

**DISCIPLINARY ADVISORY ROUND TABLE**

**OCTOBER 30, 2023**

**MEETING MINUTES**

**Members Present:** Chair, Mary Yu, Terra Nevitt, Julie Shankland, Doug Ende, Christopher Sanders, Deborah Severson, Randy Petgrave, Kevin Bank, Anne Seidel, Drew Simshaw, Miryam Gordon, Darlene Neumann, staff liaison. **Excused:** Norma Ureña. **Absent:** Mary Rathbone (BOG). **Interested Parties:** Sachia Stonefeld Powell, Cloie Chapman

The virtual meeting was called to order at 1:00 p.m. by the chair. Welcome and introductions followed.

**Minutes**

The chair asked if there were any changes to the April 12, 2023, minutes. Hearing none, the chair deemed the minutes approved.

**Draft GR 9 Cover Sheet of Proposed Amendment to ELC 2.14(d)**

Members discussed the draft GR 9 cover sheet. Discussion followed on the selection of spokespersons for the GR 9. The chair asked Anne Seidel and the staff liaison to be spokespersons, which they agreed. Members unanimously approved the GR 9 cover sheet and proposed amendment. Staff will forward the suggested amendment to the Supreme Court for consideration.

**Status Report: Proposal to Authorize Voluntary Transfer to Disability Inactive Status**

After meeting with WSBA regulatory staff to draft an alternative process for voluntary transfer to disability inactive, Doug Ende noted additional questions arose which he outlined for members in the meeting materials. The questions concerned: whether disability inactive should be a public status, whether disability inactive is the right description (and consideration of other alternatives), whether a separate pathway should be created for voluntary transfer to disability inactive when no bylaws or rules exist for such a transfer, and numerous other administrative considerations, such as appointment of counsel, and establishing a process and criteria for members to transfer back to active status.

Discussion followed on approaches taken by other jurisdictions, the stigma attached to the term disability, including disability under inactive status, whether the public needs to know about a disability, and protection of the public.

Additional member comments noted challenges experienced by lawyers involved in disability proceedings, the different meanings of disability, and that some members may desire disability inactive status for a variety of reasons.



### **Reviewing Disability/Incapacity Regulation**

Following member discussion of the topic, no further action was taken at this meeting.

### **Discussion and Presentation on UPL and New Legal Service Providers by Michael Cherry, Emeritus, Practice of Law Board**

Michael Cherry presented a PowerPoint on the regulation of legal services in Washington, non-traditional legal services online, protection of the public/consumers of online legal services, and recommendations for regulatory reform.

Following the presentation, Mr. Cherry noted there are two ways to achieve regulatory reform: through a state solution or a national solution (federal regulation of internet).

Discussion followed with Mr. Cherry on: venture capital funding of online legal service providers, state regulation efforts, online legal services bridging the access to justice gap, the use of metrics (algorithms) and data analysis to measure the impact on access to justice, the challenges faced by consumers to evaluate quality legal services, next steps for the PLB proposal (building support and beta testing), and the actual costs of regulation and auditing.

The chair thanked Mr. Cherry for his presentation to the members and discussion.

The meeting adjourned at 3:26 p.m.