

WASHINGTON STATE BAR ASSOCIATION

BOARD OF GOVERNORS MEETING MINUTES

Yakima, WA
May 19-20, 2023

Call to Order and Welcome ([link](#))

The meeting of the Board of Governors of the Washington State Bar Association (WSBA) was called to order by President Dan Clark on Friday, May 19, at 9:05 AM. Governors in attendance were:

Francis Adewale
Sunitha Anjilvel
Lauren Boyd
Jordan Couch
Matthew Dresden
Kevin Fay
Nam Nguyen
Kari Petrsek
Brett Purtzer
Mary Rathbone
Serena Sayani
Alec Stephens

Also in attendance were President-Elect Hunter Abell, Yakima County Superior Court Hon. Richard Bartheld, Gov. Elect Todd Bloom, Executive Administrator Shelly Bynum, Practice of Law Board Chair Michael Cherry, Kit Chovanak, Member Engagement Specialist Melvin Curtiss, Equity and Justice Specialist Joyce Diaz, Lillibel Douglas, Merf Ehman, Chief Disciplinary Counsel Doug Ende, Volunteer Engagement Advisor Paris Eriksen, Tamara Garrison, Miryam Gordon, Family Law Section Liaison Nancy Hawkins, Bobby Henry, Kim Hunter, Gov. Elect Kristina Larry, Director of Finance Tiffany Lynch, Sections Program Specialist Carolyn MacGregor, Rajeev Majumdar, Betseylew Miale-Gix, Yakima County Department of Assisted Council Paul Kelly, Outreach Specialist Mike Kroner, Chris Newbold, Executive Director Terra Nevitt, Equity and Justice Programs Coordinator Nicholas Mejia, Yakima County Superior Court Hon. Kevin Naught, Chief Communications Officer Sara Niegowski, Broadcast Services Manager Rex Nolte, Communication Strategies Manager Jennifer Olegario, Director of Advancement Kevin Plachy, Education Programs Manager Shanthi Raghu, Equity and Justice Lead Saleena Salango, TAXICAB Chair Kyle Sciuchetti, General Counsel Julie Shankland, Chief Equity & Justice Officer Diana Singleton, Christopher Swaby, Immediate Past President Brian Tollefson, Member Services and Engagement Manager Julianne Unite and Yakima Bench-Bar Committee Chair Sarah Wixson, Sarah Wixson.

Consent Calendar ([link](#))

Pres. Clark asked if anyone wished to remove an item from the consent calendar. Gov. Fay moved for approval. There was no discussion. Motion passed unanimously. Gov. Sayani was not present for the vote.

Member & Public Comments

There was no public comment.

President's Report ([link](#))

Pres. Clark referred to his written report.

Executive Director's Report ([link](#))

Director Nevitt referred to her written report and noted that the Board and Officers held a successful meeting with members of the local judiciary the day before and the most pressing topic was a lack of lawyers in Yakima and rural areas.

Training: Justice in Aging ([link](#))

Denny Chan, the Managing Director of Equity Advocacy, presented "Advancing Equity in Aging through Law & Policy: Barriers & Opportunities." The training presented protecting and supporting the rights of older adults including healthcare, housing, and social justice. Discussion followed about supporting access to courts and a growing digital divide, AI screening methods, and arbitrary aging-out rules for employment.

President-Elect Election ([link](#))

Gov. Sunitha Anjilvel was elected as the WSBA 2024-2025 President.

Identifying Key Performance Indicators for WSBA Program Review ([link](#))

Executive Director Nevitt introduced the idea of a "Balanced Score Card" that would allow the organization to measure its programs against WSBA's mission-driven principles. She explained that the WSBA's different programs and services would be evaluated on a rotating annual schedule. Discussion followed, including whether we currently have a template or uniform way to evaluate the effectiveness of programs and services; the number of programs that will be included on any given year or during the first round of evaluation; a suggestion that the executive staff should do the review; and the fiscal importance of this process.

Small Town and Rural Practice Committee Presentation ([link](#))

Executive Director of Columbia Legal Services Merf Ehman and Gov. Kari Petresk presented information about what the Small Town and Rural Practice (STAR) Committee accomplished in its first year and their goals for next year. Successes include a forum in Yakima that brought together many rural practitioners; a rural job fair; free postings for rural job posters via WSBA's online job board; the Governor's proclamation in support of rural practice; and stories/articles highlighting the benefits and opportunities of practicing in a small town. On the horizon, the committee plans to host more rural job fairs and hold outreach events at law schools; to present some ideas for changes to the Rule 6 Law Clerk program to facilitate more people moving through that pipeline; loan forgiveness programs for rural practitioners; and bringing together rural

interns to learn from each other. Chief Regulatory Counsel Renata Garcia suggested the Committee work with the Law Clerk Board on proposed rule changes to that program.

Yakima Attorney Shortage ([link](#))

Yakima Bench-Bar Committee Chair Sarah Wixson, Yakima County Superior Court Hon. Kevin Naught, Yakima County Department of Assisted Council Paul Kelly, and Yakima County Superior Court Hon. Richard Bartheld spoke about the challenges in Yakima courts due to a severe attorney shortage. The group shared some of the solutions they have or would like to undertake, including hiring first-year law students through a paid intern program; asking retired attorneys to take on cases; and partnering with a local post-secondary school to offer a law curriculum into their class offerings. The presenters and Board identified that this is a complicated, statewide situation and will need a myriad of solutions and approaches to overcome. Discussion included flexibility and work/life balance; availability of remote hearings; the need for diversity among rural practitioners; and the need for legislative support for defenders and other positions.

Member Wellness Presentation ([link](#))

Member Wellness Council Co-Chair Francis Adewale, Member Wellness Program Manager Dan Crystal, Member Wellness Co-Chair Matthew Dresden, EVP Alps and President of the Institute for Lawyer Well Being Chris Newbold, and Advancement Director Kevin Plachy presented on the history of the member wellness program at the WSBA, best practices for bar-association member wellness programs, and a recommendation for how to move forward from the Member Engagement Council. Manager Crystal and ALPS EVP Newbold presented the statistics that show lawyers experience greater instances of mental illness, depression, and addiction than the general population, that the pandemic exacerbated the problem, encouraged the Board to think about member wellness as a foundation necessary for the integrity of the profession, and that the WSBA to join a growing list of jurisdictions that have formed lawyer wellbeing task forces.

Gov. Adewale and Gov. Dresden recommended the WSBA add member well-being to the Board of Governor's goals adopted in June 2023, work to create a council or task force to study the issue of member well-being and report back to the Board of Governors with a proposed charter at a later date, and that the new entity focused on member well-being, keep the work of the task force/council connected to the Member Engagement Council with period updates. Director Plachy and Manager Crystal explained that a task force would bring stakeholders together to expand WSBA's understanding of what is causing unwellness in the legal community and that the next step would be identifying solutions. Gov. Stephens moved to approve the recommendations from the Member Engagement Council. The motion passed unanimously.

Discussion of Proposed Changes to the WSBA Bylaws ([link](#))

Gov. Stephens presented three proposals for a preliminary discussion. First, shifting the election for the President-Elect to be conducted by the entire WSBA membership rather than by the Board of Governors. He described that it seemed contradictory for all other Board of Governor positions to be elected by the membership but not one of the most important positions, President-Elect. Discussion followed about the role and function of the President; opposition to the proposal; the importance of setting some criteria for

who is eligible; how to educate members; and the importance of the Governors needing to know and respect the President. Gov. Stephens summarized that the idea did not seem to have traction.

Second, Gov. Stephens introduced the idea of a bylaw change that would permit committees to have working sessions, without taking formal action, without a quorum present. Discussion followed, including how to define what work could be done in such a session and how the current bylaws address quorum. Gov. Stephens suggested that he continue to work with General Counsel Shankland and bring this back for a first read at a future board meeting.

Third, Gov. Stephens suggested that, in each fiscal year, a minimum of three in-person or hybrid Board meetings be held in King County, at least two of which would be at the WSBA headquarters. Gov. Stephens cited the inefficiency and cost of traveling for the majority of meetings, including bringing all the broadcasting equipment. He noted that technology has made it possible for people all over the state to easily interact with board meetings without travel. Discussion followed about the benefits of interacting in local communities with local practitioners; the cost of traveling meetings, versus the value; and the importance of perception. It was suggested that Gov. Stephens suggestion could be effectuated by a recommendation to the President rather than a bylaw change. Executive Director Nevitt commented on the challenges of a changing the travel philosophy every year, and suggested other ways that the WSBA can connect with local practitioners outside of Board meetings. Gov. Stephens indicated that he would bring back a proposal for consideration and action.

Governor Roundtable ([link](#))

Gov. Stephens wished all the mothers and mother figures a happy Mother's Day, a week late. Gov. Fay commented that Executive Administrator Shelly Bynum has done a fantastic job organizing the May Board meeting.

Recommendations from the Long-Range Strategic Planning Council Future of WSBA Space ([link](#))

Long-Range Strategic Planning Council member Rajeev Majumdar presented the Long-Range Strategic Planning Council's recommendation for the long-term future of the WSBA office space. The recommendation included purchasing a building in King County, and to establish a satellite office in Spokane to use as a potential model for establishing satellite offices in other parts of the state in the future. Council Member Majumdar explained that the decision to buy a building is dependent upon getting actual real estate estimates and discovering what is possible, noting that the recommendation presented is meant to be an expression of values and a direction for moving forward, but the final decision will be made when a real estate or lease deal comes before the board. Executive Director Nevitt commented that the value of the board indicating its goal, in advance of a final decision, is that it will allow the organization to plan accordingly, including earmarking funds and growing the reserves as necessary. Gov. Fay gave a presentation supporting his analysis that staying in the current location with a renegotiated lease is the best fiscal option. Treasurer Adewale presented analyses from the Budget and Audit Committee.

Discussion followed, including about the wisdom of short-term versus long-term thinking and projecting; competing priorities for budget allocation; the benefit of being present throughout the state to serve all

members while recognizing that the majority are in King County and along the I-5 corridor; the purpose of office space and conference space; the purpose and usefulness of satellite offices to support rural practitioners and county bars; and the wisdom of considering the purchase of a building when we don't yet know the market conditions or terms; whether this Board of Governors should take action now when it's a future board that will make the ultimate decision; the challenges and opportunities of having a headquarters in downtown Seattle; and the importance of gathering member feedback to inform the process.

The Board took public comment from Nancy Hawkins who shared comments from the Family Law Section in opposition to a current plan for the WSBA to purchase a building.

Converting Deskbooks to a Member Benefit ([link](#))

Council Member Rajeev Majumdar presented the Long-Range Strategic Planning Council's recommendation to that WSBA offer its Deskbooks as a free member benefit. Treasurer Adewale commented that the Budget and Audit Committee does not want this proposal implemented in this budget cycle and that the Member Engagement Council recommends that the Board seek member input before deciding. Discussion followed about the permanence of this decision because members will not likely transition back to a paying model for deskbooks; the concern that this proposal is overbroad to meet the problem and an alternate solution could be a grant program to supply deskbooks to those who cannot afford them; the opportunity to investigate and present several options to members for feedback; the many number of programs and priorities the Board has competing for finite resources; a perspective that not all members need or want any or all deskbooks; a suggestion that as an alternate proposal WSBA provide a free deskbook to new members or as an incentive to join a section; the impact on our relationships with current vendor-partners that are involved in publishing deskbooks; and how to expand the offerings/areas of deskbooks content and ensure we have robust volunteers to author the content.

Gov. Dresden moved to have the Long-Range Strategic Planning Council come back with more than just one option to make Deskbooks a more widely accessible member benefit. Council Member Majumdar recommended that this issue not go back to the Long-Range Strategic Planning Council but proceed to the entire Board of Governors and/or the Member Engagement Council to continue. Gov. Dresden made a friendly amendment to move the topic to the Member Engagement Council to come up with more options and member feedback. The motion passed unanimously.

Executive Director Nevitt suggested that the Council take up the larger question of how to determine what types of WSBA programs and services should be included as "free" and funded with license fees.

Meeting Feedback ([link](#))

President-Elect Abell announced the death of Asotin County Prosecuting Attorney Ben Nichols, and the Board took a moment of silence.

Gov. Stephens wished fathers and father-figures a happy Father's Day.

ADJOURNMENT ([link](#))

There being no further business, Pres. Clark adjourned the meeting at 12:51 PM on Saturday, May 20, 2023.

Respectfully submitted,

Terra Nevitt

Terra Nevitt

WSBA Executive Director & Secretary