

# WASHINGTON STATE BAR ASSOCIATION

## Board of Governors May 2022 Meeting Update

A summary prepared by the WSBA of the Board of Governors (Board) meeting held May 19-20 in Spokane. The agenda, materials, and video recording from this Board meeting are [online](#). The next regular meeting is July 21-22 in Tacoma. The Board of Governors is WSBA's governing body charged with determining general policies of the WSBA and approving its annual budget. To subscribe to the Board Meeting Notification list, email [barleaders@wsba.org](mailto:barleaders@wsba.org).

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### *NEED TO KNOW*

- 1. Bar Structure.** The Washington Supreme Court has asked the Board to make a recommendation about whether the WSBA *must* change structure (considering federal litigation about the integrated-bar structure) or *should* change structure (to best achieve its mission). In response, the Board has launched a study process to evaluate caselaw, consider what an ideal bar structure looks like, and, perhaps most importantly, to hear from members. [Materials, resources, and meeting access and recordings are all online.](#)
- 2. Bar Leadership.** Congratulations to Hunter Abell (current At-Large Governor), who the Board selected as incoming President-Elect (to be President in 2023-24).
- 3. Bar Finances.** The Board approved the annual budget reforecast, which is the process, halfway through the fiscal year, to reconcile actual revenues and expenditures with original assumptions and make course corrections as needed. Good news: The reforecast predicts that, because of careful stewardship, both the WSBA general fund and CLE fund will each end the fiscal year more than \$300,000 ahead of original projections.

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### *OTHER BUSINESS*

**Local Hero.** [Lisa Malpass was honored as a Local Hero](#) (nominated by the Spokane County Bar Association) for her tireless efforts in the area of guardianship—including formation of and support for two initiatives, the Guardian Ad Litem Committee and the Elder Disability Estate Planning Section of the Spokane County Bar Association—that have had an enormous impact on local and state policies. The Local Hero Award is bestowed by the WSBA President to recognize colleagues who have made noteworthy contributions to their communities.

**Leadership through a diversity lens.** Minority bar association leaders have jointly proposed four actions for the Board to implement to show a genuine commitment to advancing diversity, equity, and inclusion and to ensure Board members account for the impact of their decisions on the entire legal community. The proposal calls for action in four areas: 1. Diversity, equity, and inclusion tools for

decision-making (required considerations and analysis to be done as part of all decision making); 2. Diversity, equity, and inclusion competency for candidates and governors (mandatory training and a baseline of knowledge/understanding); 3. Restorative protocol for board conduct (a binding code of conduct with censures for those who break it); and 4. Engagement of the minority bar associations (continued partnership and dialogue). The Board ultimately [created a task force](#) to consider the proposal and develop action items by the Board's September meeting. ([See page 226.](#))

**Race equity and justice reform in the Spokane regional legal system.** Leaders in the Spokane community have been working to understand and eradicate systemic racism in the legal system. Representatives from the Spokane County Bar Association's Task Force on Systemic Racism in Our Regional Justice System, the Freedom Project East, and the Health and Justice Recovery Alliance spoke about their efforts to address structural racism that unevenly distributes power, benefits, burdens, and violence that negatively impact all parts of the community. ([See page 304](#) and [page 16.](#))

The Board also:

- Heard an update from the WSBA Court Rules and Procedures Committee regarding guidance about potential solutions to address USPS mail delays that conflict with deadlines in Court Rules. This is a complex issue that will take more than a single rule change to address. The Board will continue to consider whether/how to proceed. ([See page 115.](#))
- Held separate receptions with the [Washington State Bar Foundation](#) (which helps fund WSBA programs that provide legal assistance to the state's most vulnerable populations) and the [Washington Leadership Institute](#) (a WSBA/UW partnership to recruit, train, and develop traditionally underrepresented attorneys for future leadership positions in the WSBA and the greater legal community). Both receptions featured powerfully justice-oriented lawyers making a difference in their communities!
- Heard a first reading of a proposal to transition/reshape the WSBA Diversity Committee to the Diversity, Equity, and Inclusion (DEI) Council. The change would align the entity's practice of including non-Board voting members with the WSBA Bylaws. ([See page 128.](#))
- Selected a vendor for the annual evaluation of the executive director, which will provide a professional model for years to come. ([See page 306.](#))
- Heard a report from the WSBA Pro Bono and Public Service Committee, which communicates opportunities and eliminates barriers for members to provide pro bono services to communities that experience poverty and injustices. Recent accomplishments include a redesigned pro bono portal—[check it out!](#) ([See page 209.](#))
- Considered its conflict-of-interest obligations and policy, and ultimately did not adopt revisions to the policy. ([See page 118.](#))
- Considered an amendment to the WSBA Bylaws to allow the Board Legislative Committee to approve WSBA entity's comments to the Supreme Court regarding proposed rule changes, if the full Board of Governors does not have a regularly scheduled meeting before the comments are due. The Board will vote on the amendment at its next meeting. ([See page 102.](#))
- Heard an update from executives of Member Benefits, the third-party administrator that provides the WSBA Insurance Marketplace for members. ([See page 199.](#))