

WASHINGTON STATE BAR ASSOCIATION

BOARD OF GOVERNORS MEETING MINUTES

Olympia, WA

September 6-7, 2024

[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 Sunitha Anjilvel on Friday, September 6, at 1:50 p.m. Governors in attendance were:

Francis Adewale
Matthew Dresden
Tom Ahearne
Kevin Fay
Kristina Larry
Todd Bloom
Nam Nguyen
Allison Widney
Jordan Couch
Kari Petrasek
Serena Sayani
Parvin Price
Alain Villeneuve

Officers and Executive Staff in attendance were President Sunitha Anjilvel, Immediate-Past President Dan Clark, Executive Director Terra Nevitt, Chief Communications and Outreach Officer Sara Niegowski, Director of Finance Tiffany Lynch, Chief Disciplinary Counsel Doug Ende, Chief Regulatory Counsel Renata Garcia, Director of Advancement Kevin Plachy, Chief Equity & Justice Officer Diana Singleton, General Counsel Laurie Powers, Deputy Director Dua Abudiab and HR Director & Chief Culture Officer Glynnis Klinefelter Sio.

Also in attendance were Nancy Hawkins, Thea Jennings, Rex Nolte, Aziza Ozgoren, Jennifer Olegario, Peter Arkison, Chris Desmond, Anya Perret, Jennifer Justice, McKay Campbell, Adam Ballout, Amber Curnow, Anne Trent, Bobby Henry, Cameron Buhl, Catherine Schur, Connor O'Neil, Crystal Alford, Dennice Bryant, Drew Simshaw, Emily Rose, Emily Arnerson, Erin Moody, Grainne Griffiths, Jennifer Apitz, Kristen Schimpff, Marci Comeau, Mark Alexander, Melinda Drawing, Michael Terasaki, N. Johnson, Nancy Collins, Paris Eriksen, Rachel Riley, Sara Merken, Steve, Crossland, Tara Urs, Tom Gordon, Matt Bjork, Tracy Flood, Carolyn MacGregor, Bailey Zydek Colleen Shea-Brown, Hye Young

Park, Sharea Moberly, Jason Schwarz, Gideon Newmark, Gregory Link, Bailey Zydek, Shrounda Selivanoff, Crystal Alford, Amelia Watson, Melinda L Drawing, Raina Wagner and Ben Kim-Gervey.

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

President Anjilvel acknowledged being sworn in as President of the WSBA earlier in the day and welcomed District 1 Governor Parvin Price, who was also sworn in. She also reported on the morning meeting with the state Supreme Court, where they discussed the Bar's four strategic priorities, provided updates on the new bar licensure process, and emphasized ongoing outreach to tribal leaders and practitioners.

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

Executive Director Terra Nevitt referred to her written report and invited questions. There were none.

Update on the Proposed Pilot Project for Entity Regulation ([link](#))

Chair Leslie Ashley and member Craig Shank presented a report from the Practice of Law Board on the proposed pilot project for entity regulation. They emphasized the need for innovation in legal services to improve public access to legal services. The pilot project aims to test entity regulation by allowing entities to offer scope-limited legal services and integrating technology and non-lawyer professionals under the oversight of licensed lawyers. Craig Shank highlighted the historical context, the current regulatory framework, and examples from other jurisdictions. The Board had previously voted to support the pilot, and the current phase involves gathering feedback to refine the draft order before submission to the Supreme Court. The goal is to collect data over a multi-year period to inform potential regulatory reforms. The presentation concluded with a call for continued engagement and feedback to improve the pilot project.

Nancy Hawkins, representing the Family Law Section, expressed concerns about the Practice of Law Board's proposed pilot project, emphasizing the need for stringent character and fitness evaluations for approved entities. Michael Terasaki and Tom Gordon supported the proposed pilot project, citing the current inadequacies in legal aid and the potential benefits of regulated non-lawyer ownership. Mark Alexander raised procedural concerns and questioned the proposal's effectiveness in improving access to justice.

Member & Public Comments ([link](#))

Peter Arkison emphasized the need for competence in legal practice and criticized the lack of cross-disciplinary seminars and engagement with volunteers. Tailia Ay Ay, Chris Desmond, Adam Ballout, Anya Perret, Jennifer Justice, McKay Campbell, Matt Bjork, and Grainne Griffiths advocated for the adoption of proposed amendments to the standards for indigent family defense, highlighting the challenges faced by public defenders, including high turnover, burnout, and the need for lower caseloads to ensure effective representation.

Budget & Audit Committee Items ([link](#))

FY25 WSBA Budget

Director Lynch presented the final draft of the FY25 budget, highlighting major changes from previous drafts, including the addition of section budgets and adjustments related to office space downsizing and capital labor. Other notable changes included increased costs for court reporters, disability accommodations, and diversity events, as well as a reallocation of funds for law library desk book access. Treas. Adewale moved to approve the FY25 Budget as presented. Motion passed unanimously. Gov. Couch wasn't present.

Reserve Allocations

Director Lynch presented proposed reserve allocations. Treas. Adewale moved to reallocate \$2.3 million from the facilities reserve to the unrestricted reserve as proposed. Motion passed with Gov. Sayani abstaining. Gov. Couch wasn't present. Treas. Adewale moved to allocate \$400,000 from unrestricted reserves to the Special Projects and Innovation Fund. Motion passed unanimously. Treas. Adewale moved to increase the operating reserve fund by \$500,000 with funds reallocated from the unrestricted reserve. Motion passed unanimously. Gov. Couch wasn't present.

Member Status Workgroup Report & First Read on Proposed Bylaw Amendments ([link](#))

Chair Kari Petrasek and Chief Regulatory Counsel Renata Garcia presented the Member Status Work Group's findings and recommendations for proposed amendments to the WSBA Bylaws. Chief Garcia gave an overview of current license status options, member feedback, research into other jurisdictions, and the proposed changes. Key recommendations included introducing an option for voluntarily resigned members to display their status as "retired" status on the Legal Directory, reducing the years required for honorary status from 50 to 40, and allowing inactive and honorary members to volunteer on committees. The fiscal impact of these changes was estimated at \$101,540 in the first year. Discussions followed, addressing concerns about the term "retired," the inclusion of years practiced in other jurisdictions, and the CLE requirements for pro bono status. The work group will meet again on the September 25th to finalize recommendations, which will be presented for approval at the next Board of Governors meeting.

District 5 Governor Election ([link](#))

Candidate Emily Arneson provided an initial statement and answered questions from the Board members. The Board decided to conduct the election via voice vote instead of a secret paper ballot, as the bylaws were silent on the method of election and there were no objections. Emily Arneson was unanimously elected as the District 5 Governor.

Swearing in of F25 Governors and Officers ([link](#))

President Anjilvel prefaced the swearing-in ceremony by recognizing the outgoing officers and board members.

Justice Gonzalez administered the Oaths of Office to the new officers and incoming governors.

Day Two ([link](#))

President Anjilvel called day two of the board meeting to order at 9:10 a.m.

Consent Calendar ([link](#))

Executive Director Nevitt introduced the consent calendar, noting the sizable number of consent-calendar items was due to the end-of-year accumulation and a busy agenda. She explained the process for removing items from the consent calendar for individual discussion. No items were requested for removal. Gov. Petrasek moved to approve the consent calendar. Motion passed unanimously.

Council on Public Defense Proposals ([link](#))

Amendments to the WSBA Standards for Indigent Defense Standards Re Appellate Caseloads

Chair Jason Schwarz made an opening statement. CPD's Appellate Caseloads Subcommittee members Greg Link and Gideon Newmark presented a proposal focused on appellate caseload standards. Greg Link highlighted the need to reduce the caseload from 36 to 25 due to increased case complexity and size.

Amendments to the WSBA Standards for Indigent Defense Services Re Family Defense Services

CPD's Family Defense Caseload Standards Subcommittee Chair Tara Urs, Members Amelia Watson, Bailey Zydek, Shrounda Selivanoff, Crystal Alford, and Amelia Watson, and Colleen Shea-Brown presented the proposed amendments to the WSBA standards for indigent defense services regarding family defense services. Tara Urs emphasized the need for lower caseloads, increased training, and supervision requirements to improve representation quality.

Both proposals received support from the State Office of Public Defense and the Office of Civil Legal Aid. After thorough discussion, including the importance of adequate funding, the necessity of client visits, and the constitutional rights involved, Gov. Couch moved to approve both amendments to the WSBA Standards for Indigent Defense Services Re Family Defense Services and Appellate Caseloads. The motion passed unanimously.

FY25 Organizational Priorities ([link](#))

Executive Director Nevitt presented a proposal to continue the four organizational priorities from FY24 into FY25, emphasizing the need for ongoing work and alignment with the upcoming three-year strategic plan. The priorities include: 1) studying member well-being and expanding resources for legal professionals, 2) assessing technology-related opportunities and threats, 3) improving the experience of belonging among legal professionals, and 4) supporting rural practice and access to justice in small towns. Discussion followed, including whether the enforcement of tribal orders was included within the priorities. Gov. Couch moved to approve the FY25 priorities. Motion passed unanimously.

Executive Session ([link](#))

President Anjilvel moved the Board to executive session at 11:13 a.m. to discuss the Executive Director evaluation. The session concluded at noon and the board adjourned for lunch.

WSBA Demographic Study and Update on the Planning Process for a New Diversity Equity and Inclusion Plan ([link](#))

DEI Council Co-Chair Raina Wagner and DEI Council Co-Chair and President Sunitha Anjilvel gave an update of the process to create a new DEI Plan and explained that the Plan would be informed by the

Membership Demographic Study. They introduced Dr. Ben Kim-Gervey from KGR+C Consultants who conducted the Study and gave a presentation of some key takeaways from the Study highlighting the legal profession's lack of diversity, with an 82% white and male majority. There is more diversity among younger members, but non-dominant groups experience more workplace challenges and microaggressions. Highlights from the Study will be published in the upcoming Bar News magazine. The DEI Council's draft new DEI Plan which is informed by the Study will be shared widely this fall with the goal of presenting it to the Board of Governors for a First Reading in January 2025.

[Policy on Lived Experience Stipends \(link\)](#)

Executive Director Nevitt and Chief Equity and Justice Officer Diana Singleton presented a proposed policy on lived experience expert (LEE) stipends for first read, with input from ATJ Board Chair Esperanza Borboa and member Vanna Sing. The policy aims to remove financial barriers and thereby increase participation in Bar activities for low-income individuals with relevant lived experience. The proposal has undergone several revisions based on feedback from the Budget and Audit Committee. Key points of discussion included the criteria for eligibility, the potential cost, and the importance of diverse perspectives in improving legal services. Discussion followed about the impacts of the justification for using member dues, the need for outreach efforts, and ensuring transparency and oversight. Suggestions included piloting the program and seeking alternative funding sources.

[Approve FY25 Roster of Trustees of the Washington State Bar Foundation \(link\)](#)

Judge Tracy Flood, President of the Washington State Bar Foundation, provided an update on the Foundation's activities and financial status. The Foundation approved a distribution of funds to support public service, pro bono, and diversity, equity, and inclusion programs. Judge Flood highlighted the success of the Powerful Communities Grants, awarded to seven legal aid projects, and as well as the inaugural Pathways to Diversity in the Legal Profession Summit. Judge Flood presented the proposed Board of Trustees roster for the coming year for approval. Gov. Kevin Fay moved to approve. Motion passed unanimously. Gov. Nguyen wasn't present. Judge Flood expressed gratitude for the support received during her tenure and emphasized the importance of continued efforts in diversity and inclusion, as well as addressing travel policy needs for better participation.

[Governor Roundtable \(link\)](#)

President Anjilvel emphasized the importance of governors maintaining connections with their assigned committees and affinity bar associations, especially considering the upcoming DEI plan rollout. Gov. Couch recommended a book "Her Honor" by LaDoris Hazard Cordell as essential reading for understanding judicial system issues. Gov. Fay suggested awarding CLE credits for attending certain WSBA presentations during board meetings. Gov. Fay also proposed revisiting the alcohol policy to allow sections to use funds for social events, subject to legal review. Gov. Bloom raised the issue of dues for active-duty military members, suggesting a review of policies from other states to potentially offer discounts or waivers. Gov. Ahearne suggested to officially change the term "liaison" to "ambassador" to better reflect their role.

[Meeting Feedback \(link\)](#)

Gov. Fay provided feedback on the meeting's transportation.

ADJOURNMENT

There being no further business, President Anjilvel adjourned the meeting at 3:46 p.m. on Saturday, September 7, 2024.

Respectfully submitted,

Terra Nevitt

Terra Nevitt

WSBA Executive Director & Secretary