

March 25, 2020

WSBA PRESIDENT'S DECLARATION OF EMERGENCY OPERATIONS

WHEREAS, starting February 29th and culminating with the Stay Home Stay Healthy order on 23rd of March, Governor Inslee issued a number of proclamations related to the Coronavirus, which have curtailed civil activities and directly affected the normative functionality of the WSBA, the professional lives of our members, and our legal system in general;

WHEREAS, in this time of uncertainty, the WSBA is striving to not only maintain but expand certain essential services to support our members and their practices during the coronavirus emergency: <https://www.wsba.org/for-legal-professionals/member-support/covid-19> ;

WHEREAS, the WSBA performs essential activities that allow the legal system to function, protect the public, and enables our membership in supporting the functioning and dispute resolution mechanisms of our society;

WHEREAS, the essential work of the WSBA including its governance and oversight must continue; and

WHEREAS, on March 25th Gov. Inslee relaxed the OPMA in-person requirements in [Proclamation 20-28](#).

NOW, THEREFORE, pursuant to WSBA Bylaws IV. B. 1., granting me the authority to take action to carry out policies established by the BOG, which includes all of the activities the WSBA normally carries out, I am:

1. Directing the staff of the WSBA to strive to not only maintain but advise the BoG as to expanding certain essential services to support Washington society, as well as our members and their practices during the coronavirus emergency – in support of tenacious staff efforts already underway I will be convening by separate order a WSBA Corona Taskforce to advise the BoG and the staff. This work, of course, will be done remotely and not expose our staff or volunteers to any additional risk;
2. Declaring we are in a state of Emergency while the State of Washington's restrictions on public meetings are in place, and all Governors are excused from in-person attendance at BoG meetings, pursuant to Bylaws IV(a)(2)(f), and further direct that all Governance, staff, and other volunteer meetings shall be held without physical component- unless impossible to do so and not in violation of the Governor's Proclamations; and



3. Declaring that as pursuant to our Open Meetings Policy [Bylaws VII(B)(1)] videoconference and teleconference meetings will be carried out without a physical component, and efforts to post notices and instructions for public attendance shall be enhanced in reasonable and appropriate ways as determined by the Executive Director. We will continue to abide by all other aspects of the Open Public Meetings Act as ordered by King County Superior Court;
4. Directing staff to accept reasonable electronic submissions where not barred by court rule or bylaw.
5. Declaring that while this is an Emergency, it is not a Disaster and we do not need to activate the Disaster Recovery Plan (DRP), but that the Executive Director should notify key personnel to refresh their roles in the DRP, and the General Counsel should make the DRP available to the Board of Governors through a secure electronic system to refresh their memories and inform them of our contingency plans. As the DRP contains confidential personal information about key staff members, we should take steps to protect that confidentiality; and
6. Given the overwhelming amount of work and action needed, declaring that the Office of the President will attempt to triage and take action to enable BoG Directives, which includes all already ongoing customary activity and services at the WSBA, and give lower priority to enforcing timelines and deadlines established by existing rules which may get in the way of actually carrying out the intention of BoG directives. All such acts will be brought to the BoG's attention for review of the appropriateness of the President's acts.

These steps are being taken to enable the essential work of the staff, governors, and volunteers of the WSBA in this time of uncertainty.



Rajeev D. Majumdar, President
Washington State Bar Association