

WASHINGTON STATE wB A R A S S O C I A T I O N

Small Town and Rural Council

Small Town and Rural Committee Meeting | Virtual Only

Wednesday, November 27, 2024, | 12:10 p.m. – 1:10 p.m.

Via [Zoom](#) | Meeting ID: **873 3538 6159** | Passcode: **595209** | Call-in: **888-788-0099**

AGENDA

1. Introductions and Approval of October Meeting Minutes (Gov. Kari Petrasek)
2. WSBA Updates (Gov. Petrasek and Kevin Plachy)
3. Project Team Updates
 - a. Job Fair at Gonzaga
 - b. Summit Project Team (Kevin Plachy & Merf Ehman)
 - c. Rural Day of Service (Kathryn Burke, Kevin Plachy)
4. Summit Venue Planning Discussion
5. Legal Lunchbox – April 2025
6. Bar News Article Discussion (Free Law School Tuition)
7. Announcements
8. Next Steps/Conclusion
9. Next Meeting: December 18, 2024
10. Adjournment

CHARTER

Small Town and Rural Council

Adopted: April 17, 2021. Amended July 17, 2021; September 7, 2024.

Purpose

As an advisory entity to the WSBA Board of Governors, the Small Town and Rural (STAR) Council is committed to strengthen and support the practice of law in the rural communities throughout Washington state. Members of the STAR Council will work to ensure that the practice of law in rural communities is present, growing, and thriving.

Practitioners in rural communities are few and far between. Additionally, many of these practitioners are nearing retirement without a clear plan of succession for their clients, leaving a void of access to legal representation and counsel. The STAR Council will guide policy & program development, serves as ambassadors between the WSBA and these communities, explore and advocate for creative and innovative solutions, and regularly assess the legal landscape in rural communities to determine if WSBA policy, advocacy and program development require further resource for sustainability and improvements.

The STAR Council aligns with the authorized activities outlined in General Rule 12. More specifically, GR 12.1 (a) articulates the Washington Supreme Court’s regulatory objective to provide, in part, “meaningful access to justice. . .” while GR 12.1(d) strives for “affordable and accessible legal services.” In addition, the STAR Council aligns with the authorized activities outlined in GR 12.2, in particular by providing “services to members and the public,” and “fostering collegiality among its members and goodwill between the legal profession and the public.”

Further, the STAR Council furthers the WSBA mission to serve the public and the members of the Bar by providing focused attention on the unique needs of residents and members in rural areas both by improving access to legal practitioners in rural communities and outreach and development of a pipeline of younger rural residents to pursue a legal career and serve their communities.

Definition of “Rural”

For the purpose of the STAR Council and reflective of Washington’s unique geographic and sociogeographic landscape, the definition of “rural” is as follows:

Based on the definitions produced by the U.S. Department of Agriculture Economic Research Service (ERS) and an overview of Washington county population, we focused on counties with populations of less than 50,000 and more than 2,500. These areas are considered ‘urban nonmetro areas not part of larger labor markets’ by ERS. As part of the working definition, and for ease, we have termed these counties as ‘rural.’ Based upon WA county population data, we’ve pursued a hypothesis that counties with 30,000 or more are rural, but likely adjacent to a labor market and perhaps have a varying set of circumstances that may differ from counties that are less than 30,000.

This definition will serve as the “per se” definition of rural. The STAR Council has the authority to change this definition based on specific programming objectives.

Composition

The member appointment process will follow the process for WSBA Committees. Members of the STAR Council should have demonstrated experience and/or interest in a thriving legal practice in Washington's rural communities. The STAR Council will consist of 13 members and are outlined as:

- Chair (voting member)
- 2 Current or Former WSBA Board of Governors Members (voting members)
- 1 Active WSBA Member At Large (voting member)
- 4 Active WSBA Members from rural communities - see above for definition of "rural" (voting members)
- 1 Active WSBA Young Lawyer Member, as defined in WSBA Bylaws (voting member)
- 3 Law School Representatives (voting members, must be currently employed with a WA Law School which is not currently represented on the Committee.)
- 1 Active WSBA Lawyer Member currently employed with a Qualified Legal Service Provider (QLSP) (voting member).

WSBA Staff Liaison: Member Services and Engagement Manager or staff member in the Advancement Department, non-voting.

Board of Governor Liaison: as assigned annually, non-voting.

Terms

- Chair: two-year term
- Members: three-year term

Initial Committee Terms

In FY21, the first appointments to the STAR Council were effectuated in a staggered rotation of STAR Council members. Therefore, the following terms were in place for the first appointment cycle only. All subsequent terms should adhere to the term limits stated above. STAR Council members serving an initial term less than three years, should be considered an incomplete term. Therefore, the member is eligible to serve two subsequent complete three-year terms per WSBA Bylaws.

- 2 Active WSBA Members
1 member with two-year term, 1 member with three-year term.
- 4 Active WSBA Members from rural communities (see above for definition)
1 member with one-year term, 1 member with two years term, 2 members with three-years term.
- 3 Law School Representatives (voting, must be currently employed with a WA Law School)
1 member with one-year term, 1 member with two-years term, 1 member with three-years term.

The following positions will begin as a standard term as set forth in this charter.

- Chair
- 1 Active WSBA Young Lawyer Member
- 1 Active WSBA Lawyer Member currently employed with a Qualified Legal Service Provider (QLSP).

Scope of Work

The scope of the STAR Council's work will focus on what the WSBA is uniquely positioned to do in supporting a sustaining and thriving environment for the practice of law and increase access to justice in Washington's rural communities. The STAR Council will work with all relevant and interested stakeholders to collaborate where needed. The provision of direct legal services and civil legal aid to the public is outside the scope of the STAR Council.

Measures of Success

- Increased awareness of the issues and possible solutions to address any gap in practicing members in rural communities.
- A sustainable pipeline of legal practitioners in rural communities.
- Increased numbers of legal practitioners in rural communities.
- The establishment of funding for programs and initiatives for the practice of law in rural communities.

STAR Council Roles

1. Community Education and Outreach

Coordinated efforts to educate members and potential members about the unique needs, opportunities and benefits of a rural practice. This can include, but should not be limited to, comprehensive information on WSBA's website, features in WSBA publications, presentations at high schools, law schools and community colleges. Meetings and events, such as a summit or symposium, to highlight the issue, convene interested stakeholders to share their concerns and strategize on possible solutions.

2. Pipeline and Placement Program(s)

Develop WSBA programming, or WSBA supported/partnered programming designed to build a pipeline of practitioners in rural areas as well as an incentive program to encourage members to explore a rural practice on a time-limited or multi-year timeframe. This role should explore a possible collaboration or strategic overlap with WSBA existing and future mentorship program(s). In particular, this role will require extensive strategic planning and identification of external stakeholder support and additional funding sources. Coordinate with law schools and other stakeholders regarding economic incentives to practice in rural areas.

3. Job Opportunities and Clearinghouse

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Utilize existing and future WSBA resources to support and highlight job opportunities in rural communities. This role should include making it easier, and perhaps more cost-effective, to add job postings to WSBA's service. Develop a clearing house to assist retiring members with succession planning and the buying/selling of a practice.

Committee Evaluation

The STAR Council should conduct an assessment within five years from the date of Board of Governors' initial approval of the STAR Committee by 1) conducting a survey of rural practitioners to provide stakeholder feedback regarding the impact of this Council to effectuate change in these areas, 2) assessing the scope of work to reflect impact and progress in this area and align with trends in the greater legal community, and 3) earnestly examining if the Council is necessary to continue the scope of work.

WASHINGTON STATE BAR ASSOCIATION

Small Town and Rural Council

Small Town and Rural Council Meeting Minutes
Wednesday, October 23, 2024 | 12:14 p.m. – 1:03 p.m.
Virtual meeting via Zoom

Council Members Present: Governor Kari Petrasek (departed approx. 1:30pm), Merf Ehman, Rusty McGuire; Ashley Cummins, Sean King, Jesse Lamp, Allison Foreman, Dan Clark, Philip Hunsucker

Council Members Absent: Judge Kathryn Burke, Thomas Garvey

WSBA Staff Present: Kevin Plachy, Chelle Gegax, Vanessa Sweeney, Rachel Matz, Shanthi Raghu

WSBA Board of Governors Liaisons Present: Matthew Dresden

Public Attendees Present: Chris Fox - FLEC Liaison, Nat Jacob - OPD recruitment, Sophia Byrd McSherry

Introductions and Approval of July Meeting Minutes (Gov. Kari Petrasek)

Governor Kari Petrasek called the meeting to order at 12:14 p.m. On motion by STAR Council Member, Rusty McGuire, seconded by STAR Council Member, Philip Hunsucker, the STAR Council voted unanimously (8-0-0) to approve the July meeting minutes. STAR Council Member Ashley Cummins abstaining as she did not attend the July meeting. Governor Petrasek informed that this is the first meeting of the fiscal year with new council members and began introductions among those in attendance.

WSBA Updates (Gov. Petrasek and Kevin Plachy)

Gov. Petrasek stated she will be attending the upcoming Board of Governor's (BOG) Meeting November 7-8 in Seattle, WA. Gov. Petrasek reminds that all are welcome to join in-person or via Zoom and shared that one of the BOG's four focus areas is around increasing the number of attorneys in rural areas of the state. WSBA Advancement Director Kevin Plachy stated that he does not have any additional updates to add.

Project Team Updates

Job Fair at Gonzaga (Kari and Sean)

The job fair is typically done in late March, early April. STAR Council member Sean King is at Gonzaga and has taken the place of former STAR Council member Laurie Powers. Sean stated that he and Laurie have discussed details around the job fair. Sean has identified next steps in planning is to connect with fellow STAR Council member Rusty McGuire and Kevin to get the ball rolling and to discuss logistics of the event. Kevin added it is a good idea to get communications out to students early on, targeting January for scholarships so students and potential employers are aware of it. Additionally, the promotion with employers will strengthen interviews.

Sean King has been approved by the Nominations Committee to join the STAR Council as the Gonzaga Law School representative. The Nominations Committee will be meeting in November to finalize appointments for two additional people: Mary Rathbone (BOG Member representative position) and Travis Pietila (University of Washington Law School representative position).

Summit Project Team (Kevin Plachy and Merf Ehman)

WSBA Advancement Director Kevin Plachy shared an update on the STAR Summit. Venue selection is underway, with engagement with Eastern Washington University, Heritage University, and Central Washington University. The hope is to have some options to present to the council in November. STAR Council member Ashley Cummins volunteered to join the STAR Summit planning committee. The discussion continued around the possibility of recording the event based on past feedback regarding the difficulty of getting to the Summit venue in person, depending on location. Sophia Byrd McSherry stated the event would lose a lot of value if it was exclusively remote as there is so much value in meeting people face to face and engaging outside of the sessions. Streaming sessions may be an option to consider. The conversation will continue at future meetings. STAR Council member Merf Ehman shares the background of the event for the new council members. The purpose of the STAR Summit is to connect folks across the state to address issues around rural practice. It is a one-day event, and includes between 4-5 sessions folks can attend. Approximately 100 people attended last year, which was the inaugural yet. Overall, the feedback and response was very positive.

(Governor Petrusek departed the meeting, Merf Ehman took over).

Rural Day of Service (Kathryn Burke and Kevin Plachy)

Kevin stated the Rural Day of Service is a concept that was envisioned last year, the idea is that the WSBA via STAR Council would partner with QLSP within a rural community. There is an approved \$3000 grant for the clinic, and WSBA will provide volunteers. There is approval for two of these events. Judge Kathryn Burke has expressed interest in holding this in Ferry County. A proposal has been developed, it is currently under review with WSBA's general counsel, with review expected to be complete by November.

Rural Practice Proclamation 2024

STAR Council member Merf Ehman provided an update which included a recent request to the Governor to proclaim a day in November or December as Washington State Rural Practice Day, to recognize the work of rural and small-town practitioners and recognize the need for more lawyers and access to justice for those living in rural communities. The request has been submitted, and now awaiting a response from the Governor's office.

WSBA Education Programs Lead, Rachel Matz shared information about the Legal Lunchbox program. For background, the Legal Lunchbox Series is a free to attend seminar that occurs the last Tuesday of every month. The recording of the session is available online for a fee. CLE's are typically attended by 1500-2000 people every month. There is an intentional effort to link with initiatives and timing. Rachel posed the question of when they would like to hold the event to the STAR Council. Council member Ashley Cummins suggested April as it aligns nicely with the STAR Summit. The timing would suit promotion of

the event well. The STAR Summit is tentatively scheduled for the end of June 2025. Ashley volunteered to chair the committee, with Sophia agreeing to co-chair.

Bar News Article Discussion (Free Law School Tuition)

A recent [article](#) in the Bar News featuring the STAR Council's efforts received a response suggesting free law school tuition. Gov. Petrasek shared the article to the Council for awareness, there is no action to take at this time. November's meeting agenda will include allotted time for discussion, feedback, and to potentially identify actions for the STAR Council to take on.

Proposed Meeting Schedule for FY25

The FY25 meeting schedule has been determined, and calendar invitations have been sent via WSBA Community. Meetings will occur on the fourth Wednesday of every month, with exception of December and February, which will occur on the third Wednesdays.

Announcements

STAR Council member, Ashley Cummins shared that she will be attending Access Justice for All at the end of the month. STAR Council member Rusty McGuire reported that he and Hunter Abell are speaking at Whitworth College next week for the STAR Council. Following Whitworth, they will speak at Spokane Falls Community College. Last year, the Eastern Washington University and Washington State University events were well attended and received. At this time, they will continue to speak at colleges, with more talks scheduled in the future.

Merf suggested that the team at Seattle University Law School to come to next meeting to talk about rural practice, and how the STAR Council can support it. Ashley mentioned she is happy to reach out to Seattle University Dean Tony Varona's office.

Nat Jacob (OPD Recruitment) offered to Kevin if additional people are needed to go to Whitman College to meet with folks, Nat's colleague Rachel Cortez, who is doing recruitment and retention, lives and works in Walla Walla and would love to join you.

Ashley posed a referral request to the group, in response to the recent article about the STAR Summit, she received an email from a former colleague who shared that it is challenging to find attorneys in Wenatchee who will stay in Wenatchee, and they're looking to fill the gap utilizing Rule 6. Ashley is wondering if there is access to resources to aid in developing a curriculum or syllabus to help folks with this effort. Merf replied that there is a Rule 6 Committee who can help with resources. Kevin added that Ashley can reach out to Renata Garcia, who can connect her with the committee. Nat asked Ashley to loop him into to Rule 6 conversations, as they be working on similar things.

Next Steps/Conclusion

None.

Next Meeting: November 27, 2024

Adjournment

Adjourned at 1:03 p.m.

DRAFT

WSBA Board of Governors

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BarNews

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Washington State Bar News relies on submissions from WSBA members and members of the public that are of interest to readers. Articles should not have been submitted to any other publications and become the property of the WSBA. Articles typically run 1,000-2,500 words. Citations should be incorporated into the body of the article and be minimal. Please include a brief author's biography, with contact info, at the end of the article. High-resolution graphics and photographs (preferably 1 MB in size) are requested. Authors should provide a high-resolution digital photo of themselves with their submission. Send articles to wabarnews@wsba.org. The editor reserves the right to edit articles as deemed appropriate. The editorial team may work with the writer, and the editor may provide additional proofs to the author for review.

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Letters to the editor published in *Bar News* must respond to content presented in the magazine and also comply with Washington General Rule 12.2 and *Keller v. State Bar of California*, 496 U.S. 1 (1990).^{*} *Bar News* may limit the number of letters published based on available space in a particular issue and, if many letters are received in response to a specific piece in the magazine, may select letters that provide differing viewpoints to publish. *Bar News* does not publish anonymous letters or more than one letter from the same contributor per issue. All letters are subject to editing for length, clarity, civility, and grammatical accuracy.

^{*}GR 12.2(c) states that the WSBA is not authorized to "(1) Take positions on issues concerning the politics or social positions of foreign nations; (2) Take positions on political or social issues which do not relate to or affect the practice of law or the administration of justice; or (3) Support or oppose, in an election, candidates for public office." In *Keller v. State Bar of California*, the Court ruled that a bar association may not use mandatory member fees to support political or ideological activities that are not reasonably related to the regulation of the legal profession or improving the quality of legal services.



Another Idea For the WSBA Star Committee

As a retired, now pro bono attorney¹ involved with access to justice, I follow with concern the issues and ideas to provide civil and criminal attorneys to the underserved rural areas ["Transforming Legal Deserts into Legal Oases," September 2024] I propose that an additional modality be explored by the

STAR Committee, Bar leadership, and our law school deans.

Provide a tuition-free route in our law schools, whereby students selected for such agree to serve as public defenders and civil private attorneys (who

will also take on some public defense in addition to their civil practice, for reduced rates and provide pro bono) in rural legal access-impaired areas for four years. The military provides free tuition for law school students who serve a requisite amount of years. Private benefactors have been in the news this past year, who have made tuition-free medical schools a reality. We've got wealthy philanthropists and

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wealthy lawyers in our state. Let's make this happen.

Michael B. Goldenkranz
Seattle



Seattle's Gain, South Sound's Loss

I was a member of the Tacoma-Pierce County Bar and a tenant of the building adjacent to the University of Puget Sound (UPS) School of Law when it was sold to Seattle University in 1993. I was, therefore, curious to read about that sale, as recounted in a law review article by former Seattle University School of Law Dean Annette Clark: "What's Past is Prologue: The Story of the Sale of the University of Puget Sound School of Law to Seattle University," 46 *Seattle Univ. Law Rev.* 773 (2023).

In the April/May issue of *Bar News*, the WSBA's Margaret Morgan undertook to review Dean Clark's article, which describes the sale and the ways in which various interested parties reacted to it. I haven't yet read the law review article itself, and perhaps it covers my concern, but what's missing from Ms. Morgan's summary are the details of how the sale affected the South Puget Sound legal community.

The UPS School of Law was founded in Tacoma in 1972 and moved into freshly renovated quarters in downtown Tacoma

in 1980. (As I recall, Sen. Henry "Scoop" Jackson and Congressman Norm Dicks were present for the dedication ceremony; it was a big deal). Having a law school south of Seattle and west of Spokane was a palpable boon to the surrounding communities. Many UPS law students got internships and part-time jobs with law firms and with public agencies such as the Attorney General's Office, local prosecutors and public defenders, legal aid societies, and the courts. After graduating, students tended to remain in the area as a handy recruitment pool for those same employers seeking to hire new lawyers.

With the sale, while Seattle got a second law school, the South Sound lost a significant chunk of an important resource. This is not to say that Seattle University law students and grads no longer populate the counties to the south; of course they do. But it is to point out the obvious: that Seattle-centric students are less likely to migrate out of town for jobs, whether internships or full-time employment. The Seattle legal community's gain was to some extent a loss for Tacoma, Olympia, Port Orchard, and surrounding areas.

Again, perhaps Dean Clark's law review article does cover this aspect of the sale. If so, I'm confident she did it well. I look forward to reading her article.

Mark Adams
Gig Harbor

NOTE

1. More information about WSBA emeritus pro bono license status can be found here: <https://wsba.org/for-legal-professionals/license-renewal/status-changes/emeritus-pro-bono-membership-and-return-to-active-membership>.