information related to the international practice of law. (Global Gavel webmistress: Elly Baxter).
	62	e-newsletters produced
	5	Mini-CLEs produced at no cost to Section members
	3	"no-host" happy-hour gatherings for section members.
	1	Reception/forum hosted in conjunction with the IP Section: USPTO IP Attaché Roadshow.
2018-2019 Goals & Priorities (Top 5)	1	Maintain the excellence of the existing programming.
	2	Expand the breadth of CLE programs, and attempt to make such programs accessible to those outside Seattle.
	3	Increase both the number of Section members and the number of active Section members.
	4	Strengthen the section's relationship with law schools to enhance the effectiveness of the mentorship program, CLEs, and young lawyer development.
	5	Partner with other sections for programming, pro bono projects, and/or other initiatives.
<p>Please report how this section is addressing diversity:</p> <ul style="list-style-type: none"> • Membership Demographics – the IPS by its nature attracts a diverse array of foreign-born practitioners, as well as foreign lawyers, international law students and members whose clients operate in countries and cultures around the world. • Board Demographics – the IPS has placed a priority on having gender equity and ethnic diversity on the Executive Committee, as well as having EC members with diverse employment: small firms, midsize firms, big firms, nonprofits, in-house counsel, and academia. 		

- Education and Training – the IPS’s annual programming includes a Foreign Lawyers and International Law Students Reception, which celebrates and promotes the diversity of our legal community, both locally and globally. Our CLE programming often includes a cultural education component, i.e., understanding the technical area of law as well as the cultural context as it applies to a particular country or region, which often includes a discussion of the prevailing values in that country or region and how they may differ from those in the U.S. on subjects of fairness, due process, equality, diversity and custom.
- Collaboration and Partnership – the IPS partners with law schools, other sections, international bar organizations, and business groups in leveraging its programming to increase participation and interaction among practitioners from diverse backgrounds and cultures.

Please report how this section is addressing professionalism:

The International Practice Section draws members from many backgrounds, jurisdiction origins, and has a multi-disciplinary scope to its activities. Because of the wide diversity of membership, we continually strive to bring professionalism to all aspects of our activities, and to have service at the core of the activities we undertake over the course of the year. We administer an extensive foreign lawyer/foreign law student mentorship program. And we strive to add ethics into our ongoing CLE series.

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

The Section’s Young Lawyer Liaison attends and actively participates in Section leadership. The Section also awards the Huneke Fellowship to a law student, who is actively integrated into Section leadership and law student outreach efforts. The Section also has a thriving mentor-mentee program, and actively encourages new and young lawyers to become involved in the Section.

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

- WSBA staff support this year has been excellent, although there have been occasional communication delays due to staff turnover.
- Our BOG liaison, Paul Swegle, regularly attends our EC meetings and does a great job keeping the Section apprised of major BOG activities.



WSBASections

WSBA SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Juvenile Law</i>	
Chair:	<i>Dae Kim (FY2018)</i> <i>Jana Heyd & Jill Malat (FY2019)</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	205
	Staff Lead:	Eleen Trang
	BOG Liaison:	Brian Tollefson
	FY18 revenue: \$	\$6,855.00 (as of 8/31/18)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$2,469.87 (as of 8/31/18)
Purpose:	The Juvenile Law Section provides an opportunity for legal professionals who work with juveniles and their families in child welfare, juvenile justice, and civil legal needs to meet together and work collaboratively on issues facing their clients.	
2017-2018 Accomplishments and Work in Progress:	<ul style="list-style-type: none"> • The 2017 annual meeting was held at Perkins Coie in Seattle on October 6, 2017. • The civil legal needs committee co-chairs and committee helped sponsor a training on January 29, 2018 on Special Immigrant Juvenile Status and Voluntary Youth Guardianships (along with Team Child and NWIRP) in Yakima • The section provided a juvenile offender training for Benton/Franklin county juvenile justice participants, led by juvenile committee co-chairman, Shawn Sant and section member George Yeannakis on March 21, 2018. The training included how to seal records, a session on relief from sex offender registration, etc. • The section’s executive committee held a retreat on March 23, 2018, at section co-chair Dae Kim’s office in Seattle. All of the committees reported their activities for the past year and training plans for the upcoming year. 	

Please quantify your section's current member benefits:	Quantity	Member Benefit
<p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 		Scholarships, donations, grants awarded
		Law school outreach events/benefits hosted
	2	Legislative bills reviewed/drafted
		Newsletters produced
	2	Mini-CLEs produced
		Co-sponsored half/day to multi-day CLEs with WSBA
		Receptions/forums hosted
		Awards given
	1	New Lawyer Outreach events/benefits
		Other (please describe):
2018-2019 Goals & Priorities (Top 5)	1	The section is committed to holding the Fall, 2019 annual meeting in eastern Washington and has begun the planning for this event.
	2	The goals for the November, 2018 annual meeting include providing training on the juvenile offender system, school to prison and racial disparity issues, civil commitments and a judicial panel.
	3	Priorities in the child welfare practice area will include ICWA compliance, including notice provisions to the BIA and Tribes, the lack of suitable placements, and effective and ethical legal representation.
	4	The section will begin to recruit new law student executive committee members, as all of the current students will graduate in Spring of 2019.
	5	Schedule and plan an orientation session for new executive committee members that take office on October 1, 2018.

Please report how this section is addressing diversity:

(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?)

The executive committee has meet with WSBA staff member Robin Nussbaum regarding diversity, equity and inclusiveness. At the annual meeting in October, 2017, Ms. Nussbaum was a part of a panel on diversity. The section continues to monitor the WSBA’s diversity and inclusion statistics as related to the Juvenile Law Section. The 2018 percentage of members of color, LGBT and persons with disabilities all increased slightly from 2017. The section will continue to monitor the statistics regarding new/young lawyer members and women lawyers, as both of those numbers decreased.

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 represents a diverse group of professionals from the child welfare, juvenile justice and civil legal aid communities. The section has worked diligently to ensure that the executive committee is representative of a wide variety of roles in those practice areas. The executive committee promotes a respectful, cohesive working relationship between the committee members and the membership as a whole. The annual meeting includes a panel of judges/justices from a variety of courts that allow the panel members and the section membership to address issues such as civility and respect for the participants, including clients, in the justice system.

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?)

The section has a Young Lawyer Liaison who serves on the executive committee and is invited to all of the executive committee meetings and events, including the annual retreat. One of the executive committee members also serves as a liaison to the young lawyer.

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.*

The WSBA’s section liaison, Eleen Trang and BOG liaison Brian Tollefson are invited to the monthly executive committee meetings, the executive committee retreat and the annual meeting. They have regularly attended section meetings. Ms. Trang has assisted the section with a wide variety of projects and has been very supportive to and helpful with section issues. BOG liaison Brian Tollefson regularly provides the section with an update on BOG meetings and issues, and seeks input from the executive committee members.



WSBASections

WSBA SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Lesbian Gay Bisexual Transgender (LGBT) Law Section</i>	
Chair:	<i>Dana O'Day-Senior (co-Chair) & Betsy Crumb (co-Chair)</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	117
	Staff Lead:	Eleen Trang
	BOG Liaison:	Athan Papailiou
	FY18 revenue: \$	\$3,073.12 (as of 8/31/18)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$757.32 (as of 8/31/18)
Purpose:	The LGBT Law Section is dedicated to helping attorneys better serve LGBT clients and the LGBT community. We focus on lawyer education, best practices, and the changing legal landscape.	
2017-2018 Accomplishments and Work in Progress:	<p>We began the 2018 Fiscal Year with an annual meeting on November 9, 2017, held at the WSBA offices. Judge Jean Rietschel gave a presentation to our membership about the evolution in how LGBT issues have been addressed by the bench over the years, from her personal experiences as a young lawyer to her current position as Chief Unified Family Court Judge in the King County Superior Court. Section attendees then discussed our planning strategies, goals, and activities for the section in the coming year.</p> <p>Our next major event was the LGBT Law Section Mid-Year Meeting held on March 22, 2018, at the WSBA offices: "Navigating the Landscape of LGBTQ Issues in the 21st Century." The event was well-attended, and attendees received 3.0 CLE Law and Legal Procedure Credits, and 1.0 other CLE credits. Many thanks to WSBA for helping us staff and prepare for this CLE, as well as our wonderful presenters: David Ward, Comm. Jennie Laird, Comm. Jonathan Lack, Isaac Ruiz, Chelan Crutcher-Herrjon, and Andre R. Olivie.</p>	

	<p>The section also hosted our first electronic elections under the new WSBA Sections Bylaws. We are happy to report we filled all open positions and reached new levels of geographic diversity among our 2019 Executive Committee.</p> <p>This coming November are excited to host our first annual meeting in two locations! We will be live in Seattle and live in Spokane, communicating via Zoom to connect all members through the state.</p>	
<p>Please quantify your section's current member benefits:</p> <p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	<p>Quantity</p>	<p>Member Benefit</p>
		<p>Scholarships, donations, grants awarded: In FY 2018 we did not give any scholarships, donations, or grants. However, we have set aside \$500 in our FY 2019 budget to provide scholarships to attendees at our mini-CLEs and Mid-Year meeting.</p>
		<p>Law school outreach events/benefits hosted: No law school benefits were hosted in FY 2018. In FY 2019 we hope to host events for students at each Washington-based law school.</p>
		<p>Legislative bills reviewed/drafted: this year no legislative bills were referred to the LGBT Law Section for review.</p>
		<p>Newsletters produced: No newsletters were produced this year. Please stay tuned for our report following our 2019 Annual Meeting on November 13, 2018.</p>
		<p>Mini-CLEs produced: This year we offered a lively presentation and discussion with Judge Rietschel and a WSBA-co-sponsored Mid-Year Meeting, but did not offer any mini-CLEs. Stay tuned for our next planned Mini CLE coming up on November 13, 2018.</p>
	<p>1</p>	<p>Co-sponsored half/day to multi-day CLEs with WSBA: This year the LGBT Law Section hosted its first ever half-day midyear meeting co-sponsored with WSBA. The event was a learning experience and a success, particularly as the availability of webcasting as well as in-person attendance, enabled the Section to reach more WSBA members all over the state.</p>

	3	Receptions/forums hosted: Receptions were hosted both in connection with our Mid-Year Meeting and our Annual Meeting. Our Annual Meeting also included a thought-provoking discussion and presentation by Judge Jean Rietschel with a longitudinal view from the Bench on how judges have understood and addressed LGBT rights and legal issues and how this has changed. In addition, we co-sponsored a reception and networking event with the QLaw Association on October 5, 2017. This event was well-attended, but most of the planning took place in FY 2017.
		Awards given
	1	New Lawyer Outreach events/benefits: We attended Open Sections Night in Seattle. This coming year, thanks to increased geographic diversity among our executive committee, we hope to attend all Open Sections Nights offered round the state.
		Other (please describe): N/A
2018-2019 Goals & Priorities (Top 5)	1	Hosting our first annual meeting in two locations – one in Seattle and one in Spokane
	2	Identifying key issues impacting LGBT attorneys, the LGBT community, and attorneys who serve the LGBT community to better focus Section educational programming, identify existing resources available to Section members, and evaluate ways to best fill gaps in available resources and education.
	3	Host a mini-CLE, webinar, or Mid-Year Meeting focused on work-life balance and mental health with a focus on challenges and stressors particularly affecting LGBT legal professionals and attorneys who serve the LGBT community.
	4	Regular member networking events.
	5	Expanding our outreach and representation across the state.

Please report how this section is addressing diversity:

(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?)

This Section is focused on helping lawyers to better serve the LGBT community and individuals. Many of our executive committee members are members of the LGBT community. We also encourage people from various diverse and minority backgrounds to run for positions on our executive committee, speak at educational events, and participate in other opportunities for section leadership.

We have also continued our efforts to strengthen our relationships with the QLaw Bar Association to better encourage our section membership to interact and co-sponsor events with other legal organizations focused on representing diverse members of the legal profession.

We also continue to focus our educational efforts on CLEs focused on better serving underrepresented populations in need of legal services, such as transgender individuals and LGBTQ youth.

Our upcoming FY 2019 annual meeting is particularly focused on identifying and prioritizing key legal issues affecting LGBT attorneys and attorneys serving the LGBT community. In the course of our analysis of these findings, we hope to identify for variations and insights into how or if geographic diversity or other intersectional considerations impact the issues and priorities placed on them.

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 LGBT Law Section looks for opportunities to promote and encourage professionalism in our educational and section activities. This past year we had Judge Jean Rietschel present for us about the bench in King County and the ways in which the section can collaborate with judges. We also continually strive to open dialogues regarding the issues facing the legal community and ways to promote professionalism in the face of a charged sociopolitical environment; and to encourage our members to interact with members of minority bar associations and other organizations in a professional, collegial manner.

We plan to bring more programming focusing on professionalism in the face of adversity and better serving clients through professionalism in the coming programming year.

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 work closely with our WSBA Young Lawyer Liaison and encourage new and young lawyers to join our executive committee. We are working to recruit new and young lawyers to fill current vacancies; to plan, speak, and participate in section educational programming, and to represent the LGBT Law Section at networking and membership events. This year we welcomed Jesse Taylor as our WSBA Young Lawyer Liaison!

The section also works to send representatives to the various Open Sections Nights held in Seattle, Spokane, and Tacoma to encourage new and young lawyers and law students to join the section.

The section actively solicits the input and feedback from its new and young lawyer members and seeks ideas for how it can better serve new and young lawyers, and determining what areas of programming or services are most desired by new and young lawyers.

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.*

The LGBT Law Section thanks its sections liaison Eleen Trang for her continued help and support. We have had excellent and fruitful relationships with WSBA staff and BOG members throughout approval and finalization of our harmonized, amended section Bylaws, the electronic election cycle, and production and execution of our Mid-Year Meeting.



WSBA Sections

WSBA LABOR AND EMPLOYMENT LAW SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Labor & Employment Law</i>	
Chair:	<i>Brad Medlin, Roblee Detwiler</i>	
Section Information: <i>As of September 30, 2016</i> <i>*To be completed by WSBA*</i>	Membership Size:	1,009
	Staff Lead:	Patrick Mead
	BOG Liaison:	Angela Hayes
	FY18 revenue: \$	\$30,323.75 (as of August 31, 2018)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$19,939.53 (as of August 31, 2018)
Purpose:	<p>“To foster and promote integrity, expertise, and greater understanding within the labor and employment law community throughout Washington.”</p> <p>Our Section brings together attorneys from all across the State, from “both sides of the docket,” and various areas of labor and employment practice and in public and private sectors, which advances civility and professionalism in the Bar.</p> <p>The Section is comprised of lawyers in the private sector and public sector, and those representing plaintiffs or unions as well as those representing employers or management. We have those who primarily practice traditional labor law, as well as those who practice in other areas of employment law. Our Section also has law professors, judges and arbitrators/mediators. Our Executive Committee reflects this breadth and depth of experience and perspectives of the Section in general.</p> <p>The Section and its Executive Committee enjoy diversity in terms of gender, race, disability, religion, and geographic representation. There are two members of the Executive Committee from Eastern Washington. We have also focused on increasing our outreach and services to lawyers in Central and Eastern Washington. We would</p>	

	<p>like to improve our Section’s representation from Central Washington if possible, as well as diversity based on race, disability, religion, and national origin. The Section does not have data with respect to the sexual orientation of members.</p> <p>The Section coordinates events that keep practitioners informed on the latest developments in employment law, which promotes competency and ethical practice in the bar.</p>
<p>2016-2017 Accomplishments and Work in Progress:</p>	<p>See above. Our annual CLE last year was well attended and the webinar option in particular was heavily utilized (95 in-person attendees, 65 webinar). We are working toward similar success this year (with our CLE on 11/30/2018 in Seattle, and by webcast). We strive for interactive panel discussions and speakers from around the state, to feature the breadth and depth of all the various perspectives in our Section.</p> <p>The Section sponsored a CLE on the new state paid sick leave law in January 2018, and one on the upcoming paid family and parental leave law in June 2018. Both Mini-CLEs sold out open registration spots and were well-received. An additional Mini-CLE is planned in Spokane on September 27, to dovetail with the Federal Bar Association Annual Meeting there.</p> <p>The Section participated in the Open Section Night both in Tacoma in November 2017 and in Seattle in January 2018.</p> <p>The Section has also strived, and will continue to strive, to increase access to member benefits and programs for lawyers of moderate means and in the central and eastern parts of the State. For example, because our Section has been successful and conservative in terms of managing our revenues, our “East of the Mountains” Mini-CLE and networking events in Spokane and Yakima over the last few years have been offered at no charge, and our Seattle Mini-CLEs are offered at minimal cost, solely to incentivize attendance since space is limited. These are also very valuable and accessible opportunities for law students and young lawyers across the state to network and get involved in the Section and find mentoring and work opportunities.</p> <p>We have also amended our Bylaws this year. Key amendments included making our Young Lawyer Liaison a voting member and opening membership to Certified Human Resources Professionals.</p>

Please quantify your section's current member benefits:	Quantity	Member Benefit
<p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • Mini-CLEs produced 	\$15,000	Law Student Summer Grants awarded: 1 summer grant award winner per law school in the 3 law schools in the state. This was \$5,000 per student/summer grantee in 2017-2018.
		Law school outreach events/benefits hosted
		Legislative bills reviewed/drafted – we do not take positions on bills because our Section is so diverse and represents so many we are unlikely to ever be able to form a consensus
		Newsletters produced – None. We educate/share through Seminars, Mini-CLEs, and the list-serve and website
	3	Mini-CLEs produced – Several. See above.
	1	Co-sponsored half/day to multi-day CLEs with WSBA. Several. See above.
		Receptions/forums hosted. Several. See above.
		Awards given. See above.
		New Lawyer Outreach events/benefits.
		Other (please describe): We are also regular participants in Open Section WSBA events. And we work directly and closely with our BOG liaison.
	2018-2019 Goals & Priorities (Top 5)	1
2		Increase membership and offerings to members throughout the state; particular emphasis to increase membership outside Puget Sound, in smaller legal markets, and among small firm and solo practitioners.
3		Maintain outreach to law students and younger lawyers.

	4	<p>Continue to focus on ways to foster community and the sense of professionalism with and among members from and among all areas of labor and employment practice, as well as the judiciary, neutrals, and the community in general.</p>
<p>Please report how this section is addressing diversity: (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> <p>See above.</p>		
<p>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?)</p> <p>See above.</p>		
<p>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?)</p> <p>Our outgoing young lawyer liaison has been an integral, co-equal part of our Executive Committee and its work. We look forward to developing a similar relationship with our new liaison. We also strive in other ways to make our outreach events accessible to new and young lawyers. See also above.</p>		
<p>Please describe your Executive Committee's relationship with WSBA staff and the Board of Governors.</p> <p>We have a positive and productive working relationship with our Section Lead, Pat Mead. We are hopeful that our new BOG liaison will be as engaged as the outgoing liaison, Angela Hayes. See above.</p> <p>We have also worked with the Bar's CLE and Mini-CLE staff, to accomplish unprecedented educational and networking opportunities in the central and eastern areas of the state, and set records in terms of our annual CLE attendance as well. On the whole, these interactions are frequently cumbersome, but we think the staff are working diligently and that the difficulties are institutional rather than personal. See more below.</p> <p>Our Executive Committee has experienced several frustrating situations with the bar related to logistics in the past year. These included: (a) difficulty securing approval for a location to hold a mini-CLE in Spokane, (b) complications with candidate submissions for Executive Committee elections, and (c) one or two occasions of slow responses to email inquiries from WSBA staff. Each of the situations was resolved, but required time (in the first two cases, significant time from multiple Executive Committee members) and inconvenience to the Executive Committee. Our Executive Committee hopes to see increased efficiency from WSBA in the coming year so that committee members' volunteer time is spent on program content and membership services more than administrative logistics.</p>		

Our outgoing liaison Angela Hayes has been very involved with our Section Executive Committee and interested in our work. She was dedicated and engaged (and is now a member of the Executive Committee). We look forward to forging a similar relationship with our new liaison.

There is a great deal of energy, work and enthusiasm among our Section leadership about what we are doing and hope to do in future.



WSBASections

WSBA LEGAL ASSISTANCE TO MILITARY PERSONNEL SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Legal Assistance to Military Personnel</i>	
Chair:	<i>Sharon Powell</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	100
	Staff Lead:	Patrick Mead
	BOG Liaison:	Daniel Clark
	FY18 revenue: \$	\$3,195.08 (as of August 31, 2018)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$1,175.00 (as of August 31, 2018)
Purpose:	<p>To benefit members of the Washington State Bar Association (WSBA) and the general public by:</p> <ul style="list-style-type: none"> • Establishing liaisons between the WSBA, the Armed Forces of the United States, and federal, state and local government agencies involved in military and veteran affairs. • Encouraging continuing legal education to assist legal representation of and advocacy for military personnel, veterans and their dependents within Washington State. • Providing information on matters affecting military licensed legal professionals, both active duty and reserve. • Promoting WSBA objectives with respect to military affairs by serving the needs of the members and veterans of the Armed Forces of the United States and their dependents. 	
2017-2018 Accomplishments and Work in Progress:	<ul style="list-style-type: none"> • Organized, hosted, and participated in mini-CLE training events for military and civilian attorneys. • Provided guidance to military and civilian attorneys seeking information on federal and state laws impacting servicemembers, veterans, and their families. 	

	<ul style="list-style-type: none"> As advisory member of the AGO’s Military & Veteran Legal Assistance Committee, participated in vetting and approval of Military/Veterans Legal Needs Survey, as well as providing guidance on military and veteran legal challenges and potential venues for receiving assistance. Reviewed state legislative bills in coordination with the WSBA, on issues relating to military members, dependents, Washington National Guard members, and veterans. Exchanged information with ABA LAMP related to active duty military members, the reserve/guard components, dependents, and veterans. 																							
<p>Please quantify your section’s current member benefits:</p> <p><i>For example:</i></p> <ul style="list-style-type: none"> \$3000 Scholarships, donations, grants awarded; 4 mini-CLEs produced 	<table border="1"> <thead> <tr> <th data-bbox="561 657 696 716">Quantity</th> <th data-bbox="704 657 1421 716">Member Benefit</th> </tr> </thead> <tbody> <tr> <td data-bbox="561 716 704 783">\$</td> <td data-bbox="704 716 1421 783">Scholarships, donations, grants awarded</td> </tr> <tr> <td data-bbox="561 783 704 850"></td> <td data-bbox="704 783 1421 850">Law school outreach events/benefits hosted</td> </tr> <tr> <td data-bbox="561 850 704 957">20 (approx.)</td> <td data-bbox="704 850 1421 957">Legislative bills reviewed/drafted</td> </tr> <tr> <td data-bbox="561 957 704 1024"></td> <td data-bbox="704 957 1421 1024">Newsletters produced</td> </tr> <tr> <td data-bbox="561 1024 704 1092">2</td> <td data-bbox="704 1024 1421 1092">Mini-CLEs produced</td> </tr> <tr> <td data-bbox="561 1092 704 1159">2</td> <td data-bbox="704 1092 1421 1159">Co-sponsored half/day to multi-day CLEs with WSBA</td> </tr> <tr> <td data-bbox="561 1159 704 1226"></td> <td data-bbox="704 1159 1421 1226">Receptions/forums hosted</td> </tr> <tr> <td data-bbox="561 1226 704 1293"></td> <td data-bbox="704 1226 1421 1293">Awards given</td> </tr> <tr> <td data-bbox="561 1293 704 1360">2</td> <td data-bbox="704 1293 1421 1360">New Lawyer Outreach events/benefits</td> </tr> <tr> <td data-bbox="561 1360 704 1436"></td> <td data-bbox="704 1360 1421 1436">Other (please describe):</td> </tr> </tbody> </table>	Quantity	Member Benefit	\$	Scholarships, donations, grants awarded		Law school outreach events/benefits hosted	20 (approx.)	Legislative bills reviewed/drafted		Newsletters produced	2	Mini-CLEs produced	2	Co-sponsored half/day to multi-day CLEs with WSBA		Receptions/forums hosted		Awards given	2	New Lawyer Outreach events/benefits		Other (please describe):	
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<p>2018-2019 Goals & Priorities (Top 5)</p>	<table border="1"> <tbody> <tr> <td data-bbox="561 1446 704 1619">1</td> <td data-bbox="704 1446 1421 1619">Host quarterly mini-CLEs that have value to our members and, in general, help military and civilian attorneys provide legal services to military personnel, veterans, and their families.</td> </tr> <tr> <td data-bbox="561 1619 704 1766">2</td> <td data-bbox="704 1619 1421 1766">Monitor and draft proposed legislation having impacts on military personnel, veterans, and their families and provide comments/testimony as appropriate.</td> </tr> <tr> <td data-bbox="561 1766 704 1898">3</td> <td data-bbox="704 1766 1421 1898">Evaluate and implement training methods to improve accessibility for LAMP members/military attorneys throughout Washington state.</td> </tr> </tbody> </table>	1	Host quarterly mini-CLEs that have value to our members and, in general, help military and civilian attorneys provide legal services to military personnel, veterans, and their families.	2	Monitor and draft proposed legislation having impacts on military personnel, veterans, and their families and provide comments/testimony as appropriate.	3	Evaluate and implement training methods to improve accessibility for LAMP members/military attorneys throughout Washington state.																	
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3	Evaluate and implement training methods to improve accessibility for LAMP members/military attorneys throughout Washington state.																							

	4	Continue to increase section diversity, outreach, and membership.
	5	Develop community outreach programs and services for veterans and active duty military members in association with local legal services projects (such as NJP, KLS, etc.)

Please report how this section is addressing diversity:

(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?)

The LAMP section strives to increase women and minority participation in our section and particularly in leadership positions. The veteran and military population we advocate for is very diverse and includes people from all walks of life and sexual orientations coming from all parts of the 54 states and territories. Current and past executive board comprises members of historically disadvantaged groups, such veterans, women, non-Christian religious denominations, and non-white ethnicities.

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 LAMP section hosts CLE presentation for its members and guests. In every presentation there is a portion that talks about the proper way to address legal issues in court, with the government, and/or with other attorneys. In general, attorneys who represent military personnel in military or civilian courts are held to a high-ethical standard and we strive to give them the information and tools to maintain that high-standard. Likewise, civilian attorneys representing military personnel, veterans, and their families receive educational opportunities to learn about the military culture and high standards expected.

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?)

LAMP participates in the Young Lawyer liaison program and has a young lawyer assigned to our section for the next two years. LAMP participates in outreach event to new lawyers and law students by attending and contributing to WYLD open night section nights in Spokane, and Seattle. Law students may join the LAMP section as non-voting members (at a reduced cost). New lawyers and law students have numerous opportunities to network with military and civilian lawyers at LAMP events and in some cases are mentored by LAMP members. All law school in Washington State have military/veteran law school associations which are supported by the LAMP section and which provide leadership opportunities for law students.

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.*
-
- The WSBA leadership and administrative staff has actively supported LAMP efforts to provide legal assistance to our returning military personnel, veterans, and families impacted by the long war overseas.
 - Our BOG Liaison has been engaged with all key issues addressed by the LAMP.
 - The LAMP section has actively participated in WSBA hosted leadership events and provided comments to help WSBA understand our section membership goals and needs moving forward.



WSBA LITIGATION SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Litigation Section</i>	
Chair:	<i>Greg Hesler</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	1,074
	Staff Lead:	Patrick Mead
	BOG Liaison:	Dan Bridges
	FY18 revenue: \$	\$31,710.00 (as of August 31, 2018)
	FY18 direct expenses: \$ (does not include the PerMember-Charge)	\$6,049.90 (as of August 31, 2018)
Purpose:	<p>The Litigation Section strives to be the voice of civil litigators practicing in Washington state. The Section is involved in a wide range of activities that interest those who handle civil matters in superior or federal courts. Activities include review and formal input concerning legislation and rule making, annual midyear trial skills seminar and support for litigation skills training.</p>	
2017-2018 Accomplishments and Work in Progress:	<ul style="list-style-type: none"> • Participation at All Open Section Night in both E and W WA • Educational events annual Trial Skill CLE seminar • Support of WSBA’s Trial Advocacy Program • Review and comment on legislative bills relevant to the section and its members (this did not occur because the legislature was not in session, but instead provided feedback to the BOG and Supreme Court both on WSBA changes and proposed Rule Changes. 	

	<ul style="list-style-type: none"> Scholarship and/or grant programs at all three WA Law Schools Initial exploration of potential mentor program, including seeking interest from experienced litigators to serve as mentors. 	
<p>Please quantify your section's current member benefits:</p> <p><i>For example:</i></p> <ul style="list-style-type: none"> \$3000 Scholarships, donations, grants awarded; 4 mini-CLEs produced 	Quantity	Member Benefit
	\$2,000	Scholarships, donations, grants awarded
	3	Law school outreach events/benefits hosted
	50+	Legislative bills reviewed/drafted
		Newsletters produced
		Mini-CLEs produced
	2	Co-sponsored half/day to multi-day CLEs with WSBA
		Receptions/forums hosted
		Awards given
	1	New Lawyer Outreach events/benefits
	1	Other (please describe): Hosted Annual Reception/Dinner for Supreme Court
2018-2019 Goals & Priorities (Top 5)	1	Continue Annual CLE program
	2	Law Student Outreach at all three Washington law schools
	3	Implement scholarship program for public interest law students
	4	Provide timely input on bills during active legislation session.
	5	Maintain electronic listserv for topics of interest to litigators throughout the state; and continue development of mentorship program

Please report how this section is addressing diversity:

(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?)

We actively ensure that our CLE programs include diverse speakers/presenters

We try to ensure both practice, geographic and ethnic diversity on our Executive Committee We have not used the WSBA Diversity Specialist.

The point of contact on our Committee for this should be Greg Hesler (Chair).

We will continue to promote diversity within our section leadership and in the presenters and speakers at section programs and identify outreach opportunities to increase diversity in our membership and leadership.

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 Litigation Section hopes to foster and promote professionalism by providing a means of networking and interaction for litigators representing both plaintiff and defendants. The Section CLE always includes an ethics component and we strive for continued outreach and communication through CLEs, Open Sections Events and list serve, each of which help build collegiality and professionalism.

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 have engaged with our YLD Liaison to get input on issues of importance to younger lawyers, and continue in our participation at Law School outreach events at all three law schools as well as Open Sections Nights. In addition, we are working towards the implementation of a new mentor program pairing experienced litigators with newer members of the Bar. Finally, our Annual CLE focuses on both more basic and higher level skills in a demonstration and discussion format that allows both new and more experienced lawyers to share and learn.

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.

WSBA Staff has been great to work with and responsive when we have questions. Staff has also been helpful in assisting our section in complying with WSBA requirements.

BOG Liaison was engaged, participated and was most helpful in providing insight and outreach for the BOG to our section.



WSBA LOW BONO SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Low Bono Section</i>	
Chair:	<i>Celeste Miller</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	108
	Staff Lead:	Patrick Mead
	BOG Liaison:	Chris Meserve
	FY18 revenue: \$	\$4,511.83 (as of August 31, 2018)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$2,039.94 (as of August 31, 2018)
Purpose:	<p>The underlying purpose of “low bono” is to increase the availability of legal representation and legal services to clients of moderate means.</p> <p>Clients of moderate means are individuals who have a need or a want for legal representation or legal services, but who cannot qualify for pro bono legal assistance and who typically cannot afford the cost of traditional law firm representation or legal services. These individuals comprise the majority of those seeking resolution of, or planning for, legal issues and legal matters.</p> <p>The Low Bono Section is a community of lawyers, other legal professionals, and law students committed to identifying solutions, creating systems, and developing projects to increase the overall availability and affordability of legal representation and legal services.</p>	
2017-2018 Accomplishments and Work in Progress:	<ol style="list-style-type: none"> 1. Planned, hosted, and facilitated a full day CLE: “2nd Annual Low Bono Conference - Unbundling: Reimagining the Attorney-Client Relationship.” June 8, 2018. 	

	<ol style="list-style-type: none"> 2. Sponsored Seattle University School of Law Low Bono Incubator Awardees for low cost CLE attendance at the Low Bono Conference. 3. Planned and held the first Low Bono Section Leadership Retreat in June 2018. The retreat was facilitated by JustLead Washington over two separate days. 4. Implemented the new voting system as approved by the WSBA By-Laws before the required deadline. 5. Executive Committee Members presented at the University of Washington "Social Justice Tuesday" event regarding low bono in outreach to law students. 6. Sent representatives to the Open Section Nights in November 2017 and January 2018. 7. Continued improvement of existing member benefits: <ul style="list-style-type: none"> • Online directory of low bono attorneys in WA • Low-cost and no-cost mini CLEs • Active Listserv • Multiple socials • Active committees 8. Continued to cultivate relationships with Seattle University School of Law, the University of Washington School of Law, Gonzaga University School of Law, the Moderate Means Program, and the Access to Justice Institute.
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<p>Please quantify your section's current member benefits:</p> <p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	Quantity	Member Benefit
	\$	Scholarships, donations, grants awarded
		Law school outreach events/benefits hosted
		Legislative bills reviewed/drafted
		Newsletters produced
		Mini-CLEs produced
		Co-sponsored half/day to multi-day CLEs with WSBA
		Receptions/forums hosted
		Awards given
		New Lawyer Outreach events/benefits
	Other (please describe): <ul style="list-style-type: none"> • Received donations from multiple sponsors for annual, full-day CLE 	

		<ul style="list-style-type: none"> • Offered scholarships (in the form of free membership and to our CLE) to members who are part of the Seattle University Low Bono Incubator Program • Offered free and low cost mini-CLEs to members through a co-sponsored monthly “Low Bono CLE Connections Series” with the Access to Justice Institute’s Low Bono and Solo Initiative, WSBA Moderate Means Program, and WSBA LOMAP. • Sent representatives to Open Sections Night in November and January • Sponsored social events for members and guests
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2018-2019 Goals & Priorities (Top 5)	1	Focus on committee activity, leadership, and goal-setting within each committee.
	2	Follow through with proposed goals from the Leadership Retreat, including creating excellent institutional memory and a process for succession in the Executive Committee.
	3	Increase Section membership by 5-10%
	4	Focus on our member benefits, including furthering our current benefits and working on creating new long-lasting and valuable member benefits
	5	Plan and implement another full day CLE/Low Bono Conference.

Please report how this section is addressing diversity:

(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?)

The Executive Committee has discussed the importance of diversity and inclusion within the Low Bono Section, but has not adopted an official strategy for incorporating the main tenets of the Diversity and Inclusion Plan into our section’s activities. Nonetheless, our Executive Committee has taken several steps to encourage participation by a more diverse group of people. All of the meetings of our Executive Committee have encouraged attendance by providing a telephone call-in number for those who live too distant to attend the meetings in person. We hold our Executive Committee meetings at a later hour of the day, typically on the third Tuesday of the month, to encourage more people to participate, including members with small children who may have trouble meeting during workday hours. In FY2018, we began rotating the location of the meetings among three different Seattle locations---Pioneer Square, Fremont/Queen Anne, and Northgate---in order to allow more Section Members to attend in person. All three locations are along multiple bus lines, are handicap accessible buildings, and

the latter two locations have free parking. We also began regularly hosting socials after these meetings and invite all Section Members to the meetings and to the post-meeting socials.

We are fortunate to be a section whose organizing principles appeal to a diverse group of attorneys, even without having focused our leadership activities on improving diversity and inclusion. Our mission is promotion of access to justice, which appeals to a diverse population of lawyers. This has resulted in a relatively diverse membership. Notably, the executive committee and Section membership is majority female. Since its inception in 2014, Section membership has historically been more diverse than the WSBA membership when measured purely by conventional demographics. The section is 69% female and a majority of our Executive Committee (including the Chair) is female. We focus heavily on alternatives to traditional law firm practice and work/life balance, something that appeals specifically to women in the profession.

Our section did not utilize the services of the WSBA Diversity Specialist this year. The WSBA Diversity Specialist should feel free to contact any member of our Executive Committee regarding diversity and inclusion unless and until such time as the Executive Committee designates a point person for such contact.

In the past year, our Executive Committee's primary focus was keeping the members it has (as distinct from merely maintaining our membership numbers by having growth that exceeds attrition). This has meant focusing on providing high quality programs and other valuable benefits for all of our members, as well as promoting opportunities for our members to communicate with each other and build meaningful professional relationships. Our Executive Committee's secondary focus in the last year was encouraging new members to join the section. This has meant actively recruiting new members from among attorneys and other professionals in the community, usually through in-person conversations in a variety of contexts. As a small section, our focus must continue to be growing our numbers and maintaining our existing members. We believe that continuing our efforts to keep our existing members while we continue to grow will result in the Low Bono Section continuing to be one of the most diverse and inclusive sections of the WSBA. Nevertheless, our Executive Committee will include developing a strategy for incorporating the tenets of the Diversity and Inclusion Plan into our section activities during the next fiscal year.

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?)

By its very nature, low bono practice seeks to foster a respectful and civil practice environment. Clients typically have limited resources. Therefore, low bono practitioners must make the most of those resources to obtain the best possible outcome for a client. An effective method to achieve this end is to practice with respect and civility throughout the life of a matter in order to keep the focus of all involved on the legal and client-centered issues at hand.

In addition, low bono practitioners approach matters with their clients from the perspective of what outcomes will be both achievable and satisfactory to the client within the client's means. This approach typically improves the overall experience the client has with the legal system when compared to a more traditional approach of advancing a client's matter to a point where

there is no resolution or satisfactory outcome, and then withdrawing when the client can no longer pay.

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 reach out specifically to new and young lawyers, with most of our outreach focusing on new/young lawyers and those transitioning from big firms to solo/small firms. Our bylaws allow us to have three law students hold non-lawyer board positions. A future goal is to reach out to lawyers reaching retirement, especially those seeking to semi-retire, and to lawyers practicing in big firms, which we imagine will lead to creating connections for new and young lawyers to find mentorship and professional opportunities.

A significant number of our Executive Committee Members are within their first five years of practice. For FY2019, we welcome a Young Lawyers Division liaison to participate in the Section Executive Committee meetings. Further involvement with the Seattle University School of Law Low Bono Incubator Program is planned.

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 are blessed with significant support and involvement in FY2018 from our WSBA Section Liaisons (Julianne Unite and Pat Mead). The same can be said for other WSBA staff that the Section has interacted with. All are approachable, thorough, and helpful with regard to Section business.



WSBASections

WSBA SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Solo & Small Practice Section</i>	
Chair:	<i>Kari Petrasek</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	980
	Staff Lead:	Eleen Trang
	BOG Liaison:	Kim Hunter
	FY18 revenue: \$	\$39,782.50 (as of 8/31/18)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$6,734.08 (as of 8/31/18)
Purpose:	To help solo and small practice attorneys ethically conduct a profitable, satisfying business by acting as a clearing house for qualified law practice management and technology information.	
2017-2018 Accomplishments and Work in Progress:	Major accomplishments include: -Maintaining our membership of over 1000 members, which in turn enhances the value of our list serve; -Producing 8 mini-CLE's which are free to our members – an increase of two beyond the 6 we produced last year and each of which have been excellently received and had great feedback from our members; -Producing the Solo & Small Firm Conference in partnership with WSBA and hosting the opening day reception; -Enhancing content on our WSBA web pages. - Hosted 2 member appreciation events that were well attended	

<p>Please quantify your section's current member benefits:</p> <p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	Quantity	Member Benefit
	\$4,650	Scholarships, donations, grants awarded
	\$579.26	Law school outreach events/benefits hosted
		Legislative bills reviewed/drafted
		Newsletters produced
	8	Mini-CLEs produced
		Co-sponsored half/day to multi-day CLEs with WSBA
	2	Receptions/forums hosted
		Awards given
	2	New Lawyer Outreach events/benefits
	Other (please describe):	
<p>2018-2019 Goals & Priorities (Top 5)</p>	1	Continue to increase Diversity on the EC
	2	Co-sponsor a networking event with another section and with a minority bar association.
	3	Continue to help restore the annual WSBA Solo & Small Firm Conference into the premier solo and small firm networking event it once was.
	4	Co-sponsor CLE events – Both SU and WSAJ reached out to CLE Chair last year to join forces and co-sponsor their own CLE s and we are hopeful of accomplishing that in 2019
	5	Build a mentorship program to help recruit and train young lawyers
<p>Please report how this section is addressing diversity: <small>(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?)</small></p> <p>Our membership is as diverse as WSBA membership. We recruit minorities to serve on the EC. We also plan to invite some minority bar associations to provide liaisons to our EC. Note: At least one of our existing EC members is also a member of several minority bar associations.</p>		

We have Robin Nussbaum coming to speak with us at our annual retreat in February. Diversity is always one of our goals when selecting speakers for our CLE and webinars.

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?)

Our CLEs help lawyers run the business end of their practices ethically and efficiently, which in turn fosters better relations with other counsel and the courts. In particular, effective use of technology helps lawyers meet their obligations, manage trust accounts and manage communications with clients and opposing counsel.

On our list serve, members frequently solicit advice and share experiences regarding how to deal with opposing counsel, courts and staff.

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 have a Young Lawyer Liaison on our EC.

We try to attend one or two law school events each year, encouraging students to join the section.

We send letters to new admittees encouraging them to join the section.

We participate in Open Sections Night in Seattle and Spokane.

We participate in the mentor projects.

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.*

WSBA staff are responsive to our requests for help. Our goal is to foster a productive, collaborative relationship with WSBA staff focusing on what we can do within the existing administrative structure. We will continue to push where we believe bureaucracy is unnecessarily hampering the work of the sections.



WSBASections

WSBA SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Taxation Section</i>	
Chair:	<i>Richard L. Johnson</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	665
	Staff Lead:	Eleen Trang
	BOG Liaison:	Kim Risenmay
	FY18 revenue: \$	\$24,836.25 (as of 8/31/18)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$11,055.42 (as of 8/31/18)
Purpose:	<p>The purpose of the Taxation Section is to further the knowledge of the members and the WSBA in areas of the law involving federal, state and local taxation, to provide our members benefits including relevant CLEs and networking opportunities, and further the interests of the WSBA and the legal profession.</p>	
2017-2018 Accomplishments and Work in Progress:	<p>The Taxation Section successfully operated its eleven subcommittees. Those subcommittees held meetings in their respectful sub-specialty area of tax law or otherwise accomplished their annual objectives. In addition, the Taxation Section had success with program and social event sponsorship and fostering new and young lawyer membership. The Section will endeavor to increase success in these areas as well as provide easier access to Section information for members, increase an emphasis on professionalism, and be a better resource in bridging the gap between the Section and the WSBA as an organization.</p>	

<p>Please quantify your section's current member benefits:</p> <p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	Quantity	Member Benefit
	\$7,000	Scholarships, donations, grants awarded
	2	Law school outreach events/benefits hosted
	Not Counted	Legislative bills reviewed/drafted
	1	Newsletters produced
		Mini-CLEs produced
		Co-sponsored half/day to multi-day CLEs with WSBA
	4	Receptions/forums hosted
	1	Awards given
	1	New Lawyer Outreach events/benefits
	Other (please describe):	
<p>2018-2019 Goals & Priorities (Top 5)</p>	1	To provide additional value to our members through member benefits
	2	To host a CLE
	3	To grow the Section membership and increase member participation
	4	To encourage young lawyers to join the Section by providing tailored networking opportunities and career support
	5	To increase communication about events and opportunities to participate
<p>Please report how this section is addressing diversity:</p> <p>(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> <p>The Taxation Section addresses diversity and promotes a culture of inclusion by inviting all WSBA members to join and participate without regard to race, color, religion, gender, gender identity or expression, sexual orientation, national origin, genetics, disability, age, or veteran status.</p>		

Additionally, the Taxation Section held its first ever elections to determine the Executive Committee for FY 2019. Every person who requested to be included on the ballot for a position, who qualified for that position under the Taxation Section bylaws, was included on the ballot without regard to race, color, religion, gender, gender identity or expression, sexual orientation, national origin, genetics, disability, age, or veteran status.

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 Taxation Section works to promote respect and civility by fostering professional relationships among private sector attorneys and government attorneys. Tax law most often involves these two groups to work on opposite sides. The Taxation Section provides the landscape where attorneys can come together and build professional relationships outside a confrontational situation. One example is our Tax Court judge receptions, where government attorneys and private practice attorneys have the opportunity to get acquainted and discuss topics other than their current caseload.

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?)

The Taxation Section is committed to integrating new and young lawyers into the broader Taxation Section framework. In addition to hosting a Young Lawyer Liaison, the Taxation Section has a stand-alone Young Lawyer Committee. The Young Lawyer Committee regularly meets with JD students, tax LLM students, and young lawyers to discuss employment, networking, and leadership opportunities. In addition, the Young Lawyer Committee continues to build and foster relationships with the University of Washington School of Law and Seattle University School of Law. These schools co-host events and otherwise work with the committee to help connect students and young attorneys with more experienced practitioners. The Young Lawyer Committee puts on events throughout the year. Events have included networking breakfast events and panel discussions at the law schools. Similar events are being planned for this upcoming year.

The Taxation Section actively provides leadership opportunities for young lawyers. The Taxation Section places the same value on input from its Young Lawyer Committee as all other committees. In the past, we have promoted the Young Lawyer Committee Chair to the executive Secretary position, and we have expanded committee positions to accommodate young lawyers interested in participating.

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.*

WSBA staff assigned to the Taxation Section is always available and willing to answer questions and provide additional information on matters related to the WSBA.



WSBA Sections

WSBA REAL PROPERTY PROBATE AND TRUST SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Real Property Probate and Trust Section</i>	
Chair:	<i>Annie Fitzsimmons (2018-19)</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	2,372
	Staff Lead:	Patrick Mead
	BOG Liaison:	Kim Risenmay
	FY18 revenue: \$	69,932,53 (as of August 31, 2018)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	70,642.89 (as of August 31, 2018)
Purpose:	The purpose of the Section is to: <ol style="list-style-type: none"> a. assist our members in achieving the highest standards of competence, professionalism, and ethics in their practices, b. assist the Legislature in the enactment and improvement of the laws affecting real property, probate, trusts, and estates and to assist the Judiciary in the just administration of those laws, c. support the WSBA with regard to those matters which concern the practice of law in the areas of real property, probate, trusts and estates, and d. otherwise serve our members by helping them realize their professional goals. 	
2017-2018 Accomplishments and Work in Progress:	<p>RPPT set a goal of reducing its fund balance in response to urgings from the WSBA. RPPT was moderately successful in that effort while still continuing to deliver high quality CLEs in an environment where attendance at all WSBA CLEs is declining. While RPPT CLEs were less profitable than in the past, they were still well attended and delivered high quality content.</p> <p>RPPT has fully integrated its fellows program which was introduced in June 2016. We graduated our first class of Fellows and enjoyed the benefits of welcoming one of those fellows back as an elected executive committee member for 2018-19 and 2019-20. We</p>	

	<p>received a robust selection of applicants to join the section this year as follows for a new two year term. RPPT co-sponsored four (4) full day CLEs and attracted our highest attendance in recent history at our annual Midyear Conference at the Suncadia Resort in Roslyn, WA. For the first time ever, we offered a one hour webinar CLE (on new issues related to residential landlord/tenant law), free to our members. We published four (4) high-quality newsletters. We enjoyed a strong relationship with our BOG Liaison, Kim Risenmay, who attended nearly all of our executive committee meetings and we are anxious to learn the identity of our BOG liaison for the coming year. RPPT adopted all of WSBA's recommended By-law revisions and executed all section activities in conjunction with those revised by laws, including a fully revamped election process for executive committee members. RPPT made an effort to have a representative attend each of the BOG meetings the past year. RPPT has formed and promotes a sub-committee to investigate reinstating a State-wide, all Sections Convention with the goal of increasing collegiality between the sections and WSBA membership.</p>	
<p>Please quantify your section's current member benefits:</p> <p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	<p>Quantity</p>	<p>Member Benefit</p>
	<p>\$14,000*</p>	<p>Scholarships, donations, grants awarded *Amount authorized, \$5,872 used (through 7/2018)</p>
	<p>2</p>	<p>Law school outreach events/benefits hosted</p>
	<p>1-10</p>	<p>Legislative bills reviewed/drafted</p>
	<p>4</p>	<p>Newsletters produced</p>
	<p>1</p>	<p>Mini-CLEs produced</p>
	<p>5</p>	<p>Co-sponsored half/day to multi-day CLEs with WSBA</p>
		<p>Receptions/forums hosted</p>
		<p>Awards given</p>
	<p>4</p>	<p>New Lawyer Outreach events/benefits</p>
<p>2018-2019 Goals & Priorities (Top 5)</p>	<p>1</p>	<p>Re-establish effective communication with the Legislature through a WSBA Legislative Liaison. RPPT and WSBA's Legislative Liaison must create communication channels that allow a timely and impactful flow of information so that the expertise of RPPT members can be utilized to educate and inform Legislative members as they create law impacting the practice areas of real property, probate and trust.</p>

	2	Continue outreach to new lawyers, including but not limited to offering of scholarships to the RPPT Midyear Conference (4 scholarships awarded in 2018, the second year of this program), open section nights, mentor lunches at CLEs and other similar programs.
	3	Continue enrichment of the Fellows program to promote section membership to new lawyers and to inform existing RPPT members of ways to positively impact practice development and section membership for new lawyers.
	4	Strategic planning regarding most effective way to deliver CLEs to our members, including forms based/hands on training
	5	Contribute constructively to all meetings where Sections participation is invited, regarding Bar structure.
	6	Continue efforts at increasing the diversity of RPPT Section members and leadership

Please report how this section is addressing diversity:

(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?)

Diversity is an important issue to RPPT. When recruiting individuals to serve on the RPPT executive committee and/or join the Section, RPPT makes significant efforts to be inclusive. As a result of these efforts RPPT is doing very well in maintaining diversity in areas it can control: gender, age, small firm/large firm, geography. As to gender equity, RPPT has done a great job. Four of five officers of RPPT were women this past year and the executive committee has had good gender balance for more than a decade. RPPT is expanding ethnic diversity with its Fellows and Young Lawyer Liaison.

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?)

RPPT has formed a sub-committee to investigate reinstating a State-wide, all Sections Convention with the goal of increasing collegiality between the sections and WSBA membership. RPPT has authorized the use of Section funds to determine the feasibility and scope of the convention as well as do the initial program development and investigate sponsorship opportunities. The subcommittee intends to enlist the assistance of other Section leaders so that this effort will be a multi-Section effort.

RPPT makes a conscious effort to include numerous ethics credit opportunities in our CLE formatting. We also started, last year, providing lunch to all CLE attendees to increase

relationship building among practice area professionals and offer mentoring lunches at the CLEs to young lawyers in attendance.

RPPT worked closely with the BOG Sections subcommittee two years ago and eagerly awaits information regarding the availability of Sections influence in the important decisions being made at the BOG and Supreme Court level regarding potential restructuring of the Bar. To that end, the RPPT sponsors two list serves and reminds list serve members that the purpose of the list serves is to promote education and professionalism among members, not to advocate political or other partisan positions.

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?)

RPPT has four fellows (two on the probate and trust council and two on the real property council) and a Young Lawyer Liaison (on the real property council). The involvement of our young lawyers benefits RPPT by allowing the Section to learn first-hand about issues important to young lawyers. We believe the fellows and liaison benefit by obtaining experience necessary to lead RPPT and WSBA in the future. We provided four scholarships for tuition to the Midyear Conference to young lawyers at the Young Lawyer's Open Section Nights. We also provided two full "all expenses paid" scholarships for young lawyers who applied to attend our Midyear Conference. RPPT has invested heavily in young lawyers in the last three years, and we are beginning to feel the benefits of that investment.

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 work closely with and receive excellent service from WSBA staff. Our relationship over the past year with Section staff has been as strong as we have experienced in a number of years. We work well with Pat Mead. He is responsive and helpful and the information he communicates is always reliable. He is positive and supportive of Sections in all of his communications. He creates a feeling of effective collaboration between the volunteer efforts of RPPT members and the support provided by WSBA staff.

We have appointed a small subcommittee whose responsibility is to attend BOG meetings. Previously, we had a different person attend meetings periodically. We found that it was a challenge keeping abreast of BOG issues. Having a smaller group of people attend allows for continuity without placing too much burden on any one individual.

Kim Risenmay, as our 2017-18 BOG liaison, was wonderful. He made a point of attending our executive committee meetings and to have open and candid conversations with RPPT leadership. We eagerly await knowledge of our new BOG liaison, particularly at this time when

our Section will benefit from staying abreast of important decisions made by the BOG and when the BOG will benefit from information uniquely within the province of sections.

We have thoroughly enjoyed working with Sondra Livingston-Carr and Kevin Plachy for CLE planning and delivery. Both are abundantly competent and extraordinarily responsive to our requests for assistance in planning CLE locations, content, pricing, coordination of staff and on-site delivery. Sondra's willingness to reach out to potential speakers and recruit quality talent for CLEs relieves an enormous burden from volunteer members. That, along with her acute sense of event planning and logistics makes the job of Section CLE planners substantially more manageable and enjoyable. Kevin is a solid resource whose knowledge of both WSBA policies and successful CLE development and delivery requirements enables our section to rely on his expertise and curtail logistical efforts required by volunteer members. The contributions of both Sondra and Kevin, to successful delivery of CLEs, cannot be over-stated.

We attend the sections leaders' meetings that are held throughout the year.

During this past Legislative session, our section was crippled by the lack of a WSBA Legislative Liaison in our efforts to deliver and receive communication with Legislative members. As a result, legislation was passed that would have benefited from the influence of RPPT members. We are committed, as is WSBA, to reversing this outcome and re-establishing the ability for RPPT members to positively impact Legislative members with the weighty decisions they make.

We are committed to a relationship of mutual respect with WSBA. We will strive to assist WSBA in meeting its objectives and appreciate that WSBA offers support and the flexibility we need to continue to provide the high quality member services our members have come to expect.



WSBASections

WSBA SENIOR LAWYERS SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>Senior Lawyers Section</i>	
Chair:	<i>Brian Comstock</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	270
	Staff Lead:	Patrick Mead
	BOG Liaison:	James K. Doane
	FY18 revenue: \$	\$5,798.28 (as of August 31, 2018)
	FY18 direct expenses: \$ (does not include the Per-Member-Charge)	\$3,310.60 (as of August 31, 2018)
Purpose:	<p>Article II of the Bylaws of the Senior Lawyers Section states that "the purpose of this Section shall be to benefit members of the Washington State Bar Association (WSBA) and the general public, by:" The following subsections spell out specifically how this purpose is to be accomplished. Subsection 2.1 provides for programs that will promote the interests of members 55 years of age and older. Subsection 2.2 seeks to advance the opportunity and forum for members to exchange ideas and engage in educational, social and related activities geared to promoting the same common interests. Subsection 2.3 states the broadest goal of undertaking other services consistent with the Bylaws and other applicable rules that will benefit members of the legal profession and the public. Article III of the Bylaws spells out eligibility for membership. This is pertinent to defining who are the members of the Section referred to above. Under Section 3.1, to enroll as a voting member of the Section, the attorney must be an "Active member of the Washington State Bar Association 55 years of age and older or who has been in practice in any jurisdiction for 25 years." Such an enrollee may be granted voting membership upon request and payment of annual Section dues. Section 3.1 also provides for inactive members who may be members of the WSBA, law students and subscribers. Annual dues of members are established by the Section's Executive Committee, subject to approval of the WSBA Board of Governors, and the dues of subscribers are determined and approved by the</p>	

	<p>WSBA Board of Governors, 2017-2018</p>
<p>2017-2018 Accomplishments and Work in Progress:</p>	<p>ANNUAL CLE EVENT The one event sponsored and carried out by the Senior Lawyer Section is its annual CLE seminar usually held in the last week of April or the first week of May. It is well-attended usually by 100 or more attorneys from around the state. The all-day program usually offers 7.0 CLE credits (including a 1.0 ethics credit). The 2018 all-day event was held April 27 at its well-established location, the Seattle Airport Marriott. The theme was STICKY QUESTIONS OF THE DAY—Voices from the Front Line. While invitations were extended beyond present members of the Senior Lawyers Section, to include all members of the WSBA who fall in the category of being Baby Boomers (around age 60 or older), attendance at the event was about the same as in prior years, with slightly over 100 attendees. The program featured many outstanding speakers including WA Supreme Court Justice Charles Johnson who spoke on How Washington State Justices Have Contributed to the Legal Profession and now-retired, prominent litigator Paul Luvera who presented Ideas for Better Communication and Persuasion Skills. Other session topics included key changes in national and state tax laws and challenges occurring under our immigration laws. The Section's Executive Committee is actively engaged in planning next year's CLE event and also considering expanding to other CLE programs that will attract the rapidly-expanding number of senior lawyers.</p> <p>"LIFE BEGINS" PUBLICATION The other major function of the Senior Lawyer Section is quarterly publication of Life Begins. Ron Matson has done an outstanding job heading up this publication. Al Armstrong has been a major contributor with lead articles on our annual CLE lead speakers and subject matter. Consideration is being given to expanded and different publications with more effective means of communication.</p> <p>OTHER This past year, the Senior Lawyers Section has assisted and contributed to other events and causes pertinent to its basic mission. This has included the efforts of Eleanor Doermann, now serving on the Section's Executive Committee, for the Section to support and participate in the growing WSBA Young Lawyer Liaisons Section Program.</p>

	<p>Most importantly, the Section has a newly-established Task Force which is studying the dramatic changes in senior lawyer programs taking place in several major states to meet the broader interests of those reaching retirement age and at the same time assure the survival of these programs.</p>	
<p>Please quantify your section's current member benefits:</p> <p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	Quantity	Member Benefit
	\$	Scholarships, donations, grants awarded
		Law school outreach events/benefits hosted
		Legislative bills reviewed/drafted
	2	Newsletters produced
		Mini-CLEs produced
	1	Co-sponsored half/day to multi-day CLEs with WSBA
		Receptions/forums hosted
		Awards given
		New Lawyer Outreach events/benefits
	Other (please describe):	
<p>2018-2019 Goals & Priorities (Top 5)</p>	1	<p>TASK FORCE: Several members our Executive Committee have volunteered to serve on a Task Force formed to gather information on new senior lawyer programs adopted by the ABA and several state bars. The programs are designed to attract the expanding number of lawyers reaching senior status and thereby strengthen senior lawyer sections overall and even avoid their threatened collapse. Our state bar now has some 14,000 members now falling in that category and only a small portion are attracted to our present programs. All of these dramatic changes suggest the need for change and expansion. That's the goal and mission of the Task Force</p>
	2	<p>EXPANDED PUBLICATIONS: Our present publication of Life Begins is proving increasingly expensive and of less interest overall to the expanding number of senior lawyers. Basic changes are in store. The subject matter needs to be expanded and attuned to the changing</p>

		<p>makeup of the senior lawyers becoming a major part of our state bar. We should also be considering multiple publications focusing on lawyers practicing in all parts of the state and engaged in basically different professional pursuits. Also, the methods by which these publications can best be published and distributed need to be studied and implemented. First class mail distribution has proved highly expensive and lost in the massive deluge mail now going out to the public in general.</p>
	3	<p>BROADENED CLE PROGRAMS: Our present annual program is being restructured to appeal to a broader segment of senior lawyers. We have also included for the first time as part of our upcoming budget a mini-CLE. Our future goals are to strengthen these programs and at the same time introduce and implement additional seminars and educational programs that meet the needs and interests of more and more senior lawyers and the expanding variety of their interests.</p>
	4	<p>OUTREACH TO OTHERS: The focus of our section has always been senior lawyers. However, we are broadening our mission to include support and dealings with young lawyers. We now have a member of our Executive Committee serving as a liaison with the WSBA Young Lawyers Section.</p>
	5	<p>INVOLVEMENT IN BAR POLICY AND DECISIONS: As a section, we need to take a more active role in the overall administration. This includes having members of our Executive Committee attend meetings of the Board of Governors and participate in special programs and activities affecting the bar association and its members overall.</p>

Please report how this section is addressing diversity:

(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?)

The Senior Lawyer Section membership is primarily attorneys who have reached or are approaching their age of retirement. At the time that these attorneys commenced practice, the legal profession in our country was primarily made up almost entirely of white males. The legal profession has of course gone through radical change over the years and attorneys who commenced practice 50 or so years ago are part of that change. The Senior Lawyers Section is hoping to expand its membership to include the Baby Boomer generation and reach a much broader array of attorneys far more females and those of vastly different cultures, races and

religions. Our annual CLE has been tailored to attract the oncoming generation of seniors and fully address the ongoing changes that are taking place.

The Senior Lawyers Section of the ABA has gone through dramatic change responding to the rapidly-expanding generation of senior lawyers and their new and different challenges and interests. Changes were made to save that section from going under entirely. The results overall appear favorable. Several states have followed the same pattern of change primarily to save their senior lawyer programs. As explained above (Part 1), our Task Force is studying these developments to see if any of these programs might be supportive of our efforts to strengthen and expand our own senior lawyers section.

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 one outstanding trait of the more senior generation of attorneys is their upbringing and adherence to the basic principles of professional behavior. It was something built into their professional makeup when initiated into practice many years ago when the focus was mostly on loyalty and providing outstanding service to clients. The focus today has turned more to competing for client business and maximizing earnings particularly in the much larger firms practicing nationally and worldwide. It's a much different atmosphere.

Our annual CLEs increasingly address the mounting issues brought about by the dramatic changes occurring in the profession and the impact on senior lawyers in particular. Issues bearing on basic principles of professionalism have become an increasingly significant part of each annual event.

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?)

While our membership is made up of senior lawyers, serious effort is being made to reach out to the needs and interests of the expanding generation of young lawyers. Eleanor Doermann has led this effort as our liaison to and from the Young Lawyers Section promoting and participating in their programs and events.

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.*

Patrick Mead (section liaison) and Kevin Plachy (CLE) continue to provide outstanding services to the Senior Lawyer Section. This has included and been key to carrying out our annual CLE. We are kept well-informed of major changes taking place and our participation in matters before the Board of Governors.



WSBASections

WSBA WORLD PEACE THROUGH LAW SECTION ANNUAL REPORT – FY18

Name of the Section:	<i>World Peace Through Law</i>	
Chair:	<i>Anna Moritz</i>	
Section Information: <i>As of September 30, 2018</i> <i>*To be completed by WSBA*</i>	Membership Size:	106
	Staff Lead:	Patrick Mead
	BOG Liaison:	Kyle Sciuchetti
	FY18 revenue: \$	\$3,755 (as of 8/31/2018)
	FY18 direct expenses: \$ <i>(does not include the Per-Member-Charge)</i>	\$1,163.05 (as of 8/31/2018)
Purpose:	<p>The World Peace Through Law Section of the Washington State Bar Association seeks to promote the rule of law and peaceful resolution of disputes among states and to foster education on public international law and human rights. The Section provides a forum for ideas, offers continuing legal education programs, publishes a newsletter, engages in activities with governmental entities and non-governmental organizations who share an interest in world peace through law and undertakes such other service as may benefit the members, the legal profession and the public.</p>	
2017-2018 Accomplishments and Work in Progress:	<p>Started a series of human rights articles in the NW Lawyer. Section members as well as non-members are invited to contribute original scholarship. There has been enthusiasm from members for this new series.</p> <p>Hosted multiple CLEs, working on new avenues for member engagement.</p>	

Please quantify your section's current member benefits:	Quantity	Member Benefit
<p><i>For example:</i></p> <ul style="list-style-type: none"> • \$3000 Scholarships, donations, grants awarded; • 4 mini-CLEs produced 	\$	Scholarships, donations, grants awarded
		Law school outreach events/benefits hosted
		Legislative bills reviewed/drafted
		Newsletters produced
	6	Mini-CLEs produced
		Co-sponsored half/day to multi-day CLEs with WSBA
	1	Receptions/forums hosted
		Awards given
		New Lawyer Outreach events/benefits
	2	Other (please describe): co-hosted a 3 day CLE with Seattle University School of Law; hosted a special conference call meeting with a member of the Mukwege Foundation in honor of International Women's Day
2018-2019 Goals & Priorities (Top 5)	1	Increase outreach, especially with students and young lawyers.
	2	Improve section diversity and inclusion
	3	Create an online repository for past CLE materials to serve as a human rights resource for the public.
<p>Please report how this section is addressing diversity: <small>(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?)</small></p> <p>Our section's purpose is to promote human rights, which often intersects with issues of bias, social inequity, and oppression. Although much of our programming is thus aimed at educating around issues that are important to diversity and inclusion, we as a section have failed to focus as deeply on these issues within the section leadership and profession as we could. We plan to make greater efforts around diversity and inclusion in our section and the profession in the coming year.</p>		

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 first mini-CLE we hosted this year was "Civility in the Law." The focus was on the ways in which civility within the profession benefits everyone and forms the first step toward "peace" at all levels.

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?)

Our section board is very pleased to have welcomed a Young Lawyer Liaison to the board starting October 2018. The YLL is exceedingly well qualified and brings great ideas and enthusiasm to her position. The rest of the board is fully committed to doing everything we can to support the YLL and work with her to provide support for young lawyers in this field of law.

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 are extremely grateful for the amazing support we receive from WSBA staff. Every staff person we have worked with has gone above and beyond to help us. In short, the quality of WSBA staff is outstanding!

Likewise, our BOG liaison has been engaged and helpful.

Overall, our section is very pleased with the support we receive: we couldn't do this work without it. The most important point for us is that the current integrated structure of the bar remain such that section support can be maintained as it is.

**Summary of WSBA Outreach Visits
September 21, 2018 to November 2, 2018**

1.	9-25-18	WA State Department of Health Tumwater, WA	Professional Responsibility Counsel Jeanne Marie Clavere gave a presentation on ethics.
2.	9-25-18	UW School of Law Seattle, WA	Executive Director Paula Littlewood and WSBA member Hunter Abell presented a session on professionalism to law students in a Professional Responsibility class.
3.	9-26-18	SU School of Law Seattle, WA	Sr. Disciplinary Counsel Francesca D'Angelo spoke on "Ethics and Social Media" at an Ethics CLE and Externship Fair.
4.	9-28-18	Federal Bar Association Seattle, WA	Sr. Disciplinary Counsel Francesca D'Angelo participated in a panel discussion on "Making the Case with Tweets, Snaps, and Facebook Posts."
5.	9-28-18	Yakima County Bar Yakima, WA	Professional Responsibility Counsel Jeanne Marie Clavere gave a presentation on ethics.
6.	10-3-18	Network of Adjudicative Agencies CLE Tumwater, WA	Professional Responsibility Counsel Jeanne Marie Clavere presented "Ethics and Difficult Litigants" as part of a panel presentation.
7.	10-4-18	Cowlitz-Wahkiakum County Bar Longview, WA	Professional Responsibility Counsel Jeanne Marie Clavere presented a CLE during the monthly bar luncheon. The topic was: "Rule 1.14 and Clients with Diminished Capacity."
8.	10-5-18	Kitsap County Bar Port Orchard, WA	Legal Community Outreach Specialist Sue Strachan attended this monthly bar luncheon.
9.	10-7-18	Tacoma-Pierce County Bar Blaine, WA	Professional Responsibility Counsel Jeanne Marie Clavere presented "Professionalism and Ethics" at this yearly bar convention.
10.	10-12-18	Gonzaga University School of Law Spokane, WA	Executive Director Paula Littlewood and WSBA member David Gardner presented a session on professionalism to law students in a Professional Responsibility class.
11.	10-13-18	Kitsap County Bar Poulsbo, WA	Legal Community Outreach Specialist Sue Strachan attended this annual meeting, CLE and Dinner.
12.	10-15-18	Pro Bono Council Seattle, WA	Legal Community Outreach Specialist Sue Strachan met with Catherine Brown, the Pro Bono Council Manager.
13.	10-15-18	Redmond, WA	Outreach and Legislative Affairs Manager Sanjay Walvekar met with Washington State Senator Manka Dhingra as part of WSBA's ongoing effort to connect with member-legislators.
14.	10-18-18	Clark County Bar Vancouver, WA	Legal Community Outreach Specialist Sue Strachan met with Lisa Darco and Le Ann Larson from the Clark

			County Bar.
15.	10-18-18	Cowlitz-Wahkiakum County Bar Longview, WA	Legal Community Outreach Specialist Sue Strachan met with Meredith Long, the president of the Cowlitz-Wahkiakum County Bar.
16.	10-18-18	SU School of Law Seattle, WA	Kathy Jo Blake gave an "Overview of the Disciplinary System" to an ethics class for 2L and 3L students.
17.	10-19-18	Clallam County Bar Port Angeles, WA	Professional Responsibility Counsel Jeanne Marie Clavere presented "The Ethics of Pro Bono and Moderate Means Client Representation".
18.	10-22-18	Washington State Council of School Attorneys SeaTac, WA	Professional Responsibility Counsel Jeanne Marie Clavere presented "Ethics for Litigators."
19.	10-25-18	SU School of Law Seattle, WA	Auditor II Tracy Sambrano and Audit Manager Rita Swanson presented an "Overview of Trust Accounting Rules" to an ethics class for 2L and 3L students.
20.	10-25-18	Tacoma, WA	Outreach and Legislative Affairs Manager Sanjay Walvekar met with Washington State Representative Laurie Jinkins as part of WSBA's ongoing effort to connect with member-legislators.
21.	10-26-18	Skagit County Bar Mount Vernon, WA	Governor Michael Cherry and Legal Community Outreach Specialist Sue Strachan met with representatives from the Skagit County Bar and the volunteer lawyer program.
22.	11-1-18	SU School of Law Seattle, WA	Executive Director Paula Littlewood and WSBA member Allen Unzelman presented a session on professionalism to law students in a Professional Responsibility class.
23.	11-2-18	Lukins & Annis Law Firm Spokane, WA	Professional Responsibility Counsel Jeanne Marie Clavere presented "Cases from the Trenches: Ethical Messes in the Practice of Law".

WASHINGTON STATE BAR ASSOCIATION

MEMO

To: Board of Governors

From: Sara Niegowski, Chief Communications and Outreach Officer
Jennifer Olegario, Communication Strategies Manager

Date: Nov. 1, 2018

Re: Summary of Media Contacts, Sept. 15-Oct. 31

	Date	Reporter and Media Outlet	Inquiry
1.	10/1/18	Lyle Moran, <i>ABA Journal</i>	Working on story about potential for state bars to separate regulatory and trade association functions.
2.	10/5/18	Jim Brunner, <i>Seattle Times</i>	Inquiry about logistics of discipline process in regards to Michael John Siefkas (recently resigned in lieu of disbarment)
3.	10/8/18	Editor Cynthia Cotts, <i>The New York Times</i> ,	Confirmed two facts: Applicants for the Washington state bar must first undergo a character-and-fitness review, and convicted felons are not prohibited from taking the exam. This was in regards to an article about felon-turned-lawyer Reginald Dwayne Betts (of Connecticut), which includes a rundown of character-and-fitness processes/rules in other states.
4.	10/8/18	Steve Miletich, <i>Seattle Times</i>	Background information regarding the Court's directive to halt action on bylaw amendments and review the Bar's structure; request a Bar statement
5.	10/12/18	Alexis Krell, <i>Tacoma News Tribune</i>	Writing story re: judicial elections and asked about process regarding "deferrals," when she meant "diversion."
6.	10/16/18	Peter Maxwell, KHQ-TV Spokane	Sought bar statement regarding Robin Haynes.
7.	10/16/18	Jeff Pohjola, KOMO Radio	Sought comment regarding Robin Haynes.

8.	10/19/18	Scott Flaherty, <i>The American Lawyer</i> / Law.com	Sought comment regarding Robin Haynes.
9.	10/22/18	Austin Jenkins, KUOW Radio	Inquired about any complaints or disciplinary history for Nathan Choi, who is running for office.
10.	10/26/18	Haley Donwerth, <i>Federal Way Mirror</i>	Ethical question re: Is it ok for a city to discuss in a public setting a case moving forward on appeal? Re: City of Federal Way vs. Josiah Hunter

To: The President, President-elect, Immediate Past-President, and Board of Governors
 From: Nicole Gustine, Assistant General Counsel
 Date: November 2, 2018
 Re: Court Rules Update

This is the regular report on the status of suggested court rules submitted by the Board of Governors and other entities to the Supreme Court. Any changes from the last report are indicated in **bold**, **shaded**, **italicized text**.

SUGGESTED RULE AMENDMENTS SUBMITTED BY WSBA TO SUPREME COURT			
RULE	SUBJECT	BOG ACTION	COURT ACTION
RPC 1.7, RPC 1.15A, RPC 4.2	Proposed amendments to RPC 1.7 – Conflict of Interest: Current Clients, RPC 1.15A – Safeguarding Property, and RPC 4.2 ¹ – Communication with Person Not Represented by a Lawyer.	9/6/17: Approved submission to Court.	11/8/17: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than April 30, 2018. 6/7/18: The Court adopted RPC 1.7 and RPC 1.15A.
GR 25 ²	Proposed amendments to GR 25 – Practice of Law Board, and Rescind Practice of Law Board Regulations.	1/19/18: Submitted to BOG as Information.	6/7/18: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than September 14, 2018.

¹ [The Court has not taken an action on RPC 4.2.](#)

² [The Court has not taken an action on GR 25.](#)



SUGGESTED RULE AMENDMENTS SUBMITTED BY WSBA TO SUPREME COURT			
RULE	SUBJECT	BOG ACTION	COURT ACTION
<p>IN THE MATTER OF SUGGESTED AMENDMENTS TO APR 28—LIMITED PRACTICE RULE FOR LIMITED LICENSE LEGAL TECHNICIANS; APR 28 APPENDIX—REGULATION 2 PRACTICE AREAS—SCOPE OF PRACTICE AUTHORIZED BY LIMITED LICENSE LEGAL TECHNICIAN RULE; APR 28 APPENDIX REGULATION 3—EDUCATION REQUIREMENTS FOR LLLT APPLICANTS AND APPROVAL OF EDUCATION PROGRAMS; OF THE APR 28 LIMITED LICENSE LEGAL TECHNICIAN BOARD; RULES OF PROFESSIONAL CONDUCT (RPC) 1.0B—ADDITIONAL WASHINGTON TERMINOLOGY; RPC 1.17—SALE OF LAW PRACTICE; RPC 4.3—DEALING WITH A PERSON NOT REPRESENTED BY A LAWYER; RPC 5.8—MISCONDUCT INVOLVING LAWYERS AND LLLTs NOT ACTIVELY LICENSED TO PRACTICE LAW; RPC 8.1—BAR ADMISSION AND DISCIPLINARY MATTERS; AND LLLT RULES OF PROFESSIONAL CONDUCT (LLLTPC) LLLT RPC 1.0B—ADDITIONAL TERMINOLOGY; LLLT RPC 1.2—SCOPE OF REPRESENTATION AND ALLOCATION OF AUTHORITY BETWEEN CLIENT AND LLLT; LLLT RPC 1.5—FEES; LLLT RPC 1.8 CONFLICT OF INTEREST: CURRENT CLIENTS: SPECIFIC RULES; LLLT RPC 1.15A—SAFEGUARDING POLICY; LLLT RPC 1.16—DECLINING OR TERMINATING REPRESENTATION; LLLT RPC 1.7 SALE OF A LAW PRACTICE; LLLT RPC 2.3 [RESERVED]; LLLT RPC 3.1—ADVISING AND ASSISTING CLIENTS IN PROCEEDINGS BEFORE A TRIBUNAL; LLLT RPC 3.6-3.9 [RESERVED]; LLLT RPC 4.1—TRUTHFULNESS IN STATEMENTS TO OTHERS; LLLT RPC 4.2—COMMUNICATION WITH PERSON REPRESENTED BY LAWYER; LLLT RPC 4.3—DEALING WITH PERSON NOT REPRESENTED BY LAWYER; LLLT RPC 5.4—PROFESSIONAL INDEPENDENCE OF A LLLT; LLLT RPC 5.5 UNAUTHORIZED PRACTICE OF LAW; LLLT RPC 8.1—LICENSING, ADMISSION, AND DISCIPLINARY MATTERS; LLLT RPC 8.4—MISCONDUCT</p>	<p>The Washington State Bar Association Limited License Legal Technician Board recommended amendments to APR 28—Limited Practice Rule for Limited License Legal Technicians; APR 28 Appendix; Rules of Professional Conduct (RPC); and LLLT Rules of Professional Conduct (LLLTPCs).</p>	<p>1/19/18: Submitted to BOG as Information.</p>	<p>6/7/18: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than September 14, 2018.</p> <p>11/1/18: The Court adopted the rules.</p>
<p>RPC 1.12 – Comment 1</p>	<p>The Washington State Bar Association recommended the expeditious adoption of suggested amendment to RPC 1.12, Comment 1.</p>	<p>9/28/18: Approved submission to Court.</p>	<p>10/31/18: The Court adopted the rule.</p>



WASHINGTON STATE BAR ASSOCIATION

SUGGESTED RULE AMENDMENTS SUBMITTED BY WSBA TO SUPREME COURT			
RULE	SUBJECT	BOG ACTION	COURT ACTION
CrR 3.3 – Time for Trial	The Washington State Bar Association Counsel on Public Defense, in response to the Supreme Court Rules Committee Referral of a request by Mr. Stephen Dowdney recommended the suggested amendment to CrR 3.3 – Time for Trial.	9/27/18: Approved submission to Washington Supreme Court Rules Committee.	10/31/18: <i>The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than April 30, 2019.</i>



SUGGESTED RULE AMENDMENTS SUBMITTED BY OTHERS		
APR 11³	The Superior Court Judges' Association recommended the Proposed Amendments to APR 11 – Continuing Legal Education.	11/4/15: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than April 30, 2016.
RALJ 9.3⁴	The Washington Defender Association recommended the proposed amendments to RALJ 9.3 – Costs.	11/8/17: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than April 30, 2018.
New GR 38⁵	The Superior Court Judges' Association recommended the suggested new GR 38 – Prohibition of Bias.	6/7/18: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than September 14, 2018.
CrR 4.7, CrRLJ 4.7, CrR 3.7, CrR 3.8, CrR 3.9, CrR 4.11, CrRLJ 3.7, CrRLJ 3.8, CrRLJ 3.9, CrRLJ 4.11	The Washington Association of Criminal Defense Lawyers recommended the suggested amendments to CrR 4.7 – Discovery, CrRLJ 4.7 – Discovery, suggested New CrR 3.7 – Recording Interrogations, CrR 3.8 – Recording Eyewitness Identification Procedure, CrR 3.9 – In-Court Eyewitness Identification, CrR 4.11 – Recording Witness Interviews, CrRLJ 3.7 – Recording Interrogations, CrRLJ 3.8 – Recording Eyewitness Identification Procedure, CrRLJ 3.9 – In-Court Eyewitness Identification, and CrRLJ 4.11 – Recording Witness Interviews.	7/11/18: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than April 30, 2019.
CJC 2.9	<i>The Superior Court Judges' Association recommended the suggested amendment to CJC 2.9 – Ex Parte Communications.</i>	<i>10/10/18: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than December 24, 2018.</i>
APR 3	<i>The Military Spouse J.D. Network (MSJDN) recommended the suggested amendment to APR 3 – Applications for Admission to Practice Law.</i>	<i>10/31/18: The Court entered an order to publish the proposed amendments for comment, with comments to be submitted no later than April 30, 2019.</i>
RAP 12.6	<i>The Supreme Court Clerk's Office</i>	<i>10/31/18: The Court adopted the</i>

³ [The Court did not adopt APR 11.](#)

⁴ [The Court has not taken an action on RALJ 9.3.](#)

⁵ [The Court has not taken an action on GR 38.](#)



SUGGESTED RULE AMENDMENTS SUBMITTED BY OTHERS		
	<i>recommended the expeditious adoption of the suggested amendment to RAP 12.6 – Stay of Mandate Pending Decision on Application for Review by US Supreme Court.</i>	<i>rule.</i>
RAP 18.13A	<i>The Washington State Court of Appeals’ Rule Committee recommended the expeditious adoption of the suggested amendment to RAP 18.13A – Accelerated Review of Juvenile Dependency Disposition Orders, Orders Terminating Parental Rights, Dependency Guardianship Orders, and Orders Entered in Dependency and Dependency Guardianship Cases.</i>	<i>10/31/18: The Court adopted the rule.</i>
CrRLJ 3.2(o)	<i>The District and Municipal Court Judges’ Association recommended the expeditious adoption of the suggested amendment to CrRLJ 3.2(o) – Release of Accused.</i>	<i>10/31/18: The Court adopted the rule.</i>



WASHINGTON STATE
BAR ASSOCIATION
Office of Disciplinary Counsel

MEMO

To: Paula Littlewood, WSBA Executive Director
From: Douglas J. Ende, WSBA Chief Disciplinary Counsel & Director of the Office of Disciplinary Counsel
Date: November 7, 2018
Re: Quarterly Discipline Report, 3rd Quarter (July – September 2018)

A. Introduction

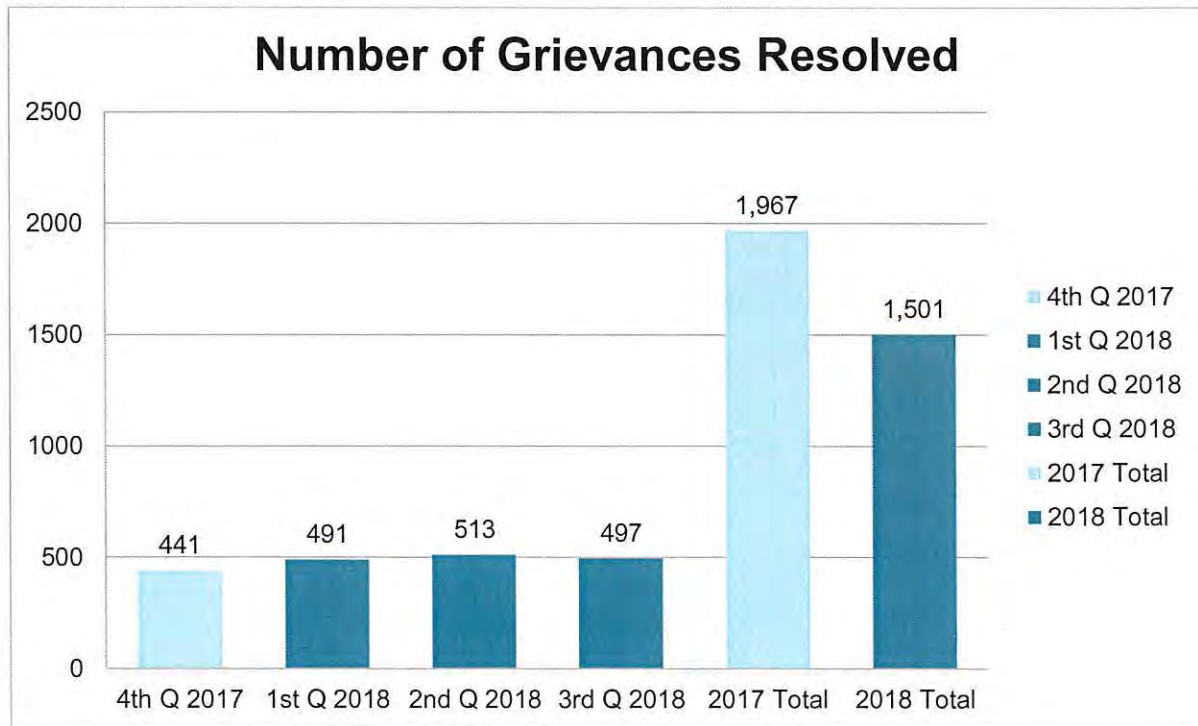
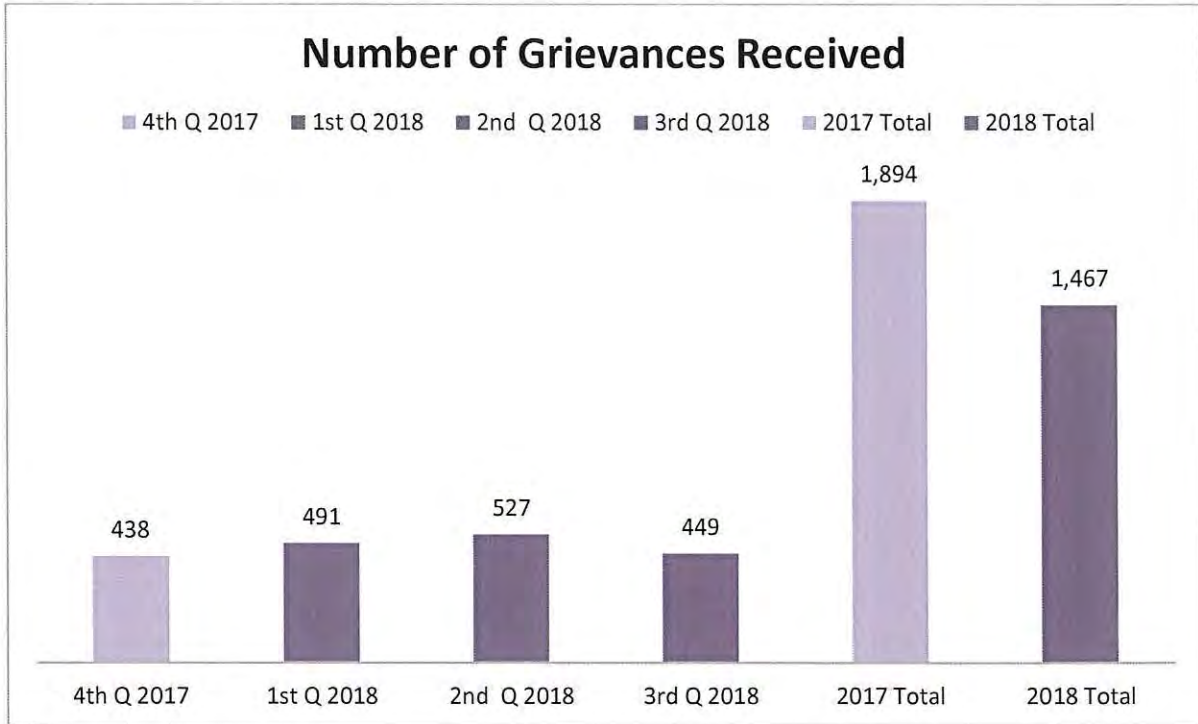
The Washington Supreme Court's exclusive responsibility to administer the lawyer discipline and disability system is delegated by court rule to WSBA. See GR 12.2(b)(6). The investigative and prosecutorial function is discharged by the lawyers and staff of the Office of Disciplinary Counsel (ODC), which is responsible for investigating allegations and evidence of lawyer misconduct and disability and prosecuting violations of the Rules of Professional Conduct.

The Quarterly Discipline Report provides a periodic overview of the functioning of the Office of Disciplinary Counsel within the context of the discipline system as a whole. The report graphically depicts key discipline-system indicators for 3rd Quarter 2018. Note that all numbers and statistics herein are considered tentative/approximate. Final figures will be issued in the 2018 Discipline System Annual Report.

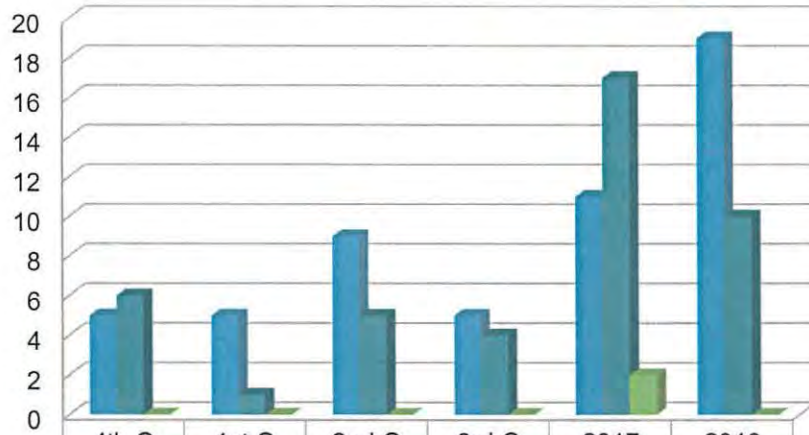
B. Recent Supreme Court Opinions

- **In re David C. Cottingham.** On August 16, 2018, the Washington Supreme Court issued an opinion in *In re Disciplinary Proceeding Against David Carl Cottingham*.

C. Grievances and Dispositions

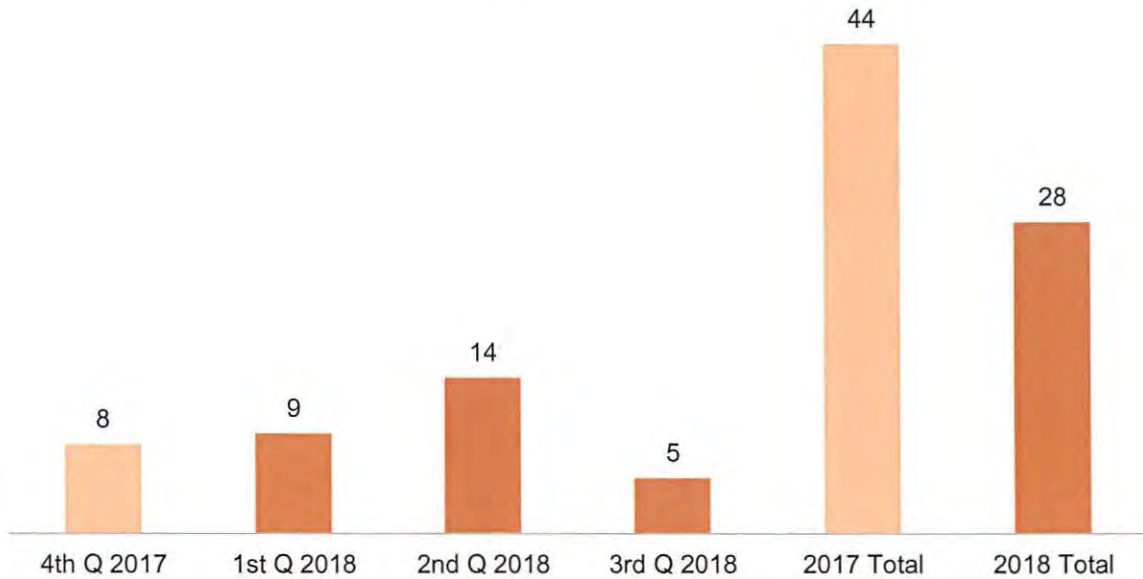


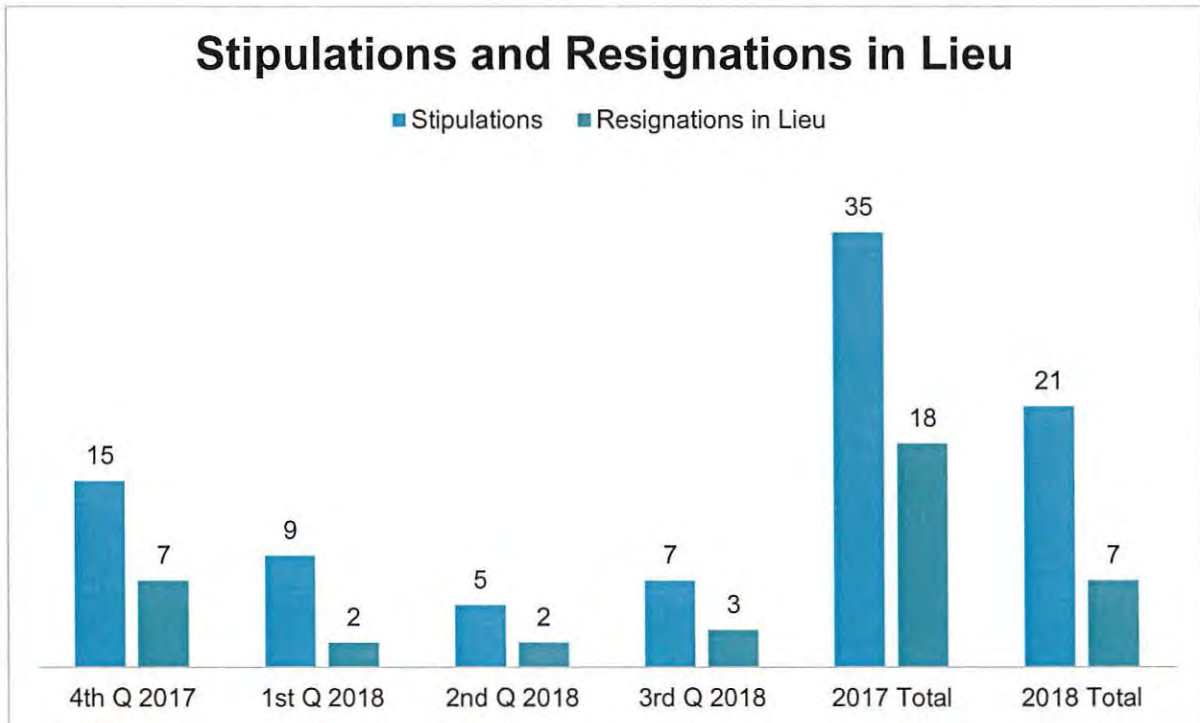
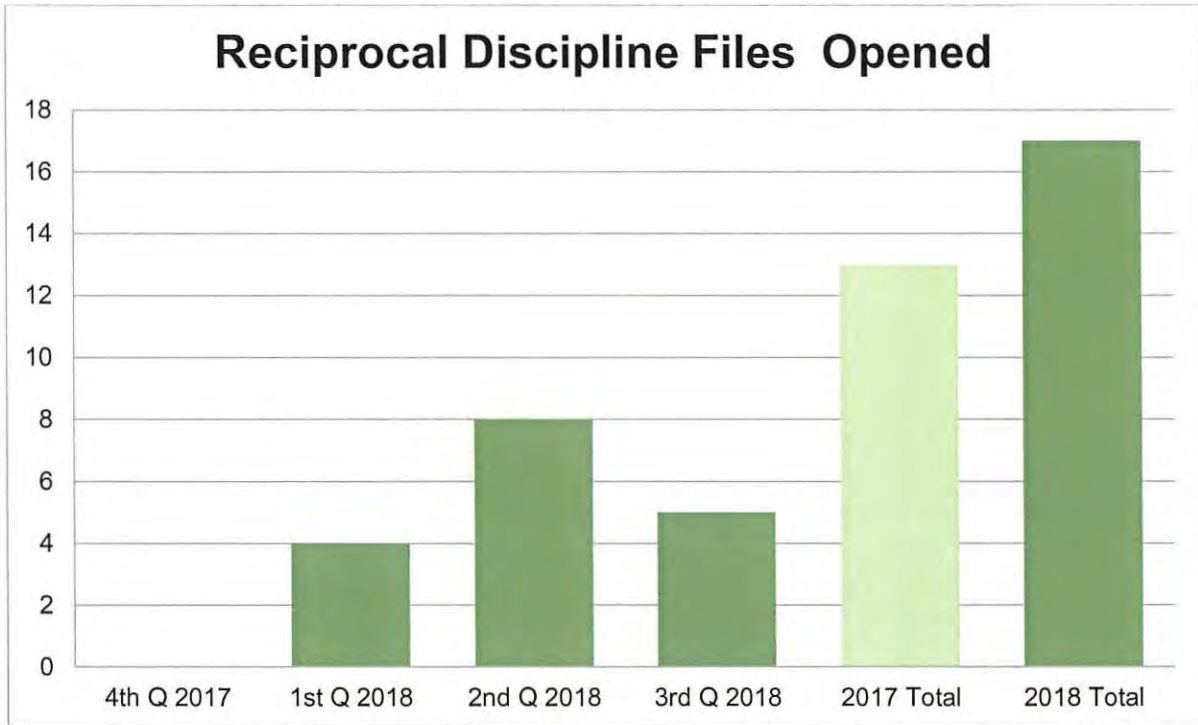
Diversion Statistics

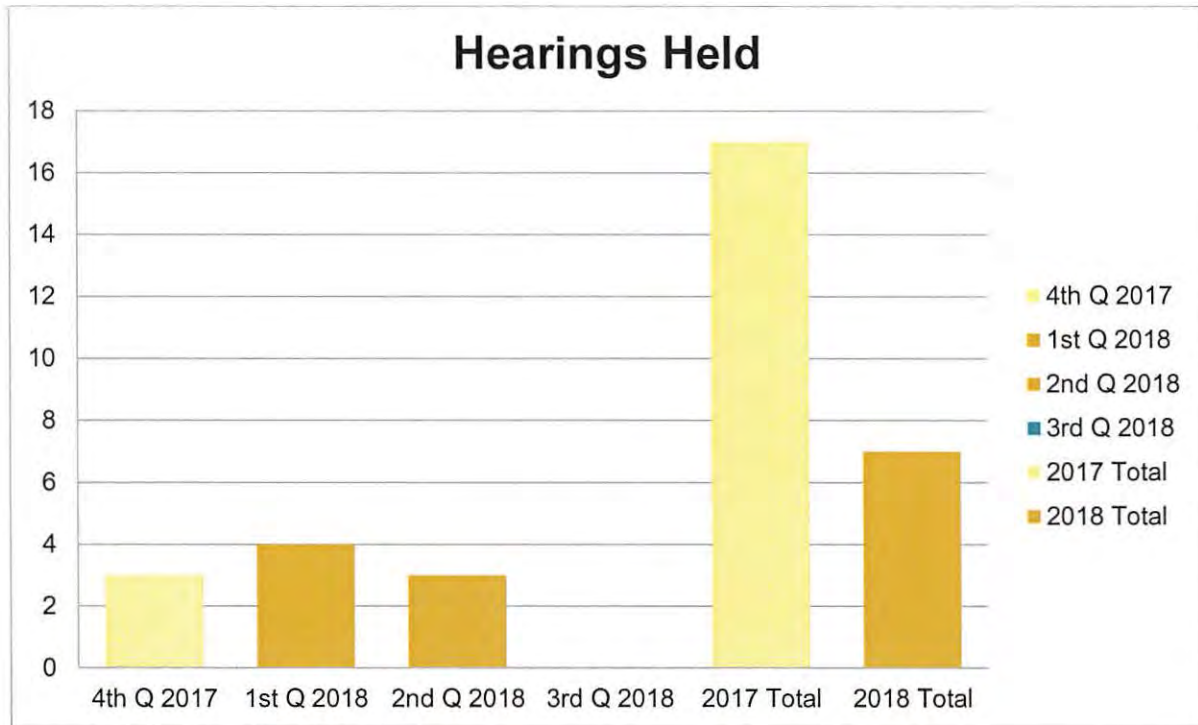


	4th Q 2017	1st Q 2018	2nd Q 2018	3rd Q 2018	2017 Total	2018 Total
■ New Diversion Files	5	5	9	5	11	19
■ Completed Diversion Files	6	1	5	4	17	10
■ Terminated Diversion Files	0	0	0	0	2	0

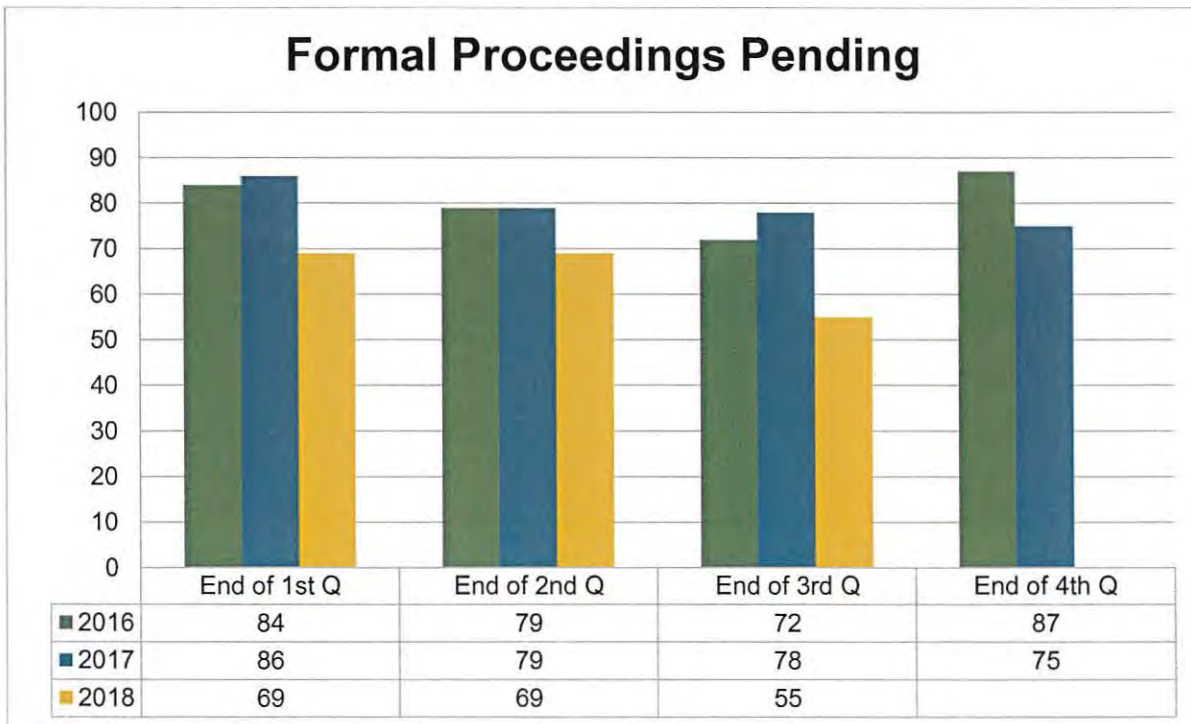
Formal Complaints Filed





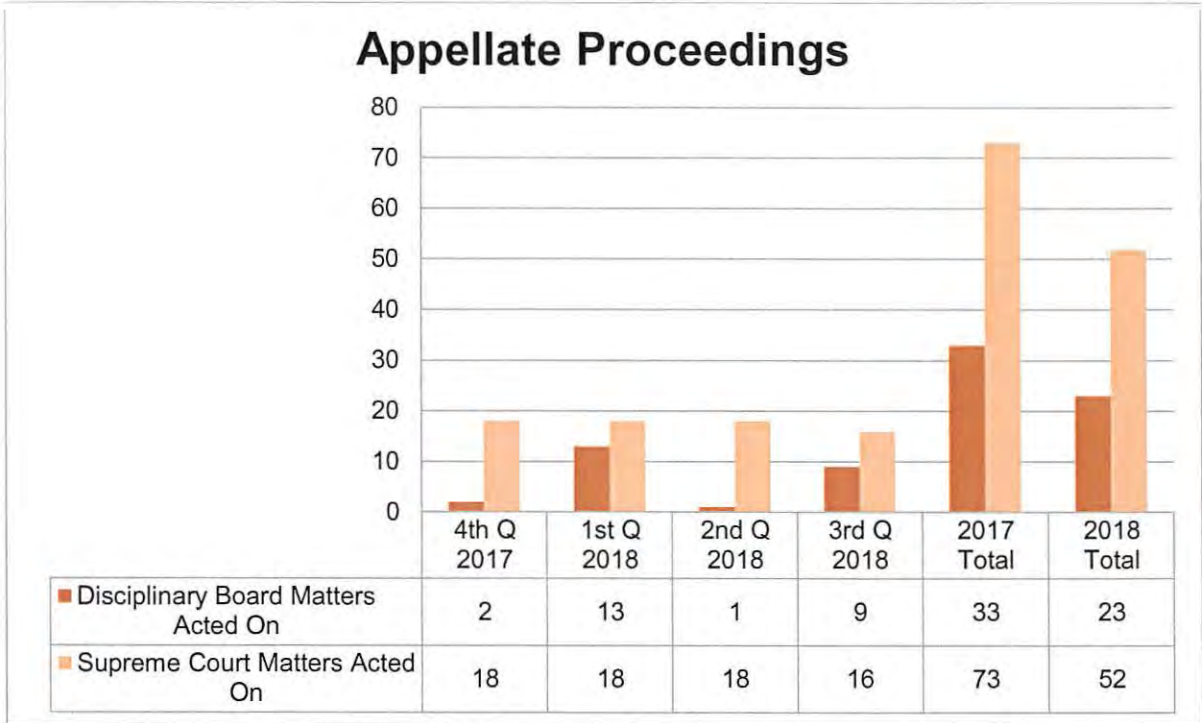


D. Appellate Proceedings¹

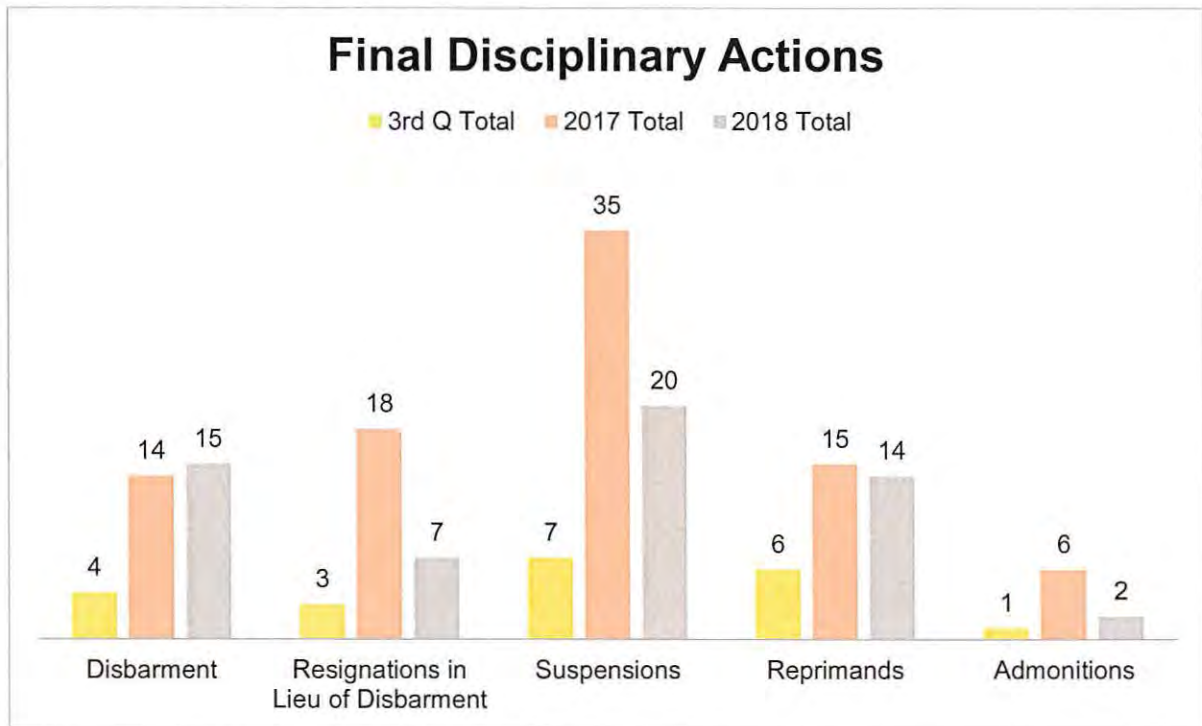


¹ The Disciplinary Board numbers reflect Board orders on stipulations and following review after an appeal of a hearing officer's findings.

Appellate Proceedings



E. Final Disciplinary Actions



F. Disability Inactive Transfers

Disability Inactive Transfers	Quarter Total
4th Quarter 2017	1
1 st Quarter 2018	3
2 nd Quarter 2018	1
3 rd Quarter 2018	2
2017 Total	3
2018 Total	6

G. Discipline Costs²

Quarterly Discipline Costs Collected	Total
4 th Q 2017	\$22,857.70
1 st Q 2018	\$22,562.64
2 nd Q 2018	\$26,537.77
3 rd Q 2018	\$12,552.77
2017 TOTAL	\$100,939.52
2018 Total	\$61,653.18

² The cost figures may vary from amounts indicated in previous quarterly reports, statistical summaries, and annual reports, owing to discrepancies in the data available at the time of issuance of these quarterly reports and the final cost figures available after Accounting closes the monthly books.

WASHINGTON STATE BAR ASSOCIATION

MEMO

To: Board of Governors
From: Executive Management Team
Date: November 7, 2018
Re: Q4 FY 2018 Management Report

INFORMATION: Q4 FY 2018 Management Report

Attached are annotated FY2018 Operational Priorities, which score the organization's progress through Q4 in achieving FY2018 priorities that are linked to WSBA's Mission Focus area and Strategic Goals.

Also attached is the Organizational Context Chart, which provides background information about WSBA from FY2004 through FY2017, including data and trends related to Members, Regulatory Functions, Engagement & Outreach, Member Benefits & Professional Development, Operations, and Milestones.



MISSION FOCUS AREAS:

ENSURING COMPETENT AND QUALIFIED LEGAL PROFESSIONALS | PROMOTING THE ROLE OF LEGAL PROFESSIONALS IN SOCIETY

	STRATEGIC GOAL*			REPORTING QUARTER				
	1	2	3	1	2	3	4	
Regulation & Licensing								
<ul style="list-style-type: none"> Implement coordinated admission and licensing systems for legal professionals 	X		X					<p>Q1: The Regulatory Services, IT, Admin, and other WSBA departments have been working to establish and implement consistent processes for handling admissions and licensing for lawyers, LLLTs, and LPOs. Among other things, we have moved LLLT and LPO licensing to the same fiscal and reporting years as lawyers, with the same compliance periods; revised licensing forms to reflect requirements and fees for all license types; reviewed and are revising all admissions applications to use consistent formatting and questions and to collect consistent information; drafted suggested amendments for WSBA Bylaws to be consistent with the new APR; reviewed and begun preparing suggestions for consistent licensing fees and assessments, and other non-licensing processes; and implemented a new online Legal Directory that includes all members (lawyers, LLLTs and LPOs).</p> <p>Q2: We have completed the majority of the relicensing process using coordinated systems. The Bylaws coordinating license fees were adopted and RSD staff has begun utilization of same. The first coordinated administration of licensing exams occurred, with UBE and LLLT exam both located at Tacoma site. Coordinated timelines for applications to take exams have been implemented, and timing of character and fitness reviews have been coordinated.</p> <p>Q3: We are updating and revising remaining forms. For the first time, we will administer the summer exams for all <u>three</u> license types during the same week at the same location, and report results during the same time frame. We are continuing to work on incorporating all license types into the online admissions application and the MCLE online reporting and certification application.</p> <p>Q4: Summer exams for all license types occurred at same location and time in July; on line licensing for all licenses in the same system is on track for this fall.</p>
<ul style="list-style-type: none"> Develop and prepare to implement Online Admissions Program system 	X		X					<p>Not to be reported until Q3.</p> <p>Q3: The IT and RSD project team has been gathering and writing the requirements for the new system, which is the first step in development.</p> <p>Q4: Requirements work continues, for FY19 development and implementation.</p>

* **2016-18 Strategic Goals:** (1) Equip members with skills for the changing profession. (2) Promote equitable conditions for members from historically marginalized or underrepresented backgrounds to enter, stay and thrive in the profession. (3) Explore and pursue regulatory innovation, and advocate to enhance the public’s access to legal services.



	STRATEGIC GOAL *			REPORTING QUARTER				
	1	2	3	1	2	3	4	
<ul style="list-style-type: none"> Complete initial draft of coordinated discipline system rules, vet with stakeholders, present to BOG, and submit suggested rules to Supreme Court 			X	■	■	■	■	<p>Q1: Throughout 2017 Q4 and 2018 Q1, a WSBA staff workgroup (Office of Disciplinary Counsel, Regulatory Services Department, and Office of General Counsel) has convened for intensive biweekly project meetings (supplemented by subgroup drafting meetings) to develop the rules needed to effectuate the recommended coordinated discipline system model previously reported to the BOG and other stakeholders and approved by the Supreme Court in concept in July 2017.</p> <p>Q2: Rule drafting described in Q1 above continued throughout Q2. Nearly all titles of coordinated system rules are in first or second draft stage in anticipation of distributing comprehensive draft to informal stakeholder review group to be convened in Q3.</p> <p>Q3: Rule drafting described in Q1 and Q2 above continued throughout Q3. All titles of coordinated system rules are in second draft stage. The work group began development of a style sheet to ensure consistency in terminology throughout and across rules sets. It is anticipated that a comprehensive draft will be distributed to informal stakeholder review groups in FY19. From July through September, Paula, Doug, Julie, and Jean will be meeting with Boards (LP, LLLT, C&F, MCLE, and Disciplinary) and other entities (DART, and Hearing Officers) potentially affected by the coordinated system, to provide an update about the process and to receive additional input about the coordinated discipline system vision.</p> <p>Q4: Drafting continues – see Q3 narrative for July through September.</p>
Member Benefits & Professional Development								
<ul style="list-style-type: none"> Apply ROI tools to WSBA member benefits 	X				■		■	<p>Q1: Not reported in Q1.</p> <p>Q2: During the first half of the current fiscal year, the ROI Team worked with the team responsible for the administration of the free legal research tool we offer to WSBA members (CaseMaker) to develop a logic model and a dashboard to track program outputs and indicators of success. The team has partially completed logic models for the Legal Lunchbox and our Member Wellness programs.</p> <p>Q3: Not reported in Q3.</p> <p>Q4: Completed logic models and dashboards to monitor indicators of success for most of our member benefits programs including the Legal Lunchbox, Member Wellness, Practice Management Assistance, and Legal Research Tools. Tools can be made available to other teams.</p>

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	STRATEGIC GOAL *			REPORTING QUARTER				
	1	2	3	1	2	3	4	
<ul style="list-style-type: none"> Develop and evaluate new revenue-sharing models of collaboration with WSBA sections on continuing legal education delivery in order to respond to market trends 	X							<p>Q1: During Q1 we developed a proposed revenue-sharing model that contemplates sharing net revenue from live, webcast and on-demand CLE programming, under which WSBA would absorb any loss. We hope this model will lead to greater collaboration with Sections and WSBA-CLE by extending net revenue sharing due to on-demand products and by eliminating financial barriers and risks for Sections. During Q1 we executed communication, engagement and outreach activities about the proposed model to section leaders including: (1) introducing the concept of a different revenue sharing approach at the Fall Sections Leaders meeting; (2) providing individualized financial information including past seminar financial performance information and a forecast for 2018 under the new model; (3) holding 'drop-in' calls for section leaders to learn more about the proposed model and ask questions; (3) engaging in one-on-one discussions with 16 Section Executive Committees; and (4) administering a feedback survey. A Round-Table discussion with section leaders will take place on January 26. Any changes to the financial model will require amendment to Chapter 10 of the WSBA Fiscal Policies. We anticipate submitting a proposal to the BOG Budget and Audit Committee in February for implementation no earlier than FY19.</p> <p>Q2: Not reported in Q2.</p> <p>Q3: Since Q1, we held the January 26 roundtable discussion (attended by 20 section leaders, representing 16 sections), receiving generally favorable feedback on the proposed new revenue sharing model that incorporates all direct and indirect costs while combining (and sharing) net revenue earned from seminars and record seminar products. To date, WSBA has met with 22 sections about the proposed new model, discussed the topic at four meetings, held four drop-in calls, and shared detailed seminar financials with sections. On April 26, the Budget & Audit Committee reviewed and recommended proposed amendments to Chapter 10 of the WSBA Fiscal Policy to the BOG. The proposed revenue model was reviewed with section leaders again at the annual Spring Section Leaders Meeting on April 30. The BOG considered the proposed amendments on first reading at the May 2018 meeting. A final reading/action is expected at the July 2018 BOG meeting. If approved, the new fiscal model will take effect October 1, 2018 (FY19).</p> <p>Q4: BOG approved new revenue-sharing model in July, to take effect FY19. Revenue-sharing model changes are reflected in Section and CLE budgets.</p>

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	STRATEGIC GOAL*			REPORTING QUARTER				
	1	2	3	1	2	3	4	
Public Service & Diversity/Inclusion								
<ul style="list-style-type: none"> Enhance a culture of service by providing members with a menu of public service and pro bono opportunities with WSBA and with our partners across the state 	X	X	X					<p>Q1: During Q1 we published three blog posts designed to promote a culture of service and connect members with pro bono opportunities. Specifically, the posts addressed (1) Qualified Legal Service Provider (QLSP) volunteerism, in partnership with Chelan-Douglas Counties Volunteer Attorney Service; (2) a Veterans Day blog post to promote WSBA’s Call to Duty Initiative and resources for supporting veterans; (3) Emeritus Pro Bono status. During the quarter we also “activated” the 2018 Call to Duty Pledge.</p> <p>Q2: Not reported in Q2.</p> <p>Q3: Since Q1, we have (1) partnered with Kitsap Legal Clinic and Jefferson Legal Clinic to host two days of service; (2) developed a partnership with the Latina/o Bar Association of Washington to support access to legal services in remote areas by funding legal clinics; and (3) supported the Pro Bono Public and Service Committee in reviewing its mission and effectiveness, including how the committee can effectively encourage pro bono work in our community. The result was a new framework of subcommittees in the areas of (a) policies/rules, (b) outreach/promotions, (c) programming/CLE, and (d) data.</p> <p>Q4: Not reported in Q4.</p>
<ul style="list-style-type: none"> Institutionalize systems for reviewing policies, practices, procedures, and programs with a race equity lens 		X						<p>Q1: Not reported in Q1.</p> <p>Q2: We developed and have been piloting a Race Equity Impact Analysis Tool. We have used the tool to review several policies, practices, procedures and programs including a couple HR policies/practices and some ODC procedures among others.</p> <p>Q3: Not reported in Q3.</p> <p>Q4: We have applied the race equity analysis tool to the new employee career development process and continue to work with others in application of the tool to other practices/procedures. We are currently revising recruitment practices to provide consistent systems for interviewing, evaluating, and making hiring selection decisions with an eye to mitigating bias. Robin has started training all boards and committees individually and is scheduled to offer a new committee/board member diversity and inclusion orientation in the Fall. The focus of this training is to prepare boards and committees to examine decision making practices and design processes to mitigate bias. Some of the boards who have received training so far include the Character and Fitness Board, MCLE Board, and Client Protection Board.</p>

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	STRATEGIC GOAL*			REPORTING QUARTER				
	1	2	3	1	2	3	4	
Engagement & Outreach								
<ul style="list-style-type: none"> Enhance member awareness and increase engagement in member benefits, bar programs, and services 	X	X	X	On Track	On Track	On Track	On Track	<p>Q1: During Q1, we (1) highlighted the Practice Management Discount Network and Legal Lunchbox in our Winter Ambassador Highlights (a script for all staff and BOG members visiting member events); (2) refined and began to execute campaigns to introduce the Practice Management Network and newly renamed Member Wellness Program (formerly LAP) to members via social media, email newsletters, <i>NWLawyer</i>, and <i>NWSidebar</i>; (3) continued with a strategic benefit/program spotlight in Bar Buzz in <i>NWLawyer</i> (MCLE credits for being a mentor and member counseling); (4) highlighted at least one benefit and all upcoming program offerings in the biweekly TakeNote newsletter; and (5) launched a newly redesigned website specifically designed to help members more easily access programs, benefits, and services.</p> <p>Q2: During Q2, we continued our campaign to highlight member benefits, bar programs, and services—including sending the quarterly Member Wellness Program newsletter to all members, spotlighting WSBAConnects and the Practice Management Discount Network in <i>NWL's</i> Bar Buzz, and including at least one benefit and multiple events/offering in each biweekly TakeNote eblast. This quarter, we ramped up efforts around the Practice Management Discount Program, with a newly designed rack card to leave behind after outreach visits and a social-media/blog blitz. We also began working on an Innovation in Practice column for <i>NWL</i> and online, to show member benefits and practice-management discounts in action. We also are getting set to launch an ongoing perception survey, which will include a benefit/program/service to conclude each call.</p> <p>Q3: During Q3, we continued to highlight member benefits, bar programs, and services through all of our communication channels. In <i>NWLawyer's</i> Bar Buzz, we featured the Ethics Line; in TakeNote and on our website, we featured our Legal Lunchboxes, community networking events, WSBA Connects, mentor mixers, legal research tools, Professional Responsibility Program, WSBA representative service opportunities, diversity programs, the WSBA Lending Library, Practice Management Discount Program, and more. On our blog and social media, we highlighted the Ethics Line, MentorLink Mixers, and diversity/inclusion training. We began our phone surveying, which includes a plug for the Practice Management Discount Program, and our quarterly speaking points highlight the Summer Sale in the CLE store. We have plans in the works to design new rack cards to highlight benefits and services, which will be part of our ambassador outreach kits. We also are set to kick off a “behind the scenes” series in <i>NWLawyer</i> that demystifies and explains many of our regulatory functions.</p> <p>Q4: We have strategically highlighted one or more member benefit, bar program, and/or bar service in every issue of Northwest Lawyer, Take Note biweekly email to members, and quarterly outreach speaking points. A benefit/program/service is also continually featured on the WSBA homepage and blog. Milestones: We began an ongoing phone survey with a question to determine how well members understand what benefits, services, and programs are available to them; we created a “Behind the Scenes” feature in <i>NWLawyer</i> to explain in greater depth WSBA’s programs and services; we created targeted campaigns and products for certain programs and benefits, such as the Practice Management Discount Network rack card.</p>

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	STRATEGIC GOAL*			REPORTING QUARTER				
	1	2	3	1	2	3	4	
<ul style="list-style-type: none"> Enhance collaboration with volunteers through standardized recruitment, training, management, and inclusion 	X	X	X					<p>Q1: Not reported in Q1.</p> <p>Q2: In October 2017 the Volunteer Engagement Team distributed a survey to 1,185 volunteers serving in a variety of roles to help inform our efforts to positively shape the WSBA volunteer experience. We received 188 responses, which demonstrated agreement from the volunteers that (1) they were provided with enough information to understand their role (82%), (2) they felt that their talents and skills were a good match for their role (97%), (3) they received adequate support and guidance to be successful in their role (76%), (4) they perceived a climate of teamwork among staff and volunteers (75%), (5) their volunteer role furthered the purpose of the group or program they were involved with (92%), (6) their role furthered the WSBA mission (83%), (7) they were satisfied with their volunteer experience overall (80%), and (8) they perceived that their time and talent were valued by the organization (72%). The majority (78.92%) of respondents also agreed that they would volunteer for WSBA again. Although overall the results were positive, the survey helped us to identify areas for improvement and contained productive comments that will guide the Volunteer Engagement Team’s work through the remainder of the year. This data will also serve as a baseline against which we can measure the impact of our volunteer engagement efforts.</p> <p>Q3: Not reported in Q3.</p> <p>Q4: In response to some of the trends identified from the volunteer satisfaction survey reported in Q2, the Volunteer Engagement Team has been pursuing three projects designed to increase our efforts around volunteer appreciation and continue to clarify roles and expectations: (1) updating and expanding the Roles and Responsibilities document; (2) identifying additional opportunities for volunteer appreciation, including articles, blog posts, and potentially volunteer awards; and (3) providing opportunities for staff members that work with volunteers to collaborate and share best practices. The first collaboration session was timely focused on volunteer orientation.</p>

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	STRATEGIC GOAL*			REPORTING QUARTER				
	1	2	3	1	2	3	4	
<ul style="list-style-type: none"> Coordinate outreach to all local, minority and specialty bars that ensures ongoing/ meaningful connections with WSBA during the year 		X						<p>Q1: During Q1 we (1) surveyed all minority bars for changes to their leadership and upcoming event dates; (2) reached out to all minority bar organizations to schedule outreach meetings and met with QLAW, VABAW, KABAW, WADA, WWL, and the Cardoza Society; (3) attended VABAW and FLOW annual banquets; (4) Coordinated with the Tacoma Pierce County, Thurston, and Whatcom County Bar associations to participate in winter Community Networking Events; (4) collaborated with the Washington Attorneys with Disabilities Association to hold a Beyond the Dialogue event on Disability and Ableism within the legal profession, and to host the Washington Attorneys with Disabilities Annual reception; and (5) participated in Minority Corporate Counsel Association Seattle Roadshow and joined the Seattle working group.</p> <p>Q2: During Q2 we (1) met with SABAW, and LBAW leadership for outreach meeting; (2) contacted all minority bars about creating WSBA MBA informational flyers; (3) attended LBAW, KABAW, and MAMAS banquets; (4) created and shared a spreadsheet of MBA banquet events with MBAs; and (5) coordinated with the Spokane and East King County Bar Associations, and seven MBAs to host Community Networking Events.</p> <p>Q3: During Q3, we (1) continued to use the county-bar listserv to share news and connect with and inform leaders; (2) established a calendar to visit each county-bar leader in the coming quarter; (3) used the diversity stakeholders and Minority Bar association list serves to communicate with Minority Bar Associations; (4) invited MBA leaders to table and attend the Diversity and Inclusion celebrations in Seattle and Spokane; (5) hosted community networking events in partnership with minority and county bar leaders in Spokane and Post Townsend; (6) worked with minority bar associations to spread the word about the Judge Pro Tem CLE scholarships; and (7) attended the Loren Miller Bar Association’s annual event.</p> <p>Q4: During Q4, we (1) implemented an ongoing outreach cycle to county bar leaders, including at least annual meetings with the Legal Outreach Specialist and targeted messages to keep county-bar leaders informed about WSBA news and events via a dedicated listserv, (2) helped to coordinate and host a meeting for the Minority Bar Leaders, (3) collaborated with several minority bar associations to draft and bring a proposal for an MCLE diversity requirement to the MCLE board, (4) and continued to have a presence at various MBA events.</p>

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	STRATEGIC GOAL*			REPORTING QUARTER				
	1	2	3	1	2	3	4	
<ul style="list-style-type: none"> Improve connections with the public through focused engagement and communications efforts 			X					<p>Q1: Not reported in Q1.</p> <p>Q2: We continued our Decoding the Law series with “Sexual Harassment: How is #MeToo transforming the workplace?” in March with about 60 in-person and online attendees. Several news outlets picked up our media releases honoring Local Heroes in Skagit, Whatcom, and Thurston Counties. We also began laying significant groundwork for two important public-oriented campaigns: Awareness of the LLLT license (including an article in the Seattle Times and a completed creative brief to launch a LLLT video); and the Legal Health Checkup, which is an effort to help people understand when they need legal help and to connect them with appropriate legal resources (this is being led by the Practice of Law Board, and we have prepared a draft one-sheet document that has gone before many stakeholder groups as well as the Washington Supreme Court for feedback).</p> <p>Q3: We continued work with the Practice of Law Board to develop the Legal Health Check Up language, including incorporating feedback received. We are scheduling user groups to obtain feedback on the concept and language, and working to develop a database of legal resources to educate the public about legal remedies for the most common legal issues. These resources, which will be available through a website application, will include self-help information and a connection to the enhanced membership directory.</p> <p>Q4: We have been laying groundwork this year to launch a public-facing campaign early next calendar year. Our efforts have included LLLT outreach to press and career counselors; focus groups about legal services across the state; and development of public-facing tools and services (Washington Legal Link/Legal Health Check Up). Milestones: Successful Decoding the Law series, including topical coverage of the #MeToo movement and the death penalty. We will complete a LLLT information video for the public.</p>
Organization & Infrastructure								
<ul style="list-style-type: none"> Foster an environment that promotes employee engagement and input 	X	X	X					<p>Q1: Not reported in Q1.</p> <p>Q2: All staff meetings were held in January and March to share organizational updates (e.g., licensing, employee assistance program resources, etc.), and celebrate new hires and service anniversaries. The Staff Advisory Forum for Employees meetings continued monthly where the employee group addressed community building efforts and issues of interest to employees (e.g. employee winter party, Random Acts of Pizza discussion topics, recycling, website redesign feedback, office chair cleaning, etc.).</p> <p>Q3: Not reported in Q3.</p> <p>Q4: All-Staff meetings were held in May and July to share organizational updates and celebrate new hires and service anniversaries. Employees participated in the Food Lifeline Food Frenzy fundraiser (100% of employees participated and WSBA won the per capita donation award raising over \$7000). The Staff Advisory Forum for Employees continued to meet monthly discussing Random Acts of Pizza topics (ambassadorship and developing a culture around giving and receiving feedback), and future fundraising options for the winter fundraiser). WSBA employees gathered in September to receive the President’s Award and celebrate this special recognition.</p>

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	STRATEGIC GOAL*			REPORTING QUARTER				
	1	2	3	1	2	3	4	
<ul style="list-style-type: none"> Engage management in training and developmental opportunities 	X	X	X		On Track		On Track	<p>Q1: Not reported in Q1.</p> <p>Q2: The Management IQ / Leadership Development Series is intended to heighten managers' organizational and leadership abilities by examining more deeply concepts introduced during initial training, and as identified through industry trends, feedback and ongoing dialogue. Drawing upon resources from both inside and outside the WSBA, this series will present topical information in an informal setting designed to assist managers in enhancing leadership and management skills through dialog, problem solving and sharing as we build our leadership learning community. These sessions are held quarterly with the first meeting in the series for FY18 held in January on the topic of the Growth Mindset. A second meeting in the series is scheduled for April on the topic of Emotional Intelligence in Leadership. Managers also came together in February to discuss how to communicate about sensitive diversity, equity and inclusion issues and learn skills for conflict resolution.</p> <p>Q3: Not reported in Q3.</p> <p>Q4: We held 2 Management IQ/Leadership Development sessions: (1) Managing Millennials; and (2) Emotional Intelligence. We also continued management culture and norms orientation for new WSBA managers.</p>
<ul style="list-style-type: none"> Rollout paperless accounts payable system, enhanced Legal Directory, and membership data management platform upgrade 	X	X	X	On Track	In Process	On Track	In Process	<p>Q1: Paperless accounts payable system phased rollout and training has begun; as has requirements work related to Enhanced Legal Directory. Once membership data management platform upgrade is rolled out in April; development, testing and implementation of Enhanced Legal Directory can occur.</p> <p>Q2: Paperless accounts payable system rollout and training continues. Significant organization wide testing in preparation for April rollout of membership data management platform. Examining Opt-In Legal Directory platform options.</p> <p>Q3: Membership platform upgrade and paperless accounts payable system rollouts are complete. Developing requirements for Opt-In Legal Directory platform.</p> <p>Q4: Opt-In Legal Directory (Legal Link) requirements work continued in preparation for development.</p>

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2004-2017 ORGANIZATIONAL CONTEXT CHART

MEMBERS		FY2004	FY2005	FY2006	FY2007	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	
Lawyers:	Total / Median Age ¹	29,199 / 47	30,061 / 47	30,963 / 48	31,912 / 48	32,635 / 48	33,444 / 49	34,034 / 49	34,554 / 49	35,023 / 49	35,477 / 50	36,296 / 50	37,373 / 50	38,162 / 48	38,540 / 50	
	Active / Median Age	24,449 / 46	25,186 / 47	25,912 / 47	26,781 / 47	27,398 / 47	27,880 / 47	28,520 / 48	28,815 / 48	29,190 / 48	29,731 / 48	30,487 / 48	31,437 / 48	31,998 / 48	32,189 / 48	
	Inactive / Median Age	3,671 / 48	3,740 / 49	3,875 / 50	3,920 / 50	4,001 / 51	4,279 / 51	4,208 / 52	4,416 / 52	4,676 / 53	4,628 / 53	4,695 / 54	4,834 / 55	5,073 / 55	5,224 / 55	
	Voluntary Resign. / Median Age	204 / 50	168 / 52	181 / 53	246 / 56	277 / 58	255 / 58	391 / 57	405 / 62	440 / 60	454 / 63	488 / 63	524 / 63	606 / 64	596 / 66	
	Pro Hac Vice	data unavailable	380	517	480	488	506	481	664	623	624	590	638	365	532	
Limited Practice Officers:	1,250	1,300	1,349	1,403	1,370	1,291	1,207	1,130	1,069	1,027	1,003	968	963	950		
Limited License Legal Technicians:												introduced 2015	3	16	24	
Section Members:	8,236	8,324	8,132	8,739	7,747	7,770	9,497	9,815	9,861	9,968	10,196	10,150	10,617	10,819		
Volunteers:	Positions ⁴							data unavailable	1,151	1,039	912	895	827	850	784	827
	CLE Volunteers													data unavailable	614	562
	Public Service ⁵									1,036	1,194	815	759	862	899	
	Pro Bono Hours (lawyers / hrs. reported on license form)			data unavailable	4,831 / 286,562	4,226 / 296,776	5,415 / 359,728	5,639 / 371,578	3,905 / 282,575	3,712 / 261,402	4,370 / 280,176	5,515 / 351,935	6,051 / 362,846	4,795 / 327,933	4,902 / 345,525	
REGULATORY FUNCTIONS		FY2004	FY2005	FY2006	FY2007	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	
Lawyer Admissions:	All applicants	1,765	1,772	1,821	1,771	1,736	1,674	1,739	1,713	1,694	1,855	2,091	1,956	1,751	1,875	
	Admissions (by: exam / motion / transfer)	939 / 248 / 0	987 / 270 / 0	951 / 263 / 0	1,116 / 302 / 0	973 / 243 / 0	982 / 235 / 0	948 / 249 / 0	926 / 229 / 0	932 / 246 / 0	880 / 292 / 9	1,023 / 393 / 65	893 / 726 / 87	833 / 559 / 96	750 / 530 / 105	
Licensing: (calendar year)	MCLE Form 1 ^{3a}	17,399	15,675	15,777	16,313	18,104	20,041	18,472	19,147	19,536	19,002	19,794	19,330	21,954	22,098	
	Hardship Exemptions							introduced FY11	169	130	140	115	107	115	101	
	Payment Plan									introduced FY13	46	61	59	54	65	
Discipline: (calendar year)	Consumer Affairs ⁷	13,575	11,525	11,379	11,646	11,379	10,360	7,851	6,409	5,098	8,503	6,608	6,694	5,652	5,311	
	Grievances	1,938	1,935	1,847	2,029	1,904	1,769	2,144	2,156	2,329	2,228	2,165	2,081	1,830	1,894	
	Diversions	32	74	69	63	43	22	38	42	34	30	32	28	15	11	
	Actions Imposed (total / disbarments / suspensions)	76 / 19 / 24	83 / 13 / 32	68 / 23 / 26	73 / 25 / 26	81 / 18 / 26	62 / 16 / 20	93 / 26 / 24	74 / 28 / 18	85 / 32 / 21	95 / 32 / 31	71 / 23 / 34	74 / 19 / 27	70 / 21 / 31	88 / 32 / 35	
Random Exams:	Lawyers / calendar year	69	54	78	40	6	59	100	45	20	0	0	121	79	80	
Rule 9 Interns:	497	376	413	424	479	393	397	432	464	405	378	322	312	282		
Law Clerks:	36	49	47	42	41	44	49	57	60	60	67	71	72	95		
Client Protection Fund:(applications/ payments ⁸)	84 / \$313,721	47 / \$147,247	66 / \$468,696	34 / \$539,789	43 / \$899,672*	33 / \$449,050	78 / \$554,270	72 / \$1,003,458*	39 / \$378,574	45 / \$423,508	44 / \$337,160	58 / \$495,230	44 / \$239,842	47 / \$439,273		
Unauthorized Practice Law:	Complaints (filed / dismissed)	46/19	37/4	41/13	32/10	34/20	54/18	60/19	61/01	43/15	62/28	52 / 34		44 / 49**	30/10	
	Rereferral / Deferral Letters ⁹	9 / 15 / 0	17 / 4 / 1	6 / 2 / 2	9 / 4 / 1	9 / 13 / 3	16 / 8 / 1	11 / 5 / 2	17 / 3 / 7	9 / 8 / 2	10 / 1 / 0	4 / 4 / 0		29 / 3*	16/0	
ENGAGEMENT & OUTREACH		FY2004	FY2005	FY2006	FY2007	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017	
Programming:	Decoding the Law (programs / participation)														introduced FY17	6 / 467
	Diversity & Inclusion (events & presentations / participation)										introduced FY14	14 / 567	17 / 672	19 / 864	20 / 694	
	Mentorship (events / participation) ¹⁰														introduced FY17	5 / 131
	New Member Program Participation ¹¹														data unavailable	174
Service Center	Calls / emails ¹²	90,850	*76,152			data unavailable	*76,188	70,774	62,340	49,957	46,474 / 17,319	45,093 / 20,540	38,588 / 21,187	35,828 / 17,970	32,771 / 16,202	
Website:	wsba.org site visits							data unavailable	3,628,474	3,447,088	3,697,123	3,512,168	3,527,824	3,184,834	4,609,299	
	wsba.org home page visits							data unavailable	1,379,144	1,305,263	1,235,479	1,166,862	1,100,229	1,560,284	1,895,773	
	Lawyer Directory visits							data unavailable	1,769,558	1,613,296	1,520,793	1,354,613	1,238,116	1,392,694	1,153,615	
	Job Target (site visits/postings)								introduced FY12	60,795 / 112	185,099 / 357	351,102 / 465	340,660 / 544	307,296 / 632	229,367 / 481	
Social Media:	Facebook (likes / impressions) ¹³								introduced FY12	450	859	1,378	1,741	2,115	2,429 / 712,900	
	Twitter (followers / impressions)									introduced FY13	1,443	1,905	2,389	3,059	3,488 / 350,100	
	NWSidebar (subscribers / visits per month)									introduced FY13	258 / 7,462	415 / 8,042	493 / 8,530	659 / 8,686	637 / 8,457	

2004-2017 ORGANIZATIONAL CONTEXT CHART

MEMBER BENEFITS & PROF. DEV.		FY2004	FY2005	FY2006	FY2007	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017		
Ethics Outreach:	Calls / presentations					data unavailable	2,133	2,795	3,629	3,370	3,147	3,241 / 35	2,939 / 34	2,803 / 35	2,594 / 38		
	Consultations									data unavailable	101	41**	100	82	100		
Practice Management Assistance:	Lending Library														400		
	Presentations / attendees**								data unavailable	27 / 1,235	28 / 1,010	27 / 557 / 4,784	29 / 746 / 4,589	17 / 418	3 / 55		
	Practice Management Discounts**											data unavailable	639	1,084	888		
Lawyer Assistance Program:	Consultations								data unavailable	688	765	212	172	298	194		
	Presentations / attendees								data unavailable	11 / 640	15 / 850	12 / 591	4 / 4,250	9 / 5,495	6 / 1,238		
	Member Assistance Program Consults**											introduced FY14	15 / 43	34 / 53	39 / 55	51 / 63	
Legal Research (CaseMaker): Users													data unavailable	10,561	8,736		
Malpractice Insurance (ALPS): Firms / Members													introduced FY15	307 / 616	492 / 921	581 / 1,034	
CLE Seminars:	Programs / credits offered	116	118 / 697.75	122 / 717.75	120 / 649.50	112 / 657.75	129 / 658.25	107 / 632.25	110 / 645.75	101 / 662.25	79 / 518	60 / 409.25	54 / 402.75	58 / 389.25	58 / 365.5		
	In-person attendees**	5,287 / 11,047	5,170 / 9,868	5,942 / 11,566	5,501 / 10,252	5,885 / 10,848	5,382 / 9,934	4,087 / 8,778	1,593 / 6,879	1,870 / 6,430	1,909 / 5,423	2,126 / 4,648	2,541 / 4,335	1,336 / 2,918	1,675 / 2,455		
	Webcast attendees**					introduced FY2009	658 / 666	2,182 / 2,196	4,682 / 4,723	4,479 / 4,508	4,202 / 4,221	2,833 / 2,841	2,827 / 2,836	2,955 / 2,972	1,399 / 1,402		
Legal Lunchbox:**	Programs / credits offered												introduced FY14	12 / 16.25	12 / 18		
	Attendees (unduplicated / total)													6,785 / 14,937	7,007 / 22,025	5,220 / 17,079	6,030 / 20,103
New Member Education:	Programs / credits offered								introduced FY11	3 / 14.75	3 / 16.75	4 / 29.0	9 / 41.75	12 / 56.75	9 / 43.25	7 / 33.25	
	Attendees (in-person / webcast)									479 / 34	116 / 100	163 / 98	213 / 460	188 / 1,045**	171 / 709	152 / 451	
On-Demand Seminars:	Programs / credits offered								data unavailable	67 / 384.25	52 / 297.5	48 / 386.75	52 / 236.75	61 / 305.00	69 / 301.25		
	On-Demand programs sold / credit hours delivered	1,124 / NA	1,535 / NA	2,957 / NA	4,050 / NA	4,622 / NA	5,639 / NA	5,697 / NA	4,825 / NA	6,087 / NA	5,909 / NA	6,624 / NA	6,518 / 21,895.25	6,498 / 23,821.25	6,413 / 25,930.25		
	Desk books (including on-line Desk Books) / course books	211 / 147	695 / 795	1,828 / 983	1,432 / 893	492 / 829	864 / 674	970 / 627	949 / 511	713 / 443	700 / 474	546 / 443	936 / 288	650 / 324	396 (285) / 231		
Mini CLEs:	Programs / credits offered	3 / 3.5	13 / 30.5	21 / 41.5	26 / 52.5	35 / 72.5	57 / 110.75	37 / 90.5	41 / 57	36 / 67.75	41 / 86.5	43 / 105	39 / 52.25	54 / 50	36 / 46.25		
	Attendees	79	665	847	989	1,254	1,572	1,245	1,327	1,196	1,591	1,854	2,451	2,528	1,787		
OPERATIONS		FY2004	FY2005	FY2006	FY2007	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017		
Budgeted FTE		123.9	126.0	134.3	138	140.75	142.87	144.12	146.1	143.9	140.7	139.95	145.95	144.45	141.9		
Turnover		20%	data unavailable	15%	12%	19%	7%	8%	12%	18%**	14%	18%	22%	16%	16%		
Lawyer License Fees:	Active Lawyer Fee	\$375	\$383	\$391	\$399	\$407	\$415	\$450	\$450	\$450	\$325	\$325	\$325	\$385	\$385		
	CPF Assessment	\$13	\$13	\$13	\$15	\$15	\$15	\$30	\$30	\$30	\$30	\$30	\$30	\$30	\$30		
	Keller Deduction (amount / % taking deduction)	\$1.94 (10%)	\$3.70 (11%)	\$2.14 (10%)	\$3.80 (10%)	\$3.15 (10%)	\$3.45 (9%)	\$3.95 (13%)	\$4.40 (14%)	\$6.00 (17%)	\$6.40 (17%)	\$4.70 (16%)	\$4.40 (13%)	\$3.50 (14%)	\$2.50 (14%)		
	Limited Practice Officer License Fee:	\$85	\$85	\$110	\$110	\$110	\$110	\$110	\$110	\$110	\$110	\$110	\$110	\$110	\$110		
	Limited Legal License Technician License Fee:												introduced 2015	\$175	\$175		
# Donors to WSBF / WSBF grant to WSBA:										NA	127 / \$110,000	5,160 / \$275,136	3,172 / \$207,125	3,072 / \$162,600	3,165 / \$186,750		
General Fund	Budgeted	\$11,835,371	\$12,429,364	\$13,157,970	\$13,840,420	\$14,935,591	\$15,251,745	\$16,594,854	\$16,991,025	\$17,112,690	\$15,137,529	\$14,562,325	\$14,757,180	\$16,420,637	\$16,890,224		
	Actual	\$12,043,769	\$13,218,235	\$13,980,849	\$14,611,383	\$14,612,599	\$15,071,222	\$17,077,440	\$17,308,336	\$17,797,242	\$15,349,822	\$15,335,749	\$15,266,002	\$16,937,121	\$17,584,851		
General Fund	Budgeted	\$11,592,829	\$12,429,304	\$13,157,487	\$14,717,511	\$15,190,916	\$17,202,812	\$16,184,798	\$16,667,875	\$16,934,743	\$15,594,828	\$16,562,819	\$17,904,053	\$18,757,977	\$18,887,569		
	Actual	\$11,051,897	\$12,069,956	\$13,077,385	\$14,011,799	\$14,795,034	\$16,559,591	\$15,520,074	\$16,028,974	\$16,323,442	\$15,097,982	\$16,493,451	\$17,966,538	\$18,121,119	\$18,139,636		
General Fund Net Income/(Loss):	Budgeted	\$242,542	\$60	\$483	(\$877,091)	(\$255,325)	(\$1,951,067)	\$410,0586	\$323,150	\$177,947	(\$456,559)	(\$2,000,489)	(\$3,146,873)	(\$2,337,340)	(\$1,997,345)		
	Actual	\$991,873	\$1,148,279	\$803,464	\$599,584	(\$182,435)	(\$1,488,369)	\$1,557,366	\$1,279,362	\$1,473,800	\$251,840	(\$1,157,702)	(\$2,700,536)	(\$1,183,998)	(\$554,785)		
General Fund Balance:		\$2,724,324	\$3,920,348	\$4,823,814	\$5,423,398	\$5,240,962	\$4,434,586	\$5,991,957	\$7,271,320	\$8,745,117	\$8,960,772	\$7,803,070	\$5,102,534	\$3,918,536	\$3,363,751		
Continuing Legal Education Fund Balance:		\$1,436,141	\$1,585,026	\$1,954,241	\$1,991,838	\$1,947,887	\$1,079,796	\$1,408,491	\$1,351,464	\$1,341,266	\$1,192,124	\$458,415	\$ 53,080	\$456,568	\$485,582		
Sections Fund Balance:		\$832,805	\$780,129	\$878,817	\$896,930	\$805,101	\$711,521	\$677,666	\$773,328	\$904,933	\$1,028,539	\$1,074,417	\$1,229,705	\$1,212,637	\$1,197,726		
Client Protection Fund Balance:		\$632,477	\$821,669	\$796,155	\$699,239	\$231,804	\$184,640	\$434,823	\$261,318	\$791,399	\$1,213,602	\$1,746,010	\$2,144,289	\$2,646,222	\$3,242,299		
TOTAL FUND BALANCES:		\$5,625,747	\$7,107,172	\$8,453,027	\$9,011,405	\$8,225,754	\$6,410,543	\$8,512,937	\$9,657,430	\$11,782,715	\$12,395,837	\$11,081,912	\$8,540,731	\$8,244,922	\$8,308,990		

2004-2017 ORGANIZATIONAL CONTEXT CHART

MILESTONES	FY2004	FY2005	FY2006	FY2007	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016	FY2017
<p>WLI founded</p> <p>TIMSS Member Database</p> <p>Campaign for Equal Justice created</p> <p>Alliance for Equal Justice created</p> <p>Supreme Court adopts Access to Justice Technology Principles</p> <p>New Section: Legal Assistance to Military Personnel (LAMP)</p>	<p>Case Maker offered to members</p>	<p>New Mission Statement & Guiding Principles</p> <p>ABA Report on Discipline System</p> <p>New Character & Fitness rules</p> <p>New Sections: Juvenile Law and Sexual Orientation and Gender Identification Issues (SOGLI)</p> <p>ADR Program, LAP & LOMAP Committees Sunsetting</p>	<p>New Executive Director</p> <p>Mandatory reporting of insurance requirements</p> <p>WSBA move to Puget Sound Plaza</p>	<p>2008-2011 Strategic Goals adopted</p> <p>Program Reviews</p> <p>Application fees increase</p> <p>Online MCLE tracking</p>	<p>Live webcasting</p> <p>Program Reviews</p> <p>Limited Practice Officer rules/on-line tracking</p> <p>mywsba.org revamped</p> <p>\$1.5M gift to Law Fund</p> <p>New Section: Civil Rights Law</p>	<p>New WSBF mission statement; 2010-2013 Strategic Goals adopted; Comprehensive WSBA Bylaw changes</p> <p>Program Reviews</p> <p>Online licensing rolled out</p> <p>Online filing of grievances implemented</p> <p>CLE Conference Center opened</p> <p>Law Fund check off begins</p> <p>Home Foreclosure Program initiated</p> <p>DART introduced</p> <p>Spokane Bar Exam offered through FY2012</p>	<p>Mission Focus Areas adopted</p> <p>Licensing: Hardship exemption added</p> <p>WSBA.org redesigned</p> <p>Moderate Means Program initiated</p> <p>COPLE becomes independent 501(c)(3)</p>	<p>Member Referendum</p> <p>Listening Tours introduced</p> <p>Formation of Governance Task Force</p> <p>Online admissions rolled out</p> <p>Job Target Introduced</p> <p>Initial Membership Demographic Study Completed</p>	<p>2013-2015 Strategic Goals adopted</p> <p>First UBE</p> <p>LLLT Rule adopted by Supreme Court</p> <p>Licensing: Payment Plan introduced/WSBF check-off added</p> <p>Job Target enhanced (Practice Transition Opportunities & Contract Lawyer)</p> <p>Home Foreclosure Project transferred to Northwest Justice Project Diversity Plan adopted</p> <p>CLE model evaluation begins</p> <p>NWSidebar introduced</p> <p>Disaster Recovery Plan revised</p> <p>YLC integration</p> <p>WLI to UW Law School</p> <p>BOG Diversity Committee and Committee for Diversity Merged</p> <p>Equal Justice Community Leadership Academy founded</p>	<p>Quarterly Dashboards introduced</p> <p>Amendments to ELCs and APRs</p> <p>Document Management System launched</p> <p>GR12.4 – public records</p> <p>Legal Lunchbox introduced</p> <p>CLE Portfolio Realignment</p> <p>Migrated to single platform for all recorded products (video, MP3, coursebooks)</p> <p>Call to Duty Program launched</p> <p>First Responders Will Clinic becomes Independent 501(c)(3)</p> <p>New Section: Low Bono</p> <p>Disaster Recovery: Recovery Site established; First Table Top Exercise</p> <p>New Professionalism Plan implemented</p>	<p>Board Governance Task Force and Self-Evaluation</p> <p>Amendments to MCLE rules</p> <p>LLLT: first licenses issued and RPCs adopted</p> <p>Implemented WSBA Intranet</p> <p>New LOMAP delivery system model and expanded member benefits</p> <p>Implemented MentorLink</p> <p>Phase 2 of membership study: Diversity literature review & intersectionality report</p> <p>Puget Sound Plaza lease renewal and WSBA facilities renovation</p>	<p>2016-2018 Strategic Goals adopted</p> <p>ECCL Policy Decisions</p> <p>Amendments to APRs</p> <p>Amendments to WSBA Bylaws</p> <p>Amendments to Character & Fitness rules</p> <p>Sections policies</p> <p>MCLE system upgrade</p> <p>Website Redesign</p> <p>Webinar capacity launched</p> <p>CLE Faculty Database</p> <p>ATJ / CPD summits</p>	<p>WSBA Bylaw Amendments adopted; LLLTs and LPOs Members of WSBA</p> <p>Coordinated Admission and Licensing Rules adopted; began coordinated system implementation</p> <p>Phase 2 of new MCLE system</p> <p>WSBA.org Redesign</p> <p>Decoding the Law Launched</p> <p>ATJ Board completes 2018-2020 State Plan for Coordinated Delivery of Civil Legal Aid</p> <p>Practice Primers Launched</p> <p>New benefit delivery model and system implemented as LOMAP renamed Practice Management Assistance Program</p>	

¹ Includes Active, Emeritus, Honorary, Inactive and Judicial members.

² Includes section executive committee members; and members of WSBA committees, regulatory boards, Supreme Court boards, panels, and task forces.

- ^{ix} Reflects number of participants in WSBA Public Service programs: (1) Home Foreclosure Legal Aid Project (FY2009-FY2013: helped low to moderate income homeowners save their homes from foreclosure; this work was transferred to the Northwest Justice Project in 2013); (2) Moderate Means Program (FY2011-present: helps clients in the 200-400% of Federal Poverty level with family, consumer, and housing problems; and (3) Call to Duty Initiative (FY2016-present: informs and involves volunteer attorneys in meeting the legal needs of veterans and their families).
- ^x An MCLE Form 1 is an application for approval of MCLE credits (filed by sponsors and members). This figure does not include ~2,000 forms per year that are returned or reprocessed because incomplete or incorrect.
- ^{xi} Years 2004-2012 include oral contacts only, not e-mail communications. Year 2013 includes oral contacts and e-mail communications. Starting in calendar year 2015, this figure includes all Spanish language contacts with Consumer Affairs.
- ^{xii} Asterisk indicates prorated payout of authorized awards.
- ^{xiii} The Washington Supreme Court suspended this Board from November 2014 through July 2015. The Board was reconstituted and resumed operation in FY16.
- ^{xiv} The Court suspended the Board on November 11, 2014 and reconstituted the Board on July 8, 2015. The reconstituted Board reviewed cases that were put on hold during the suspension.
- ^{xv} First figure represents number of Cease & Desist letters issued without referral to prosecutor or ODC; second represents number of letters issued and referred to prosecutor; third represents number of letters issued and referred to ODC. The Court reconstituted the Board on July 8, 2015 and the reconstituted Board only dismisses or refers cases.
- ^{xvi} This figure represents referrals only. The Board does not issue cease and desist letters.
- ^{xvii} The WSBA mentorship program was introduced in FY15, and ongoing events (Mentorship Mixers) were launched in FY17. The data captures the number of mixers and the number of attendees.
- ^{xviii} This figure represents total participation in new member programming, including Open Sections Night, the Young Lawyer Liaison to Sections Program, and the development teams for new member education.
- ^{xix} Until FY13, WSBA tracked total Service Center contacts; beginning in FY13, data was tracked by type of contact (calls and email). Incomplete data in FY05 and FY09 years marked with *, full year was calculated using average monthly data.
- ^{xx} In FY17, WSBA began tracking Facebook and Twitter "impressions". This metric reflects the number of times a post is displayed for users to see – whether or not the post is clicked on – and helps us understand how many times people have actually seen WSBA content.
- ^{xxi} WSBA moved away from paid one-on-one consultations as part of the plan to expand accessibility of Practice Management Assistance (PMA) services to more members. In addition to greater outreach through webcast programming, WSBA offers free phone consultations for up to 30 minutes.
- ^{xxii} First figure represents number of presentations; second represents attendees at Practice Management Assistance (PMA) presentations *excluding* Legal Lunchbox seminars presented by the PMA team; third represents total attendees at PMA presentations, *including* Legal Lunchbox seminars presented by PMA.
- ^{xxiii} WSBA has a dynamic practice assistance network through which members may receive discounts on law practice tools. The data reflects the aggregate number of subscriptions to all of the tools offered in a given year since FY13. Offerings change over time, and include or have included: automated docketing systems; legal forms; ABA retirement funds; daily Washington case reports; writing software; ABA books for Bars; electronic time billing, file sharing, client conflict checking and client billing software; and receptionist services.
- ^{xxiv} First figure represents clients provided counseling; second figure represents number of sessions provided.
- ^{xxv} First figure represents unduplicated member registrants for in-person attendance; second figure represents total registrants for in-person attendance (including non-members).
- ^{xxvi} First figure represents unduplicated member registrants for webcast attendance; second figure represents total webcast registrants (including non-members).
- ^{xxvii} Includes unduplicated / total attendees at 10 live webcasts for credit and 2 months of on demand seminars. Credits provided through the series are adequate to meet minimum MCLE requirements.
- ^{xxviii} Webcast participation increased in FY15 due to two seven-part series (Beverage Law and Advising Startups) offered only via webcast.
- ^{xxix} Includes Referendum layoffs.
- ^{xxx} WSBA reserves – net assets – are identified by fund, and are either Board-designated or legally restricted. There are three Board-designated funds: (1) General Fund reserves, funded by WSBA annual operating income, and designated to cover unanticipated losses in the event of an emergency, support future facility needs, and cover net loss and extraordinary costs of WSBA functions, services, and operations; (2) CLE Fund reserves, funded by income from CLE seminars and products, and designated to cover net loss and extraordinary costs of CLE activities; and (3) Sections Fund reserves, consisting of the collective net income or loss of all WSBA sections, and designated to cover to cover net loss and extraordinary costs of section activities. The Client Protection Fund is a legally restricted fund, created by the Washington Supreme Court and WSBA to compensate victims of the dishonest taking of, or failure to account for, client funds or property by a lawyer.

WASHINGTON LEADERSHIP INSTITUTE



About WLI

The Washington Leadership Institute (“WLI”) is a leadership development program created in 2004 by the WSBA Board of Governors at the behest of then president Ronald H. Ward. It is a collaborative leadership program between the Washington State Bar Association and the University of Washington

School of Law (UW Law). The program operates under the direction of a Board of Advisors and provides monthly training sessions to participants (“Fellows”). The sessions include topics such as the “nuts and bolts” of law practice, leadership styles, the judiciary, and the legislative process. A WSBA Leadership Institute Fellow is afforded numerous opportunities to personally interact with legal, judicial, and political leaders.

Our Mission

The mission of the Washington Leadership Institute (WLI) is to recruit, train, & develop traditionally underrepresented attorneys for future leadership positions in the Washington

State Bar Association and legal community. The program strives to recruit Fellows for each class who reflect the full diversity of our state, which includes race, ethnicity, gender, sexual orientation, disability, and geographic location

Program Benefits

The WLI provides the Fellows with numerous opportunities to personally interact with legal, judicial, and political leaders. The program offers a unique combination of benefits:

- The program is a no-cost endeavor for Fellows because all travel, lodging and meals, are covered
- No tuition fee
- CLE credits, enough to satisfy approximately 3 full years of MCLE requirements — at no cost
- Exposure to practice and industry leaders
- Training in the law, courts, and the Bar
- One-on-one interaction with judges
- Mentorship from well-known bar leaders

Curriculum

There are three components to the WLI Leadership Institute:

- **Sessions:** The program is composed of eight educational sessions which run from January through August of each year. Fellows devote approximately 60 hours to the WLI CLE curriculum.
- **Community Service Project:** Each class sets aside time to be involved with the preparation and execution of a WLI community service project. Fellows devote approximately 30 hours to the project.
- **One year of service:** Following graduation from the WLI, each Fellow is expected to serve on a WSBA or WSBA-related committee, section, minority, or specialty bar association

Notable Guest Speakers

There have been over a hundred speakers who have given their time and expertise to the program. Below are just a few of the attorneys and public servants who have spoken and taught at the Institute:

- **Chief Justice Mary Fairhurst**, Washington Supreme Court
- **Judge Richard Jones**, U.S. District Court
- **Lucy Helm**, General Counsel, Starbucks Coffee Company
- **Eric Liu**, Author and speech writer for former President Bill Clinton
- **Chief Judge Ricardo Martinez**, U.S. District Court
- **Fred Rivera**, Executive Vice President & General Counsel, Seattle Mariners
- **Jeffrey Robinson**, Schroeter Goldmark and Bender & ACLU Center for Justice Director
- **Kellye Y. Testy**, President and CEO, Law School Admission Council (LSAC)

Who Can Apply?

Attorneys who have been admitted to practice law in a U.S. jurisdiction for at least three years and not more than ten years are eligible to apply.

All applicants must:

Be an active member of the WSBA

- Be nominated by his/her employer, or if self-employed, by a lawyer with at least 10 years of practice or a judge.
- Attend and participate in all eight sessions in order to graduate from the program.

For More Information

DAWN BELL, WLI COORDINATOR

University of Washington School of Law
William H. Gates Hall
Box 353020
Seattle, WA 98195-3020
206.543.2586
belld3@uw.edu

2018 Fellows

Vanessa O. Arno Martinez	Shontrana P. Gates-Wertman
Phillip A. Chu	Zainab Hussain
Cynthia F. Delostrinos	Cecilia Lopez
Denise Diskin	Seth M. Niesen
Sarah R. Elerson	Alyson L. Palmer
Jennifer A. Garber	María D. Velázquez

Advisory Board

WLI FOUNDER

Ronald R. Ward

CO CHAIRS

Hon. Mary I. Yu
James Williams

OTHER BOARD MEMBERS

WSBA President	Victor Lara
Dean Mario L. Barnes	Karen Lee
Jeffery Beaver	Hon. Lorraine Lee
Hon. Bobbe Bridge (Ret.)	Hon. Ricardo S. Martinez
Nicholas Brown	Diane M. Meyers
Dean Annette Clark	Hon. Raquel Montoya-Lewis
Hon. Mary Fairhurst	Kevin O'Rourke
Hon. Steven González	Frederick (Fred) B. Rivera
Nancy Isserlis	Craig A. Sims
Jean Kang	Kellye Y. Testy
Zabrina Jenkins	

UNIVERSITY OF WASHINGTON SCHOOL OF LAW

William H. Gates Hall

Box 353020

Seattle, WA 98195-3020

Tel: 206.543.2586 / Fax 206.616.1365

www.law.uw.edu/academics/continuing-education/wli



NO ME QUEDARÉ
CALLADA

Washington Leadership Institute 2018
Community Service Project





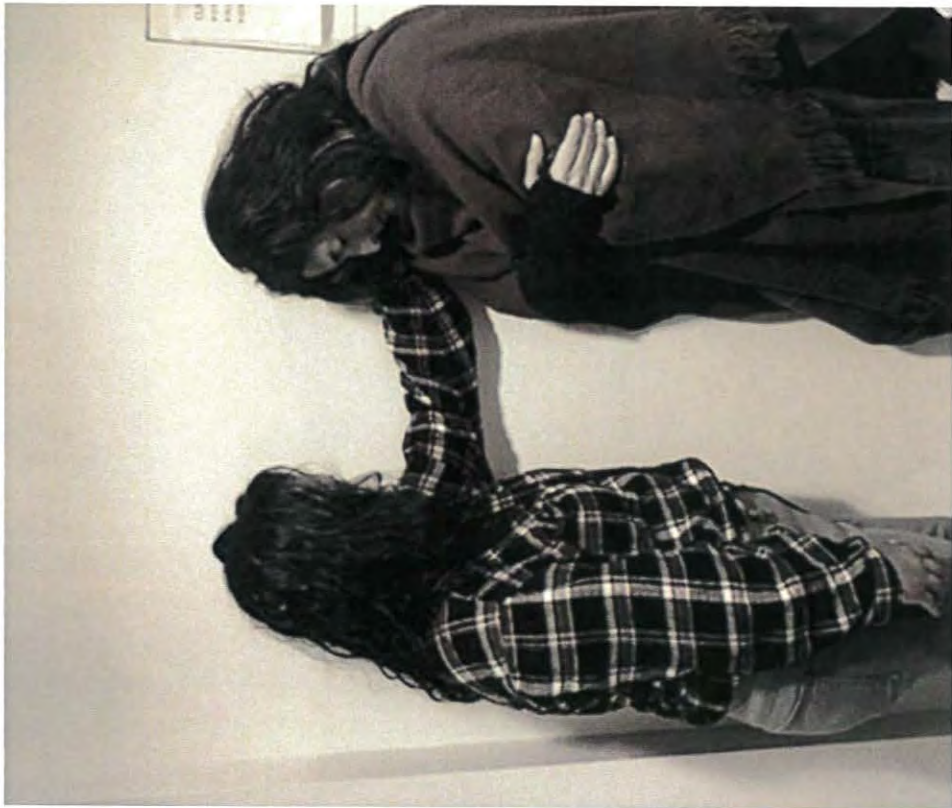
There are over an estimated

3 million

farmworkers employed in the United States

In a 2012 report, [Human Rights Watch](#) surveyed 52 female farmworkers

Nearly **all** of them had experienced sexual violence, or knew others who had



The Task

- WLI mandates that each group of Fellows plan, execute, and deliver a Community Service Project (“Project”) that is worked on throughout the duration of the Fellowship Program.
- The Project must address a need within the legal community.
- Fellows must work with a budget of \$0, and are expected to devote at minimum 30 hours to the Project.



The Problem



“We thought it was normal in the United States that in order to keep your job, you had to have sex.”

- *Migrant Farmworker to her attorney*

Jose R. Padilla, David Bacon (2016) “Protect Female Farmworkers”, *New York Times*, January 19, 2016

Problem #1: Data

- No consistent, systematic and irrefutable statistics are kept, however.

Problem #2: Training

- Farmworkers often don’t report sexual harassment out of shame and fear of not being believed or being blamed.
- Many migrant farmworkers are worried about losing their jobs or being deported.
- Victims often don’t know their rights.

Problem #3: Stopping the Cycle

- Sexual assault and rape are difficult to prove in criminal court.

Nicole Kim (2013-14) “Health & Safety of Women Agricultural Workers in the Yakima Valley”, *University of Washington Master of Public Health Thesis*

Migrant Farmworkers in Washington

- 78% of workers are immigrants, mostly from Mexico, and an estimated 20% are women. Many work in the fields and warehouses to pick and pack produce, respectively.
- In 2012, agricultural workers made a median wage of \$9.09 per hour, but the seasonal nature of the work leaves many unemployed throughout the year.
- Nationwide, over 60% of farmworkers still live below the poverty line .
- An estimated 50% of farmworkers are not authorized to work in the U.S., and many live in fear of deportation.
- Access to health care is minimal; 77% of workers lack health insurance coverage.



Nicole Kim (2013-14) "Health & Safety of Women Agricultural Workers in the Yakima Valley", University of Washington Master of Public Health Thesis

The Project

Problems We're Solving

- Providing a **long-term, sustainable resource** to victims of, and bystanders to, sexual harassment and assault of migrant farmworkers, particularly females
- Providing, at **no cost, audio and visual materials** to organizations with similar missions for use in building awareness and directing interested callers to the resource hotline
- Providing the community at large, legal and otherwise, an **opportunity to learn about the issues of sexual harassment** and assault in the migrant farmworker community through social media and in-person panel presentations

Community Partner Organizations

- Northwest Justice Project
- Washington Coalition to Eliminate Farmworker Sexual Harassment
- Western Washington University, Fairhaven College
- Radio KDNA



Fotonovela & Radionovela Committee



AnaCecilia Lopez, Seth Niesen, Shontrana Gates-Wertman, Lola Velázquez

To recruit and oversee the work of student participants creating the fotonovelas and recording the radionovelas

Created job descriptions and recruited student participants. Oversaw student activities, providing team feedback to students, and ensured students' concerns in participation were addressed

- Timing - delivered transcripts to students in May to receive credit by end of quarter in early June
- Students Personal Protection - students' fears of immigration consequences if they were in published photos
- Diversity - difficulty recruiting male - identified students to participate in project

Content Committee



Vanessa Arno Martinez, Denise Diskin, Jennifer Garber

To develop and create scenarios and transcripts for fotonovelas and radionovelas, in both Spanish and English

Drafted and translated transcripts and incorporated community partner feedback into final versions for recording and publication. Oversaw final editing of completed materials prior to distribution.

- Incorporating feedback - balancing community partner suggestions with public audience needs
- Timing - short turnaround time for partner feedback and for students to complete prior to end of quarter; students on school break during final editing stages
- Imagery - students fearing visual exposure leading to potential legal consequences



Panel Presentation Committee



Phil Chu, Jennifer Garber, Shontrana Gates-Wertman, Zainab Hussain, Alyson Palmer, Lola Velázquez

To increase awareness of the problem, through dissemination of our collateral, including the fotonovelas and social media presence, to community partners and social service agencies working with farmworkers

Collaborated with our primary community partner, Northwest Justice Project and Inspire Centers to establish presence and deliver presentations to varied audiences

- Audience availability - prime picking season in WA is June-October
- Language - Spanish and indigenous languages
- Scheduling - events subject to the calendars established by community partners and the Fellows' availability to participate

Social Media Committee



Cynthia Delostrinos, Sarah Elerson

To increase awareness of the problem through development and execution of a communication and outreach plan, and to identify and connect with current and potential partners for our project.

Identified and connected with community partners with ties to the farmworker community who could benefit from our materials and secured their commitment to distribute materials. Created a Facebook page and a press release to disseminate the material upon project launch

- Community Connections - lack of personal connection to farmworker community
- Timing - majority of the work was dependent on the completion of other committee's tasks
- Facebook -no knowledge regarding establishing non-personal Facebook page

The Fotonovela as Collateral

We chose fotonovelas as our primary medium of outreach because:

- Visual aids help to reinforce the message of solidarity, community, and availability of resources
- Language barriers can be overcome
- Where literacy may be an issue, visuals provide a method of delivering a powerful message
- Portability, shareability



TUS DERECHOS LEGALES

Los trabajadores tienen protección legal contra el acoso sexual en el trabajo, independientemente de su nacionalidad o estado migratorio. Si usted es testigo de acoso contra sí mismo o algún otro, es importante obtener ayuda. Llamando al Proyecto de Justicia del Noroeste al 1-800-201-1018, reporte de forma confidencial el acoso sexual, asalto, u otras cuestiones legales relacionadas con el trabajo, para recibir apoyo y asesoramiento legal.

"NO ME QUEDARÉ CALLADA" ES UN PROYECTO DE:

WASHINGTON LEADERSHIP INSTITUTE

NORTHWEST JUSTICE PROJECT

WASHINGTON COALITION TO ELIMINATE FARMWORKER SEXUAL HARASSMENT

WESTERN WASHINGTON UNIVERSITY STUDENTS

CREADO EN EL 2018

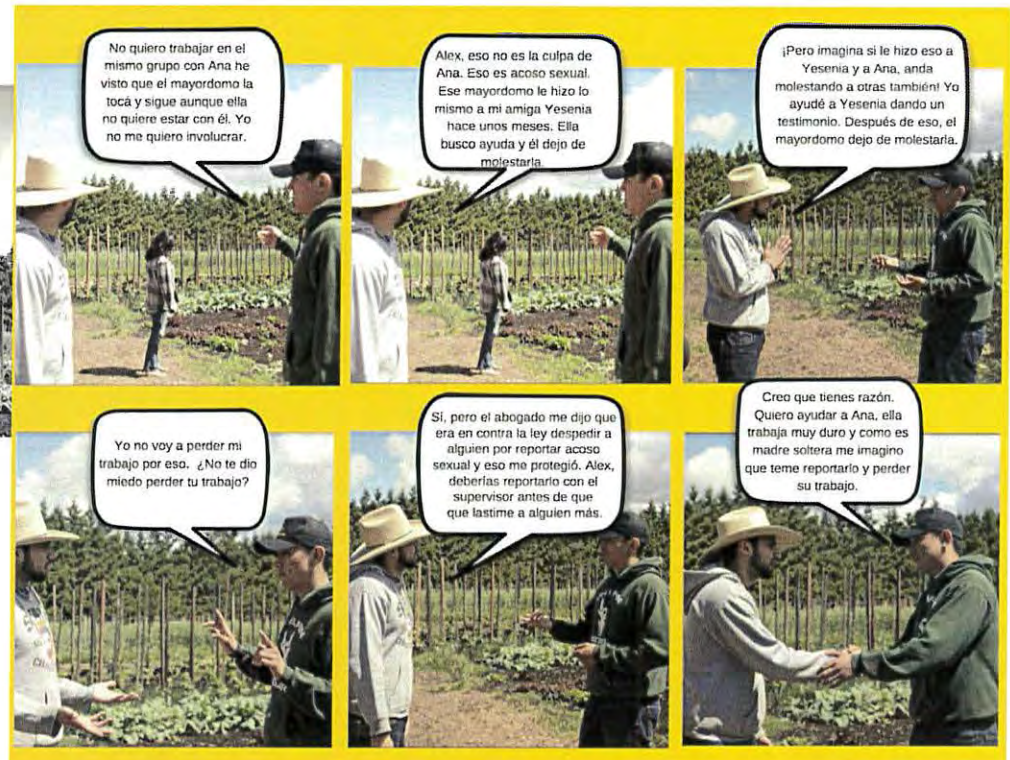


NO ME QUEDARÉ CALLADA

LLAME AL

NORTHWEST JUSTICE PROJECT

1-800-201-1018





YOU HAVE LEGAL RIGHTS

Workers have legal protections against sexual harassment at work, regardless of citizenship or document status. If you witness harassment against yourself or someone else, it's important to get help. By calling Northwest Justice Project at 1-800-201-1018, you can confidentially report sexual harassment, assault, or other work-related legal issues, and receive legal advice and support.

"NO ME QUEDARÉ CALLADA" IS A PROJECT OF:

- WASHINGTON LEADERSHIP INSTITUTE
- NORTHWEST JUSTICE PROJECT
- WASHINGTON COALITION TO ELIMINATE FARMWORKER SEXUAL HARASSMENT
- WESTERN WASHINGTON UNIVERSITY STUDENTS

CREATED IN 2018



CONTACT DETAILS

NORTHWEST JUSTICE PROJECT
 1-800-201-1018



The Execution Team



Back row (L-R): Lola Velázquez, Denise Diskin, Seth Niesen, AnaCecilia Lopez, Phil Chu, Vanessa Arno Martinez, Shontrana Gates-Wertman

Front row (L-R): Sarah Elerson, Alyson Palmer, Cynthia Delostrinos, Jennifer Garber, Zainab Hussain

The Delivery Team

WWU Volunteers Participants



Marla Perez

Voice of Isabel and Rosa in radio novela, Isabel in fotonovela - radionovela audio editor - Psychology

Victoria Matey

Diana in fotonovela - graphic designer for fotonovela pamphlet - Business

Elizabeth Sedillo

Voice of Diana in radionovela

Darío Castellón

Voice of Alex in radionovela - Urban Planning & Sustainable Development

Juan Galvez

Voice of Brian in radionovela and Alex in Fotonovela - Sociology

Ivan Rodriguez

Brian in the fotonovela





The Future of the Project

- Long-term sustainability
- Partnership & Collaboration with community partners
- Facebook Page
 - Follow us at:
[@NoMeQuedareCalladaProject](#)
 - Resources available for free ([Google Drive](#))
- Press release
 - Spread the word!



Thank you

WASHINGTON STATE BAR ASSOCIATION

TO: Board of Governors
FROM: Joy Williams, WSBA Diversity and Public Service Programs Manager
 Robin Nussbaum, WSBA Inclusion & Equity Specialist
RE: Diversity and Inclusion Events
DATE: October 30, 2018

WSBA Diversity and Inclusion Events

Education, Collaboration, and Partnership

Working closely with staff, volunteers and community partners throughout the legal community is foundational to the successful implementation of the diversity plan. WSBA participates in and provides a variety of opportunities to increase cross-cultural competency, awareness and engagement. Your participation communicates WSBA's commitment to representation and involvement in advancing inclusion.

Diversity & Inclusion Events for WSBA Staff and Volunteers			
When	What	How You Can Help	Who To Contact for More Info
Monday, November 19	Presentation: Diversity in Decision-Making LLLT Board	FYI only	Robin N.
Tuesday, November 20	Continuing the Conversation Bias in media, Google, etc.	FYI only	Robin N.
Thursday, November 29	Presentation: Diversity in Decision-Making Judicial Recommendation Committee	FYI only	Robin N.
Saturday, December 8	Presentation: Diversity in Decision-Making WYLC	FYI only	Robin N.
Tuesday, December 18	Continuing the Conversation Elizabeth Warren, "Pocahontas," and what makes someone Native American?	FYI only	Robin N.
Friday, January 4	Presentation: Diversity in Decision-Making Disciplinary Board	FYI only	Robin N.
Wednesday, January 9	Presentation: Diversity in Decision-Making Editorial Advisory Committee	FYI only	Robin N.
Friday, January 11	Presentation: Diversity in Decision-Making MCLE Board	FYI only	Robin N.



Washington State Minority Bar Association and other Diversity Events			
When	What	How You Can Help	Who To Contact for More Info
Thursday, November 1	Understanding, Identifying and Responding to the Impact of Microaggressions - AGO Tumwater	FYI Only	Joy
Thursday, November 9	Understanding, Identifying and Responding to the Impact of Microaggressions - AGO Seattle	FYI Only	Joy
Thursday, November 15	Understanding, Identifying and Responding to the Impact of Microaggressions - AGO Tumwater and Seattle	FYI Only	Joy
Friday, November 16	Speaking Engagement – Gordon Thomas Honeywell	FYI Only	Joy
Monday, November 19	Presentation to IL Diversity Fellowship Applicants at UW Law	FYI Only	Dana
Thursday, November 29	Understanding, Identifying and Responding to the Impact of Microaggressions - AGO Spokane	FYI Only	Joy
Thursday, December 13	Understanding, Identifying and Responding to the Impact of Microaggressions - AGO Spokane	FYI Only	Joy

Contact Information

Joy: joyw@wsba.org or 206.733.5952

Dana: danab@wsba.org or 206.733.5945

Robin: robinn@wsba.org or 206.727.8322

Margaret: margarets@wsba.org or 206.727.8244

Frances: francesd@wsba.org or 206.727.8222

Terra: terran@wsba.org or 206.727.8282



WSBA Financial Reports

(Unaudited)

Year to Date August 31, 2018

Prepared by Tiffany Lynch, Associate Director for Finance

Submitted by

Ann Holmes, Chief Operations Officer

September 26, 2018

WASHINGTON STATE BAR ASSOCIATION

To: Board of Governors
Budget and Audit Committee

From: Tiffany Lynch, Associate Director for Finance

Re: Key Financial Benchmarks for the Fiscal Year to Date (YTD) through August 31, 2018

Date: September 26, 2018

	% of Year	Current Year % YTD	Current Year \$ Difference ¹	Prior Year YTD	Comments
Salaries	91.67%	92.62% ²	\$107,197 (Over budget)	90.93%	Expected to be on or slightly over budget
Benefits	91.67%	89.29%	\$95,830 (Under budget)	89.22%	Expected to be slightly under budget
Other Indirect Expenses	91.67%	85.12%	\$224,429 (Under budget)	84.26%	Expected to be slightly under budget
Total Indirect Expenses	91.67%	90.53%	\$213,062 (Under budget)	89.32%	Expected to be on budget

General Fund Revenues	91.67%	94.94%	\$618,155 (Over budget)	96.07%	Expected to be over budget
General Fund Direct Expenses	91.67%	76.40%	\$379,939 (Under budget)	75.48%	Expected to be slightly under budget

CLE Revenue	91.67%	90.68%	\$20,131 (Over budget)	72.32%	Expected to be on or slightly under budget
CLE Direct Expenses	91.67%	70.07%	\$145,167 (Under budget)	59.70%	Expected to be on or slightly under budget
CLE Indirect Expenses	91.67%	91.91%	\$3,413 (Over budget)	88.37%	Expected to be on budget

¹ Dollar difference is calculated based on pro-rated budget (amended by the BOG on March 8, 2018) figures (total annual budget figures divided by 12 months) minus actual revenue and expense amounts as of August 31, 2018 (11 months into the fiscal year).

² Includes expenses for regular and temporary salaries with offsets from allowance for open positions and capital labor & overhead.

Washington State Bar Association Financial Summary
Year to Date as of August 31, 2018 91.67% of Year
Compared to Fiscal Year 2018 Budget

Category	Actual Revenues	Budgeted Revenues	Actual Indirect Expenses	Budgeted Indirect Expenses	Actual Direct Expenses	Budgeted Direct Expenses	Actual Total Expenses	Budgeted Total Expenses	Actual Net Result	Budgeted Net Result
Access to Justice	-	-	236,166	259,434	29,583	51,600	265,748	311,034	(266,748)	(311,034)
Administration	148,432	55,000	991,252	1,081,774	2,261	3,045	993,513	1,084,819	(845,081)	(1,029,819)
Admissions/Bar Exam	1,234,875	1,327,400	716,788	788,834	366,083	392,117	1,082,871	1,180,951	152,004	146,449
Board of Governors	-	-	484,916	522,727	252,454	280,080	737,370	802,807	(737,370)	(802,807)
Communications Strategies	3,225	44,750	470,358	533,961	50,273	103,440	520,631	637,401	(517,406)	(592,651)
Conference & Broadcast Services	-	-	678,228	736,233	5,048	4,700	683,276	740,933	(683,276)	(740,933)
Discipline	100,865	130,300	4,968,431	5,474,703	167,277	256,826	5,135,707	5,731,529	(5,034,842)	(5,601,229)
Diversity	101,636	100,374	376,839	420,525	20,958	25,250	397,798	445,775	(296,161)	(345,401)
Foundation	-	-	136,415	151,053	4,807	17,600	141,221	168,653	(141,221)	(168,653)
Human Resources	-	-	348,608	271,830	-	-	348,608	271,830	(348,608)	(271,830)
Law Clerk Program	127,450	112,000	99,847	111,678	5,327	4,350	105,174	116,028	22,276	(4,028)
Legislative	-	-	75,828	126,743	6,438	24,700	82,267	151,443	(82,267)	(151,443)
Licensing and Membership Records	342,710	284,700	599,454	660,794	44,190	45,996	643,444	706,790	(300,934)	(422,090)
Licensing Fees	14,098,199	15,068,125	-	-	-	-	-	-	14,098,199	15,068,125
Limited License Legal Technician	-	-	210,560	234,401	21,031	25,600	231,591	260,001	(231,591)	(260,001)
Limited Practice Officers	-	-	141,902	159,464	2,531	3,000	144,434	156,182	(144,434)	(162,464)
Mandatory CLE	774,958	761,000	493,333	540,324	222,258	238,444	715,591	778,768	59,367	(17,768)
Member Assistance Program	11,095	10,000	118,904	132,743	1,002	1,500	117,905	134,243	(108,810)	(124,243)
Member Benefits	10,870	-	39,093	42,808	104,891	123,760	143,984	166,568	(133,114)	(166,568)
Mentorship Program	-	-	93,183	106,393	7,468	11,225	100,650	117,618	(100,650)	(117,618)
New Member Program	141,467	53,200	231,588	262,549	20,287	35,780	251,875	298,329	(110,409)	(245,129)
NW Lawyer	407,682	538,350	193,301	225,207	248,461	434,500	441,762	659,707	(34,080)	(121,357)
Office of General Counsel	520	-	655,975	811,295	5,744	13,296	661,719	824,591	(661,199)	(824,591)
OGC-Disciplinary Board	-	-	177,257	203,346	77,570	103,500	254,827	306,846	(254,827)	(306,846)
Outreach and Engagement	-	-	331,565	364,777	16,211	22,750	347,776	387,527	(347,776)	(387,527)
Practice Management Assistance	40,578	15,000.00	185,229	208,292	1,113	5,850	186,341	214,142	(145,763)	(199,142)
Practice of Law Board	-	-	93,526	103,433	14,949	15,200	108,475	118,633	(108,475)	(118,633)
Professional Responsibility Program	-	-	238,607	278,623	7,346	6,300	245,952	284,923	(245,952)	(284,923)
Public Service Programs	106,004	105,000	177,694	227,477	184,549	224,615	362,243	452,092	(256,239)	(347,092)
Publication and Design Services	-	-	144,087	158,281	4,100	4,100	148,187	162,381	(148,187)	(162,381)
Sections Administration	304,688	308,000	403,763	464,958	7,641	10,100	411,404	475,058	(106,716)	(167,058)
Technology	-	-	1,396,176	1,491,590	-	-	1,396,176	1,491,590	(1,396,176)	(1,491,590)
Subtotal General Fund	17,955,254	18,913,199	15,506,873	17,156,250	1,901,850	2,489,224	17,408,723	19,645,474	546,531	(732,275)
Expenses using reserve funds	-	-	-	-	-	-	17,408,723	-	-	-
Total General Fund - Net Result from Operations									546,531	(732,275)
Percentage of Budget	94.94%		90.39%		76.40%		88.61%			
CLE-Seminars and Products	1,723,259	1,862,235	1,038,715	1,128,154	410,661	577,582	1,449,376	1,705,736	273,883	156,499
CLE - Deskbooks	119,492	170,000	224,626	246,313	60,426	94,895	285,052	341,008	(165,560)	(171,008)
Total CLE	1,842,751	2,032,235	1,263,341	1,374,467	471,087	672,277	1,734,428	2,046,744	108,323	(14,509)
Percentage of Budget	90.68%		91.91%		70.07%		84.74%			
Total All Sections	547,524	613,210	-	-	604,525	903,363	604,525	903,363	(57,000)	(290,152)
Client Protection Fund-Restricted	1,055,307	992,500	153,377	163,813	106,022	403,000	259,399	566,813	795,909	425,687
Management of Western States Bar Conference (No WBSA Funds)	43,050	49,900	-	-	54,342	46,860	54,342	46,860	(11,292)	3,040
Totals	21,443,887	22,601,044	16,923,590	18,694,530	3,137,826	4,514,723.50	20,061,416	23,209,254	1,382,471	(608,209)
Percentage of Budget	94.88%		90.53%		69.50%		86.44%			

Summary of Fund Balances:	Fund Balances Sept. 30, 2017	2018 Budgeted Fund Balances	Fund Balances Year to date
Restricted Funds:			
Client Protection Fund	3,242,299	3,667,986	4,038,207
Western States Bar Conference	19,632	22,672	8,340.02
Board-Designated Funds (Non-General Fund):			
CLE Fund Balance	485,582	471,073	593,905
Section Funds	1,197,727	907,575	1,140,726
Board-Designated Funds (General Fund):			
Operating Reserve Fund	1,500,000	1,500,000	1,500,000
Facilities Reserve Fund	200,000	200,000	200,000
Unrestricted Funds (General Fund):			
Unrestricted General Fund	1,663,751	931,476	2,210,282
Total General Fund Balance	3,363,751	2,631,476	3,910,282
Net Change in general Fund Balance		(732,275)	546,531
Total Fund Balance	8,308,990	7,700,781	9,691,461
Net Change in Fund Balance		(608,209)	1,382,471

Washington State Bar Association

Statement of Activities

For the Period from August 1, 2018 to August 31, 2018

91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
LICENSE FEES					
REVENUE:					
LICENSE FEES	14,953,000.00	1,294,054.58	13,993,002.06	959,997.94	93.58%
LLLT LICENSE FEES	6,125.00	668.83	4,947.54	1,177.46	80.78%
LPO LICENSE FEES	109,000.00	8,738.72	100,249.65	8,750.35	91.97%
TOTAL REVENUE:	15,068,125.00	1,303,462.13	14,098,199.25	969,925.75	93.56%

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
ACCESS TO JUSTICE					
REVENUE:					
TOTAL REVENUE:	-	-	-	-	
DIRECT EXPENSES:					
ATJ BOARD RETREAT	2,000.00	-	2,290.20	(290.20)	114.51%
LEADERSHIP TRAINING	2,000.00	-	802.00	1,198.00	40.10%
ATJ BOARD EXPENSE	24,000.00	1,771.78	15,056.85	8,943.15	62.74%
ATJ BOARD COMMITTEES EXPENSE	3,000.00	-	2,660.52	339.48	88.68%
STAFF TRAVEL/PARKING	2,700.00	432.77	828.62	1,871.38	30.69%
PUBLIC DEFENSE	8,400.00	829.32	4,312.12	4,087.88	51.33%
RECEPTION/FORUM EXPENSE	9,500.00	-	3,632.31	5,867.69	38.23%
TOTAL DIRECT EXPENSES:	51,600.00	3,033.87	29,582.62	22,017.38	57.33%
INDIRECT EXPENSES:					
SALARY EXPENSE (2.10 FTE)	152,813.00	12,969.44	142,094.45	10,718.55	92.99%
BENEFITS EXPENSE	55,627.00	4,361.79	50,570.86	5,056.14	90.91%
OTHER INDIRECT EXPENSE	50,994.00	4,041.35	43,500.42	7,493.58	85.30%
TOTAL INDIRECT EXPENSES:	259,434.00	21,372.58	236,165.73	23,268.27	91.03%
TOTAL ALL EXPENSES:	311,034.00	24,406.45	265,748.35	45,285.65	85.44%
NET INCOME (LOSS):	(311,034.00)	(24,406.45)	(265,748.35)		

Washington State Bar Association

Statement of Activities

For the Period from August 1, 2018 to August 31, 2018

91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
ADMINISTRATION					
REVENUE:					
INTEREST INCOME	25,000.00	12,464.68	128,148.62	(103,148.62)	512.59%
GAIN/LOSS ON INVESTMENTS	30,000.00	9,046.73	20,283.51	9,716.49	67.61%
TOTAL REVENUE:	55,000.00	21,511.41	148,432.13	(93,432.13)	269.88%
DIRECT EXPENSES:					
CREDIT CARD MERCHANT FEES	-	(272.23)	(2,199.63)	2,199.63	
STAFF TRAVEL/PARKING	2,500.00	350.00	3,896.00	(1,396.00)	155.84%
STAFF MEMBERSHIP DUES	545.00	-	565.00	(20.00)	103.67%
TOTAL DIRECT EXPENSES:	3,045.00	77.77	2,261.37	783.63	74.27%
INDIRECT EXPENSES:					
SALARY EXPENSE (7.88 FTE)	663,826.00	55,246.20	626,122.23	37,703.77	94.32%
BENEFITS EXPENSE	226,598.00	17,477.60	202,221.89	24,376.11	89.24%
OTHER INDIRECT EXPENSE	191,350.00	15,134.62	162,907.65	28,442.35	85.14%
TOTAL INDIRECT EXPENSES:	1,081,774.00	87,858.42	991,251.77	90,522.23	91.63%
TOTAL ALL EXPENSES:	1,084,819.00	87,936.19	993,513.14	91,305.86	91.58%
NET INCOME (LOSS):	(1,029,819.00)	(66,424.78)	(845,081.01)		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
ADMISSIONS					
REVENUE:					
EXAM SOFT REVENUE	35,000.00	-	10,920.00	24,080.00	31.20%
BAR EXAM FEES	1,200,000.00	40,775.00	1,150,903.60	49,096.40	95.91%
RPC BOOKLETS	-	-	866.22	(866.22)	
SPECIAL ADMISSIONS	60,000.00	620.00	41,185.00	18,815.00	68.64%
LLLT EXAM FEES	7,500.00	(150.00)	4,150.00	3,350.00	55.33%
LLLT WAIVER FEES	900.00	-	150.00	750.00	16.67%
LPO EXAMINATION FEES	24,000.00	300.00	26,700.00	(2,700.00)	111.25%
TOTAL REVENUE:	1,327,400.00	41,545.00	1,234,874.82	92,525.18	93.03%
DIRECT EXPENSES:					
DEPRECIATION	2,222.00	-	-	2,222.00	0.00%
POSTAGE	4,000.00	81.45	2,669.19	1,330.81	66.73%
STAFF TRAVEL/PARKING	10,240.00	5,340.86	15,832.39	(5,592.39)	154.61%
STAFF MEMBERSHIP DUES	400.00	216.00	616.00	(216.00)	154.00%
SUPPLIES	1,000.00	266.99	3,914.18	(2,914.18)	391.42%
FACILITY, PARKING, FOOD	66,000.00	150.00	81,011.11	(15,011.11)	122.74%
EXAMINER FEES	35,000.00	15,250.00	25,250.00	9,750.00	72.14%
UBE EXMINATIONS	130,000.00	78,579.00	115,398.00	14,602.00	88.77%
BOARD OF BAR EXAMINERS	25,000.00	12,681.08	36,091.22	(11,091.22)	144.36%
BAR EXAM PROCTORS	30,000.00	16,048.50	27,122.50	2,877.50	90.41%
CHARACTER & FITNESS BOARD	20,000.00	1,119.34	13,419.55	6,580.45	67.10%
DISABILITY ACCOMMODATIONS	20,000.00	5,733.56	12,987.93	7,012.07	64.94%
CHARACTER & FITNESS INVESTIGATIONS	900.00	-	3,198.91	(2,298.91)	355.43%
LAW SCHOOL VISITS	1,000.00	-	423.75	576.25	42.38%
EXAM WRITING	28,355.00	-	21,000.00	7,355.00	74.06%
COURT REPORTERS	18,000.00	-	6,735.49	11,264.51	37.42%
PRINTING & COPYING	-	-	412.94	(412.94)	
TOTAL DIRECT EXPENSES:	392,117.00	135,466.78	366,083.16	26,033.84	93.36%
INDIRECT EXPENSES:					
SALARY EXPENSE (6.20 FTE)	463,690.00	38,718.24	436,169.30	27,520.70	94.06%
BENEFITS EXPENSE	174,590.00	13,137.77	152,452.74	22,137.26	87.32%
OTHER INDIRECT EXPENSE	150,554.00	11,906.98	128,165.72	22,388.28	85.13%
TOTAL INDIRECT EXPENSES:	788,834.00	63,762.99	716,787.76	72,046.24	90.87%
TOTAL ALL EXPENSES:	1,180,951.00	199,229.77	1,082,870.92	98,080.08	91.69%
NET INCOME (LOSS):	146,449.00	(157,684.77)	152,003.90		

Washington State Bar Association

Statement of Activities

For the Period from August 1, 2018 to August 31, 2018

91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
BOG/OED					
REVENUE:					
TOTAL REVENUE:	-	-	-	-	
DIRECT EXPENSES:					
STAFF TRAVEL/PARKING	4,700.00	450.00	4,614.00	86.00	98.17%
STAFF MEMBERSHIP DUES	1,880.00	-	1,981.00	(101.00)	105.37%
TELEPHONE	1,000.00	153.01	821.11	178.89	82.11%
WASHINGTON LEADERSHIP INSTITUTE	60,000.00	60,000.00	60,000.00	-	100.00%
BOG MEETINGS	115,000.00	9,444.28	130,176.50	(15,176.50)	113.20%
BOG COMMITTEES' EXPENSES	30,000.00	2,578.80	24,843.76	5,156.24	82.81%
BOG CONFERENCE ATTENDANCE	17,500.00	112.55	7,859.16	9,640.84	44.91%
BOG TRAVEL & OUTREACH	45,000.00	605.59	18,749.60	26,250.40	41.67%
ED TRAVEL & OUTREACH	5,000.00	237.81	3,409.33	1,590.67	68.19%
TOTAL DIRECT EXPENSES:	280,080.00	73,582.04	252,454.46	27,625.54	90.14%
INDIRECT EXPENSES:					
SALARY EXPENSE (2.45 FTE)	357,754.00	26,824.60	338,687.04	19,066.96	94.67%
BENEFITS EXPENSE	105,480.00	8,131.22	95,429.28	10,050.72	90.47%
OTHER INDIRECT EXPENSE	59,493.00	4,719.43	50,799.26	8,693.74	85.39%
TOTAL INDIRECT EXPENSES:	522,727.00	39,675.25	484,915.58	37,811.42	92.77%
TOTAL ALL EXPENSES:	802,807.00	113,257.29	737,370.04	65,436.96	91.85%
NET INCOME (LOSS):	(802,807.00)	(113,257.29)	(737,370.04)		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
COMMUNICATION STRATEGIES					
REVENUE:					
AWARDS LUNCH/DINNER	44,000.00	1,875.00	1,975.00	42,025.00	4.49%
50 YEAR MEMBER TRIBUTE LUNCH	750.00	-	550.00	200.00	73.33%
WSBA LOGO MERCHANDISE SALES	-	140.00	700.00	(700.00)	
TOTAL REVENUE:	44,750.00	2,015.00	3,225.00	41,525.00	7.21%
DIRECT EXPENSES:					
STAFF TRAVEL/PARKING	2,640.00	577.52	4,136.27	(1,496.27)	156.68%
STAFF MEMBERSHIP DUES	1,700.00	-	1,032.50	667.50	60.74%
SUBSCRIPTIONS	10,050.00	38.52	6,728.41	3,321.59	66.95%
DIGITAL/ONLINE DEVELOPMENT	1,450.00	10.00	835.00	615.00	57.59%
AWARDS DINNER	63,000.00	6,497.51	23,170.92	39,829.08	36.78%
50 YEAR MEMBER TRIBUTE LUNCH	8,000.00	-	8,904.98	(904.98)	111.31%
COMMUNICATIONS OUTREACH	15,000.00	986.25	5,411.46	9,588.54	36.08%
SPEAKERS & PROGRAM DEVELOP	1,600.00	-	-	1,600.00	0.00%
TELEPHONE	-	26.59	53.26	(53.26)	
TOTAL DIRECT EXPENSES:	103,440.00	8,136.39	50,272.80	53,167.20	48.60%
INDIRECT EXPENSES:					
SALARY EXPENSE (4.68 FTE)	305,254.00	24,913.96	278,310.33	26,943.67	91.17%
BENEFITS EXPENSE	115,063.00	9,255.48	95,120.71	19,942.29	82.67%
OTHER INDIRECT EXPENSE	113,644.00	9,004.80	96,927.15	16,716.85	85.29%
TOTAL INDIRECT EXPENSES:	533,961.00	43,174.24	470,358.19	63,602.81	88.09%
TOTAL ALL EXPENSES:	637,401.00	51,310.63	520,630.99	116,770.01	81.68%
NET INCOME (LOSS):	(592,651.00)	(49,295.63)	(517,405.99)		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
CONFERENCE & BROADCAST SERVICES					
REVENUE:	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL REVENUE:	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
DIRECT EXPENSES:	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
STAFF TRAVEL/PARKING	1,200.00	75.00	450.00	750.00	37.50%
TRANSLATION SERVICES	3,500.00	434.50	4,597.80	(1,097.80)	131.37%
TOTAL DIRECT EXPENSES:	<u>4,700.00</u>	<u>509.50</u>	<u>5,047.80</u>	<u>(347.80)</u>	<u>107.40%</u>
INDIRECT EXPENSES:					
SALARY EXPENSE (7.15 FTE)	400,338.00	34,574.28	379,221.46	21,116.54	94.73%
BENEFITS EXPENSE	162,272.00	13,085.09	150,774.54	11,497.46	92.91%
OTHER INDIRECT EXPENSE	173,623.00	13,751.35	148,231.82	25,391.18	85.38%
TOTAL INDIRECT EXPENSES:	<u>736,233.00</u>	<u>61,410.72</u>	<u>678,227.82</u>	<u>58,005.18</u>	<u>92.12%</u>
TOTAL ALL EXPENSES:	<u>740,933.00</u>	<u>61,920.22</u>	<u>683,275.62</u>	<u>57,657.38</u>	<u>92.22%</u>
NET INCOME (LOSS):	<u>(740,933.00)</u>	<u>(61,920.22)</u>	<u>(683,275.62)</u>		

Washington State Bar Association

Statement of Activities

For the Period from August 1, 2018 to August 31, 2018

91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
DISCIPLINE					
REVENUE:					
AUDIT REVENUE	2,300.00	191.25	4,317.50	(2,017.50)	187.72%
RECOVERY OF DISCIPLINE COSTS	115,000.00	1,250.00	81,897.88	33,102.12	71.22%
DISCIPLINE HISTORY SUMMARY	13,000.00	1,461.37	14,649.56	(1,649.56)	112.69%
TOTAL REVENUE:	130,300.00	2,902.62	100,864.94	29,435.06	77.41%
DIRECT EXPENSES:					
DEPRECIATION-SOFTWARE	17,028.00	859.00	9,442.00	7,586.00	55.45%
PUBLICATIONS PRODUCTION	330.00	-	221.98	108.02	67.27%
STAFF TRAVEL/PARKING	39,460.00	2,068.18	30,646.08	8,813.92	77.66%
STAFF MEMBERSHIP DUES	3,308.00	-	3,101.00	207.00	93.74%
TELEPHONE	2,800.00	185.92	2,025.52	774.48	72.34%
COURT REPORTERS	65,000.00	2,522.92	32,220.60	32,779.40	49.57%
OUTSIDE COUNSEL/AIC	2,000.00	-	-	2,000.00	0.00%
LITIGATION EXPENSES	30,000.00	1,530.62	17,582.65	12,417.35	58.61%
DISABILITY EXPENSES	15,000.00	-	1,207.60	13,792.40	8.05%
ONLINE LEGAL RESEARCH	66,900.00	5,528.76	55,781.53	11,118.47	83.38%
LAW LIBRARY	12,000.00	-	12,298.80	(298.80)	102.49%
TRANSLATION SERVICES	3,000.00	-	2,748.88	251.12	91.63%
TOTAL DIRECT EXPENSES:	256,826.00	12,695.40	167,276.64	89,549.36	65.13%
INDIRECT EXPENSES:					
SALARY EXPENSE (36.89 FTE)	3,436,749.00	284,207.68	3,160,968.96	275,780.04	91.98%
BENEFITS EXPENSE	1,142,156.00	90,396.59	1,044,306.44	97,849.56	91.43%
OTHER INDIRECT EXPENSE	895,798.00	70,899.51	763,155.38	132,642.62	85.19%
TOTAL INDIRECT EXPENSES:	5,474,703.00	445,503.78	4,968,430.78	506,272.22	90.75%
TOTAL ALL EXPENSES:	5,731,529.00	458,199.18	5,135,707.42	595,821.58	89.60%
NET INCOME (LOSS):	(5,601,229.00)	(455,296.56)	(5,034,842.48)		

Washington State Bar Association

Statement of Activities

For the Period from August 1, 2018 to August 31, 2018

91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
DIVERSITY					
REVENUE:					
DONATIONS	90,000.00	-	97,500.00	(7,500.00)	108.33%
SEMINAR REGISTRATIONS	-	-	275.00	(275.00)	
WORK STUDY GRANTS	10,374.00	-	3,861.38	6,512.62	37.22%
TOTAL REVENUE:	100,374.00	-	101,636.38	(1,262.38)	101.26%
DIRECT EXPENSES:					
STAFF TRAVEL/PARKING	8,000.00	1,027.72	4,854.57	3,145.43	60.68%
STAFF MEMBERSHIP DUES	350.00	-	316.00	34.00	90.29%
COMMITTEE FOR DIVERSITY	6,200.00	414.05	3,592.90	2,607.10	57.95%
DIVERSITY EVENTS & PROJECTS	10,000.00	-	12,029.55	(2,029.55)	120.30%
INTERNAL DIVERSITY OUTREACH	200.00	-	-	200.00	0.00%
SPEAKERS & PROGRAM DEVELOPMENT	500.00	-	-	500.00	0.00%
PRINTING & COPYING	-	-	165.35	(165.35)	
TOTAL DIRECT EXPENSE:	25,250.00	1,441.77	20,958.37	4,291.63	83.00%
INDIRECT EXPENSES:					
SALARY EXPENSE (3.21 FTE)	255,821.00	21,329.10	231,029.37	24,791.63	90.31%
BENEFITS EXPENSE	86,756.00	6,856.84	79,537.45	7,218.55	91.68%
OTHER INDIRECT EXPENSE	77,948.00	6,156.90	66,272.41	11,675.59	85.02%
TOTAL INDIRECT EXPENSES:	420,525.00	34,342.84	376,839.23	43,685.77	89.61%
TOTAL ALL EXPENSES:	445,775.00	35,784.61	397,797.60	47,977.40	89.24%
NET INCOME (LOSS):	(345,401.00)	(35,784.61)	(296,161.22)		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
FOUNDATION					
REVENUE:	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL REVENUE:	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
DIRECT EXPENSES:	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
CONSULTING SERVICES	3,000.00	-	2,906.40	93.60	96.88%
PRINTING & COPYING	1,500.00	-	908.25	591.75	60.55%
STAFF TRAVEL/PARKING	1,500.00	35.81	389.07	1,110.93	25.94%
STAFF MEMBERSHIP DUES	600.00	25.00	25.00	575.00	4.17%
SUPPLIES	500.00	59.44	98.26	401.74	19.65%
SPECIAL EVENTS	5,000.00	-	11.91	4,988.09	0.24%
BOARD OF TRUSTEES	5,000.00	-	467.72	4,532.28	9.35%
GRAPHIC DESIGN	500.00	-	-	500.00	0.00%
MISCELLANEOUS	-	(60.00)	-	-	-
TOTAL DIRECT EXPENSES:	<u>17,600.00</u>	<u>60.25</u>	<u>4,806.61</u>	<u>12,793.39</u>	<u>27.31%</u>
INDIRECT EXPENSES:					
SALARY EXPENSE (1.20 FTE)	89,200.00	7,346.16	82,462.43	6,737.57	92.45%
BENEFITS EXPENSE	32,713.00	2,512.15	29,136.59	3,576.41	89.07%
OTHER INDIRECT EXPENSE	29,140.00	2,305.44	24,815.67	4,324.33	85.16%
TOTAL INDIRECT EXPENSES:	<u>151,053.00</u>	<u>12,163.75</u>	<u>136,414.69</u>	<u>14,638.31</u>	<u>90.31%</u>
TOTAL ALL EXPENSES:	<u>168,653.00</u>	<u>12,224.00</u>	<u>141,221.30</u>	<u>27,431.70</u>	<u>83.73%</u>
NET INCOME (LOSS):	<u>(168,653.00)</u>	<u>(12,224.00)</u>	<u>(141,221.30)</u>		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
HUMAN RESOURCES					
REVENUE:					
TOTAL REVENUE:	-	-	-	-	
DIRECT EXPENSES:					
STAFF TRAVEL/PARKING	150.00	-	69.50	80.50	46.33%
STAFF MEMBERSHIP DUES	1,188.00	209.00	1,161.00	27.00	97.73%
SUBSCRIPTIONS	1,938.00	-	2,112.92	(174.92)	109.03%
STAFF TRAINING- GENERAL	29,400.00	522.30	27,040.64	2,359.36	91.97%
RECRUITING AND ADVERTISING	7,000.00	427.06	4,288.13	2,711.87	61.26%
PAYROLL PROCESSING	55,000.00	3,711.07	41,672.75	13,327.25	75.77%
SALARY SURVEYS	2,900.00	-	949.60	1,950.40	32.74%
THIRD PARTY SERVICES	22,500.00	13,487.25	35,299.50	(12,799.50)	156.89%
TRANSFER TO INDIRECT EXPENSE	(120,076.00)	(18,356.68)	(112,594.04)	(7,481.96)	93.77%
TOTAL DIRECT EXPENSES:	-	-	-	-	
INDIRECT EXPENSES:					
SALARY EXPENSE (2.48 FTE)	251,079.00	19,618.02	223,738.28	27,340.72	89.11%
ALLOWANCE FOR OPEN POSITIONS	(120,000.00)	-	-	(120,000.00)	0.00%
BENEFITS EXPENSE	80,529.00	6,298.29	73,487.01	7,041.99	91.26%
OTHER INDIRECT EXPENSE	60,222.00	4,773.67	51,383.17	8,838.83	85.32%
TOTAL INDIRECT EXPENSES:	271,830.00	30,689.98	348,608.46	(76,778.46)	128.25%
TOTAL ALL EXPENSES:	271,830.00	30,689.98	348,608.46	(76,778.46)	128.25%
NET INCOME (LOSS):	(271,830.00)	(30,689.98)	(348,608.46)		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
LAW CLERK PROGRAM					
REVENUE:					
LAW CLERK FEES	110,000.00	1,500.00	124,950.00	(14,950.00)	113.59%
LAW CLERK APPLICATION FEES	2,000.00	100.00	2,500.00	(500.00)	125.00%
TOTAL REVENUE:	112,000.00	1,600.00	127,450.00	(15,450.00)	113.79%
DIRECT EXPENSES:					
SUBSCRIPTIONS	250.00	-	250.00	-	100.00%
CHARACTER & FITNESS INVESTIGATIONS	100.00	-	-	100.00	0.00%
LAW CLERK BOARD EXPENSE	4,000.00	882.94	5,077.06	(1,077.06)	126.93%
TOTAL DIRECT EXPENSES:	4,350.00	882.94	5,327.06	(977.06)	122.46%
INDIRECT EXPENSES:					
SALARY EXPENSE (0.85 FTE)	67,292.00	5,631.72	61,177.49	6,114.51	90.91%
BENEFITS EXPENSE	23,746.00	1,838.33	21,152.95	2,593.05	89.08%
OTHER INDIRECT EXPENSE	20,640.00	1,627.37	17,516.95	3,123.05	84.87%
TOTAL INDIRECT EXPENSES:	111,678.00	9,097.42	99,847.39	11,830.61	89.41%
TOTAL ALL EXPENSES:	116,028.00	9,980.36	105,174.45	10,853.55	90.65%
NET INCOME (LOSS):	(4,028.00)	(8,380.36)	22,275.55		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
LEGISLATIVE					
REVENUE:					
<hr/>					
TOTAL REVENUE:	-	-	-	-	
<hr/>					
DIRECT EXPENSES:					
<hr/>					
STAFF TRAVEL/PARKING	8,000.00	-	1,497.67	6,502.33	18.72%
STAFF MEMBERSHIP DUES	450.00	-	-	450.00	0.00%
SUBSCRIPTIONS	2,000.00	-	1,981.80	18.20	99.09%
TELEPHONE	3,000.00	-	240.11	2,759.89	8.00%
OLYMPIA RENT	2,500.00	-	1,918.33	581.67	76.73%
CONTRACT LOBBYIST	5,000.00	-	-	5,000.00	0.00%
LOBBYIST CONTACT COSTS	1,000.00	-	291.81	708.19	29.18%
LEGISLATIVE COMMITTEE	2,500.00	-	267.75	2,232.25	10.71%
BOG LEGISLATIVE COMMITTEE	250.00	-	240.79	9.21	96.32%
TOTAL DIRECT EXPENSES:	24,700.00	-	6,438.26	18,261.74	26.07%
<hr/>					
INDIRECT EXPENSES:					
SALARY EXPENSE (1.00 FTE)	75,380.00	2,227.58	35,933.67	39,446.33	47.67%
BENEFITS EXPENSE	27,080.00	1,712.91	19,166.36	7,913.64	70.78%
OTHER INDIRECT EXPENSE	24,283.00	1,925.76	20,728.39	3,554.61	85.36%
TOTAL INDIRECT EXPENSES:	126,743.00	5,866.25	75,828.42	50,914.58	59.83%
TOTAL ALL EXPENSES:	151,443.00	5,866.25	82,266.68	69,176.32	54.32%
NET INCOME (LOSS):	(151,443.00)	(5,866.25)	(82,266.68)		

Washington State Bar Association

Statement of Activities

For the Period from August 1, 2018 to August 31, 2018

91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
LICENSING & MEMBERSHIP RECORDS					
REVENUE:					
STATUS CERTIFICATE FEES	22,000.00	1,838.83	17,878.03	4,121.97	81.26%
RULE 9/LEGAL INTERN FEES	11,000.00	1,100.00	12,200.00	(1,200.00)	110.91%
INVESTIGATION FEES	20,000.00	2,100.00	21,500.00	(1,500.00)	107.50%
PRO HAC VICE	210,000.00	31,430.00	271,479.00	(61,479.00)	129.28%
MEMBER CONTACT INFORMATION	21,000.00	3,307.23	19,232.98	1,767.02	91.59%
PHOTO BAR CARD SALES	700.00	48.00	420.00	280.00	60.00%
TOTAL REVENUE:	284,700.00	39,824.06	342,710.01	(58,010.01)	120.38%
DIRECT EXPENSES:					
DEPRECIATION	11,496.00	1,151.00	11,508.00	(12.00)	100.10%
POSTAGE	31,500.00	949.52	30,634.14	865.86	97.25%
LICENSING FORMS	3,000.00	-	2,048.00	952.00	68.27%
TOTAL DIRECT EXPENSES:	45,996.00	2,100.52	44,190.14	1,805.86	96.07%
INDIRECT EXPENSES:					
SALARY EXPENSE (4.65 FTE)	410,886.00	33,241.58	379,101.00	31,785.00	92.26%
BENEFITS EXPENSE	136,992.00	10,683.47	124,301.89	12,690.11	90.74%
OTHER INDIRECT EXPENSE	112,916.00	8,923.44	96,051.12	16,864.88	85.06%
TOTAL INDIRECT EXPENSES:	660,794.00	52,848.49	599,454.01	61,339.99	90.72%
TOTAL ALL EXPENSES:	706,790.00	54,949.01	643,644.15	63,145.85	91.07%
NET INCOME (LOSS):	(422,090.00)	(15,124.95)	(300,934.14)		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
LIMITED LICENSE LEGAL TECHNICIAN PROGRAM					
REVENUE:					
	_____	_____	_____	_____	_____
TOTAL REVENUE:	-	-	-	-	-
DIRECT EXPENSES:					
	_____	_____	_____	_____	_____
STAFF TRAVEL/PARKING	600.00	(1,686.32)	96.00	504.00	16.00%
LLLT BOARD	17,000.00	2,385.16	18,293.81	(1,293.81)	107.61%
LLLT OUTREACH	8,000.00	33.00	2,641.52	5,358.48	33.02%
TOTAL DIRECT EXPENSES:	25,600.00	731.84	21,031.33	4,568.67	82.15%
INDIRECT EXPENSES:					
	_____	_____	_____	_____	_____
SALARY EXPENSE (1.75 FTE)	142,602.00	13,070.70	133,248.75	9,353.25	93.44%
BENEFITS EXPENSE	49,304.00	3,827.22	41,109.12	8,194.88	83.38%
OTHER INDIRECT EXPENSE	42,495.00	3,363.27	36,201.81	6,293.19	85.19%
TOTAL INDIRECT EXPENSES:	234,401.00	20,261.19	210,559.68	23,841.32	89.83%
TOTAL ALL EXPENSES:	260,001.00	20,993.03	231,591.01	28,409.99	89.07%
NET INCOME (LOSS):	(260,001.00)	(20,993.03)	(231,591.01)		

Washington State Bar Association

Statement of Activities

For the Period from August 1, 2018 to August 31, 2018

91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
LIMITED PRACTICE OFFICERS					
REVENUE:	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL REVENUE:	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
DIRECT EXPENSES:	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
LPO BOARD	3,000.00	414.61	2,531.32	468.68	84.38%
TOTAL DIRECT EXPENSES:	<u>3,000.00</u>	<u>414.61</u>	<u>2,531.32</u>	<u>468.68</u>	<u>84.38%</u>
INDIRECT EXPENSES:					
SALARY EXPENSE (1.16 FTE)	97,589.00	8,057.80	87,684.99	9,904.01	89.85%
BENEFITS EXPENSE	33,707.00	2,613.49	30,277.58	3,429.42	89.83%
OTHER INDIRECT EXPENSE	<u>28,168.00</u>	<u>2,224.06</u>	<u>23,939.85</u>	<u>4,228.15</u>	<u>84.99%</u>
TOTAL INDIRECT EXPENSES:	<u>159,464.00</u>	<u>12,895.35</u>	<u>141,902.42</u>	<u>17,561.58</u>	<u>88.99%</u>
TOTAL ALL EXPENSES:	<u>162,464.00</u>	<u>13,309.96</u>	<u>144,433.74</u>	<u>18,030.26</u>	<u>88.90%</u>
NET INCOME (LOSS):	<u>(162,464.00)</u>	<u>(13,309.96)</u>	<u>(144,433.74)</u>		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
MANDATORY CONTINUING LEGAL EDUCATION					
REVENUE:					
ACCREDITED PROGRAM FEES	282,000.00	23,850.00	267,050.00	14,950.00	94.70%
FORM 1 LATE FEES	100,000.00	9,450.00	128,590.00	(28,590.00)	128.59%
MEMBER LATE FEES	203,000.00	150.00	209,535.00	(6,535.00)	103.22%
ANNUAL ACCREDITED SPONSOR FEES	27,000.00	-	29,500.00	(2,500.00)	109.26%
ATTENDANCE FEES	60,000.00	924.00	47,427.00	12,573.00	79.05%
ATTENDANCE LATE FEES	60,000.00	5,775.00	64,855.00	(4,855.00)	108.09%
COMITY CERTIFICATES	29,000.00	250.00	28,000.67	999.33	96.55%
TOTAL REVENUE:	761,000.00	40,399.00	774,957.67	(13,957.67)	101.83%
DIRECT EXPENSES:					
DEPRECIATION	235,944.00	20,674.00	220,982.00	14,962.00	93.66%
STAFF MEMBERSHIP DUES	500.00	(416.00)	500.00	-	100.00%
MCLE BOARD	2,000.00	157.91	775.76	1,224.24	38.79%
TOTAL DIRECT EXPENSES:	238,444.00	20,415.91	222,257.76	16,186.24	93.21%
INDIRECT EXPENSES:					
SALARY EXPENSE (4.80 FTE)	311,815.00	20,991.16	293,562.54	18,252.46	94.15%
BENEFITS EXPENSE	113,165.00	8,177.93	101,383.79	11,781.21	89.59%
OTHER INDIRECT EXPENSE	115,344.00	9,140.48	98,386.92	16,957.08	85.30%
TOTAL INDIRECT EXPENSES:	540,324.00	38,309.57	493,333.25	46,990.75	91.30%
TOTAL ALL EXPENSES:	778,768.00	58,725.48	715,591.01	63,176.99	91.89%
NET INCOME (LOSS):	(17,768.00)	(18,326.48)	59,366.66		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
MEMBER ASSISTANCE PROGRAM					
REVENUE:					
DIVERSIONS	10,000.00	2,187.50	10,580.00	(580.00)	105.80%
LAP GROUPS REVENUE	-	-	515.00	(515.00)	
TOTAL REVENUE:	10,000.00	2,187.50	11,095.00	(1,095.00)	110.95%
DIRECT EXPENSES:					
PUBLICATIONS PRODUCTION	200.00	-	-	200.00	0.00%
STAFF MEMBERSHIP DUES	350.00	-	226.00	124.00	64.57%
CONFERENCE CALLS	100.00	-	-	100.00	0.00%
PROF LIAB INSURANCE	850.00	-	775.50	74.50	91.24%
TOTAL DIRECT EXPENSES:	1,500.00	-	1,001.50	498.50	66.77%
INDIRECT EXPENSES:					
SALARY EXPENSE (0.87 FTE)	79,821.00	6,638.42	74,299.55	5,521.45	93.08%
BENEFITS EXPENSE	31,796.00	2,106.62	24,503.62	7,292.38	77.07%
OTHER INDIRECT EXPENSE	21,126.00	1,681.61	18,100.78	3,025.22	85.68%
TOTAL INDIRECT EXPENSES:	132,743.00	10,426.65	116,903.95	15,839.05	88.07%
TOTAL ALL EXPENSES:	134,243.00	10,426.65	117,905.45	16,337.55	87.83%
NET INCOME (LOSS):	(124,243.00)	(8,239.15)	(106,810.45)		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
MEMBERSHIP BENEFITS					
REVENUE:					
MP3 SALES	-	49.00	1,372.00	(1,372.00)	
DIGITAL VIDEO SALES	-	245.00	4,998.00	(4,998.00)	
SEMINAR REVENUE-OTHER	-	-	4,500.00	(4,500.00)	
TOTAL REVENUE:	-	294.00	10,870.00	(10,870.00)	
DIRECT EXPENSES:					
LEGAL LUNCHBOX COURSEBOOK PRODUCTION	500.00	-	-	500.00	0.00%
LEGAL LUNCHBOX SPEAKERS & PROGRAM	1,700.00	-	1,300.42	399.58	76.50%
WSBA CONNECTS	46,560.00	-	34,920.00	11,640.00	75.00%
CASEMAKER	75,000.00	6,261.21	68,670.53	6,329.47	91.56%
TOTAL DIRECT EXPENSES:	123,760.00	6,261.21	104,890.95	18,869.05	84.75%
INDIRECT EXPENSES:					
SALARY EXPENSE (0.40 FTE)	23,718.00	1,976.16	22,168.76	1,549.24	93.47%
BENEFITS EXPENSE	9,377.00	760.07	8,749.38	627.62	93.31%
OTHER INDIRECT EXPENSE	9,713.00	759.46	8,174.54	1,538.46	84.16%
TOTAL INDIRECT EXPENSES:	42,808.00	3,495.69	39,092.68	3,715.32	91.32%
TOTAL ALL EXPENSES:	166,568.00	9,756.90	143,983.63	22,584.37	86.44%
NET INCOME (LOSS):	(166,568.00)	(9,462.90)	(133,113.63)		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
MENTORSHIP PROGRAM					
REVENUE:					
TOTAL REVENUE:	-	-	-	-	
DIRECT EXPENSES:					
STAFF TRAVEL/PARKING	2,000.00	18.00	831.45	1,168.55	41.57%
SUBSCRIPTIONS	125.00	-	-	125.00	0.00%
CONFERENCE CALLS	100.00	-	10.34	89.66	10.34%
MENTORSHIP PROGRAM EXPENSES	2,500.00	-	526.72	1,973.28	21.07%
RECEPTION/FORUM EXPENSE	6,500.00	-	6,099.19	400.81	93.83%
TOTAL DIRECT EXPENSES:	11,225.00	18.00	7,467.70	3,757.30	66.53%
INDIRECT EXPENSES:					
SALARY EXPENSE (0.90 FTE)	61,746.00	5,221.82	53,537.17	8,208.83	86.71%
BENEFITS EXPENSE	22,792.00	1,812.12	20,960.65	1,831.35	91.96%
OTHER INDIRECT EXPENSE	21,855.00	1,735.86	18,684.76	3,170.24	85.49%
TOTAL INDIRECT EXPENSES:	106,393.00	8,769.80	93,182.58	13,210.42	87.58%
TOTAL ALL EXPENSES:	117,618.00	8,787.80	100,650.28	16,967.72	85.57%
NET INCOME (LOSS):	(117,618.00)	(8,787.80)	(100,650.28)		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
NEW MEMBER PROGRAM					
REVENUE:					
NMP PRODUCT SALES	15,000.00	4,987.00	85,046.05	(70,046.05)	566.97%
SPONSORSHIPS	1,200.00	-	1,095.00	105.00	91.25%
SEMINAR REGISTRATIONS	20,000.00	4,959.00	42,993.21	(22,993.21)	214.97%
TRIAL ADVOCACY PROGRAM	17,000.00	-	12,332.25	4,667.75	72.54%
TOTAL REVENUE:	53,200.00	9,946.00	141,466.51	(88,266.51)	265.91%
DIRECT EXPENSES:					
YLL SECTION PROGRAM	1,500.00	-	793.17	706.83	52.88%
CLE COMPS	1,500.00	-	-	1,500.00	0.00%
STAFF TRAVEL/PARKING	2,000.00	229.86	1,257.56	742.44	62.88%
STAFF MEMBERSHIP DUES	30.00	-	70.00	(40.00)	233.33%
ONLINE EXPENSES	2,250.00	-	-	2,250.00	0.00%
SEMINAR BROCHURES	1,500.00	-	-	1,500.00	0.00%
SPEAKERS & PROGRAM DEVELOPMENT	1,500.00	92.13	1,012.13	487.87	67.48%
NEW LAWYER OUTREACH EVENTS	3,000.00	-	83.05	2,916.95	2.77%
NEW LAWYERS COMMITTEE	15,000.00	2,395.16	7,392.55	7,607.45	49.28%
OPEN SECTIONS NIGHT	3,000.00	-	5,176.87	(2,176.87)	172.56%
TRIAL ADVOCACY PROGRAM	2,500.00	-	2,757.17	(257.17)	110.29%
SCHOLARSHIPS/DONATIONS/GRANT	2,000.00	1,350.00	1,744.93	255.07	87.25%
TOTAL DIRECT EXPENSES:	35,780.00	4,067.15	20,287.43	15,492.57	56.70%
INDIRECT EXPENSES:					
SALARY EXPENSE (2.20 FTE)	152,719.00	12,444.66	133,828.77	18,890.23	87.63%
BENEFITS EXPENSE	56,408.00	4,503.56	52,215.06	4,192.94	92.57%
OTHER INDIRECT EXPENSE	53,422.00	4,231.16	45,544.12	7,877.88	85.25%
TOTAL INDIRECT EXPENSES:	262,549.00	21,179.38	231,587.95	30,961.05	88.21%
TOTAL ALL EXPENSES:	298,329.00	25,246.53	251,875.38	46,453.62	84.43%
NET INCOME (LOSS):	(245,129.00)	(15,300.53)	(110,408.87)		

Washington State Bar Association

Statement of Activities

For the Period from August 1, 2018 to August 31, 2018

91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
NORTHWEST LAWYER					
REVENUE:					
ROYALTIES	-	-	1,148.80	(1,148.80)	
DISPLAY ADVERTISING	400,000.00	41,991.00	234,320.25	165,679.75	58.58%
SUBSCRIPT/SINGLE ISSUES	350.00	(0.18)	215.82	134.18	61.66%
CLASSIFIED ADVERTISING	100,000.00	18,911.23	152,394.02	(52,394.02)	152.39%
GEN ANNOUNCEMENTS	15,000.00	520.00	7,830.00	7,170.00	52.20%
PROF ANNOUNCEMENTS	23,000.00	1,678.00	11,773.50	11,226.50	51.19%
TOTAL REVENUE:	538,350.00	63,100.05	407,682.39	130,667.61	75.73%
DIRECT EXPENSES:					
BAD DEBT EXPENSE	6,000.00	(550.00)	(2,482.00)	8,482.00	-41.37%
POSTAGE	89,000.00	9,857.43	77,996.74	11,003.26	87.64%
PRINTING, COPYING & MAILING	250,000.00	-	128,406.34	121,593.66	51.36%
DIGITAL/ONLINE DEVELOPMENT	10,200.00	-	3,500.00	6,700.00	34.31%
GRAPHICS/ARTWORK	3,500.00	-	882.80	2,617.20	25.22%
OUTSIDE SALES EXPENSE	75,000.00	13,639.20	39,670.50	35,329.50	52.89%
EDITORIAL ADVISORY COMMITTEE	800.00	-	486.68	313.32	60.84%
TOTAL DIRECT EXPENSES:	434,500.00	22,946.63	248,461.06	186,038.94	57.18%
INDIRECT EXPENSES:					
SALARY EXPENSE (1.80 FTE)	129,203.00	15,990.31	115,000.31	14,202.69	89.01%
BENEFITS EXPENSE	52,295.00	3,744.73	40,931.46	11,363.54	78.27%
OTHER INDIRECT EXPENSE	43,709.00	3,471.71	37,369.53	6,339.47	85.50%
TOTAL INDIRECT EXPENSES:	225,207.00	23,206.75	193,301.30	31,905.70	85.83%
TOTAL ALL EXPENSES:	659,707.00	46,153.38	441,762.36	217,944.64	66.96%
NET INCOME (LOSS):	(121,357.00)	16,946.67	(34,079.97)		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
OFFICE OF GENERAL COUNSEL					
REVENUE:					
COPY FEES	-	5.25	519.65	(519.65)	
TOTAL REVENUE:	-	5.25	519.65	(519.65)	
DIRECT EXPENSES:					
DEPRECIATION	556.00	-	-	556.00	0.00%
STAFF TRAVEL/PARKING	3,240.00	-	2,903.72	336.28	89.62%
STAFF MEMBERSHIP DUES	1,500.00	-	412.00	1,088.00	27.47%
COURT RULES COMMITTEE	4,000.00	-	1,219.32	2,780.68	30.48%
DISCIPLINE ADVISORY ROUNDTABLE	1,500.00	-	-	1,500.00	0.00%
CUSTODIANSHIPS	2,500.00	-	1,142.89	1,357.11	45.72%
LITIGATION EXPENSES	-	63.85	65.60	(65.60)	
TOTAL DIRECT EXPENSES:	13,296.00	63.85	5,743.53	7,552.47	43.20%
INDIRECT EXPENSES:					
SALARY EXPENSE (5.41 FTE)	507,852.00	23,143.66	402,104.36	105,747.64	79.18%
BENEFITS EXPENSE	172,072.00	10,933.40	142,054.42	30,017.58	82.56%
OTHER INDIRECT EXPENSE	131,371.00	10,388.13	111,816.49	19,554.51	85.12%
TOTAL INDIRECT EXPENSES:	811,295.00	44,465.19	655,975.27	155,319.73	80.86%
TOTAL ALL EXPENSES:	824,591.00	44,529.04	661,718.80	162,872.20	80.25%
NET INCOME (LOSS):	(824,591.00)	(44,523.79)	(661,199.15)		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
OFFICE OF GENERAL COUNSEL - DISCIPLINARY BOARD					
REVENUE:					
TOTAL REVENUE:	-	-	-	-	
DIRECT EXPENSE:					
STAFF MEMBERSHIP DUES	500.00	-	328.20	171.80	65.64%
DISCIPLINARY BOARD EXPENSES	10,000.00	20.21	8,325.40	1,674.60	83.25%
CHIEF HEARING OFFICER	33,000.00	2,500.00	27,833.60	5,166.40	84.34%
HEARING OFFICER EXPENSES	3,000.00	-	2,995.90	4.10	99.86%
HEARING OFFICER TRAINING	2,000.00	-	1,014.95	985.05	50.75%
OUTSIDE COUNSEL	55,000.00	3,000.00	36,750.00	18,250.00	66.82%
DISCIPLINARY SELECTION PANEL	-	-	321.66	(321.66)	
TOTAL DIRECT EXPENSES:	103,500.00	5,520.21	77,569.71	25,930.29	74.95%
INDIRECT EXPENSES:					
SALARY EXPENSE (1.60 FTE)	119,426.00	7,819.01	108,059.61	11,366.39	90.48%
BENEFITS EXPENSE	45,067.00	2,840.69	36,207.35	8,859.65	80.34%
OTHER INDIRECT EXPENSE	38,853.00	3,064.91	32,990.32	5,862.68	84.91%
TOTAL INDIRECT EXPENSES:	203,346.00	13,724.61	177,257.28	26,088.72	87.17%
TOTAL ALL EXPENSES:	306,846.00	19,244.82	254,826.99	52,019.01	83.05%
NET INCOME (LOSS):	(306,846.00)	(19,244.82)	(254,826.99)		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
OUTREACH & ENGAGEMENT					
REVENUE:					
TOTAL REVENUE:	-	-	-	-	
DIRECT EXPENSE:					
STAFF TRAVEL/PARKING	400.00	-	-	400.00	0.00%
STAFF MEMBERSHIP DUES	300.00	-	219.00	81.00	73.00%
CONFERENCE CALLS	200.00	-	-	200.00	0.00%
ABA DELEGATES	4,500.00	2,497.43	2,937.43	1,562.57	65.28%
ANNUAL CHAIR MEETINGS	600.00	-	624.09	(24.09)	104.02%
JUDICIAL RECOMMENDATIONS COMMITTEE	4,500.00	-	4,120.61	379.39	91.57%
BOG ELECTIONS	6,500.00	-	6,688.29	(188.29)	102.90%
BAR OUTREACH	5,000.00	330.87	1,621.71	3,378.29	32.43%
PROFESSIONALISM	750.00	-	-	750.00	0.00%
TOTAL DIRECT EXPENSES:	22,750.00	2,828.30	16,211.13	6,538.87	71.26%
INDIRECT EXPENSES:					
SALARY EXPENSE (2.83 FTE)	218,297.00	21,600.63	202,920.51	15,376.49	92.96%
BENEFITS EXPENSE	77,759.00	6,593.86	70,254.71	7,504.29	90.35%
OTHER INDIRECT EXPENSE	68,721.00	5,424.59	58,389.76	10,331.24	84.97%
TOTAL INDIRECT EXPENSES:	364,777.00	33,619.08	331,564.98	33,212.02	90.90%
TOTAL ALL EXPENSES:	387,527.00	36,447.38	347,776.11	39,750.89	89.74%
NET INCOME (LOSS):	(387,527.00)	(36,447.38)	(347,776.11)		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
PRACTICE MANAGEMENT ASSISTANCE					
REVENUE:					
ROYALTIES	15,000.00	8,037.63	40,533.39	(25,533.39)	270.22%
LAW OFFICE IN A BOX SALES	-	-	45.00	(45.00)	
TOTAL REVENUE:	15,000.00	8,037.63	40,578.39	(25,578.39)	270.52%
DIRECT EXPENSE:					
STAFF TRAVEL/PARKING	2,000.00	17.48	273.63	1,726.37	13.68%
STAFF MEMBERSHIP DUES	500.00	-	-	500.00	0.00%
CONFERENCE CALLS	100.00	-	120.52	(20.52)	120.52%
LIBRARY MATERIALS/RESOURCES	1,000.00	-	77.83	922.17	7.78%
WSBA MEMBER BENEFITS OPEN HOUSE	2,250.00	-	640.69	1,609.31	28.48%
TOTAL DIRECT EXPENSES:	5,850.00	17.48	1,112.67	4,737.33	19.02%
INDIRECT EXPENSES:					
SALARY EXPENSE (1.50 FTE)	128,060.00	10,665.70	114,272.71	13,787.29	89.23%
BENEFITS EXPENSE	43,808.00	3,437.33	40,009.35	3,798.65	91.33%
OTHER INDIRECT EXPENSE	36,424.00	2,875.06	30,946.63	5,477.37	84.96%
TOTAL INDIRECT EXPENSES:	208,292.00	16,978.09	185,228.69	23,063.31	88.93%
TOTAL ALL EXPENSES:	214,142.00	16,995.57	186,341.36	27,800.64	87.02%
NET INCOME (LOSS):	(199,142.00)	(8,957.94)	(145,762.97)		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
PRACTICE OF LAW BOARD					
REVENUE:	_____	_____	_____	_____	_____
TOTAL REVENUE:	-	-	-	-	
DIRECT EXPENSES:	_____	_____	_____	_____	_____
TRANSLATION SERVICES	200.00	-	-	200.00	0.00%
PRACTICE OF LAW BOARD	15,000.00	1,327.55	14,948.76	51.24	99.66%
TOTAL DIRECT EXPENSES:	15,200.00	1,327.55	14,948.76	251.24	98.35%
INDIRECT EXPENSES:					
SALARY EXPENSE (0.65 FTE)	66,165.00	5,273.27	61,683.55	4,481.45	93.23%
BENEFITS EXPENSE	21,484.00	1,543.96	18,413.16	3,070.84	85.71%
OTHER INDIRECT EXPENSE	15,784.00	1,247.64	13,429.67	2,354.33	85.08%
TOTAL INDIRECT EXPENSES:	103,433.00	8,064.87	93,526.38	9,906.62	90.42%
TOTAL ALL EXPENSES:	118,633.00	9,392.42	108,475.14	10,157.86	91.44%
NET INCOME (LOSS):	(118,633.00)	(9,392.42)	(108,475.14)		

Washington State Bar Association

Statement of Activities

For the Period from August 1, 2018 to August 31, 2018

91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
PROFESSIONAL RESPONSIBILITY PROGRAM					
REVENUE:	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL REVENUE:	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
DIRECT EXPENSES:	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
STAFF TRAVEL/PARKING	1,800.00	-	2,436.17	(636.17)	135.34%
STAFF MEMBERSHIP DUES	500.00	-	366.00	134.00	73.20%
CPE COMMITTEE	4,000.00	114.16	4,543.59	(543.59)	113.59%
TOTAL DIRECT EXPENSES:	<u>6,300.00</u>	<u>114.16</u>	<u>7,345.76</u>	<u>(1,045.76)</u>	<u>116.60%</u>
INDIRECT EXPENSES:					
SALARY EXPENSE (1.89 FTE)	169,758.00	13,124.76	148,942.68	20,815.32	87.74%
BENEFITS EXPENSE	62,970.00	4,298.70	50,542.75	12,427.25	80.26%
OTHER INDIRECT EXPENSE	45,895.00	3,634.45	39,121.17	6,773.83	85.24%
TOTAL INDIRECT EXPENSES:	<u>278,623.00</u>	<u>21,057.91</u>	<u>238,606.60</u>	<u>40,016.40</u>	<u>85.64%</u>
TOTAL ALL EXPENSES:	<u>284,923.00</u>	<u>21,172.07</u>	<u>245,952.36</u>	<u>38,970.64</u>	<u>86.32%</u>
NET INCOME (LOSS):	<u><u>(284,923.00)</u></u>	<u><u>(21,172.07)</u></u>	<u><u>(245,952.36)</u></u>		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
PUBLIC SERVICE PROGRAMS					
REVENUE:					
DONATIONS & GRANTS	95,000.00	-	102,500.00	(7,500.00)	107.89%
PSP PRODUCT SALES	10,000.00	-	3,504.00	6,496.00	35.04%
TOTAL REVENUE:	105,000.00	-	106,004.00	(1,004.00)	100.96%
DIRECT EXPENSES:					
DONATIONS/SPONSORSHIPS/GRANTS	207,915.00	-	178,448.49	29,466.51	85.83%
POSTAGE	500.00	-	-	500.00	0.00%
PRINTING & COPYING	500.00	-	-	500.00	0.00%
STAFF TRAVEL/PARKING	2,000.00	78.42	646.01	1,353.99	32.30%
CONFERENCE CALLS	200.00	-	6.66	193.34	3.33%
PRO BONO & PUBLIC SERVICE COMMITTEE	2,000.00	-	842.59	1,157.41	42.13%
PUBLIC SERVICE EVENTS AND PROJECTS	11,500.00	30.28	4,605.47	6,894.53	40.05%
TOTAL DIRECT EXPENSES:	224,615.00	108.70	184,549.22	40,065.78	82.16%
INDIRECT EXPENSES:					
SALARY EXPENSE (1.77 FTE)	136,436.00	5,599.76	101,297.13	35,138.87	74.25%
BENEFITS EXPENSE	48,060.00	2,936.77	39,903.31	8,156.69	83.03%
OTHER INDIRECT EXPENSE	42,981.00	3,390.37	36,493.60	6,487.40	84.91%
TOTAL INDIRECT EXPENSES:	227,477.00	11,926.90	177,694.04	49,782.96	78.12%
TOTAL ALL EXPENSES:	452,092.00	12,035.60	362,243.26	89,848.74	80.13%
NET INCOME (LOSS):	(347,092.00)	(12,035.60)	(256,239.26)		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
PUBLICATION & DESIGN SERVICES					
REVENUE:	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL REVENUE:	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
DIRECT EXPENSES:	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
IMAGE LIBRARY	4,100.00	-	4,100.00	-	100.00%
TOTAL DIRECT EXPENSES:	<u>4,100.00</u>	<u>-</u>	<u>4,100.00</u>	<u>-</u>	<u>100.00%</u>
INDIRECT EXPENSES:					
SALARY EXPENSE (1.39 FTE)	90,187.00	8,948.99	84,607.45	5,579.55	93.81%
BENEFITS EXPENSE	34,341.00	2,664.33	30,576.00	3,765.00	89.04%
OTHER INDIRECT EXPENSE	<u>33,753.00</u>	<u>2,685.16</u>	<u>28,903.10</u>	<u>4,849.90</u>	<u>85.63%</u>
TOTAL INDIRECT EXPENSES:	<u>158,281.00</u>	<u>14,298.48</u>	<u>144,086.55</u>	<u>14,194.45</u>	<u>91.03%</u>
TOTAL ALL EXPENSES:	<u>162,381.00</u>	<u>14,298.48</u>	<u>148,186.55</u>	<u>14,194.45</u>	<u>91.26%</u>
NET INCOME (LOSS):	<u>(162,381.00)</u>	<u>(14,298.48)</u>	<u>(148,186.55)</u>		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
SECTIONS ADMINISTRATION					
REVENUE:					
REIMBURSEMENTS FROM SECTIONS	308,000.00	1,106.25	304,687.50	3,312.50	98.92%
TOTAL REVENUE:	308,000.00	1,106.25	304,687.50	3,312.50	98.92%
DIRECT EXPENSES:					
STAFF TRAVEL/PARKING	1,200.00	-	715.69	484.31	59.64%
SUBSCRIPTIONS	300.00	-	372.00	(72.00)	124.00%
CONFERENCE CALLS	300.00	-	241.01	58.99	80.34%
MISCELLANEOUS	300.00	-	225.71	74.29	75.24%
SECTION/COMMITTEE CHAIR MTGS	2,000.00	-	828.73	1,171.27	41.44%
DUES STATEMENTS	6,000.00	-	5,257.54	742.46	87.63%
TOTAL DIRECT EXPENSES:	10,100.00	-	7,640.68	2,459.32	75.65%
INDIRECT EXPENSES:					
SALARY EXPENSE (4.00 FTE)	266,847.00	21,917.32	231,930.67	34,916.33	86.92%
BENEFITS EXPENSE	100,979.00	8,015.10	89,210.48	11,768.52	88.35%
OTHER INDIRECT EXPENSE	97,132.00	7,675.83	82,621.73	14,510.27	85.06%
TOTAL INDIRECT EXPENSES:	464,958.00	37,608.25	403,762.88	61,195.12	86.84%
TOTAL ALL EXPENSES:	475,058.00	37,608.25	411,403.56	63,654.44	86.60%
NET INCOME (LOSS):	(167,058.00)	(36,502.00)	(106,716.06)		

Washington State Bar Association

Statement of Activities

For the Period from August 1, 2018 to August 31, 2018

91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
TECHNOLOGY					
REVENUE:					
TOTAL REVENUE:	-	-	-	-	
DIRECT EXPENSES:					
CONSULTING SERVICES	110,000.00	17,793.67	78,319.43	31,680.57	71.20%
STAFF TRAVEL/PARKING	2,500.00	-	-	2,500.00	0.00%
STAFF MEMBERSHIP DUES	110.00	-	45.00	65.00	40.91%
TELEPHONE	24,000.00	1,398.89	16,897.30	7,102.70	70.41%
COMPUTER HARDWARE	29,000.00	-	31,157.61	(2,157.61)	107.44%
COMPUTER SOFTWARE	29,000.00	2,995.00	14,789.00	14,211.00	51.00%
HARDWARE SERVICE & WARRANTIES	47,000.00	-	22,789.49	24,210.51	48.49%
SOFTWARE MAINTENANCE & LICENSING	270,000.00	6,890.49	180,191.67	89,808.33	66.74%
TELEPHONE HARDWARE & MAINTENANCE	26,000.00	-	19,086.43	6,913.57	73.41%
COMPUTER SUPPLIES	34,000.00	279.78	8,747.19	25,252.81	25.73%
THIRD PARTY SERVICES	74,050.00	1,152.25	43,673.80	30,376.20	58.98%
TRANSFER TO INDIRECT EXPENSES	(645,660.00)	(30,510.08)	(415,696.92)	(229,963.08)	64.38%
TOTAL DIRECT EXPENSES:	-	(0.00)	-	-	
INDIRECT EXPENSES:					
SALARY EXPENSE (12.10 FTE)	1,036,073.00	79,702.89	929,648.56	106,424.44	89.73%
BENEFITS EXPENSE	355,694.00	26,894.61	317,735.45	37,958.55	89.33%
CAPITAL LABOR & OVERHEAD	(194,000.00)	(9,377.04)	(101,936.12)	(92,063.88)	52.54%
OTHER INDIRECT EXPENSE	293,823.00	23,244.38	250,728.60	43,094.40	85.33%
TOTAL INDIRECT EXPENSES:	1,491,590.00	120,464.84	1,396,176.49	95,413.51	93.60%
TOTAL ALL EXPENSES:	1,491,590.00	120,464.84	1,396,176.49	95,413.51	93.60%
NET INCOME (LOSS):	(1,491,590.00)	(120,464.84)	(1,396,176.49)		

Washington State Bar Association

Statement of Activities

For the Period from August 1, 2018 to August 31, 2018

91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
CONTINUING LEGAL EDUCATION (CLE)					
REVENUE:					
SEMINAR REGISTRATIONS	864,735.00	111,308.50	786,917.23	77,817.77	91.00%
SEMINAR-EXHIB/SPNSR/ETC	29,500.00	-	19,000.00	10,500.00	64.41%
SHIPPING & HANDLING	1,000.00	67.50	808.97	191.03	80.90%
COURSEBOOK SALES	17,000.00	1,070.00	9,442.24	7,557.76	55.54%
MP3 AND VIDEO SALES	950,000.00	24,196.42	907,090.89	42,909.11	95.48%
TOTAL REVENUE:	1,862,235.00	136,642.42	1,723,259.33	138,975.67	92.54%
DIRECT EXPENSES:					
COURSEBOOK PRODUCTION	4,000.00	84.98	1,500.28	2,499.72	37.51%
POSTAGE - FLIERS/CATALOGS	30,000.00	-	10,432.38	19,567.62	34.77%
POSTAGE - MISC./DELIVERY	2,500.00	245.00	570.00	1,930.00	22.80%
DEPRECIATION	10,615.00	633.00	5,074.00	5,541.00	47.80%
ONLINE EXPENSES	82,000.00	3,468.24	77,801.06	4,198.94	94.88%
ACCREDITATION FEES	3,550.00	378.00	5,561.00	(2,011.00)	156.65%
SEMINAR BROCHURES	55,000.00	4,365.58	23,247.10	31,752.90	42.27%
FACILITIES	250,000.00	12,410.00	207,840.00	42,160.00	83.14%
SPEAKERS & PROGRAM DEVELOP	58,000.00	8,326.15	47,734.03	10,265.97	82.30%
SPLITS TO SECTIONS	51,777.00	969.75	18,881.94	32,895.06	36.47%
SPLITS TO CO-SPONSORS	7,500.00	-	-	7,500.00	0.00%
HONORARIA	10,000.00	-	500.00	9,500.00	5.00%
CLE SEMINAR COMMITTEE	500.00	-	149.50	350.50	29.90%
BAD DEBT EXPENSE	600.00	(117.50)	399.00	201.00	66.50%
STAFF TRAVEL/PARKING	3,000.00	(441.16)	5,922.95	(2,922.95)	197.43%
STAFF MEMBERSHIP DUES	1,550.00	-	-	1,550.00	0.00%
SUPPLIES	2,000.00	84.36	1,633.59	366.41	81.68%
COST OF SALES - COURSEBOOKS	1,190.00	96.24	870.23	319.77	73.13%
A/V DEVELOP COSTS (RECORDING)	1,500.00	(671.46)	840.12	659.88	56.01%
SHIPPING SUPPLIES	100.00	-	-	100.00	0.00%
POSTAGE & DELIVERY-COURSEBOOKS	2,000.00	21.27	308.25	1,691.75	15.41%
STAFF TRAVEL/PARKING	-	671.46	1,396.04	(1,396.04)	
MISCELLANEOUS	200.00	-	-	200.00	0.00%
TOTAL DIRECT EXPENSES:	577,582.00	30,523.91	410,661.47	166,920.53	71.10%
INDIRECT EXPENSES:					
SALARY EXPENSE (9.94 FTE)	641,812.00	54,633.87	607,163.68	34,648.32	94.60%
BENEFITS EXPENSE	244,970.00	19,544.73	226,018.77	18,951.23	92.26%
OTHER INDIRECT EXPENSE	241,372.00	19,094.60	205,532.22	35,839.78	85.15%
TOTAL INDIRECT EXPENSES:	1,128,154.00	93,273.20	1,038,714.67	89,439.33	92.07%
TOTAL ALL EXPENSES:	1,705,736.00	123,797.11	1,449,376.14	256,359.86	84.97%
NET INCOME (LOSS):	156,499.00	12,845.31	273,883.19		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
DESKBOOKS					
REVENUE:					
SHIPPING & HANDLING	4,000.00	148.50	2,173.91	1,826.09	54.35%
DESKBOOK SALES	100,000.00	4,051.50	62,092.53	37,907.47	62.09%
SECTION PUBLICATION SALES	6,000.00	225.00	4,242.50	1,757.50	70.71%
CASEMAKER ROYALTIES	60,000.00	-	50,982.99	9,017.01	84.97%
TOTAL REVENUE:	170,000.00	4,425.00	119,491.93	50,508.07	70.29%
DIRECT EXPENSES:					
COST OF SALES - DESKBOOKS	70,000.00	3,288.85	48,936.16	21,063.84	69.91%
COST OF SALES - SECTION PUBLICATION	1,000.00	39.02	739.26	260.74	73.93%
SPLITS TO SECTIONS	2,000.00	-	2,143.70	(143.70)	107.19%
DESKBOOK ROYALTIES	1,000.00	-	414.87	585.13	41.49%
SHIPPING SUPPLIES	250.00	-	-	250.00	0.00%
POSTAGE & DELIVER-DESKBOOKS	3,000.00	109.55	455.09	2,544.91	15.17%
FLIERS/CATALOGS	5,000.00	-	50.00	4,950.00	1.00%
POSTAGE - FLIERS/CATALOGS	2,500.00	-	-	2,500.00	0.00%
COMPLIMENTARY BOOK PROGRAM	2,000.00	-	-	2,000.00	0.00%
OBSOLETE INVENTORY	-	-	842.50	(842.50)	
BAD DEBT EXPENSE	100.00	-	-	100.00	0.00%
RECORDS STORAGE - OFF SITE	7,440.00	-	6,820.00	620.00	91.67%
STAFF MEMBERSHIP DUES	205.00	-	-	205.00	0.00%
MISCELLANEOUS	200.00	-	24.26	175.74	12.13%
TOTAL DIRECT EXPENSES:	94,695.00	3,437.42	60,425.84	34,269.16	63.81%
INDIRECT EXPENSES:					
SALARY EXPENSE (2.15 FTE)	140,713.00	11,728.02	130,741.73	9,971.27	92.91%
BENEFITS EXPENSE	53,392.00	4,279.19	49,507.94	3,884.06	92.73%
OTHER INDIRECT EXPENSE	52,208.00	4,122.72	44,376.38	7,831.62	85.00%
TOTAL INDIRECT EXPENSES:	246,313.00	20,129.93	224,626.05	21,686.95	91.20%
TOTAL ALL EXPENSES:	341,008.00	23,567.35	285,051.89	55,956.11	83.59%
NET INCOME (LOSS):	(171,008.00)	(19,142.35)	(165,559.96)		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
CLIENT PROTECTION FUND					
REVENUE:					
CPF RESTITUTION	3,000.00	241.70	27,851.04	(24,851.04)	928.37%
CPF MEMBER ASSESSMENTS	982,000.00	4,633.00	987,595.80	(5,595.80)	100.57%
INTEREST INCOME	7,500.00	6,061.98	39,860.49	(32,360.49)	531.47%
TOTAL REVENUE:	992,500.00	10,936.68	1,055,307.33	(62,807.33)	106.33%
DIRECT EXPENSES:					
BANK FEES - WELLS FARGO	1,000.00	(74.84)	(897.45)	1,897.45	-89.75%
GIFTS TO INJURED CLIENTS	400,000.00	5,000.00	105,493.50	294,506.50	26.37%
CPF BOARD EXPENSES	2,000.00	113.88	1,425.82	574.18	71.29%
TOTAL DIRECT EXPENSES:	403,000.00	5,039.04	106,021.87	296,978.13	26.31%
INDIRECT EXPENSES:					
SALARY EXPENSE (1.35 FTE)	95,818.00	6,478.20	94,091.36	1,726.64	98.20%
BENEFITS EXPENSE	35,213.00	2,445.91	31,471.83	3,741.17	89.38%
OTHER INDIRECT EXPENSE	32,782.00	2,603.79	27,813.68	4,968.32	84.84%
TOTAL INDIRECT EXPENSES:	163,813.00	11,527.90	153,376.87	10,436.13	93.63%
TOTAL ALL EXPENSES:	566,813.00	16,566.94	259,398.74	307,414.26	45.76%
NET INCOME (LOSS):	425,687.00	(5,630.26)	795,908.59		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
MANAGEMENT OF WESTERN STATES BAR CONFERENCE (NO WSBA FUNDS)					
REVENUE:					
REGISTRATION REVENUE	25,500.00	-	22,950.00	2,550.00	90.00%
OTHER ACTIVITIES REGISTRATION REVENUE	13,000.00	-	10,150.00	2,850.00	78.08%
WESTERN STATES BAR MEMBERSHIP DUES	2,400.00	-	2,250.00	150.00	93.75%
SPONSORSHIPS	9,000.00	-	7,700.00	1,300.00	85.56%
TOTAL REVENUE:	49,900.00	-	43,050.00	6,850.00	86.27%
DIRECT EXPENSES:					
FACILITIES	40,000.00	-	48,916.53	(8,916.53)	122.29%
SPEAKERS & PROGRAM DEVELOPMENT	1,400.00	-	500.94	899.06	35.78%
BANK FEES	560.00	-	170.07	389.93	30.37%
WSBC PRESIDENT TRAVEL	500.00	-	457.40	42.60	91.48%
OPTIONAL ACTIVITIES EXPENSE	1,500.00	-	1,719.91	(219.91)	114.66%
MARKETING EXPENSE	600.00	-	764.29	(164.29)	127.38%
STAFF TRAVEL/PARKING	2,300.00	744.20	1,812.71	487.29	78.81%
TOTAL DIRECT EXPENSES:	46,860.00	744.20	54,341.85	(7,481.85)	115.97%
INDIRECT EXPENSES:					
TOTAL INDIRECT EXPENSES:	-	-	-	-	
TOTAL ALL EXPENSES:	46,860.00	744.20	54,341.85	(7,481.85)	115.97%
NET INCOME (LOSS):	3,040.00	(744.20)	(11,291.85)		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
SECTIONS OPERATIONS					
REVENUE:					
SECTION DUES	484,380.00	1,775.00	462,833.75	21,546.25	95.55%
SEMINAR PROFIT SHARE	78,934.45	9,859.95	37,074.59	41,859.86	-46.97%
INTEREST INCOME	1,371.00	-	-	1,371.00	0.00%
PUBLICATIONS REVENUE	4,000.00	648.18	4,675.32	(675.32)	116.88%
OTHER	44,525.00	1,420.00	42,940.67	1,584.33	96.44%
TOTAL REVENUE:	613,210.45	13,703.13	547,524.33	65,686.12	89.29%
DIRECT EXPENSES:					
DIRECT EXPENSES OF SECTION ACTIVITIES	584,980.00	15,952.78	299,837.21	285,142.79	51.26%
REIMBURSEMENT TO WSBA FOR INDIRECT EXPENSES	318,382.50	1,106.25	304,687.50	13,695.00	95.70%
TOTAL DIRECT EXPENSES:	903,362.50	17,059.03	604,524.71	298,837.79	66.92%
NET INCOME (LOSS):	(290,152.05)	(3,355.90)	(57,000.38)		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET
INDIRECT EXPENSES:					
SALARIES	11,450,929.00	918,647.37	10,404,961.59	1,045,967.41	90.87%
ALLOWANCE FOR OPEN POSITIONS	(120,000.00)	-	-	(120,000.00)	0.00%
TEMPORARY SALARIES	95,810.00	3,228.30	100,849.26	(5,039.26)	105.26%
CAPITAL LABOR & OVERHEAD	(194,000.00)	(9,377.04)	(101,936.12)	(92,063.88)	52.54%
EMPLOYEE ASSISTANCE PLAN	4,800.00	1,200.00	4,800.00	-	100.00%
EMPLOYEE SERVICE AWARDS	2,010.00	-	1,205.39	804.61	59.97%
FICA (EMPLOYER PORTION)	862,300.00	68,632.89	766,393.04	95,906.96	88.88%
L&I INSURANCE	47,000.00	-	28,579.21	18,420.79	60.81%
MEDICAL (EMPLOYER PORTION)	1,445,000.00	120,909.02	1,348,483.16	96,516.84	93.32%
RETIREMENT (EMPLOYER PORTION)	1,439,735.00	115,036.29	1,274,688.48	165,046.52	88.54%
TRANSPORTATION ALLOWANCE	118,500.00	140.00	110,370.40	8,129.60	93.14%
UNEMPLOYMENT INSURANCE	108,000.00	3,803.65	65,175.21	42,824.79	60.35%
STAFF DEVELOPMENT-GENERAL	6,910.00	1,473.93	2,541.88	4,368.12	36.79%
TOTAL SALARY & BENEFITS EXPENSE:	15,266,994.00	1,223,694.41	14,006,111.50	1,260,882.50	91.74%
WORKPLACE BENEFITS	39,000.00	2,976.53	40,290.62	(1,290.62)	103.31%
HUMAN RESOURCES POOLED EXP	120,076.00	18,356.68	112,594.04	7,481.96	93.77%
MEETING SUPPORT EXPENSES	10,000.00	1,466.83	11,222.53	(1,222.53)	112.23%
RENT	1,750,000.00	134,990.22	1,602,489.47	147,510.53	91.57%
PERSONAL PROP TAXES-WSBA	11,000.00	1,075.95	10,710.85	289.15	97.37%
FURNITURE, MAINT, LH IMP	35,200.00	16,374.99	37,225.93	(2,025.93)	105.76%
OFFICE SUPPLIES & EQUIPMENT	46,000.00	6,945.80	46,914.09	(914.09)	101.99%
FURN & OFFICE EQUIP DEPRECIATION	51,000.00	3,700.00	39,052.00	11,948.00	76.57%
COMPUTER HARDWARE DEPRECIATION	57,000.00	3,452.00	43,060.07	13,939.93	75.54%
COMPUTER SOFTWARE DEPRECIATION	154,000.00	10,807.00	85,898.13	68,101.87	55.78%
INSURANCE	140,000.00	11,916.18	127,063.88	12,936.12	90.76%
PROFESSIONAL FEES-AUDIT	35,000.00	-	30,929.80	4,070.20	88.37%
PROFESSIONAL FEES-LEGAL	50,000.00	9,741.52	119,304.29	(69,304.29)	238.61%
TELEPHONE & INTERNET	49,000.00	3,489.27	38,468.61	10,531.39	78.51%
POSTAGE - GENERAL	42,000.00	803.47	25,503.72	16,496.28	60.72%
RECORDS STORAGE	40,000.00	1,145.96	39,179.30	820.70	97.95%
STAFF TRAINING	92,200.00	9,528.16	52,391.69	39,808.31	56.82%
BANK FEES	35,400.00	2,121.78	30,996.84	4,403.16	87.56%
PRODUCTION MAINTENANCE & SUPPLIES	25,000.00	353.51	8,486.11	16,513.89	33.94%
COMPUTER POOLED EXPENSES	645,660.00	30,510.08	415,696.92	229,963.08	64.38%
TOTAL OTHER INDIRECT EXPENSES:	3,427,536.00	269,755.93	2,917,478.89	510,057.11	85.12%
TOTAL INDIRECT EXPENSES:	18,694,530.00	1,493,450.34	16,923,590.39		

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2018 to August 31, 2018
91.67% OF YEAR COMPLETE

	FISCAL 2018 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE
SUMMARY PAGE				
LICENSE FEES	15,068,125.00	1,303,462.13	14,098,199.25	969,925.75
ACCESS TO JUSTICE	(311,034.00)	(24,406.45)	(265,748.35)	(45,285.65)
ADMINISTRATION	(1,029,819.00)	(66,424.78)	(845,081.01)	(184,737.99)
ADMISSIONS/BAR EXAM	146,449.00	(157,684.77)	152,003.90	(5,554.90)
BOARD OF GOVERNORS	(802,807.00)	(113,257.29)	(737,370.04)	(65,436.96)
COMMUNICATIONS	(592,651.00)	(49,295.63)	(517,405.99)	(75,245.01)
CONFERENCE & BROADCAST SERVICES	(740,933.00)	(61,920.22)	(683,275.62)	(57,657.38)
DISCIPLINE	(5,601,229.00)	(455,296.56)	(5,034,842.48)	(566,386.52)
DIVERSITY	(345,401.00)	(35,784.61)	(296,161.22)	(49,239.78)
FOUNDATION	(168,653.00)	(12,224.00)	(141,221.30)	(27,431.70)
HUMAN RESOURCES	(271,830.00)	(30,689.98)	(348,608.46)	76,778.46
LAP	(124,243.00)	(8,239.15)	(106,810.45)	(17,432.55)
LEGISLATIVE	(151,443.00)	(5,866.25)	(82,266.68)	(69,176.32)
LICENSING AND MEMBERSHIP	(422,090.00)	(15,124.95)	(300,934.14)	(121,155.86)
LIMITED LICENSE LEGAL TECHNICIAN	(260,001.00)	(20,993.03)	(231,591.01)	(28,409.99)
LIMITED PRACTICE OFFICERS	(162,464.00)	(13,309.96)	(144,433.74)	(18,030.26)
MANDATORY CLE ADMINISTRATION	(17,768.00)	(18,326.48)	59,366.66	(77,134.66)
MEMBER BENEFITS	(166,568.00)	(9,462.90)	(133,113.63)	(33,454.37)
MENTORSHIP PROGRAM	(117,618.00)	(8,787.80)	(100,650.28)	(16,967.72)
NEW MEMBER PROGRAM	(245,129.00)	(15,300.53)	(110,408.87)	(134,720.13)
NW LAWYER	(121,357.00)	16,946.67	(34,079.97)	(87,277.03)
OFFICE OF GENERAL COUNSEL	(824,591.00)	(44,523.79)	(661,199.15)	(163,391.85)
OGC-DISCIPLINARY BOARD	(306,846.00)	(19,244.82)	(254,826.99)	(52,019.01)
OUTREACH & ENGAGEMENT	(387,527.00)	(36,447.38)	(347,776.11)	(39,750.89)
PRACTICE OF LAW BOARD	(118,633.00)	(9,392.42)	(108,475.14)	(10,157.86)
PRACTICE MANAGEMENT ASSISTANCE	(199,142.00)	(8,957.94)	(145,762.97)	(53,379.03)
PROFESSIONAL RESPONSIBILITY PROGRAM	(284,923.00)	(21,172.07)	(245,952.36)	(38,970.64)
PUBLICATION & DESIGN SERVICES	(162,381.00)	(14,298.48)	(148,186.55)	(14,194.45)
PUBLIC SERVICE PROGRAMS	(347,092.00)	(12,035.60)	(256,239.26)	(90,852.74)
LAW CLERK PROGRAM	(4,028.00)	(8,380.36)	22,275.55	(26,303.55)
SECTIONS ADMINISTRATION	(167,058.00)	(36,502.00)	(106,716.06)	(60,341.94)
TECHNOLOGY	(1,491,590.00)	(120,464.84)	(1,396,176.49)	(95,413.51)
CLE - PRODUCTS	736,738.00	5,754.01	703,491.29	33,246.71
CLE - SEMINARS	(580,239.00)	7,091.30	(429,608.10)	(150,630.90)
SECTIONS OPERATIONS	(290,152.05)	(3,355.90)	(57,000.38)	(233,151.67)
DESKBOOKS	(171,008.00)	(19,142.35)	(165,559.96)	(5,448.04)
CLIENT PROTECTION FUND	425,687.00	(5,630.26)	795,908.59	(370,221.59)
WESTERN STATES BAR CONFERENCE (No WSBA Funds)	3,040.00	(744.20)	(11,291.85)	14,331.85
INDIRECT EXPENSES	(18,694,530.00)	(1,493,450.34)	(16,923,590.39)	(1,770,939.61)
TOTAL OF ALL	19,302,739.05	1,642,883.98	15,541,119.76	3,761,619.29
NET INCOME (LOSS)	(608,209.05)	(149,433.64)	1,382,470.63	

**Washington State Bar Association
Analysis of Cash Investments
As of August 31, 2018**

Checking & Savings Accounts

General Fund

Checking

<u>Bank</u>	<u>Account</u>	<u>Amount</u>
Wells Fargo	General	\$ 867,824

Total

Investments

	<u>Rate</u>	<u>Amount</u>
Wells Fargo Money Market	2.01%	\$ 2,835,194
UBS Financial Money Market	2.03%	\$ 1,052,700
Morgan Stanley Money Market	1.90%	\$ 26,100
Merrill Lynch Money Market	2.09%	\$ 1,910,054
Long Term Investments	Varies	\$ 3,274,002
Short Term Investments	Varies	\$ 500,000

General Fund Total **\$ 10,465,874**

Client Protection Fund

Checking

<u>Bank</u>	<u>Amount</u>
Wells Fargo	\$ 814,559

Investments

	<u>Rate</u>	<u>Amount</u>
Wells Fargo Money Market	2.01%	\$ 3,281,305
Morgan Stanley Money Market	1.61%	\$ 103,950
Wells Fargo Investments	Varies	\$ -

Lawyers' Fund for Client Protection Total **\$ 4,199,814**

Grand Total Cash & Investments **\$ 14,665,687**

WASHINGTON STATE BAR ASSOCIATION

To: Board of Governors
Budget and Audit Committee

From: Tiffany Lynch, Associated Director for Finance

Re: Investment Update as of August 31, 2018 and September 30, 2018

Date: October 31, 2018

WSBA's investments consist of short and long term bond portfolios, and are managed by our advisors at Morgan Stanley and UBS Financial. There has been no change in the makeup of the portfolio since the last report. As of September 30, there is an aggregate gain across all funds of \$42,178 or 1.31%.

The chart below details value by fund at inception, transfers of portfolio gains above \$100,000 to the WSBA's general fund operating accounts per the Budget and Audit Committee's June 2016 direction, end of month for the periods July through September, and Gain/(Loss) from September 30, 2017 to September 30, 2018.

INVESTMENT FUND	VALUE					GAIN/(LOSS) 9/30/17 – 9/30/18
	Inception	Transfer of Gains	7/31/18 (Previously Reported)	8/31/18	9/30/18	
Nuveen 3-7 year Municipal Bond Portfolio	\$500,000	(\$200,000) ¹	\$308,190	\$308,665	\$306,693	(\$2,652)
Lord Abbett & Company Short Term Duration Income Fund	\$628,015 ²	\$0	\$786,605	\$789,065	\$789,809	\$10,494
Guggenheim Total Return Bond Fund	\$1,050,000 ³	\$0	\$1,096,323	\$1,102,585	\$1,097,384	\$13,468
Virtus Multi-Sector Short Term Bond Fund	\$1,050,000 ³	\$0	\$1,073,679	\$1,073,688	\$1,076,307	\$1,281
Total	\$3,228,015	(\$200,000)	\$3,264,797	\$3,274,003	\$3,270,193	\$22,591

¹ Transfer of \$200,000 made on November 22, 2017.

² Inception value is based on original amount of \$1,428,015 (\$500,000 original purchase price of Lord Abbett, plus \$599,995 Legg Mason fund transferred on May 9, 2014, plus \$328,000 liquidation of Hays Advisory Fund on March 3, 2015) minus \$800,000 that was redistributed evenly to Guggenheim and Virtus on September 19, 2017.

³ Inception value is \$1,050,000 based on original purchase price is \$650,000 plus \$400,000 re-distributed from Lord Abbett on Sept 19, 2017.



**Board of Governors Meeting
WSBA Conference Center
Seattle, WA
January 17-18, 2019**

WSBA Mission: To serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice.

PLEASE NOTE: ALL TIMES ARE APPROXIMATE AND SUBJECT TO CHANGE

THURSDAY, JANUARY 17, 2019

GENERAL INFORMATION XX

1. AGENDA..... XX

8:00 A.M.

2. EXECUTIVE SESSION

- a. Approval of November 16, 2018, Executive Session Minutes (**action**) E-xx
- b. President’s and Executive Director’s Reports
- c. Litigation Report – Julie Shankland..... E-xx

11:00 A.M. – PUBLIC SESSION

- Welcome
- Report on Executive Session
- President’s Report and Executive Director’s Report
- Consideration of Consent Calendar*

MEMBER AND PUBLIC COMMENTS

This time period is for guests to raise issues of interest.

OPERATIONAL

3. FIRST READING/ACTION CALENDAR

- a. Request for BOG Support of Diversity Committee Statement of Solidarity – Governor Alec Stephens (**first reading**)..... XX

12:00 P.M. – LUNCH WITH LIAISONS

* See Consent Calendar. Any items pulled from the Consent Calendar will be scheduled at the President’s discretion.

1:15 P.M.

4. ACCESS TO JUSTICE BOARD (ATJ) ORIENTATION FOR BOARD OF GOVERNORS

FRIDAY, JANUARY 18, 2019

5. FIRST READING/ACTION CALENDAR (continued)

- a. Council on Public Defense (CPD)
 - 1. Approve CPD’s Letter of Support for Office of Public Defense’s 2019 Budget Request **(action)**..... XX
 - 2. Performance Guidelines for Attorneys Representing Respondents in Civil Commitment Proceedings – Eileen Farley, CPD Member **(action)**..... XX

GOVERNOR ROUNDTABLE

This time period is for Board members to raise new business and issues of interest.

OPERATIONAL (continued)

- 6. CONSENT CALENDAR..... XX
 - a. November 16, 2018, Public Session Minutes XX
- 7. INFORMATION
 - a. Executive Director’s Report XX
 - b. FY2019 First Quarter Management Report XX
 - c. ABA Midyear Meeting Sneak Preview XX
 - d. Client Protection Fund (CPF) Board Annual Report..... XX
 - e. Legislative Report..... XX
 - f. Diversity and Inclusion Events XX
 - g. Financial Statements
- 8. PREVIEW OF MARCH 7, 2019, MEETING XX

2018-2019 Board of Governors Meeting Issues

NOVEMBER (Seattle)

Standing Agenda Items:

- Financials
- FY2018 Fourth Quarter Management Report
- 2018-2019 Legislative Priorities
- 2018-2019 Legislative Review Committee Recommendations
- Office of Disciplinary Counsel Report (ED Report Information – quarterly)
- Outside Appointments (if any)
- Washington Leadership Institute (WLI) Fellows Report
- WSBA Practice Sections Annual Reports (ED Report Information)
- WSBF Annual Report

JANUARY (Seattle)

Standing Agenda Items:

- ABA Midyear Meeting Sneak Preview
- Client Protection Fund (CFP) Board Annual Report
- Financials
- FY2018 Audited Financial Statements
- FY2019 First Quarter Management Report
- Legislative Report
- Office of Disciplinary Counsel Report (ED Report Information – quarterly)
- Outside Appointments (if any)

MARCH (Olympia)

Standing Agenda Items:

- ABA Mid-Year Meeting Report
- Financials
- Legislative Report
- Outside Appointments (if any)
- Supreme Court Meeting

March 2018 Agenda Items:

- BOG Civil Litigation Rules Committee Report

May (Yakima)

Standing Agenda Items:

- BOG Election Interview Time Limits (Executive Session)
- Financials
- FY2019 Second Quarter Management Report
- Interview/Selection of WSBA At-Large Governor
- Interview/Selection of the WSBA President-elect
- Legislative Report/Wrap-up
- Office of Disciplinary Counsel Report (ED Report Information – quarterly)
- Outside Appointments (if any)
- WSBA Awards Committee Recommendations (Executive Session)

JULY (Richland)

Standing Agenda Items:

- ATJ Board Report
- BOG Retreat
- Court Rules and Procedures Committee Report and Recommendations
- Financials
- Draft WSBA FY2020 Budget
- FY2018 Third Quarter Management Report
- Office of Disciplinary Counsel Report (ED Report Information – quarterly)
- WSBA Committee and Board Chair Appointments
- WSBA Mission Performance and Review (MPR) Committee Update
- WSBA Treasurer Election

SEPTEMBER (Seattle)

Standing Agenda Items:

- 2020 Keller Deduction Schedule
- ABA Annual Meeting Report
- Chief Hearing Officer Annual Report
- Professionalism Annual Report
- Report on Executive Director Evaluation (Executive Session)
- Financials
- Final FY2020 Budget
- Legal Foundation of Washington and LAW Fund Report
- Washington Law School Deans
- WSBA Annual Awards Dinner
- WSBF Annual Meeting and Trustee Election

Board of Governors – Action Timeline

Description of Matter/Issue	First Reading	Scheduled for Board Action
Council on Public Defense Letter of Support for Office of Public defense 2019 Budget Request	Nov 16, 2018	Jan 17-18, 2018
Performance Guidelines for Attorneys Representing Respondents in Civil Commitment Proceedings	Nov 16, 2018	Jan 17-18, 2018
Request for BOG Support of Diversity Committee Statement of Solidarity	Nov 16, 2018	Jan 17-18, 2018