

WASHINGTON STATE BAR ASSOCIATION

Office of General Counsel
General Counsel Laurie Powers
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Functions:

- Legal Advice and Litigation – Provide legal advice and representation (or oversight of representation by outside counsel) for the organization, Board of Governors, Executive Director, and staff in cases involving work for WSBA. Coordinate with insurance carriers.
- Disciplinary Board – Provide counsel and a Clerk to the Disciplinary Board regarding conduct of reviews and appeal hearings in discipline matters and maintenance of public files regarding discipline matters.
- Hearing Officers – Provide training and administrative support for disciplinary system hearing officers and Chief Hearing Officer.
- Conflict Review Officers – Provide training and administrative support for disciplinary system conflict review officers, who review and resolve grievances filed against Office of Disciplinary Counsel, WSBA staff lawyers or others for whom a conflict would exist for ODC.
- Client Protection Board – Review and investigate requests for reimbursement of losses due to the dishonest taking of, or failure to account for, client funds; make recommendations and provide counsel to CPB on reimbursement decisions; process reimbursements.
- Character & Fitness Board - Prepare for, assist, and advise CFB on monthly character & fitness hearings for applicants for admission or petitions for reinstatement, draft findings/orders, handle appeals to Disciplinary Board or WA Supreme Court.
- Records Requests – Consistent with GR 12.4, respond to public records request as appropriate and necessary.
- Policy Counsel- Advise on and draft WSBA internal and external policies, supports BOG Governance Committee, reviews WSBA publications for legal risk.
- Accommodations - Receive and determine response to accommodation requests for disciplinary matters (grievants and respondents).
- Custodianships – Assess need for custodians, recruit volunteer custodians, draft and file pleadings for appointment, support custodians.
- Contract Review – Advise on contract provisions and prepare and research contract templates.
- Various Panels, Roundtables, Task Forces and Committees – Provide staffing and support for Panels, Roundtables, Task Forces and Committees as requested by the Board of Governors and Executive Director (e.g., Discipline Selection Panel, Court Rules Committee, DART, Pathways to Licensing, Governance Committee, etc.)

Regulatory Boards:

- Disciplinary Board – Reviews disciplinary recommendations and dismissals; reviews hearing records and stipulations, recommends disciplinary outcomes in appropriate cases.
- Character & Fitness Board – Deals with matters of character & fitness bearing upon qualifications of applicants for admission to practice or the rehabilitation of petitioners for reinstatement after disbarment.
- Client Protection Fund – Reviews applications for monetary gifts, and recommends or awards such gifts, to clients who were victims of a dishonest taking of, or failure to account for, client funds.

When will you hear from OGC at BOG meetings?

- Rules, regulations or Bylaws need to be interpreted or amended
- GR 12.2 analysis, when applicable
- Section Bylaws need to be amended
- Litigation report at every BOG meeting
- Recommendations for gifts by the Client Protection Fund
- Reports by Boards, Panels, Roundtables, Committees, or Task Forces with which we work
- BOG requests for legal analysis or advice

What don't you need to be concerned about

- Whether members should be disciplined, suspended or disbarred: the Supreme Court makes the final determination regarding license suspensions and disbarments, and disciplinary matters are under the exclusive jurisdiction of the Supreme Court.

What should you pass on to OGC or to Laurie?

- Any contact by anyone threatening to sue the WSBA or you in your capacity as a BOG member, or who is engaged in litigation involving the WSBA – we need to hear about these to effectively represent the BOG and the WSBA, so PLEASE do not respond directly to these but do pass them on to Laurie (or the OGC lawyer handling or overseeing the matter) as soon as possible.

When do Laurie or OGC staff communicate directly with the Supreme Court?

- Transmitting disciplinary records to the Supreme Court for review or action.
- Transmitting rule or regulation amendment proposals to the Supreme Court.
- Responding to claims, suits, appeals, etc. that are not specifically discipline related but are related to matters in which we represent the WSBA.
- When requested by the Court.