

WASHINGTON STATE BAR ASSOCIATION

Washington Young Lawyers Committee

Washington Young Lawyers Committee | Virtual Meeting, Tacoma, WA
Saturday, March 14, 2020 | 10:07 a.m. – 1:57 p.m.
Meeting Minutes

Present In-Person or Phone: Alixanne Pinkerton, Brian Holden, Brian Neuharth, Catherine Holm (joined at 10:08 a.m., left at 12:01 p.m.), Chelsie Elliot, Emily Ann Albrecht, Esther Hyun, Ian McCurdy, Jordan Couch, Kim Sandher, Maha Jafarey (left at 12:01 p.m.), Paula Kurtz-Kreshel, Zachary Davison (left at 12:01 p.m.)

Absent: Benjamin Hodges, Brandon Holt, Laura King (excused), Molly Winston

WSBA Staff: Chelle Gegax – Member Services and Engagement Administrative Assistant, Julianne Unite – Member Services and Engagement Specialist/Staff liaison

Board of Governors (BOG): Russell Knight (absent)

Public: None present

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Welcome & Introductions/ Approval of March Minutes

Jordan Couch, Washington Young Lawyers Committee (WYLC) Chair, called the meeting to order at 10:07 am.

On motion by Esther Hyun and seconded by Brian Neuharth (Brian N.), the WYLC by unanimous vote (13-0-0) approved the January 2020 meeting minutes.

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motions must be written in this format and include the count of the votes.

BOG Update & Discussions

Julianne Unite reported that the next BOG meeting is scheduled for March 19-20 in Olympia, but there are discussions regarding Open Public Meetings Act (OPMA) concerns and in person meeting attendance. Julianne also reported the BOG meeting agenda is posted on the WSBA website.

WSBA Updates (FY21 Budget, New Member Survey, Rural Outreach, Nominations)

- **BOG Executive Committee Meetings:** Julianne reported that the BOG wants to regularly connect with each WSBA entity (e.g., committees, boards, task forces, etc.), and will be inviting WSBA entity chairs, staff liaisons, and BOG liaisons to a meet once per year. The WYLC Chair, BOG Liaison, and Staff Liaison is scheduled to meet with the BOG Executive Committee on April 20.
- **FY21 Budget:** Julianne thanked Jordan and Brian N. for helping to draft the FY21 budget. Julianne reported that the only change increased the ABA scholarship line by \$2,500 and decreased the WYLC line by \$2,500. Brian N. reported that in his experience, increasing the scholarship amounts would help. Jordan added that he hopes the WYLC could involve/inform the ABA in WYLC projects. On motion by Jordan and seconded by Esther, the WYLC by unanimous vote (13-0-0) approved the proposed budget for FY21.

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- **Rural Outreach:** Julianne reported on the WSBA's rural outreach project, addressing legal desert and access to justice in rural communities. Julianne further explained that the WSBA sent letters to 177 practitioners and eight letters to local bar associations. Julianne also reported that the WSBA has received email feedback from several practitioner, who provided potential solutions to address the challenges in those areas. Alixanne Pinkerton asked what kind of questions were on the survey. Julianne explained that the questions probed topics such as area of practice, location, and reasons for being in the area they choose. Esther commented that the legal profession is not the only profession experiencing these issues and asked if the WSBA has looked to the medical profession for information. Julianne replied that we are looking at other sources for data. Brian N. has plans to be in South Dakota this summer and offered to network.
- **MentorLink Mixer:** Julianne discussed scheduling the next MentorLink Mixer in early June, possibly geared toward new admittees. Julianne further explained that WSBA would like to collaborate with WYLC again to help market and provide table coaches. Julianne then asked for feedback regarding the timeframe for the mixer. WYLC members agreed that after work hours on a weekday would be best suited. Julianne will work with WYLC in late April to early May to organize.
- **Committee Recommendations/Nominations:** Julianne reported that currently, the WYLC needs to fill the positions of Chair-elect, Northwest region, North Central region, Greater Spokane region, Pierce County region, and one At-Large ABA position. Julianne further reported that thus far, the WYLC has received applications that qualify for the Chair-elect, Northwest, Greater Spokane, Pierce (2), King, and South Central regions. Julianne requested WYLC members to continue to aid in recruitment.

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Recruitment & Engagement

Jordan reported that the WYLC position for the North Central region has been an ongoing issue to fill and it has been a struggle to engage with members in the area. Jordan also reported that he reached out to BOG members in those areas to help recruit in their districts. Jordan then asked whether they should change their bylaws/appointment process to allow for someone outside a region to fill a vacant regional seat. Brian N. likes the idea to change a vacant regional position into an At-large position. Paula Kurtz-Kreshel asked for clarification regarding the appointment process. Jordan clarified that if the WYLC has excess applications, the WYLC could recommend appointing one of the applicants that were not initially recommended to fill a vacant position. Jordan further explained he doesn't want to get rid of geographic positions, but if the WYLC has an applicant that does not qualify for a regional position, that applicant could be appointed for a one-year interim term to fill a vacant regional position and the WYLC can continue recruitment for that position the following year. Paula replied that it is an interesting concept. Jordan thinks converting a regional position into an At-large position would be a good idea. Brian N. suggested that the WYLC could have a motion on this topic at the next WYLC meeting. Jordan asked for thoughts from WYLC members that have challenges recruiting in their areas. Emily Ann Albrecht agreed with Brian N.'s suggestion, with preference given to those in geographic areas, but, if no one applies, then they may appoint an At-large member. Chelsie Elliott agreed that is a good idea. One concern with changing the appointment type is that WSBA already appears King County centric and filling WYLC positions with more King County folks may not help mitigate that appearance. Julianne reported that she thinks the WYLC should leave unfilled regional positions vacant, but understands

the struggle when the WYLC receives many qualified candidates, but there are not enough open seats. Jordan suggested reaching out to the BOG directly and ask them to help; and if no one is able to recruit, then the WYLC can make the argument for changing the appointment process. Julianne will send Jordan the contact information for the BOG members in the North Central region.

Representative Reports

Maha Jafarey reported that the legal community is trying to figure out what would work and how to serve clients impacted by COVID-19. Maha further reported that she was on a call last week with the Access to Justice (ATJ) Board, where it was suggested that they create resources for clients and law firms to navigate through COVID-19 and remote work. Maha added that there will be a Seattle Pro Bono Coordinators committee meeting next week and wondered if the WYLC's would be interested in putting together a CLE geared toward helping clients and working remotely during the COVID-19. Jordan supported putting on a CLE, but also raised the concern that the WYLC may move too slowly to consider this CLE as an official project, given current timeline. Alixanne asked if the WYLC organized a CLE, is there a specific timeline/deadline. Maha replied based on current situation, sooner rather than later. Julianne asked if other groups are being reached out to like the WSBA Solo and Small Practice Section (SSPS). Maha replied not yet, but will bring that up. Jordan said in an individual capacity, WYLC members could support. Jordan said if this is a WYLC CLE, the WYLC would probably move slower than what may be needed. Jordan further commented that that question is should the WYLC do it or support other groups doing it. Brian N. reported the WYLC decided to not do Financial Focus CLE this year and this could replace that. Alixanne thinks it is a good idea to work with SSPS, do something more long term, and this could lay groundwork for rural outreach project. On motion by Jordan and seconded by Paula, the WYLC by unanimous vote (13-0-0) supported developing a CLE to help the ATJ Board and work with the WSBA Solo and Small Practice Section to deliver the CLE. On motion by Jordan, seconded by Kim Sandher, and abstention by Emily Ann Albrecht, the WYLC by majority vote (12-0-1) approved the WYLC to take the lead on the CLE. Maha will be the project lead.

Emily reported that the American Bar Association (ABA) Young Lawyers Division (YLD) spring conference is coming up at the end of April in Nashville. If the conference is not cancelled due to current pandemic concerns, she encouraged people to attend.

Jordan asked Brian Holden (Brian H.) about rescheduling today's cancelled joint social with Tacoma Pierce County Bar Association (TPCBA) YLD. Brian H. replied that was a great idea to team up with TPCBA and that they could still do a social in the future. Jordan asked about budget and when they need to spend it. Julianne replied that expenses for this fiscal year (FY20) need to be incurred by September 30. Brian H. said he might have proposed social dates at the next WYLC meeting.

Ian McCurdy reported that he is working with Esther and they cancelled a social for next week. Ian also reported that they have swearing in ceremony and social scheduled for April 24. Ian further anticipated that it might change depending on job, courts, and WSBA. Ian also reported he is planning for the May meeting in Bellingham and figuring out where to do host the meeting and social.

Jordan commented that Alixanne's report mentioned job openings in the Yakima area and wondered if it is good to put those openings in the quarterly reports. Alixanne agreed with the recommendation.

Kim reported that she received feedback from WSBA regarding the WYLC's request for expansion of social media tools. Kim further explained that WSBA's response was that the WYLC had infrequent social media posts, and WSBA suggested updating photos and logo. Kim also reported that WSBA asked what are the WYLC's goals for expanding, who is the WYLC trying to reach, how often, what content to post on each platform, what would be helpful, and what the WYLC hopes to gain. Jordan trusts Kim to answer those questions. Kim asked about photos and logos. Jordan suggested waiting to update the logo in case of name change for WYLC. Julianne replied working with Connor to make updates. Kim is currently sharing Whatcom County events and asked that other WYLC members send events from other counties so that they can be shared on Facebook. Jordan said Esther got a great photo at the ABA meeting and will send to Kim for posting.

Brian N. reported that this was his first year attending the ABA Midyear conference in Austin, TX. Brian N. also reported that he went to at least two meetings and a couple of social events. One of the first people Brian N. met was from New Mexico and who advocated strongly about being more inclusive in branding to include both new and young lawyers. Brian further explained that there was a big push for addressing student debt, with the New York State Bar Association having some very innovative programs. Brian N. reported that other resolutions include using gender-neutral pronouns, parental leave in law firms, preferential setting for young lawyers on a judge's docket (did not pass), and discouraging mandatory arbitration clauses. Brian N. also observed that almost every vote was done by hand count, and not unanimous. Brian N. also commented that there was a lot of overlap in what the WYLC does in national arena and encouraged other WYLC members to attend ABA meetings.

Project Updates/Work

- **Budget:** Jordan reported that Julianne already reported on the FY21 budget proposal earlier in the meeting. Jordan asked when the budget would be approved. Julianne replied that it would likely go to Budget and Audit in June and then to the full BOG in July, with final approval in September.
- **Dress Code Rules:** Jordan reported that he has been working with Mike Mocerri on a proposed dress code rule. Jordan also reported that he and Mike with the WSBA Diversity Committee (DC) to discuss. The DC did not want to lead on this project, but will support. Jordan will circulate a draft for the WYLC to review, and hopes to finalize a proposal by the May meeting to present to the BOG.
- **ATJ/Rural Recruitment and Retention (RRR):** Alixanne reported on rural retention and recruitment. Alixanne stated that last year, a lot of time was spent on trying to build up data, but now that WSBA has taken on the project, it is difficult to find out what to focus on now. Jordan asked Julianne how the WYLC would be further involved in this project. Julianne responded that we are in the data gathering stages right now, but there will be outreach to stakeholder groups, which includes the WYLC, for continued participation. Julianne will reach out to Paris to discuss how the WYLC can participate, and will respond to Alixanne and Jordan.

Break for Lunch at 12:01 p.m.

Jordan called the meeting back to order at 12:40 p.m.

Project Updates/ Work Cont.

- **Awards:** Emily reported that the application forms for Public Service Leadership Award (PSLA) and ABA Scholarships have been updated. Julianne reported that the PLSA has been posted online, and that ABA application needs to be approved by the WYLC. Jordan reported that May WYLC meeting agenda would include selection of award recipients. On motion by Jordan and seconded by Emily, the WYLC by unanimous vote (10-0-0) approved the updated version of the ABA Scholarship form.
- **Debt:** Brian N. reported that in past years, the WYLC has done Financial Focus CLEs and that there is an online library where you can find them. Brian N. further explained that there have not been many new ideas for topics, so it was decided to not do the Financial Focus CLE this coming August. Brian N. also provided a presentation on Loan Repayment Assistance Programs (LRAPs) and will be gearing the debt project team towards focusing on LRAPs. LRAPs are state run and supplemental programs to assist student loan borrowers in repayment/loan forgiveness. Various states have enacted these programs and what states do is pay back student loans for a certain period if the borrower works in a qualified position. Brian N. further explained that this is not something that Washington State currently offers. Brian suggested that Washington state have a LRAP and that the debt project team's intent is to revive a proposed 2004 bill with some changes and bring to the BOG to support. Brian N. further stated that at the next WYLC meeting, he wants to circulate a specific draft bill to present to the BOG for approval or presentation. Brian N. explained that student loan debt is getting worse on both national and state levels, and that student loan debt ties into ATJ issues. Esther had a question about those on income based repayment (IBR) plans that are not working in public service, but have taxes due when loans are forgiven, and whether the WYLC is going to do anything about that? Brian N. replied that Jordan might be working on something that addresses the issue regardless of public service. Jordan responded that the reality is that the student debt crises is huge and one idea may not solve all issues. Jordan further suggested it would be nice to present not just one proposal, but multiple. Jordan added that one proposal would be to extend 10-year public service loan forgiveness to everyone. Another idea could be to still pay based on income and then have the balance forgiven after 10 years. Brian N. also suggested that another proposal that can be done in the shorter term is to give law schools a stake in student's education and success in a different way. For example, Income Share Agreements (ISA) are used as alternatives to scholarship funds where the school waives tuition, but the student borrower would owe 10% of their income for next ten years after graduation. Brian N. explained that this drives schools to have a stake in a student's success. Brian N. added that no law schools are really looking into ISAs right now. Brian N. suggested that WSBA and other state bars could encourage law schools to create ISA options for students to finance their education. Brian asked if the WYLC should do one proposal at a time or all at once. Jordan suggested all at once. Paula agreed. Brian N. circled back to Esther's initial question for the tax issue and asked if she had thoughts on a proposal. Esther replied yes, proposing that the forgiven amount not be taxed.
- **Bylaws and Governance:** Jordan asked Paula if there were any updates regarding changing the bylaws, drafting a charter, and/or WYLC name change. Paula responded that she would be working with Zachary Davison to present on this at the next meeting.

Trello Set Up and Use for Project Teams

Jordan will send a link and invite WYLC members to Trello so people can collaborate on projects. Jordan will go over more details in the next meeting.

Embracing Diversity (Project or Program Funding)

Esther reported that Embracing Diversity is an ABA grant for affiliates like the WYLC that produce programs and projects that promote diversity. Julianne asked how diversity is defined. Esther replied that it is broad, but that it does need to be a program that is complete, such as a CLE. Julianne and Esther will further discuss how to identify possible potential programs in the upcoming year and partner with entities on this project. Jordan asked when the application process opens. Esther replied that it usually opens in Fall/December. Esther further explained that applications are reviewed before the Spring ABA YLD meeting and funds are disbursed end of April/early May. Julianne asked if the WYLC needed to make changes to the FY21 budget to account for expenses for this project. Esther replied she does not think the WYLC needs a budget for this if the WYLC collaborates with an entity that already funds a program/project. Jordan agreed to having a project team and to draft a proposal with an end goal of picking something for next year. Esther agreed to lead this project team. Brian H. will also be on the team.

Rapid Eval: New Projects

Julianne asked for clarification regarding the At-large – Outreach position. Jordan will reach out to Maha to confirm if she will be able to fill that role.

Adjournment

Jordan thanked everyone for participating and attending. On motion by Emily and seconded by Brian N., the WYLC by unanimous vote (10-0-0) adjourned the meeting at 1:57 pm.