

**WASHINGTON STATE**  
**B A R A S S O C I A T I O N**

**Board of Governors Meeting**  
**Late Meeting Materials**

**November 4-5, 2021**  
**Silver Cloud Hotel Tacoma at Point Ruston Waterfront**  
**Ruston, WA**  
**Zoom and Teleconference**

<b>BOARD OF GOVERNORS MEETING</b> <b>Late Materials</b> <b>November 4-5, 2021</b> <b>Silver Cloud Hotel Tacoma at Point Ruston Waterfront</b> <b>Ruston, WA</b> <b>Zoom and Teleconference</b>	
Description	Page Number
WSBA Email Security Training	LM-3
WSBA Committee and Board Reports for 2020-2021	LM-12



# BOG EMAIL SECURITY TRAINING

November 5, 2021

# WHAT IS PHISHING?

**Phishing** is a type of [social engineering](#) where an attacker sends a fraudulent ("spoofed") message designed to trick a human victim into revealing [sensitive information](#) to the attacker or to deploy malicious software on the victim's infrastructure like [ransomware](#). (Wikipedia)

Phishing targets individuals, because ***people*** are the weakest link in the battle against cyber-security.

Per APWG (Anti-Phishing Working Group), the number of unique phishing reports received between 2005 and 2015 rose from 173,063 to 1,413,978. Since that time there have a constant decline in reported phishing attacks, which is attributed to prevention through the implementation of anti-phishing tools and, by the end of 2018, the number of unique phishing reports had declined to 1,040,654.

## Example:

On July 15, 2020, [Twitter](#) suffered a breach that combined elements of [Social engineering \(security\)](#) and phishing. A 17-year old hacker and accomplices setup a fake website resembling Twitter's internal VPN provider used by employees working from home. Individuals posing as helpdesk staff called multiple Twitter employees, directing them to submit their credentials to the fake VPN website. <sup>[121]</sup> Using the details supplied by the unknowing employees, they were then able to seize control of several high profile user accounts, including [Barack Obama](#), [Elon Musk](#), [Joe Biden](#) and [Apple Inc.](#)'s company account. The hackers sent messages to Twitter followers soliciting [Bitcoin](#) promising double the transaction value in return, collecting some \$117,000 in the first 3 hours of the ruse.

# WSBA IS A TARGET!

In the period of Sep 29, 2021 to Oct 28, 2021, WSBA was the target of the following:

- 426 Malware Exploit Attempts
- 7,316 Phishing Attempts.

In the period of Mar 30, 2021 to Oct 27, 2021, WSBA was the target of more than **26,969,765 refused connection attempts** by known bad Internet (IP) addresses to the WSBA firewall, including connections originating from Tor exit points (“Dark Web” traffic).

# WSBA IS A TARGET!

## WSBA Protocols/Precautions:

- Annual security and phishing training is mandatory for all staff in order to raise awareness to these issues. This was completed in Oct 2021.
- WSBA has engaged a security company to monitor malicious activity and the IT team is notified immediately of attempts when immediate action is required.
- Managed services engagement for firewall maintenance to ensure that WSBA is up-to-date on maintenance, patching, and best practices.
- Automatic feeding of known malicious IP addresses into Palo Alto firewall, alleviating most manual input to block bad addresses from making contact with WSBA network.
- Constant monitoring by an artificial intelligence tool that looks for and can take action to block anomalous behavior within the WSBA network, specifically ransomware.

# CHARACTERISTICS OF A PHISHING EMAIL

Might include one or multiple of the following:

- Personalized to recipient, referring to recipient by name.
- Written with a sense of urgency.
- Make it feel relevant due to name or content.
- Vague, in that not enough information is provided, so the recipient needs to take action to confirm.
- May attempt to collect personal information or account credentials from the recipient.
- May originate from an email address that has been compromised.

Signs to watch for:

- Impersonated sender email address.
- Poor grammar or typos.

# TYPOS ARE WITH SPECIFIC PURPOSE

**Intent is to bypass email spam filtering by avoiding key words.**

**Subject:** RE: Passowrd Expiring Notice!

**Attachments:** RE Passowrd Expiring Notice! (142.9 KB)

## **Does misspelling matter?**

*"It deosn't mtttaer in waht oredr the ltteers in a wrod are, the olny iprmoetnt tihng is taht the frist and lsat ltteer be at the rghit pclae. The rset can be a toatl mses and you can sitll raed it wouthit porbelm. Tihs is bcuseae the huamn mnid deos not raed ervey lteter by istlef, but the wrod as a wlohe."*



# EXAMPLES

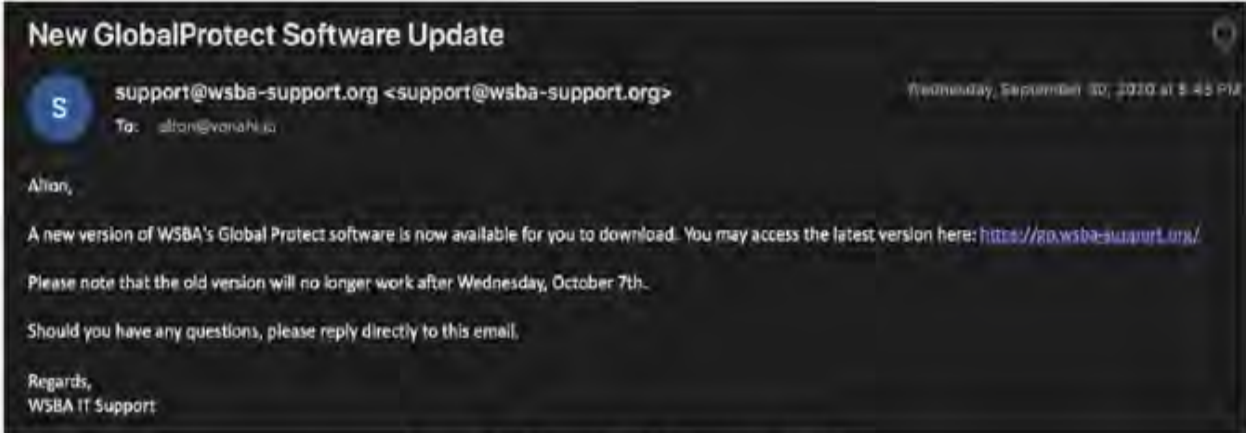
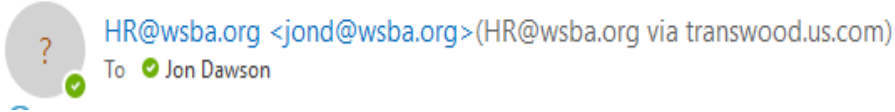


Figure 1: Example of phishing email



HR@wsba.org mentioned you in the document "wsba/bonus payments disclosure.docx".



# PROPER PROTOCOLS

**Cyber-security is reliant on always thinking before taking action.**

## Don't...

- ...share usernames or passwords with anyone.
- ...use the same password for everything.
- ...click on any links in emails.
- ...provide any personal information via text or email (even responding provides the sender information)
- ...ignore it, if others you know may be targeted by the phishing/malicious email attempt.

## Do...

- ...verify sender actual email address (not the display name).
- ...call the person directly and confirm that the email/information was sent by them and intended for you.
- ...go directly to the website or contact the company directly in order to confirm the contents of the email.
- ...change your passwords regularly and use pass phrases/strong password formats.
- ...agree, in advance, on your process for working with others.



**QUESTIONS?**

**THANK YOU!**

# WASHINGTON STATE BAR ASSOCIATION

**TO:** WSBA Board of Governors  
**FROM:** Terra Nevitt, Executive Director  
Paris Eriksen, Volunteer Engagement Advisor  
**DATE:** October 27, 2021  
**RE:** WSBA Committee and Board Reports for 2020-2021 (FY21)

---

As required by the WSBA Bylaws Article IX.3(b), 'Each Bar entity must submit an annual report to the Executive Director and submit such other reports as requested by the BOG or Executive Director.' The information contained in the reports was submitted by the respective chair and/or staff liaison for each entity. Financial information as provided by the Finance and Administration Department. Demographic information was compiled using the optional information self-reported by members. There are a couple of changes for the FY21 Annual Reporting Process:

- The template has been revised, including modifications to questions for clarity and removal of some questions that are no longer applicable. New this year, WSBA Section Executive Committees will use the same template and report for the fiscal year. Section Executive Committee reports are expected to be included in the Board of Governors meeting materials for the January 2022 meeting.
- Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court. The Access to Justice Board report is not included here but will be submitted later this fiscal year.

The annual reports included following this cover memo are:

Board of Bar Examiners	Equity & Disparity Workgroup
Character and Fitness Board	Judicial Recommendation Committee
Client Protection Board	Law Clerk Board
Committee on Professional Ethics	Legislative Review Committee
Continuing Legal Education Committee	Limited License Legal Technician Board
Council on Public Defense	Limited Practice Board
Court Rules and Procedures Committee	MCLE Board
Disciplinary Advisory Round Table	Member Engagement Workgroup
Disciplinary Board	Practice of Law Board
Diversity Committee	Pro bono and Public Service Committee
Editorial Advisory Committee	Washington Young Lawyers Committee



# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2021: October 1, 2020 – September 30, 2021

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2020 – September 30, 2021. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 15:** please submit by emailing [barleaders@wsba.org](mailto:barleaders@wsba.org) or requesting that your staff liaison submit the report internally.

<b>Name of Entity:</b>	Board of Bar Examiners
<b>Chair or Co-Chairs:</b>	Bruce Turcott, Chair Cathy Helman, Vice Chair
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Gus Quiniones – Admissions Manager, Regulatory Services Department
<b>Board of Governors Liaison:</b>	Matthew Dresden
<b>Purpose of Entity:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
<p>The Board of Bar Examiners (BOBE) derives its authority from the Admission to Practice Rules (APR), which provide for appointment of BOBE members by the Board of Governors. APR 2(a)(1).</p> <p>APR 4(d) provides, “Examinations for admission to practice law shall be conducted by and under the direction of the Bar . . . applicants for admission to practice as a lawyer must take and pass the National Conference of Bar Examiners’ (NCBE) Uniform Bar Examination (UBE) . . . .”</p> <p>The BOBE grades the Multistate Essay Examination (MEE) and Multistate Performance Test (MPT) portions of the UBE and produces the content for the Washington Law Component (WLC) test, in accordance with the APR as approved by the Washington Supreme Court.</p>	
<b>Strategy to Fulfill Purpose:</b>	

The grading of the MEE and MPT is typically completed over the course of one long weekend in March and one in August, remotely for the past two years, formerly in Seattle.

The winter exam requires a total of 10 examiners to grade the MEE and MPT and the summer exam requires a total of 18 examiners. Each examiner must attend the mandatory scheduled NCBE grading workshop in person, by teleconference, or by review of the conference video prior to grading the exam.

The WLC test is reviewed and updated by members of the BOBE every other year.

BOBE leadership, working with bar staff, aims to maintain a sufficient pool of trained bar examiners to fairly and efficiently grade the essay portions of the winter and summer bar exams and update the WLC test to reflect current law.

**How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?**

The BOBE facilitates and ensures accurate grading of the essay portions of the Uniform Bar Exam for the purpose of admission to practice law, to serve the bar, the public, and test takers.

**2020-2021 Entity Accomplishments:**

BOBE members graded the winter and summer bar exams remotely. BOBE leadership solicited feedback from examiners on grading software and remote vs. in-person grading. The BOBE added 10 new members in August.

**Looking Ahead: 2021-2022 Top Goals & Priorities:**

- |          |   |
|----------|---|
| <b>1</b> | Train 10 new bar examiners and conduct refresher training for continuing examiners. |
| <b>2</b> | Continue to improve ExamSoft’s grading software features for bar examiners.         |
| <b>3</b> | Resume in-person grading workshops after determining it is safe to do so.           |
| <b>4</b> | Assign graders and grade the winter and summer bar exams.                           |
| <b>5</b> | Review and update the Washington Law Component test as necessary.                   |

**Please report how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?*

The Chair or Vice Chair participate in ongoing WSBA Equity and Disparity Work Group and WSSC Washington Bar Licensure Task Force meetings. The Chair addressed the Joint Minority Mentorship Program July meeting to explain the work of the BOBE and encourage applications. As examiners leave BOBE and positions become open, we will continue to work with bar staff to encourage applications from minority bar members.

**Please describe the relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

The Chair addressed the Board of Governors May meeting to discuss BOBE’s purpose, how it furthers the WSBA mission, current projects/initiatives, and long-term goals. The quality of WSBA staff support and services for grading the bar exam is excellent. Our BOG liaison is interested and involved and assists with presentations to the BOG and recruitment.

**SECTIONS ONLY: Please quantify your section’s 2020-2021 member benefits:**

*For example:*

- *\$3000 Scholarships, donations, grants awarded;*
- *4 mini-CLEs produced*

	Newsletters/publications produced
	Mini-CLEs produced
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity
	Receptions/forums hosted or co-hosted
	Recognitions/Awards given
	New Lawyer Outreach events/benefits
	Other (please describe):

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Staff**

<b>Size of Entity:</b>	50 maximum
<b>Membership Size: (for Sections Only)</b> <i>(As of September 30, 2021)</i>	
<b>Number of Applicants for FY22</b> <i>(October 1, 2021 – September 30, 2022)</i>	16
<b>How many current volunteer position vacancies for this entity?</b>	0
<b>FY21 Revenue (\$): For Sections Only:</b> <i>As of September 30, 2021</i>	

<b>FY21 Budgeted Direct Expenses:</b>	\$0 (does not include stipends for work performed by committee members for the bar exam)
<b>FY21 Indirect Expenses:</b>	\$11,396

**FY21 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	79%
	Chose Not to Respond	7%
	Yes	14%
<b>District</b>	0	3%
	1	7%
	10	17%
	4	3%
	5	34%
	6	10%
	7N	7%
	7S	3%
	8	10%
	9	3%
<b>Ethnicity</b>	Asian - Southeast Asian	3%
	White or European Descent	86%
	Hispanic or Latino/a or Latinx	3%
	Multi Racial or Bi Racial: Nat. American/White	3%
	Chose Not to Respond	3%
<b>Gender</b>	Female	38%
	Male	55%
	Chose Not to Respond	7%
<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer	7%
	Heterosexual	31%
	No	45%
	Chose Not to Respond	14%
	Yes	3%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.



---

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2021: October 1, 2020 – September 30, 2021

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2020 – September 30, 2021. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 15:** please submit by emailing [barleaders@wsba.org](mailto:barleaders@wsba.org) or requesting that your staff liaison submit the report internally.

<b>Name of Entity:</b>	Character and Fitness Board(CFB)
<b>Chair or Co-Chairs:</b>	Knowrasa Patrick, Chair
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Renata Garcia, Chief Regulatory Counsel
<b>Board of Governors Liaison:</b>	Bryn Peterson
<b>Purpose of Entity:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Character and Fitness Board (CFB) derives its authority from the Washington Supreme Court under APR 20 - 25.6, most recently amended in 2016. The CFB conducts hearings upon referral from Regulatory Services Counsel to determine: (1) if applicants to take the Bar Examination or waiving in from another jurisdiction or transferring their UBE score have demonstrated current good moral character and fitness to be admitted or re-admitted to the practice of law, or (2) have met the requirements to be reinstated after disbarment.	
<b>Strategy to Fulfill Purpose:</b>	
Upon referral from Bar counsel after review of application materials and supplemental information, the CFB conducts hearings, prepares written findings, and makes recommendations to the Washington Supreme Court (which makes the final decision on all admission/licensing recommendations). By conducting hearings, Viewing Witnesses, and reviewing voluminous materials, the CFB Assesses the credibility of applicants and witnesses and thus serves as a critical fact-finding body on behalf of the Supreme Court. The CFB meets as frequently as necessary, generally meeting one day a month for	

hearings. Hearings are generally scheduled to last one-half to one day, and the CFB may complete up to two hearings in one meeting.

**How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?**

The public is directly impacted by the character and fitness of persons admitted to the practice of law in this state; therefore, attempting to ensure that applicants are of current good moral character and have the fitness to practice law serves a direct public protection function.

**2020-2021 Entity Accomplishments:**

For the fiscal year 2021, the Board met 8 times via Zoom, including twice for implicit bias training. The Board conducted a total of 6 hearings. Four other hearings were continued upon request from the applicants.

**Looking Ahead: 2021-2022 Top Goals & Priorities:**

<b>1</b>	Fill all open positions on the Board and conduct new member training
<b>2</b>	Continue to use electronic tools (Box, templates, etc.) and provide Board members with staff assistance in order to produce written recommendations in a timely fashion while ensuring the confidentiality of the underlying proceedings
<b>3</b>	Continue to conduct hearings as necessary, completing all written findings and recommendations in a timely fashion
<b>4</b>	
<b>5</b>	

**Please report how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?*

The CFB’s makeup is governed by Court rule (APR 23(a)). The members of the CFB come from each congressional district, a wide variety of practice areas and settings, and a variety of ethnic, racial, gender, sexual orientation, disability, and other diversity factors, and therefore represent broad geographic, practice, and experiential diversity. The Board also includes community representatives and it can include additional members from each Congressional district (which occurs sometimes in order to include additional members from historically underrepresented backgrounds). The Chair encourages discussion and invites input from all members, and the CFB works cooperatively, even when there are significant disagreements in particular cases; diversity of viewpoints is paramount to the deliberative process.

**Please describe the relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services*
- *Involvement with Board of Governors, including assigned BOG liaison*

- Ideas you have on ways WSBA can continue to strengthen/support your entity.

The CFB would appreciate additional assistance with recruitment.

**SECTIONS ONLY: Please quantify your section's 2020-2021 member benefits:**

Forexample:

- \$3000 Scholarships, donations, grants awarded;
- 4 mini-CLEs produced

Newsletters/publications produced

Mini-CLEs produced

Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA

Co-sponsored half-day, full-day and/or multi-day CLE seminars with non-WSBA entity

Receptions/forums hosted or co-hosted

Recognitions/Awards given

New Lawyer Outreach events/benefits

Other (please describe):

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Staff**

**Size of Entity:**

15

**Membership Size:  
(for Sections Only)**

*(As of September 30, 2021)*

**Number of Applicants for FY22**

*(October 1, 2021 – September 30, 2022)*

10

**How many current volunteer position vacancies for this entity?**

3

**FY21 Revenue (\$):  
For Sections Only:**

*As of September 30, 2021*

**FY21 Budgeted Direct Expenses:**

\$1,000

**FY21 Budgeted Indirect Expenses:**

\$74,231

**FY21 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	85%
	Chose Not to Respond	8%
	Yes	8%
<b>District</b>	1	8%
	10	8%
	2	8%
	3	8%
	4	8%
	5	8%
	6	8%
	7N	15%
	8	15%
<b>Ethnicity</b>	Asian-South Asian	8%
	Black, African American, or African Descent	8%
	White or European Descent	69%
	Multi Racial or Bi Racial	8%
	Chose Not to Respond	8%
<b>Gender</b>	Female	46%
	Male	54%
	Chose Not to Respond	0%
<b>Sexual Orientation</b>	Asexual	8%
	Heterosexual	38%
	No	31%
	Chose Not to Respond	23%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2021: October 1, 2020 – September 30, 2021

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2020 – September 30, 2021. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 15:** please submit by emailing [barleaders@wsba.org](mailto:barleaders@wsba.org) or requesting that your staff liaison submit the report internally.

<b>Name of Entity:</b>	Client Protection Board
<b>Chair or Co-Chairs:</b>	Carrie Umland
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Nicole Gustine, Assistant General Counsel, OGC Brenda Jackson, Client Protection Fund Analyst, OGC
<b>Board of Governors Liaison:</b>	Carla Higginson
<b>Purpose of Entity:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Client Protection Board derives its authority from Admission and Practice Rules (APR) 15. The WSBA Board of Governors (BOG) serve as trustees of the Fund, while the CP Board, working with WSBA staff, administers it. The Washington Supreme Court has ordered an annual assessment on all active lawyer and LLLT members, to be held in trust for the purposes of the fund. The CP Board helps relieve or mitigate pecuniary losses sustained by clients by reason of the dishonesty of, or failure to account for money or property entrusted to, their lawyers. The CP Board reviews fund applications investigated by WSBA staff. Under APR 15, a decision by the CP Board to make a payment on an application for \$25,000 or less is final; a decision on an application for above \$25,000 is a recommendation and must be approved by the BOG.	
<b>Strategy to Fulfill Purpose:</b>	
The CP Board has a staff analyst and counsel/liaison in the WSBA Office of General Counsel. The CP Board meets four times per year to review applications. In accordance with APR 15, the CP Board provides a detailed report to the BOG and the Washington Supreme Court annually.	

**How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?**

The CP Board serves the public and members of the Bar by righting the wrongs of members of the legal profession who dishonestly deprive clients of their funds. The CP Board promotes public confidence in the administration of justice and the integrity of the legal profession. Relieving or mitigating the pecuniary loss of injured members of the public often has a deep impact on their lives, and their view of the legal profession

**2020-2021 Entity Accomplishments:**

1) Educate WSBA members about the CP Board.2) Increase public awareness of the CP Board.3) Continue to operate a fiscally responsible fund.4) Continue to work to decide difficult claims.

**Looking Ahead: 2021-2022 Top Goals & Priorities:**

<b>1</b>	Continue to educate WSBA members about the Client Protection Board
<b>2</b>	Increase public awareness of the Client Protection Board and uses of the fund.
<b>3</b>	Continue to operate a fiscally responsible fund.
<b>4</b>	Continue to work to decide difficult claims.
<b>5</b>	Increase applications to positions on the board from a diverse array of lawyer and public members.

**Please report how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?*

1. The CP Board is not using specific tools; however it is cognizant of diversity and prioritizes it.
2. The CP Board has been trained by the Diversity Specialist.
3. The CP Board actively recruits members from different backgrounds and areas of the state. It includes members who work in government, solo practice and in larger firms, as well as two community members.
4. The CP Board respects the voice and vote of each member. Each application is discussed extensively before a vote is taken. The CP Board consists of eleven lawyers and two community members. It currently has a diverse membership.

**Please describe the relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

CP Board applications are prepared by WSBA analyst who also attends the meetings. BOG liaison attends our meetings. BOG can continue to strengthen/support by assisting in the promotion of diverse candidates for the CP Board.

<b>SECTIONS ONLY: Please quantify your section's 2020-2021 member benefits:</b>  <i>For example:</i> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>		Newsletters/publications produced
		Mini-CLEs produced
		Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
		Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non-WSBA</i> entity
		Receptions/forums hosted or co-hosted
		Recognitions/Awards given
		New Lawyer Outreach events/benefits
		Other (please describe):

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Staff**

<b>Size of Entity:</b>	13: 11 lawyer members, 2 public members
<b>Membership Size: (for Sections Only) <i>(As of September 30, 2021)</i></b>	
<b>Number of Applicants for FY22 <i>(October 1, 2021 – September 30, 2022)</i></b>	
<b>How many current volunteer position vacancies for this entity?</b>	1
<b>FY21 Revenue (\$): For Sections Only: <i>As of September 30, 2021</i></b>	
<b>FY21 Budgeted Direct Expenses:</b>	\$877
<b>FY21 Budgeted Indirect Expenses:</b>	\$139,383

**FY21 Demographics:**  
The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.



<b>Disability</b>	No	75%
	Chose Not to Respond	25%
<b>District*</b>	1	8%
	5	8%
	6	17%
	7S	25%
	8	8%
	9	17%
<b>Ethnicity</b>	Black, African American, or African Descent	8%
	White or European Descent	33%
	Hispanic or Latino/a or Latinx	17%
	Multi Racial or Bi Racial	17%
	Chose Not to Respond	17%
	Other: Senior	8%
<b>Gender</b>	Female	50%
	Male	33%
	Chose Not to Respond	17%
<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer	25%
	Heterosexual	50%
	No	17%
	Chose Not to Respond	8%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

---

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2021: October 1, 2020 – September 30, 2021

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2020 – September 30, 2021. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 15:** please submit by emailing [barleaders@wsba.org](mailto:barleaders@wsba.org) or requesting that your staff liaison submit the report internally.

<b>Name of Entity:</b>	Committee on Professional Ethics
<b>Chair or Co-Chairs:</b>	Pamela H. Anderson
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Jeanne Marie Clavere, Professional Responsibility Counsel, Office of General Counsel
<b>Board of Governors Liaison:</b>	Brett Purtzer
<b>Purpose of Entity:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Committee on Professional Ethics (CPE) prepares advisory opinions addressing recurring or emerging ethics issues facing WSBA members. The advisory opinions cover a broad context and provide in-depth guidance on the Rules of Professional Conduct (RPCs) as applied to a wide variety of practice areas. The CPE also prepares recommendations for amendments to the RPCs and reports to the WSBA Board of Governors when requested regarding stakeholder proposed RPC and GR amendments submitted to the Supreme Court.	
<b>Strategy to Fulfill Purpose:</b>	
The CPE promulgates advisory opinions and reviews, drafts, and edits amendments to the RPC. The work of the CPE is done primarily by subcommittees who research and develop drafts in particular areas. The advisory opinions are provided to the Board of Governors (BOG) for information and posted on the WSBA Advisory Opinions database for the benefit of the membership. The CPE provides analytical reports and recommendations regarding the RPCs to the BOG as requested.	

**How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?**

Lawyers practicing ethically enhance the public image of our noble profession resulting in increased public trust. Understanding clearly articulated advisory opinions and rules of professional conduct empower the lawyer to deal competently, confidently, and honestly with peers and the public. Through its analysis and recommendations, the CPE assists the BOG in making proposals for rule amendments that promote access to justice for underserved communities within Washington State.

**2020-2021 Entity Accomplishments:**

RPC amendments adopted by the Court: Adding a cite to RPC 1.11 to the Court's opinion in State v. Nickels (disqualifying elected prosecuting attorney's office when the PA previously represented the defendant); technical corrections to RPC 1.6. Advisory Opinions issued on lawyer ghostwriting court documents, disclosure of a client's civil commitment in a court proceeding, and neutrality of lawyer mediators in domestic relations matters. Requests for CPE analysis: Pro Bono Council proposal to amend RPC 6.5, new comment [8] to change the conflict notice requirements for limited legal service programs. The CPE collaborated with PBC on the rule's technical issues and supported the PBC's proposal before the BOG. The Court adopted the amendment in April 2021.

**Looking Ahead: 2021-2022 Top Goals & Priorities:**

<b>1</b>	Continue work on the Legal Foundation of Washington proposal to amend the RPC 1.15A to allow unidentified trust account funds to remit to the LFW instead of to the DOR Unclaimed Property Division.
<b>2</b>	Continue work on request by the BOG President regarding amending RPC 1.8(e) financial aid exception for indigent clients due to the impact of the COVID 19 pandemic.
<b>3</b>	Continue work to revise proposed amendments regarding lawyer referral services and fee sharing (RPC 7.2 (now 7.3), 1.5(e), and 5.4). The BOG requested the proposed amendments be withdrawn from the Court’s consideration and referred back to the CPE.
<b>4</b>	Forthcoming advisory opinions regarding the issue of Reply All email response to opposing counsel with opposing party included, remote work by Washington lawyers (multi-jurisdiction practice), and clarifying questions regarding new RPC 1.4(c) Washington’s mandatory insurance disclosure requirement.
<b>5</b>	Requests for advisory opinions from bar members. Requests from the BOG, the Executive Director, or other entities requesting review and analysis of proposed RPC amendments.

**Please report how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?*

The committee actively seeks input from interested stakeholders and bar members on proposed rule changes or draft opinions. Four out of nine members are women and two come from diverse backgrounds. Each member brings a unique and valuable perspective to the discussions and work of the committee. Through its advisory opinions and analysis of the Rules of Professional Conduct, the

CPE assists members of all backgrounds in clarifying their ethical duties under the rules, thereby helping them to maintain their practices and thrive in the profession.

**Please describe the relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

The CPE is supported by the Professional Responsibility Counsel and a paralegal from the Office of General Counsel. As staff liaison, the PRC advises the committee on policy and procedural issues, participates in discussions to provide additional insight and perspectives as needed, brings broad ethics topics/issues that are trending with the membership to the committee’s attention for possible advisory opinions. The paralegal provides administrative support to the PRC and the committee. The BOG liaison attended one committee meeting during the last fiscal year. However, he has remained available to assist the committee with BOG matters.

**SECTIONS ONLY: Please quantify your section’s 2020-2021 member benefits:**

*For example:*

- *\$3000 Scholarships, donations, grants awarded;*
- *4 mini-CLEs produced*

	Newsletters/publications produced
	Mini-CLEs produced
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with non-WSBA entity
	Receptions/forums hosted or co-hosted
	Recognitions/Awards given
	New Lawyer Outreach events/benefits
	Other (please describe):

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Staff**

<b>Size of Entity:</b>	9
<b>Membership Size: (for Sections Only)</b> <i>(As of September 30, 2021)</i>	
<b>Number of Applicants for FY22</b> <i>(October 1, 2021 – September 30, 2022)</i>	10

<b>How many current volunteer position vacancies for this entity?</b>	0
<b>FY21 Revenue (\$): For Sections Only: <i>As of September 30, 2021</i></b>	
<b>FY21 Budgeted Direct Expenses:</b>	\$2,627
<b>FY21 Budgeted Indirect Expenses:</b>	\$76,652

**FY21 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	89%
	Chose Not to Respond	11%
<b>District*</b>	1	11%
	10	22%
	5	11%
	6	11%
	7N	11%
	7S	11%
<b>Ethnicity</b>	9	11%
	Asian-Central Asian	11%
	White or European Descent	78%
	Chose Not to Respond	11%
<b>Gender</b>	Female	33%
	Male	56%
	Chose Not to Respond	11%
<b>Sexual Orientation</b>	Heterosexual	67%
	No	11%
	Chose Not to Respond	22%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question ‘ Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?’ This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2021: October 1, 2020 – September 30, 2021

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2020 – September 30, 2021. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 15:** please submit by emailing [barleaders@wsba.org](mailto:barleaders@wsba.org) or requesting that your staff liaison submit the report internally.

<b>Name of Entity:</b>	CLE Committee
<b>Chair or Co-Chairs:</b>	Sharon Glenn
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Shanthi Raghu, Education Programs Manager, Advancement Department
<b>Board of Governors Liaison:</b>	Lauren Boyd
<b>Purpose of Entity:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The purpose of the Continuing Legal Education (CLE) Committee is to support the Washington State Bar Association’s (WSBA) development of continuing legal educational programming that ensures competent and qualified legal professionals, supports member transitions throughout the life of their practice, and helps to prepare members for the future with skills required for the 21st century practice of law.	
<b>Strategy to Fulfill Purpose:</b>	
The CLE Committee provides input to the WSBA CLE Team in fulfilling its mission of serving the ongoing education needs of Washington legal professionals and works actively with the WSBA CLE Team to brainstorm ideas for new CLE content and assist in identifying qualified speakers and chairs.	
<b>How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	

The CLE Committee continues to address the mission of the WSBA by supporting the development timely and relevant legal education. This year, there was a specific effort to support members during the pandemic. Content developed by WSBA CLE promotes both professional and personal development - in turn aiding in ensuring the integrity of the legal profession.

**2020-2021 Entity Accomplishments:**

In addition to its standard activities, this year the CLE Committee members each championed a topic that the WSBA CLE Team had identified as a potential new CLE program. These efforts resulted in several successful new CLEs during 2020-21, including CLEs focused on contract law, disability law, and DUI.

**Looking Ahead: 2021-2022 Top Goals & Priorities:**

<b>1</b>	Identify new areas of programming for WSBA presents CLE programs
<b>2</b>	Identify new speakers and chairs
<b>3</b>	
<b>4</b>	
<b>5</b>	Click or tap here to enter text.

**Please report how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?*

The CLE Committee itself is comprised of several members from diverse backgrounds. The CLE Committee encourages WSBA CLE staff to engage with a wide range of stakeholders in program development. Additionally, the CLE Committee is committed to helping the WSBA CLE staff provide programming to Bar members on the topic of equity, inclusion and the mitigation of bias, including offering free CLEs on this topic.

**Please describe the relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

The WSBA CLE Staff is often invited to attend CLE Committee meetings, and our BOG liaison is also a regular attendee. We appreciate the input and support of both the WSBA Staff and our BOG liaison.

**SECTIONS ONLY: Please quantify your section's 2020-2021 member benefits:**

*For example:*

	Newsletters/publications produced
	Mini-CLEs produced

<ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>		Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
		Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity
		Receptions/forums hosted or co-hosted
		Recognitions/Awards given
		New Lawyer Outreach events/benefits
		Other (please describe):

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Staff**

<b>Size of Entity:</b>	18
<b>Membership Size: (for Sections Only)</b> <i>(As of September 30, 2021)</i>	
<b>Number of Applicants for FY22</b> <i>(October 1, 2021 – September 30, 2022)</i>	3
<b>How many current volunteer position vacancies for this entity?</b>	9
<b>FY21 Revenue (\$): For Sections Only:</b> <i>As of September 30, 2021</i>	
<b>FY21 Budgeted Direct Expenses:</b>	\$100
<b>FY21 Budgeted Indirect Expenses:</b>	\$12,500

**FY21 Demographics:**  
The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	86%
	Chose Not to Respond	14%
<b>District*</b>	10	14%



	2	14%
	7N	29%
	7S	29%
	9	14%
<b>Ethnicity</b>	American Indian, Native American, Alaskan Native	14%
	White or European Descent	71%
	Multi Racial or Bi Racial	14%
	Chose Not to Respond	0%
<b>Gender</b>	Female	14%
	Male	71%
	Chose Not to Respond	14%
<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer	43%
	Heterosexual	14%
	No	14%
	Chose Not to Respond	29%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question ‘ Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?’ This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

---

<sup>1</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2021: October 1, 2020 – September 30, 2021

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2020 – September 30, 2021. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 15:** please submit by emailing [barleaders@wsba.org](mailto:barleaders@wsba.org) or requesting that your staff liaison submit the report internally.

<b>Name of Entity:</b>	Council on Public Defense
<b>Chair or Co-Chairs:</b>	Travis Stearns, Chair; Jason Schwarz, Vice-Chair
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Bonnie Sterken, Equity and Justice Specialist, Equity and Justice Department
<b>Board of Governors Liaison:</b>	Brett Purtzer
<b>Purpose of Entity:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Council on Public Defense (CPD) was established in 2004 to implement recommendations of the Washington State Bar Association (WSBA) Blue Ribbon Panel on Criminal Defense for maintaining and improving constitutionally effective public defense services in Washington. The WSBA Board of Governors (BOG), finding that the CPD provided a unique and valuable forum for bringing together representatives across the criminal justice system, subsequently established the CPD.	
<b>Strategy to Fulfill Purpose:</b>	
The CPD unites members of the public and private defense bar, the bench, elected officials, prosecutors, and the public to address new and recurring issues impacting public defenders, the public defense system and the public that depends upon it. The CPD, after review of its Charter obligations, has recently been working on six issues in which it has the expertise to provide assistance to public defenders and formed the Pre-Trial Reform Committee, Legal Financial Obligations (LFO) Committee, Standards Committee, Mental Health/Involuntary Treatment Act Committee, Public Defense and Independence Committee, and Public Defense Structure Committee.	

**How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?**

The Council on Public Defense serves the public and champions justice. Our efforts raise the standards for public defense Statewide.

**2020-2021 Entity Accomplishments:**

Published a response to the Supreme Court’s Call to Action after the death of George Floyd and created a Race Equity Committee to develop a work plan to address the CPD’s internal and external race equity priorities; published an Advisory Notice in response to the emergency caused by pandemic-driven increases to public defender caseloads; published an Advisory Notice with guidance on implementing the Standards for Indigent Defense during the pandemic; published updates to the WSBA Standards for Indigent Defense Services to include guidance on awarding defense contracts and the independence and oversight of public defense services; published updates to the Court-adopted Standards for Indigent Defense Services to include Washington State Guidelines for Appointed Counsel in Indigent Appeals and other performance guidelines; commissioned a report from PhD candidate Aliyah Turner analyzing Blake sentencing data and providing a policy analysis

**Looking Ahead: 2021-2022 Top Goals & Priorities:**

- |          |   |
|----------|---|
| <b>1</b> | Implement the work plan developed by the Race Equity Committee, which includes increase diversity, equity and inclusion with the CPD and addressing race equity in public defense services. |
| <b>2</b> | Propose updates to the Standards for Indigent Defense regarding open caseload limits.   |
| <b>3</b> | Propose updates to the Standards for Indigent Defense regarding the definition of fully supported caseloads.  |
| <b>4</b> | Monitor COVID-19, Blake, and other post-conviction resentencing issues and provide guidance as appropriate  |
| <b>5</b> | Support efforts to secure adequate levels of public defense funding, in collaboration with the Office of Public Defense.  |

**Please report how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?*

The CPD launched a Race Equity Committee which has been charged with addressing internal DEI issues. The Committee has reviewed the CPD’s recruitment practices and other guiding documents for areas that need to be revised. This year they provided input on the recruitment announcement and process to promote more diversity on the Council. The overall diversity of the CPD has grown this past year and we will continue to work on ensuring that the meetings are inclusive.

**Please describe the relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services*

- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

The Council receives solid support from its WSBA staff liaisons, including Bonnie Sterken and resources provided by Diana Singleton and the DEI Leads to improve race equity on the Council. We encourage the BOG liaison to attend meetings as their schedule permits.

**SECTIONS ONLY: Please quantify your section's 2020-2021 member benefits:**

*For example:*

- *\$3000 Scholarships, donations, grants awarded;*
- *4 mini-CLEs produced*

Newsletters/publications produced

Mini-CLEs produced

Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA

Co-sponsored half-day, full-day and/or multi-day CLE seminars with *non*-WSBA entity

Receptions/forums hosted or co-hosted

Recognitions/Awards given

New Lawyer Outreach events/benefits

Other (please describe):

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Staff**

**Size of Entity:**

23 voting members and up to 5 emeritus members

**Membership Size:  
(for Sections Only)**

*(As of September 30, 2021)*

**Number of Applicants for FY22**

*(October 1, 2021 – September 30, 2022)*

15

**How many current volunteer position vacancies for this entity?**

0

**FY21 Revenue (\$):  
For Sections Only:**

*As of September 30, 2021*

**FY21 Budgeted Direct Expenses:**

\$4,400

**FY21 Budgeted Indirect Expenses:**

\$34,830

**FY21 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	38%
	Chose Not to Respond	63%
<b>District*</b>	0	4%
	10	4%
	2	4%
	4	4%
	5	8%
	6	13%
	7N	25%
	7S	4%
	9	13%
<b>Ethnicity</b>	American Indian, Native American, Alaskan Native	4%
	Black, African American, or African Descent	8%
	White or European Descent	33%
	Chose Not to Respond	54%
<b>Gender</b>	Female	13%
	Male	25%
	Chose Not to Respond	63%
<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer	8%
	Heterosexual	25%
	Chose Not to Respond	67%

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2021: October 1, 2020 – September 30, 2021

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2020 – September 30, 2021. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 15:** please submit by emailing [barleaders@wsba.org](mailto:barleaders@wsba.org) or requesting that your staff liaison submit the report internally.

<b>Name of Entity:</b>	Court Rules and Procedures Committee
<b>Chair or Co-Chairs:</b>	Isham Reavis
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Nicole Gustine, Assistant General Counsel, OGC Kyla Jones, Paralegal II, OGC
<b>Board of Governors Liaison:</b>	Lauren Boyd
<b>Purpose of Entity:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Court Rules and Procedure Committee (Committee) studies and develops suggested amendments to designated sets of Washington court rules on a regular cycle of review established by the Washington State Supreme Court. It occasionally responds to requests for comment from the Supreme Court on proposals developed by others. The Committee performs the rules-study function outlined in General Rule 9 and reports its recommendations to the BOG.	
<b>Strategy to Fulfill Purpose:</b>	
The Committee consists of several subcommittees that review the court rules and obtain input from stakeholders as to possible amendments. Evolution in case law, changes in statutes, or other new developments since last amendment drive amendments to rules. The subcommittees vet, draft, and discuss proposed amendments and submit them to the full Committee for discussion and approval. Proposed amendments approved by the Committee are forwarded to the BOG for approval. If the BOG approves, the proposed amendments are forwarded to the Supreme Court in accordance with General Rule 9.	

**How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?**

The legal profession and the public depend on a legal system which is accessible, and which renders consistent and just results. Such a system requires court rules which are clearly understandable, internally consistent, and which function as their drafters intended. The Committee ensures our court rules are clear, consistent, and functioning through periodic review of standing rules, and review of proposed rules as directed by the BOG.

**2020-2021 Entity Accomplishments:**

The committee continues to carefully vet new proposals. In 2020-2021 the Committee reviewed the Rules of Appellate Procedure and the Rules for Appeal from Decisions of Courts of Limited Jurisdiction

**Looking Ahead: 2021-2022 Top Goals & Priorities:**

1	According to the schedule for review, the Criminal Rules for Superior Courts and the Criminal Rules for Courts of Limited Jurisdiction will be reviewed in 2021-2022.
2	
3	
4	
5	

**Please report how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?*

1. The Committee is cognizant of diversity in selecting its members. It is an important factor in recruitment and consideration of applicants.
2. The Committee has received training from the Diversity Specialist.
3. The Committee seeks input from a wide variety of stakeholders before finalizing proposals, including reaching out to several minority bar associations. The Committee also reaches out to organizations that represent minority viewpoints that might not normally be aware of the Committee’s work
4. During the application period, the current Chair reached out to the leadership of several specialty and minority bar associations to encourage their membership to apply to be on the Committee.
5. The Committee is composed of members with a wide range of backgrounds, experiences, and identities.
6. The current chair has attempted to spread subcommittee chair assignments across the state to ensure broad, geographic representation.

**Please describe the relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services*
- *Involvement with Board of Governors, including assigned BOG liaison*

- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

Over the past year, the Committee has continued to depend on the invaluable work of WSBA support staff. The Committee has also enjoyed a good working relationship with the BOG, which has been responsive in taking up matters sent to it by the Committee, and in referring matters to the Committee for consideration. As proponents of changes to the court rules increasingly present those proposals directly to the Washington State Supreme Court, the Committee has increasingly looked to the BOG for direction to consider such proposals.

**SECTIONS ONLY: Please quantify your section's 2020-2021 member benefits:**

*For example:*

- *\$3000 Scholarships, donations, grants awarded;*
- *4 mini-CLEs produced*

Newsletters/publications produced

Mini-CLEs produced

Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA

Co-sponsored half-day, full-day and/or multi-day CLE seminars with *non*-WSBA entity

Receptions/forums hosted or co-hosted

Recognitions/Awards given

New Lawyer Outreach events/benefits

Click or tap here to enter text.

Other (please describe):

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Staff**

**Size of Entity:**

28

**Membership Size:  
(for Sections Only)**

*(As of September 30, 2021)*

**Number of Applicants for FY22**

*(October 1, 2021 – September 30, 2022)*

15

**How many current volunteer position vacancies for this entity?**

2

**FY21 Revenue (\$):  
For Sections Only:**

*As of September 30, 2021*



<b>FY21 Budgeted Direct Expenses:</b>	\$1,195	
<b>FY21 Budgeted Indirect Expenses:</b>	\$10,397	
<b>FY21 Demographics:</b>		
The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.		
Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.		
<b>Disability</b>	No	89%
	Chose Not to Respond	11%
<b>District*</b>	0	7%
	1	7%
	10	4%
	2	7%
	3	4%
	5	7%
	6	4%
	7N	18%
	7S	32%
	8	7%
	9	4%
<b>Ethnicity</b>	White or European Descent	68%
	Middle Eastern Descent	7%
	Multi Racial or Bi Racial	4%
	Chose Not to Respond	21%
<b>Gender</b>	Female	50%
	Male	36%
	Chose Not to Respond	14%
<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer	18%
	Heterosexual	50%
	No	7%
	Chose Not to Respond	25%
The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.		

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2021: October 1, 2020 – September 30, 2021

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2020 – September 30, 2021. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 15:** please submit by emailing [barleaders@wsba.org](mailto:barleaders@wsba.org) or requesting that your staff liaison submit the report internally.

<b>Name of Entity:</b>	Discipline Advisory Round Table
<b>Chair or Co-Chairs:</b>	Justice MaryI. Yu
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Darlene Neumann, Paralegal III, OGC
<b>Board of Governors Liaison:</b>	Russell Knight
<b>Purpose of Entity:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The duties and responsibilities of the Disciplinary Advisory Round Table (DART) are as follows: The DART acts as a forum for the identification and discussion of issues and concerns relating to the lawyer, LLLT and LPO disciplinary systems in Washington; The DART may make recommendations for change to discipline-system rules and procedures; The DART shall provide an annual report to the Supreme Court and the WSBA Board of Governors addressing how it has performed the duties and responsibilities set forth in this Charter and, as appropriate, outlining its future work plans; and The DART has no independent decision-making authority or regulatory authority.	
<b>Strategy to Fulfill Purpose:</b>	
The DART meets on an ad hoc basis when issues concerning the discipline system are identified, and a discussion forum with key participants of the system, WSBA executive leadership, and others would be helpful. The DART may make recommendations for change to the discipline system rules or procedures as appropriate.	

**How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?**

The DART’s sole purpose is on the discipline system, which is integral to maintaining the integrity of the legal profession. The work of DART supports the policy of a well-regulated profession that can effectively serve the public and members of the Bar and champion justice.

**2020-2021 Entity Accomplishments:**

The DART convened twice for four hours to discuss the proposed Rules for Discipline and Incapacity (RDI) which are intended to replace the current disciplinary system rules (ELC). The proposed rules are pending before the Court. The DART meetings provided an opportunity for the chair, a member of the Washington Supreme Court, to hear directly from DART members regarding their perspectives.

**Looking Ahead: 2021-2022 Top Goals & Priorities:**

<b>1</b>	The DART will monitor actions related to the proposed RDI and continue to meet as needed to fulfill its purpose to identify and discuss issues or concerns related to the discipline systems, rules and procedures.
<b>2</b>	
<b>3</b>	
<b>4</b>	
<b>5</b>	

**Please report how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?*

The DART charter specifies member positions that represent all participants in the discipline system, as well as nonparticipants, minority bar representative, public members, the executive leadership of the Bar, and Board of Governor. Members who represent constituents in the discipline system (respondents counsel, MBAs) elicit input from their members to bring back to DART.

**Please describe the relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

The WSBA staff liaison has provided good administrative support to the chair and members and performed tasks as directed by the chair. This past year, the Board of Governor member did not attend any meetings, but offered to provide assistance with the BOG if needed.

<b>SECTIONS ONLY: Please quantify your section's 2020-2021 member benefits:</b>  <i>For example:</i> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>		Newsletters/publications produced
		Mini-CLEs produced
		Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
		Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity
		Receptions/forums hosted or co-hosted
		Recognitions/Awards given
		New Lawyer Outreach events/benefits
		Other (please describe):

<b>Entity Detail &amp; Demographics Report: To Be Completed by WSBA Staff</b>	
<b>Size of Entity:</b>	17
<b>Membership Size: (for Sections Only) <i>(As of September 30, 2021)</i></b>	
<b>Number of Applicants for FY22 <i>(October 1, 2021 – September 30, 2022)</i></b>	5
<b>How many current volunteer position vacancies for this entity?</b>	4
<b>FY21 Revenue (\$): For Sections Only: <i>As of September 30, 2021</i></b>	
<b>FY21 Direct Budgeted Expenses:</b>	\$375
<b>FY21 Indirect Budgeted Expenses:</b>	\$6,064

**FY21 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	71%
	Chose Not to Respond	14%
	Yes	14%
<b>District*</b>	1	14%
	7N	43%
	7S	14%
<b>Ethnicity</b>	American Indian, Native American, Alaskan Native: ENROLLED	14%
	White or European Descent	57%
	Hispanic or Latino/a or Latinx	14%
	Chose Not to Respond	14%
<b>Gender</b>	Female	57%
	Male	29%
	Chose Not to Respond	14%
<b>Sexual Orientation</b>	Heterosexual	29%
	No	43%
	Chose Not to Respond	29%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

---

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2021: October 1, 2020 – September 30, 2021

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2020 – September 30, 2021. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 15:** please submit by emailing [barleaders@wsba.org](mailto:barleaders@wsba.org) or requesting that your staff liaison submit the report internally.

<b>Name of Entity:</b>	Disciplinary Board
<b>Chair or Co-Chairs:</b>	Elizabeth Rene, Chair V. Paige Pratter, Vice Chair
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Nicole Gustine, Assistant General Counsel, OGC Allison Sato, Discipline System Analyst, OGC
<b>Board of Governors Liaison:</b>	Not applicable
<b>Purpose of Entity:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Disciplinary Board (D-Board) derives its authority from the Supreme Court (see ELC 2.3). The D-Board performs an important role in the disciplinary/regulation process by: (1) serving as an intermediate appellate body for contested disciplinary and disability matters; (2) approving, conditionally approving or rejecting certain stipulations negotiated by the Office of Disciplinary Counsel (ODC) and respondents; and (3) through its review committees, acting on requests from the ODC to order matters to hearing, and on requests from grievants for review of matters that have been dismissed by ODC.	
<b>Strategy to Fulfill Purpose:</b>	
The D-Board is made up of the board chair and vice-chair, plus 12 members composing four review committees, one of which meets every three weeks. The D-Board meets six times each year as a full board. At these meetings, the D-Board reviews hearing officer recommendations for suspension and disbarment when a timely request for review/appeal is filed (or sua sponte review is ordered by the	

Board), and automatically reviews stipulations for suspension or disbarment. The D-Board issues a written recommendation to the Supreme Court in contested matters. The D-Board holds oral arguments in some cases, which are open to the public. The four review committees meet to review requests for hearings and grievant appeals from dismissals. The review committees' work is confidential and not open to the public.

**How does the entity's purpose help further the mission of the WSBA "to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice"?**

The D-Board serves important functions in the disciplinary process, and protects the public by upholding professionalism and ethical conduct among legal practitioners.

**2020-2021 Entity Accomplishments:**

In 2020, the review committees of the Disciplinary Board met 16 times to consider 375 matters. They issued 269 dismissals, ordered 42 matters to hearing, ordered investigation in 33 matters, issued four advisory letters and one admonition, and decided 26 other non-routine matters, such as orders on deferrals, costs, etc. In 2020, the full Disciplinary Board considered 16 disciplinary and disability matters and ordered the transfer of six lawyers to disability inactive status. The full board reviewed and issued orders on two cases on appeal, and on 13 stipulations, and heard one oral argument. Per court rule, they considered whether to order or deny sua sponte review in two cases involving a recommendation of suspension or disbarment.

**Looking Ahead: 2021-2022 Top Goals & Priorities:**

<b>1</b>	The Disciplinary-Board's work is determined by Court Rule (Rules for Enforcement of Lawyer Conduct). The goal is to continue to perform high quality work in a timely manner in accordance with Court Rules.
<b>2</b>	
<b>3</b>	
<b>4</b>	
<b>5</b>	

**Please report how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?*

1. The Disciplinary Selection Panel (DSP), which is a separate entity from the D-Board, makes nominations to the BOG for members to serve on the Board. Under ELC 2.2(f), the DSP considers diversity in gender, ethnicity, disability status, sexual orientation, geography, area of practice and practice experience.
2. The D-Board has been trained by the Diversity Specialist.
3. The D-Board seeks input from all of its members, who must vote on each order/decision in matters involving the full Board. The D-Board has four public members, who each provide different perspectives. One public member serves on each review committee.

4. By court rule, the D-Board has ten lawyer members and four community representative members. The current D-Board includes members self-identified as from several different races/ethnicities. The DSP interviews prospective members and makes nominations to the BOG. As noted above, ELC 2.2(f) states that in making selections, the DSP and the BOG consider diversity.
5. The D-Board provides many leadership opportunities for interested Board members to serve, as Chair or Vice-Chair of the full Board, or as Chairs of each of the four review committees.

**Please describe the relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

The COVID-19 public health emergency has not adversely impacted the D-Board’s functions. WSBA staff continues to upload case files and coordinate meetings. The D-Board is conducting its full board meetings and review committee meetings by video-conference. Pursuant to temporary authority granted by the Chief Justice of the Supreme Court, the chair was involved in the issuance of emergency orders for the administration of the discipline and disability system. Per ELC 2.2(b) the Board of Governors have no right or responsibility to review hearing officer, review committee, or Disciplinary Board decisions or recommendations in specific cases. The Disciplinary Board welcomes BOG support in the form of recruitment of eligible lawyer and public members from diverse backgrounds.

**SECTIONS ONLY: Please quantify your section’s 2020-2021 member benefits:**

*For example:*

- *\$3000 Scholarships, donations, grants awarded;*
- *4 mini-CLEs produced*

Newsletters/publications produced

Mini-CLEs produced

Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA

Co-sponsored half-day, full-day and/or multi-day CLE seminars with *non-WSBA* entity

Receptions/forums hosted or co-hosted

Recognitions/Awards given

New Lawyer Outreach events/benefits

Other (please describe):

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Staff**

**Size of Entity:**

14: 10 lawyers, 4 nonlawyers

**Membership Size:  
(for Sections Only)**

*(As of September 30, 2021)*



<b>Number of Applicants for FY22</b> <i>(October 1, 2021 – September 30, 2022)</i>	6
<b>How many current volunteer position vacancies for this entity?</b>	0
<b>FY21 Revenue (\$):</b> <b>For Sections Only:</b> <i>As of September 30, 2021</i>	
<b>FY21 Budgeted Direct Expenses:</b>	\$1,274
<b>FY21 Budgeted Indirect Expenses:</b>	\$100,327
<p><b>FY21 Demographics:</b>  The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.</p> <p>Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.</p>	
<b>Disability</b>	No 80%
	Chose Not to Respond 0%
	Yes 20%
<b>District*</b>	0 7%
	1 7%
	10 13%
	2 7%
	6 7%
	7S 20%
	9 13%
<b>Ethnicity</b>	White or European Descent 87%
	Hispanic or Latino/a or Latinx 7%
	Chose Not to Respond 7%
<b>Gender</b>	Female 60%
	Male 33%
	Chose Not to Respond 7%
<b>Sexual Orientation</b>	Heterosexual 73%
	No 13%
	Chose Not to Respond 7%
	Yes 7%
<p>The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.</p>	

---

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2021: October 1, 2020 – September 30, 2021

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2020 – September 30, 2021. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 15:** please submit by emailing [barleaders@wsba.org](mailto:barleaders@wsba.org) or requesting that your staff liaison submit the report internally.

<b>Name of Entity:</b>	Diversity Committee
<b>Chair or Co-Chairs:</b>	Andrea Jarmon, Co-Chair; Gov. Sunitha Anjilvel, Co-Chair
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Dominique Shannon, Equity & Justice Lead, Equity and Justice Department; Diana Singleton, Chief Equity & Justice Officer, Equity and Justice Department
<b>Board of Governors Liaison:</b>	Committee does not have a BOG liaison, but does have 4 BOG members, one of whom is the committee co-chair
<b>Purpose of Entity:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Washington State Bar Association’s Diversity Committee is dedicated to implementing WSBA’s Diversity and Inclusion Plan, including promoting historically underrepresented groups to enter and stay in the legal profession.	
<b>Strategy to Fulfill Purpose:</b>	
The Diversity Committee does this through collaborative relationships and community building activities and in partnership with the WSBA Equity and Justice Department.	
<b>How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	

The existence and work of the Diversity Committee is responsive to the court directive enshrined in G.R. 12(2)(a)(6) which provides that part of the very purpose of the Washington State Bar Association is to promote diversity and equality in the courts and the legal profession. We acknowledge that the public and members of the Bar from historically underrepresented groups have a stake in a diverse and equitable legal profession. Therefore, the Diversity Committee invites members of the public, including law students, as stakeholders in our pipeline work to attend our monthly committee meetings. The committee also creates opportunities for partnership, education, and dialogue with the public, such as the ARC Reception for students in the Access Admissions Program through Seattle University School of Law and CLE Legal Lunchboxes focused on diversity, equity, and inclusion. Committee members also volunteer to write articles on DEI topics for the Bar News and work with Bar News Staff and Editorial Advisory Committee to have an equity focused lens for the Bar News, which is sent to all members.

#### **2020-2021 Entity Accomplishments:**

1. Proposed bylaw changes that would direct the committee to vet and recommend At-Large Governor candidates for a member-wide election. The BOG approved the bylaw change and the Committee followed the new policy for the first time at the end of 2020 by recommending 4 candidates for the member-wide election to replacing an incoming At Large Governor's withdrawal. The Bar elected the new At-Large Member in January 2021.
2. Work with and support the Minority Bar Associations (MBAs) regarding concerns over racial bias due to comments made in June 2020 at a BOG meeting by a sitting Governor. The Committee sent a letter to the BOG expressing its support of the MBAs and urged the BOG to respond to the MBAs, heed the Supreme Court's call to action against racism, and fulfill its commitments to the WSBA's mission statement and the Race and Equity Justice Initiative.
3. Supported the MBAs in their work serving law students from underrepresented communities, including the creation of the Joint Minority Mentorship Program which matches Bar members with law students from underrepresented communities. In April 2021, on the Diversity Committee's recommendation, the BOG approved the WSBA becoming an official sponsor.
4. Supported the MCLE Board's proposed rule change which would require training in equity, inclusion, and the mitigation of bias as part of the required ethics credits. In April 2021, upon BOG approval, the Committee submitted comments to the Supreme Court in support of the proposed change.
5. Advocated for members, including MBAs, to be able to submit their comments before the BOG passed a bar exam resolution. The Committee also submitted its own memo to the BOG recommending that it forego passing the proposed bar exam resolution and instead allow the Supreme Court Licensure Task Force to complete its work.
6. Invited students and staff from the three WA law schools to attend Committee meetings to learn about the schools' diversity, equity, and inclusion efforts and identify how to collaborate.
7. Planned and held our first virtual ARC reception for 1L students as part of the Access Admissions Program through Seattle University School of Law, with the goal of inspiring and encouraging diversity in the legal profession and give students the opportunity to network with people from various backgrounds and professions.
8. Collaborated with members of different MBAs and others in the legal community to develop Legal Lunchbox CLEs devoted to DEI topics.
9. Partnered with the Editorial Advisory Committee and Bar News staff to promote diversity, equity, and inclusion in the Bar News, including writing articles and recruiting Bar members to write articles, with an equity focused lens from the beginning of the process.
10. With a goal of diversifying the bench, the Committee partnered with the District and Municipal Court Judges Association and the WSBA CLE Team to offer scholarships to attorneys from

<p>underrepresented communities for the Biannual Pro Tem Training. The Committee conducted outreach, and tripled the number of applicants. The Committee coordinated the scholarship selection process and identified the need for more increased scholarship funding. With support from the CLE Team and WA State Bar Foundation, we doubled our scholarships from the last time the training was offered, giving 20 scholarships this year.</p>	
<p><b>Looking Ahead: 2021-2022 Top Goals &amp; Priorities:</b></p>	
<b>1</b>	<p>Partner with Equity and Justice Department staff to conduct a comprehensive membership demographics study, identify needed data points, and solicit input from relevant stakeholders. The results of the study will inform the update of a new Diversity and Inclusion Plan.</p>
<b>2</b>	<p>Deepen our relationship with the WA law schools and collaborate on mutual DEI goals for diversifying and making the profession more inclusive (including ensuring there is a student representative from each law school).</p>
<b>3</b>	<p>Have a dedicated article or column in the Bar News dedicated to diversity, equity, and inclusion topics.</p>
<b>4</b>	<p>Revisit the WSBA definition of “diversity” and the roles and responsibilities of the At-Large diversity positions to ensure the Committee is delivering on the WSBA’s new strategic goals on DEI.</p>
<b>5</b>	<p>Work in partnership with WSBA staff to increase participation and leadership of historically marginalized groups in WSBA volunteers, committees, and boards.</p>
<b>6</b>	<p>Explore a new structure for the Committee that facilitates inclusive membership and clarifies roles and responsibilities to remain consistent with the goals of the Committee and with the Board’s bylaws.</p>
<p><b>Please report how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?</i></p>	
<ol style="list-style-type: none"> <li>1. The Committee is staffed by the Chief Equity and Justice Officer, and one of the Equity and Justice Leads, both of whom have experience and expertise in DEI topics, and who develop and deliver DEI trainings for the WSBA.</li> <li>2. All of the committee programming, including the trainings, pipeline work, policy work through the BOG, is to address barriers that members from historically underrepresented backgrounds may face.</li> <li>3. We receive input from Committee members, who come from a variety of backgrounds and hold different perspectives.</li> </ol>	
<p><b>Please describe the relationship with WSBA staff and the Board of Governors.</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>Quality of WSBA staff support/services</i></li> <li>• <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> <li>• <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i></li> </ul>	

There are 4 BOG members on the Committee, who are voting members and not just a liaison. WSBA staff also support the co-chairs in writing memos to the BOG and bringing issues before the BOG.

**SECTIONS ONLY: Please quantify your section's 2020-2021 member benefits:**

*For example:*

- \$3000 Scholarships, donations, grants awarded;
- 4 mini-CLEs produced

	Newsletters/publications produced
	Mini-CLEs produced
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity
	Receptions/forums hosted or co-hosted
	Recognitions/Awards given
	New Lawyer Outreach events/benefits
	Other (please describe):

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Staff**

<b>Size of Entity:</b>	14 (+ 4 BOG Members)
<b>Membership Size: (for Sections Only)</b> <i>(As of September 30, 2021)</i>	
<b>Number of Applicants for FY22</b> <i>(October 1, 2021 – September 30, 2022)</i>	14 (5 as 1st choice, 6 as 2nd choice, 3 as 3rd choice)
<b>How many current volunteer position vacancies for this entity?</b>	1
<b>FY21 Revenue (\$): For Sections Only:</b> <i>As of September 30, 2021</i>	
<b>FY21 Budgeted Direct Expenses:</b>	\$22,150
<b>FY21 Budgeted Indirect Expenses:</b>	\$62,283

**FY21 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	57%
	Chose Not to Respond	36%
	Yes	7%
<b>District*</b>	10	21%
	5	7%
	6	14%
	7S	21%
	9	29%
<b>Ethnicity</b>	American Indian, Native American, Alaskan Native	7%
	Asian - Central Asian	7%
	Asian - East Asian	7%
	Asian - South Asian	7%
	Black, African American, or African Descent	7%
	White or European Descent	29%
	Hispanic or Latino/a or Latinx	21%
	Multi Racial or Bi Racial	7%
	Chose Not to Respond	0%
	Other: Asian/Indian	7%
	<b>Gender</b>	Female
Male		21%
Chose Not to Respond		14%
<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer	21%
	Heterosexual	50%
	Chose Not to Respond	21%

---

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2021: October 1, 2020 – September 30, 2021

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2020 – September 30, 2021. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 15:** please submit by emailing [barleaders@wsba.org](mailto:barleaders@wsba.org) or requesting that your staff liaison submit the report internally.

<b>Name of Entity:</b>	Editorial Advisory Committee
<b>Chair or Co-Chairs:</b>	2020-21 Chair Ralph Flick; 2021-22 Chair Drew Pollom
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Kirsten Abel, Bar News editor, Communications and Outreach Department
<b>Board of Governors Liaison:</b>	Sunitha Anjilvel
<b>Purpose of Entity:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Editorial Advisory Committee (EAC) derives its authority from the WSBA Bylaws. Members of the Editorial Advisory Committee work with the editor and WSBA staff overseeing publication of the WSBA's official magazine, Washington State Bar News. This may include establishing guidelines and editorial policy, maintaining an editorial calendar, writing articles, securing content, identifying topics and issues relevant to members, identifying authors for content, reviewing articles, and advising on issues related to content. The magazine's mission statement is: Washington State Bar News will inform, educate, engage, and inspire by offering a forum for members of the legal community to connect and to enrich their careers.	
<b>Strategy to Fulfill Purpose:</b>	
EAC members consult with WSBA staff regarding content selection, recruiting of authors or writing articles themselves, and providing suggestions for feature stories and columns that will provide readers with information about other Bar members and their practices, current events and trends of	



interest to the legal community, career advice and other practice-oriented topics, programs and services provided to members by the WSBA, and the work of the Board of Governors.

**How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice”?**

The EAC helps to make a magazine that educates legal professionals about important topics such as ethics, practice management, pro bono opportunities, case updates, and other significant news, thereby helping to ensure the competency and integrity of the legal profession on behalf of the public and furthering the mission of the WSBA.

**2020-2021 Entity Accomplishments:**

The EAC helped to create and eventually approved an updated letters to the editor policy. The EAC also helped to develop a number of significant articles to help legal practitioners navigate the challenges of the COVID-19 pandemic including a themed issue (March 2020) that featured articles such as “Offices After COVID-19: A Hybrid Model?”; “Mediating in Virtual Spaces”; “Is a Housing Crisis Lurking?”; “Adapting to Remote Justice—Depositions, mediations, hearings, and trials in the age of COVID-19”; “Law in the Time of COVID-19.” In addition, we developed a new semi-regular column called “Ask a Legal Administrator,” the first edition of which covered questions and policies around returning to in-person office work (Sept. 2021). Other new columns developed or currently in development during the 2020-21 year include “From the Spindle,” which covers recent significant Washington Supreme Court cases; “What New Lawyers Want to Know,” in which experienced legal practitioners answer questions from new lawyers; and an MBA Spotlight, which will be a Q&A feature that highlights one MBA in each issue of the magazine. The committee also wrote or helped to develop other important articles including one detailing the recent Washington Supreme Court decision in *Martinez-Cuevas v. DeRuyter Bros. Dairy* (Apr/May 2021); an interview with current Chief Justice Steven Gonzalez (June 2021); a breakdown of the legal implications of NFTs (June 2021); and an interview with the creators (one a UW professor and one a WSBA member) of the website and historical archive Blackpast.org.

**Looking Ahead: 2021-2022 Top Goals & Priorities:**

<b>1</b>	Finalize and implement an equity lens for the magazine and for the EAC.
<b>2</b>	Continue to increase reader interest and engagement/response with timely, relevant, practical, and provocative articles.
<b>3</b>	Continue to create opportunities for the magazine (within the parameters of GR 12.2) to be a civil, thought-provoking forum for dialogue among members about current issues relating to the legal system and access to and administration of justice.
<b>4</b>	Continue to work to include voices from diverse backgrounds and areas of practice, with a variety of views and perspectives.
<b>5</b>	Continue to establish relationships with new authors from all parts of the state.

**Please report how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?*

The EAC began working closely with the Diversity Committee on a number of issues in 2020-21. Those include: to develop regular content for the magazine on DEI-related topics, to invite Diversity Committee members to attend any and all EAC meetings, to develop an equity lens for the magazine that will help the EAC and WSBA staff evaluate submissions and make the magazine a more equitable space, to incorporate tools to help the EAC to recruit members from diverse backgrounds and make sure the committee is a welcoming, inclusive space for all, and to develop content specifically for the February 2022 Black History Month issue. In addition, there is diversity in background, years in practice, areas of practice, and perspectives among the EAC members who weigh in on story ideas and unsolicited submissions. We are also in regular dialogue with the WSBA Equity and Justice Department regarding language and images used in the magazine. The WSBA Equity and Justice Department also reviews the Bar News six-month editorial calendar every month and provides feedback and suggestions. Lastly, the EAC staff liaison also serves as the staff liaison to the Equity & Disparity Work Group, and as liaison to the GR 12.2 Subcommittee, which works on issues that are very important to the EAC and to the magazine.

**Please describe the relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

The EAC works closely with WSBA staff—the staff liaison as well as the entire magazine team. The magazine team attends every monthly meeting, and the staff liaison prepares the agendas and works with the chair to finalize them. The Board liaison also attends some monthly committee meetings and has contributed to the magazine as an author (March 2020). The EAC chair also presented on the committee to the full Board of Governors in 2020.

**SECTIONS ONLY: Please quantify your section’s 2020-2021 member benefits:**

*For example:*

- *\$3000 Scholarships, donations, grants awarded;*
- *4 mini-CLEs produced*

	Newsletters/publications produced
	Mini-CLEs produced
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non-WSBA</i> entity
	Receptions/forums hosted or co-hosted
	Recognitions/Awards given
	New Lawyer Outreach events/benefits
	Other (please describe):

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Staff**

<b>Size of Entity:</b>	10
<b>Membership Size: (for Sections Only)</b> <i>(As of September 30, 2021)</i>	
<b>Number of Applicants for FY22</b> <i>(October 1, 2021 – September 30, 2022)</i>	4 (2 returning, 2 new)
<b>How many current volunteer position vacancies for this entity?</b>	4
<b>FY21 Revenue (\$): For Sections Only:</b> <i>As of September 30, 2021</i>	
<b>FY21 Budgeted Direct Expenses:</b>	\$500
<b>FY21 Budgeted Indirect Expenses:</b>	\$4,856

**FY21 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	79%
	Chose Not to Respond	21%
<b>District*</b>	0	7%
	1	7%
	10	14%
	4	7%
	6	14%
	7N	21%
	7S	14%
	8	7%
	9	7%
<b>Ethnicity</b>	American Indian, Native American, Alaskan Native	7%
	Asian - South Asian	7%
	White or European Descent	57%
	Hispanic or Latino/a or Latinx	7%
	Chose Not to Respond	14%
	OTHER: Asian Indian	7%
<b>Gender</b>	Female	50%

	Male	36%
	Chose Not to Respond	14%
<b>Sexual Orientation</b>	Heterosexual	71%
	Chose Not to Respond	21%

---

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2021: October 1, 2020 – September 30, 2021

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2020 – September 30, 2021. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 15:** please submit by emailing [barleaders@wsba.org](mailto:barleaders@wsba.org) or requesting that your staff liaison submit the report internally.

<b>Name of Entity:</b>	Equity and Disparity Workgroup
<b>Chair or Co-Chairs:</b>	Alec Stephens
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Barbara Nahouraii, WSBA Equity & Justice Program Lead, Equity & Justice Team
<b>Board of Governors Liaison:</b>	N/A—At-Large Governors are on the Workgroup. As Chair, Alec Stephens is the lead Governor.
<b>Purpose of Entity:</b> <i>may be stated in Bylaws, Charter, Court Rule, etc.</i>	
Review the rules, regulations, and laws related to the practice of law and the administration of justice; Identify the ones that facilitate injustice; Solicit feedback from stakeholders, especially from marginalized communities; and Propose remedies that the WSBA can advance pursuant to its mandate in GR 12.2.	
<b>Strategy to Fulfill Purpose:</b>	
Work has divided into two subcommittees to examine issues and proposed recommendations to the Board of Governors for approval and implementation: Experiences of Justice Systems and Review of GR 12 (particularly GR 12 c.2)	
<b>How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	

By the very nature of the subject matter and the reason for the Workgroup’s existence, it furthers the WSBA mission.	
<b>2020-2021 Entity Accomplishments:</b>	
The workgroup is completing year 1 of its 2-year mandate. Recommendations are being developed and issues are being narrowed for drafting of specific recommendations in January 2022.	
<b>Looking Ahead: 2021-2022 Top Goals &amp; Priorities:</b>	
<b>1</b>	N/A
<b>2</b>	
<b>3</b>	
<b>4</b>	
<b>5</b>	
<p><b>Please report how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?</i></p>	
The Workgroup was formed with the intentional inclusion of Minority Bar Associations, and its work is centrally focused on issues to address diversity, equity and inclusion.	
<p><b>Please describe the relationship with WSBA staff and the Board of Governors.</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>Quality of WSBA staff support/services</i></li> <li>• <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> <li>• <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i></li> </ul>	
The Workgroup was created by the Board of Governors and has given updates to the Board of Governors meetings. Its final report will be to the Board of Governors. At least 3 Governors are on the Workgroup and its chair is a Governor. It has received continuous support from the WSBA Staff, and the Executive Director is an ex-officio member of the Workgroup.	
<p><b>SECTIONS ONLY: Please quantify your section’s 2020-2021 member benefits:</b>   <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>\$3000 Scholarships, donations, grants awarded;</i></li> <li>• <i>4 mini-CLEs produced</i></li> </ul>	
	Newsletters/publications produced
	Mini-CLEs produced
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA

		Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity
		Receptions/forums hosted or co-hosted
		Recognitions/Awards given
		New Lawyer Outreach events/benefits
		Other (please describe):

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Staff**

<b>Size of Entity:</b>	26
<b>Membership Size: (for Sections Only) (As of September 30, 2021)</b>	
<b>Number of Applicants for FY22 (October 1, 2021 – September 30, 2022)</b>	
<b>How many current volunteer position vacancies for this entity?</b>	
<b>FY21 Revenue (\$): For Sections Only: As of September 30, 2021</b>	
<b>Direct Expenses:</b>	n/a
<b>Indirect Expenses:</b>	n/a

**FY21 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

- *Not Available for this Group*

<sup>1</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2021: October 1, 2020 – September 30, 2021

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2020 – September 30, 2021. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 15:** please submit by emailing [barleaders@wsba.org](mailto:barleaders@wsba.org) or requesting that your staff liaison submit the report internally.

<b>Name of Entity:</b>	Judicial Recommendation Committee
<b>Chair or Co-Chairs:</b>	Michiko Fjeld
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Sanjay Walvekar, Legislative Affairs Manager, COMM
<b>Board of Governors Liaison:</b>	Alec Stephens, Jean Kang
<b>Purpose of Entity:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Judicial Recommendation Committee (JRC) derives its authority from the Bylaws of the WSBA. The JRC screens and interviews candidates for state Court of Appeals and Supreme Court positions. Recommendations are reviewed by the WSBA Board of Governors (BOG) and referred to the Governor for consideration when making judicial appointments. Per the JRC Guidelines, “[t]he proceedings and records of the committee, including the comments of applicants, committee discussions, and committee votes, shall be kept strictly confidential.”	
<b>Strategy to Fulfill Purpose:</b>	
The JRC screens and interviews candidates for the state’s appellate courts, the Washington Supreme Court and the Washington State Court of Appeals. Thereafter, it makes recommendations to the BOG. Following Board approval, the recommendations are sent to the Washington State Governor's Office as part of the committee’s role of preparing and maintaining a list of individuals who are well-qualified for and interested in appointment to the appellate bench.	



<b>How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	
The JRC’s work directly benefits the public, members of the Bar, and the legal profession by providing the Governor’s office with recommendations that help it make informed and quality judicial appointments.	
<b>2020-2021 Entity Accomplishments:</b>	
After a year-long hiatus, the JRC held two meetings (in June and August) in which it evaluated ten candidates. The JRC’s recommendations were passed on to the Board of Governors which concurred with the JRC. These recommendations were then given to the Governor’s office.	
<b>Looking Ahead: 2021-2022 Top Goals &amp; Priorities:</b>	
<b>1</b>	Continue to offer a thorough and fair process aimed at ensuring well-qualified candidates are presented to the Governor’s office for open positions to the Washington Supreme Court and Court of Appeals.
<b>2</b>	Continue to educate committee members about the importance of reference check assignments, meeting attendance, and ability to make quorum.
<b>3</b>	
<b>4</b>	
<b>5</b>	
<b>Please report how this entity is addressing diversity, equity, and inclusion:</b> <i>How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?</i>	
A diversity of perspectives is embedded in the JRC Guidelines under “Composition,” for selection of committee members. The committee received a training from the WSBA’s Diversity, Equity, and Inclusion team at the JRC’s first meeting of the fiscal year. In addition, some of the criteria the committee considers when recommending a candidate are related to a commitment to diversity.	
<b>Please describe the relationship with WSBA staff and the Board of Governors.</b> <i>For example:</i>	
<ul style="list-style-type: none"> <li>• <i>Quality of WSBA staff support/services</i></li> <li>• <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> <li>• <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i></li> </ul>	
The JRC guidelines require a BOG liaison to attend each JRC meeting and JRC recommendations are considered by the BOG periodically throughout the year.	
<b>SECTIONS ONLY: Please quantify your section’s 2020-2021 member benefits:</b>	Newsletters/publications produced
	Mini-CLEs produced

<p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>		Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
		Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity
		Receptions/forums hosted or co-hosted
		Recognitions/Awards given
		New Lawyer Outreach events/benefits
		Other (please describe):

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Staff**

<b>Size of Entity:</b>	22
<b>Membership Size: (for Sections Only)</b> <i>(As of September 30, 2021)</i>	
<b>Number of Applicants for FY22</b> <i>(October 1, 2021 – September 30, 2022)</i>	9
<b>How many current volunteer position vacancies for this entity?</b>	6
<b>FY21 Revenue (\$): For Sections Only:</b> <i>As of September 30, 2021</i>	
<b>FY21 Budgeted Direct Expenses:</b>	\$3,500
<b>FY21 Budgeted Indirect Expenses:</b>	\$13,336

**FY21 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	81%
	Chose Not to Respond	10%
	Yes	10%
<b>District*</b>	0	10%
	1	5%
	10	5%
	5	14%
	6	14%
	7N	33%
	7S	14%
	9	5%
	<b>Ethnicity</b>	Black, African American, or African Descent: AFRICAN to AMERICAN
White or European Descent		86%
Chose Not to Respond		10%
<b>Gender</b>	Female	24%
	Male	67%
	Chose Not to Respond	10%
<b>Sexual Orientation</b>	Heterosexual	33%
	No	33%
	Chose Not to Respond	29%
	Yes	5%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2021: October 1, 2020 – September 30, 2021

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2020 – September 30, 2021. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 15:** please submit by emailing [barleaders@wsba.org](mailto:barleaders@wsba.org) or requesting that your staff liaison submit the report internally.

<b>Name of Entity:</b>	Law Clerk Board
<b>Chair or Co-Chairs:</b>	Emily Mowrey
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Katherine Skinner, Innovative Licensing Specialist, RSD
<b>Board of Governors Liaison:</b>	Dan Clark
<b>Purpose of Entity:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Law Clerk Board (LCB) derives its authority from Rule 6 of the Admission and Practice Rules (APR). The Board of Governors (BOG) appoints the members of the LCB. The purpose of the LCB is to assist the WSBA in supervising the APR 6 Law clerk Program (Program).	
<b>Strategy to Fulfill Purpose:</b>	
The LCB considers applications for enrollment in the Program, interviews and evaluates law clerks and tutors before and during the course of study to ensure they are meeting the requirements of the Program.	
<b>How does the entity's purpose help further the mission of the WSBA "to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice"?</b>	
The LCB serves the public and members of the bar by assisting law clerks through a rigorous program to become members of the bar themselves. The LCB monitors the law clerks as they progress through	

the Program to ensure they are meeting requirements in APR 6 so they are as prepared for practice as a traditional law school student. The Law Clerk Board is working to increase outreach efforts in rural counties in the state to increase access to justice.

**2020-2021 Entity Accomplishments:**

APR 6 Rules and Regulations: The LCB created a committee to review the APR 6 rules and regulations. The committee proposed the LCB approved regulations to the BOG at their July 16, 2021 meeting and are submitting the Rules to the Court for review.

APR 9: The LCB approved to propose amendments to APR 9 which would allow a law clerk to apply for a rule 9 license after completion of the law clerk program as long as it is within 9 months of the completion date.

MCLE tutor credit: The LCB proposed the idea of Law Clerk Program tutors receiving MCLE credit to the MCLE Board.

**Looking Ahead: 2021-2022 Top Goals & Priorities:**

<b>1</b>	Continue the discussion around the APR 6 rules and regulations to strategize implementing the rule changes in the Program when they become adopted.
<b>2</b>	Increase the public's knowledge of the program through outreach and communication.
<b>3</b>	Continue conversations in strategizing reaching out to rural counties in the state to increase access to justice.
<b>4</b>	Continue working with the MCLE Board to review language and write a report to allow law clerk tutors the ability to receive credit.
<b>5</b>	Review Law Clerk Board policies as needed.

**Please report how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?*

The Law Clerk Program itself provides an alternative to law school for legal education for those who may have barriers to attending law school. The LCB hopes to increase the diversity of the law clerks enrolled in the Program. The LCB seeks board members who represent diversity in geography as well as members who self-identify as individuals that are underrepresented in the legal profession. The LCB seeks to have a diverse group of board members in order to bring a variety of perspectives to the Program.

**Please describe the relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

The LCB is assigned at least one BOG liaison that is in attendance at each LCB meeting. The BOG liaison takes what they learn in the meetings to meetings with the BOG and is able to share the knowledge they have on behalf of the LCB when needed.

**SECTIONS ONLY: Please quantify your section's 2020-2021 member benefits:**

*For example:*

- \$3000 Scholarships, donations, grants awarded;
- 4 mini-CLEs produced

Newsletters/publications produced

Mini-CLEs produced

Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA

Co-sponsored half-day, full-day and/or multi-day CLE seminars with non-WSBA entity

Receptions/forums hosted or co-hosted

Recognitions/Awards given

New Lawyer Outreach events/benefits

Other (please describe):

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Staff**

**Size of Entity:**

11

**Membership Size:  
(for Sections Only)**

*(As of September 30, 2021)*

**Number of Applicants for FY22**

*(October 1, 2021 – September 30, 2022)*

3

**How many current volunteer position vacancies for this entity?**

1

**FY21 Revenue (\$):  
For Sections Only:**

*As of September 30, 2021*

**FY21 Budgeted Direct Expenses:**

\$624

**FY21 Budgeted Indirect Expenses:**

\$45,108

**FY21 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	100%
	Chose Not to Respond	0%
<b>District*</b>	1	11%
	10	11%
	2	11%
	3	11%
	5	33%
	7S	11%
	8	11%
<b>Ethnicity</b>	White or European Descent	89%
	Chose Not to Respond	11%
<b>Gender</b>	Female	67%
	Male	22%
	Chose Not to Respond	11%
<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer	11%
	Heterosexual	56%
	No	22%
	Chose Not to Respond	11%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

---

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2021: October 1, 2020 – September 30, 2021

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2020 – September 30, 2021. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 15:** please submit by emailing [barleaders@wsba.org](mailto:barleaders@wsba.org) or requesting that your staff liaison submit the report internally.

<b>Name of Entity:</b>	Legislative Review Committee
<b>Chair or Co-Chairs:</b>	Brian Considine
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Sanjay Walvekar, Legislative Affairs Manager, COMM
<b>Board of Governors Liaison:</b>	Kyle Sciuchetti
<b>Purpose of Entity:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The WSBA Legislative Review Committee (Committee) reviews internal legislative proposals before making a recommendation for sponsorship or support to the Board of Governors (BOG). The Committee's primary purpose is to ensure that WSBA-request legislation fulfills GR12 and is vetted both internally and externally. The Committee may also consider non-WSBA proposals submitted to the committee for the purpose of seeking WSBA input and support. WSBA-request bills approved by the Board are introduced in the upcoming legislative session.	
<b>Strategy to Fulfill Purpose:</b>	
The Committee determines if a legislative proposal fulfills GR 12.2. If the Committee determines a legislative proposal fulfills GR 12.2 the Committee conducts a thorough analysis of the issue, discusses details with the WSBA entity offering the proposal, and ensures input is included from a broad stakeholder network.	



**How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?**

The Committee serves the public, members of the Bar, and the legal profession by vetting and recommending legislation that improves the practice of law and the administration of justice.

**2020-2021 Entity Accomplishments:**

The Committee received and reviewed four legislative proposals, and forwarded two of these to be reviewed by the BOG for WSBA request legislation. The Committee vetted each legislative proposal and determined that they fulfilled GR 12.2 requirements. The Committee conducted a thorough analysis of relevant issues and discussed details with representatives of the Business Law Section’s Corporate Act Revision Committee and Nonprofit Corporations Committee. Then, the Committee voted to recommend sponsorship of their two legislative proposals and this recommendation was approved by the BOG. The two bills reached final passage and were signed into law by the Governor during the 2021 legislative session. Both bills were significant changes in modernizing the respective statutes.

**Looking Ahead: 2021-2022 Top Goals & Priorities:**

<b>1</b>	The Committee will continue to work collaboratively with WSBA entities to thoroughly vet and analyze legislative proposals impacting the practice of law and our justice system.
----------	--

<b>2</b>	
----------	--

<b>3</b>	
----------	--

<b>4</b>	
----------	--

<b>5</b>	
----------	--

**Please report how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?*

Committee appointments follow WSBA’s diversity guidelines and the Committee includes representatives from multiple districts, a variety of practice areas, new/young lawyers, gender, race/ethnicity and other factors. Although it has a narrow focus, the Committee strives to include all members’ perspectives and achieve consensus decision-making.

**Please describe the relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

The Committee utilizes the expertise of the WSBA’s Legislative Affairs Manager and Legislative Affairs staff in all of the committee’s work. The Committee also works closely with the BOG Governor assigned to ensure that it considers a BOG perspective in how the committee accomplishes its work.

The Committee is critical in using its expertise to ensure the BOG only receives properly worked and vetted proposals before the Committee votes to recommend that the BOG support, sponsor, etc. legislation proposals and that recommendation is ultimately considered by the BOG at its November meeting. The BOG could work with the Committee to consider ways the Committee and BOG can better serve WSBA sections in helping with legislative proposals that impact the practice of law.

**SECTIONS ONLY: Please quantify your section's 2020-2021 member benefits:**

*For example:*

- \$3000 Scholarships, donations, grants awarded;
- 4 mini-CLEs produced

Newsletters/publications produced

Mini-CLEs produced

Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA

Co-sponsored half-day, full-day and/or multi-day CLE seminars with *non*-WSBA entity

Receptions/forums hosted or co-hosted

Recognitions/Awards given

New Lawyer Outreach events/benefits

Other (please describe):

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Staff**

**Size of Entity:** 35 maximum

**Membership Size:  
(for Sections Only)**  
*(As of September 30, 2021)*

**Number of Applicants for FY22**  
*(October 1, 2021 – September 30, 2022)* 14

**How many current volunteer position vacancies for this entity?** 0

**FY21 Revenue (\$):  
For Sections Only:**  
*As of September 30, 2021*

**FY21 Budgeted Direct Expenses:** \$260

**Fy21 Budgeted Indirect Expenses:** \$34,019

**FY21 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	77%
	Chose Not to Respond	18%
	Yes	5%
<b>District*</b>	0	9%
	1	5%
	10	9%
	2	14%
	3	5%
	5	5%
	6	14%
	7N	5%
	7S	14%
	7X	5%
	8	5%
	9	14%
	<b>Ethnicity</b>	American Indian, Native American, Alaskan Native
Asian - East Asian		9%
Asian - South Asian		5%
White or European Descent		68%
Middle Eastern Descent		5%
Chose Not to Respond		9%
<b>Gender</b>	Female	45%
	Male	45%
	Chose Not to Respond	9%
<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer	5%
	Heterosexual	68%
	Chose Not to Respond	27%

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2021: October 1, 2020 – September 30, 2021

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2020 – September 30, 2021. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 15:** please submit by emailing [barleaders@wsba.org](mailto:barleaders@wsba.org) or requesting that your staff liaison submit the report internally.

<b>Name of Entity:</b>	Limited License Legal Technician Board
<b>Chair or Co-Chairs:</b>	FY 2021 Chair: Steve Crossland; FY 2022 Chair: Nancy Ivarinen
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Bobby Henry, Associate Director for Regulatory Services; Jon Burke, Innovative Licensing Counsel, RSD
<b>Board of Governors Liaison:</b>	P.J. Grabicki, Lauren Boyd
<b>Purpose of Entity:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Limited License Technician Board (LLLT Board) derives its authority from the Washington Supreme Court under Rule 28 of the Admissions and Practice Rules (APR). The purpose of the LLLT Board is to oversee the LLLT Program, perform the responsibilities provided in APR 28(C)(2), and to prescribe the conditions of and limitations upon the provision of certain legal services provided by LLLTs in order to protect the public.	
<b>Strategy to Fulfill Purpose:</b>	
Until July 2022, the LLLT Board will continue with assisting LLLT candidates in the pipeline to complete the requirements, continue with exam development and administration. The LLLT Board will continue to effectuate its ongoing duties regarding license requirements, to deal with disciplinary issues, develop forms for LLLT use, develop CLEs relevant to LLLTs as well as attorneys. The LLLT Board will continue to seek potential ways of funding for the LLLT program or in conjunction with the Practice of Law Board programs similar to the LLLT model.	

**How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?**

LLLTs provide services primarily to the working poor and people of moderate means and, in addition, provide pro bono services.

**2020-2021 Entity Accomplishments:**

Offered the LLLT substantive family law education curriculum to two (2) cohorts (Spring Qtr. ‘20/Fall Qtr. ‘20: FL1; Summer Qtr. ‘20/Winter Qtr. ‘21: FL2; and, Fall Qtr. ‘20/Spring Qtr. ‘21:FL3) developed by University of Washington (UW) and Gonzaga Law Schools. The synchronous learning classes were held via Zoom utilizing the Canvas platform through Whatcom Community College, the same technology and delivery methods utilized by UW when offering the course curriculum. The passage rate on the two LLLT exams in FY 2021 was 62 percent. On April 21, 2021, the LLLT Board submitted a Report to the Washington Supreme Court regarding the decision to sunset the LLLT Program. A copy of that report and the attachments are attached to this report.

**Looking Ahead: 2021-2022 Top Goals & Priorities:**

<b>1</b>	Assist candidates in the pipeline for the LLLT license
<b>2</b>	Provide CLEs and support for existing LLLTs
<b>3</b>	Develop strategy for the future of the LLLT Program
<b>4</b>	
<b>5</b>	

**Please report how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?*

The LLLT Board attempted to recruit more Board members from outside the Seattle/Tacoma area, obtain a more gender balanced Board membership and effectuate the inclusion of people who have protected class status. The LLLT Board recruited members in its efforts to seek more economic diversity, and worked toward welcoming practitioners with different levels of legal experience.

**Please describe the relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

The end of the current FY 2021 included the introduction of new WSBA staff, a new Chair, and new BOG representatives. Although the Chair attended training for Chairs, the Chair needs more support and information from WSBA, e.g. timelines for submission of reports.

<b>SECTIONS ONLY: Please quantify your section's 2020-2021 member benefits:</b>  <i>For example:</i> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	N/A	Newsletters/publications produced
	N/A	Mini-CLEs produced
	N/A	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
	N/A	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity
	N/A	Receptions/forums hosted or co-hosted
	N/A	Recognitions/Awards given
	N/A	New Lawyer Outreach events/benefits
	N/A	Other (please describe):

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Staff**

<b>Size of Entity:</b>	56
<b>Membership Size: (for Sections Only)</b> <i>(As of September 30, 2021)</i>	N/A
<b>Number of Applicants for FY21</b> <i>(October 1, 2020 – September 30, 2021)</i>	55
<b>How many current volunteer position vacancies for this entity?</b>	0
<b>FY21 Revenue (\$): For Sections Only:</b> <i>As of September 30, 2021</i>	\$28,054
<b>Direct Expenses:</b> <i>As of September 30, 2021. For Sections, this does not include the Per-Member-Charge.</i>	\$7,825
<b>Indirect Expenses:</b>	\$126,585

**FY21 Demographics:**  
The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	67%
	Chose Not to Respond	25%
	Yes	8%
<b>District*</b>	3	8%
	4	8%
	5	8%
	7N	8%
	8	8%
	9	8%
<b>Ethnicity</b>	White or European Descent	83%
	Chose Not to Respond	17%
<b>Gender</b>	Female	75%
	Male	8%
	Chose Not to Respond	17%
<b>Sexual Orientation</b>	Heterosexual	42%
	No	17%
	Chose Not to Respond	42%

---

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#) to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# LLLT BOARD REPORT TO WASHINGTON SUPREME COURT

APRIL 21, 2021

## INTRODUCTION

The LLLT license continues to be a successful program offering access to affordable legal assistance to individuals who might otherwise have handled their family law matters completely unrepresented. It took several years to develop the program, gather the support of the community colleges, and to get the word out about the opportunity to enter the legal profession with a limited license. Despite the COVID-19 pandemic and the Court's decision to sunset the program, we are seeing the highest number of people, by far, applying for the LLLT exam and license. These individuals, together with currently licensed LLLTs, are excited to be part of the legal profession and to assist those who may otherwise go unassisted. Because of this Court's courage and leadership in launching the LLLT program, jurisdictions all across the United States and Canada are implementing and exploring limited license programs in their jurisdictions. The LLLT Board implores the Court to reverse its decision to sunset the LLLT program so that it can continue to be a model for the nation, and, most importantly, so that low and moderate income individuals may have more access to legal assistance in Washington state.

## LLLT PROGRAM BY THE NUMBERS

There are currently 46 LLLTs with an active license. The February 2021 LLLT exam saw 17 applicants, about double the average number of test takers at recent past exams. There are at least 40 and up to 56 individuals who are or will be eligible for the LLLT exam by the end of the Spring quarter. This means that the number of LLLTs is expected to double by July 2022. With eight people passing the Winter 2021 LLLT exam (which is the highest pass rate in recent years) we are well on our way. Finally, the LLLT program is forecast to have the lowest expenses since the first year of the program in addition to the second highest revenue<sup>1</sup>.

## LLLT PROGRAM SUCCESS & VIABILITY

The LLLT program has been and continues to be a success for the Washington legal profession in terms of providing competent limited legal assistance, increasing access to justice and leading by example for other jurisdictions across the United States. Most importantly, LLLTs have had a significant impact on the lives of the clients they serve. Not only is the LLLT program successful in terms of its original goals, but it is also a viable program and is more so every day. The original reasons for sunsetting the LLLT program were the high costs and the low interest in becoming licensed as a LLLT. However, both of these factors are improving significantly.

---

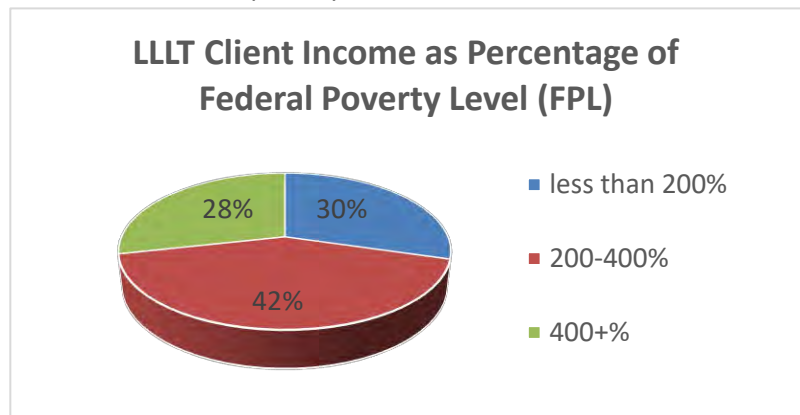
<sup>1</sup> Fiscal year 2019 saw higher revenue due to mandatory attendance of a series of courses held by the LLLT Board related to changes to the scope of the LLLT license.



## MANY CLIENTS SERVED BY LLLTs

The greatest success of the LLLT program has been the ability to provide legal assistance to individuals who in most cases would not have been able to afford a lawyer, or who were in fact rejected by lawyers as clients. LLLTs have been an invaluable resource to their clients and to the judges and commissioners in the courts who interact with parties who have benefited from the assistance of a LLLT. It not only helps the parties, but increases the administration of the justice by reducing the burden placed on courts when dealing with pro se parties.

The LLLT program has always been considered as one way to increase access to justice in Washington, not the only solution. To demonstrate the significant impact the LLLT program has on clients in Washington, four LLLTs provided data about their clients for this report. The four LLLTs, who have been in practice for an average of 52 months, have assisted 562 clients. Of these, 30% of the clients were people of color, and nearly a third, 30%, had income that was less than 200% of the federal poverty level. Overall, 72% of clients served had income less than 400% of the federal poverty level. See Attachment 1 for additional client detail.



## NEW LIMITED LICENSE PROGRAMS ACROSS THE U.S. & CANADA

The Washington Supreme Court's groundbreaking decision to implement the licensing of limited licensed legal practitioners has spurred jurisdictions all across the United States and Canada to consider the value of limited legal license programs. Because of both experience in developing a program and observing the impact that the LLLT license has had on individuals in family law cases in Washington, the LLLT Board members continue to lend support to other jurisdictions across the United States and Canada which are exploring, developing and implementing their own limited license programs. LLLT Board members talk about their experiences, provide insight on lessons learned, and provide any information and resources available to them.

Four U.S. jurisdictions are licensing or are on the verge of licensing limited legal practitioners: Utah has already begun licensing Licensed Paralegal Practitioners; Arizona has recently adopted licensing of Legal Paraprofessionals; Minnesota has a two-year pilot project for licensing Legal Paraprofessionals; and California adopted the licensing requirements for its Paraprofessional Program in February 2021.

In addition to the four jurisdictions above, twelve additional U.S. jurisdictions and five Canadian jurisdictions are at some phase of exploring, developing and preparing limited license programs. A table of these jurisdictions with links to additional information is attached to this report; Attachment 2.

## COST OF ADMINISTERING THE LLLT PROGRAM

One of the primary reasons for sunseting the LLLT program was the cost of administering the program. These costs are forecast to be as low as, if not lower, than when the program first started due to various factors. One key factor is the way in which the WSBA now allocates the time of its management staff. Middle and upper management used to allocate their time amongst all the cost centers in a department. Now they allocate a substantial portion of time, if not all of it, to a general department management cost center because regardless of whether or not a certain program exists within the department, the management position would still exist.

Another factor leading to decreased staff allocation is the way in which the program, specifically the licensing, is administered. When LLLTs and LPOs became members of the Bar, many of the rules, procedures and processes were aligned with those of the lawyers. Now LLLT admission is handled by the admissions team, MCLE by the MCLE team, license renewal by the licensing lead, etc. The cost of administration for licensing is absorbed into the other cost centers who are already handling the licensing and admissions of thousands of lawyers and other licensed legal professionals. Even with no limited licenses to administer, the number of staff would not be reduced in these teams because the number is so small compared to the number of lawyers. Although the processes are incorporated into the other work of the other teams, the Board of Governors requires WSBA staff to separate out LLLT revenue and expenses into the LLLT cost center. There is still some specific support for the LLLT Board and general LLLT issues but not nearly as much as was allocated in past years.

There would most likely be less of a financial impact on the WSBA's budget if LLLTs continued to be licensed, even in only one practice area. The future projected revenue and expenses of the LLLT program show that the LLLT program may never get out of deficit spending because there are no new additional sources of revenue. On the other hand, if additional LLLTs are licensed then exam and license fee revenue will continue to increase, eventually bringing the program into an income generating scenario. Attachment 3 illustrates projected finances with a complete sunset of the LLLT program. Attachment 4 illustrates possible projected finances if licensing of family law LLLTs were to continue.

## INTEREST IN BECOMING LICENSED AS A LLLT

Another reason provided for sunseting the LLLT program was the apparent lack of interest by people in becoming licensed as a LLLT. The LLLT Board spent many years developing the scope, procedures, licensing requirements, rule sets, etc. for a new license to practice law, the likes of which had not been done before. (And now other jurisdictions are piggy-backing off of Washington's trail-blazing efforts.) The LLLT Board shifted focus a few years ago to researching the possibility of expanding into other practice areas, increasing the number of schools available to teach the LLLT curriculum, and exploring additional sources for access to financial aid. After much effort by the community colleges, the LLLT career was listed in two databases that are driven by information from the U.S. Department of Labor<sup>2</sup>. This was a valuable tool for promoting the LLLT as a career opportunity in the legal profession for students in the community college system. Unfortunately, just as interest began to increase and students were reaching the end of

---

<sup>2</sup> [www.wois.org](http://www.wois.org) and [www.onetonline.org](http://www.onetonline.org)

the three year education pipeline (for those students who were able to attend full time), the Court decided to sunset the program. As a result, LLLT is no longer listed as a career option in those databases.

Recently, 15 students finished the family law practice education in the Fall and 40 students are anticipated to complete it at the end of Spring quarter this year. This, combined with additional former LLLT students who have not taken or passed the LLLT exam, means 50 – 60 or more individuals are pursuing the LLLT license. It would not be surprising if the number of LLLTs licensed by July 2022 is 92 or more which would be double the current number of active LLLTs.

The number of people in the pipeline would have been greater but the Court's decision to sunset the program and the COVID pandemic significantly impacted students in the following ways:

- Covid has placed a number of extra hardships on students including loss of jobs, housing issues, taking on additional jobs to compensate for household income loss, etc.;
- Some students have had to become caretakers of family members or friends for healthcare reasons or provide educational support to their children;
- Many students tried to take a particularly large load of credits in order to finish the LLLT requirements by the sunset deadline including LLLT/paralegal core curriculum and the LLLT practice area classes which created additional academic and economic burdens that have been exacerbated by the pandemic challenges;
- The rushed timeline reduced the availability of academic financial resources including federal and state financial aid, Veteran funds and disability resources; and
- Many potential students simply could not, or did not want to, carry the high class load to finish in the shortened window of time and chose instead to pursue something else.

Washington community and technical colleges and other educational institutions went through a rigorous process to set up LLLT classes, hire instructors and fund the LLLT courses. These institutions have been negatively impacted by the sudden decision to end the LLLT program.

### INCREASED INTEREST BY MALES AND BY BLACK, INDIGENOUS AND PEOPLE OF COLOR (BIPOC)

The LLLT program has been criticized for being a profession of mostly white women. The LLLT program had a waiver of some of the education requirements for people who had 10 years of experience as a paralegal; people with such experience are mostly white women. However, as new paralegals entered the educational pipeline we began to see a more diverse pool of LLLTs. Whatcom Community College was able to provide some demographic data on the current LLLT students finishing the final quarter of the LLLT family law practice area courses. This data shows that 32.5% of the students are BIPOC, 52.5% are adults 40 years old and above, and at least 7.5% are men. See Attachment 5.

The decision to sunset will have a negative impact on BIPOC who had an interest in an affordable career in the legal profession (and on BIPOC clients who, as discussed above, represent 30% of the reported LLLT clients). This, at a time when the Court is advocating that it “administer justice and support court rules in a way that brings greater racial justice to our system as a whole.”

## CONCLUSION

The LLLT program is so successful that jurisdictions across the nation are already implementing their own programs. Washington state's innovation, with this Court's leadership, led the way for increasing access to legal assistance with well-educated and regulated legal professionals with a limited license to practice law. The LLLTs are attracting low to moderate income clients, BIPOC clients, and creating opportunities in the legal profession for working age, family-rearing age, and BIPOC adults. The LLLT Board asks the Court to reconsider its decision to sunset the LLLT program and continue to be a leader of change in the legal profession and access to justice.

## Attachments

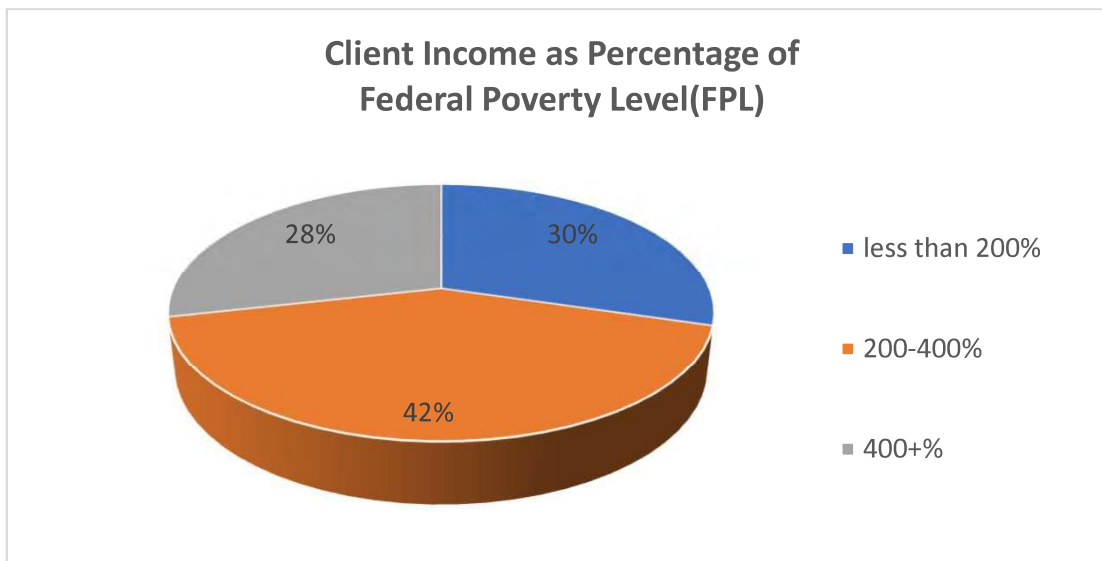
1. LLLT Client Data
2. Legal Regulation Innovation Table
3. Finance Projection with Sunset
4. Finance Projection Continuing Family Law
5. LLLT Practice Area Course Student Demographics

## CLIENT DATA FROM FOUR LLLTS

AVG # months in practice	Total Clients retained	Total Consults only	Total Clients Assisted	Client Income as Percentage of Federal Poverty Level(FPL)			AVG % Clients of color
				less than 200%	200-400%	400+%	
52	353	209	562	30%	42%	28%	30%

Type of Service Provided by LLLT to Client*	
Divorce or Legal Separation with Children	146
Divorce or Legal Separation without Children	86
Child Support Modification	31
Parenting Plan Modification	15
Establish Parenting Plan/Child Custody	45
Paternity	2
Non-Parental Custody	2
Domestic Violation Protection Order	10

\* Total does not match total clients retained, due to difference in types of service reported



## Legal Regulation Innovation Table

Locale	Rules and Innovation
<b>United States</b>	
Utah	<b>LPP</b> – Licensed Paralegal Practitioner - several already licensed <sup>1</sup> Office of Legal Services Innovation - Regulatory Sandbox: now active <sup>2</sup>
Arizona	<b>LP</b> - Legal Paraprofessionals – adopted by Supreme Court <sup>3</sup> Non-Lawyer Law Firm Ownership <sup>4</sup>
Minnesota	Legal Paraprofessional Pilot Project - runs March 2021-March 2023 <sup>5</sup>
California	Paraprofessional Program - Licensing Requirements adopted February 2021 <sup>6</sup>
Colorado	Paraprofessionals and Legal Services (PALS) Subcommittee - actively working on pilot project for LPPs <sup>7</sup>
North Carolina	North Carolina Legal Technician – proposed to NC Supreme Court, presented March 23, 2021 <sup>8</sup>
Oregon	Paraprofessional Licensing Implementation Committee - actively working to define license; approved by OR BOG in 2019 <sup>9</sup>
New York	Court Navigators - since 2014 <sup>10</sup> , proposed training social workers to provide legal services, expanding role of navigators Dec 2021 <sup>11</sup>
New Mexico	Court Navigator Pilot Program – adopted by Order No. 19-8110 <sup>12</sup>
Illinois	Licensed Paralegal – Optimizing Committee of Bar proposed rule September 28, 2020 <sup>13</sup>
Connecticut	State of the Legal Profession Task Force – exploring limited licensing <sup>14</sup>
Florida	Advanced Florida Registered Paralegals – delegated for further study by FL BOG <sup>15</sup>
Montana	A task force is exploring limited licensing <sup>8</sup>

<sup>1</sup> <https://www.utcourts.gov/legal/lpp/>

<sup>2</sup> <https://sandbox.utcourts.gov/>

<sup>3</sup> <https://www.azcourts.gov/Licensing-Regulation/Legal-Paraprofessional-Program>

<sup>4</sup> <https://www.azcourts.gov/Licensing-Regulation/Alternative-Business-Structure>

<sup>5</sup> <https://www.mncourts.gov/Implementation-Committee.aspx>

<sup>6</sup> <https://paraprofessional.osbar.org/files/Paraprofessional-Program-Licensing-Requirements-Adopted-February-2021-1.pdf>

<sup>7</sup> <https://www.coloradosupremecourt.us/AboutUs/Subcommittees.asp>

<sup>8</sup> <https://ncbarblog.com/pd-limited-licensing-proposal-watch-the-presentation-to-the-state-bar-on-mar-23-2021/>

<sup>9</sup> <https://paraprofessional.osbar.org/>

<sup>10</sup> <https://www.nycourts.gov/courts/nyc/housing/rap.shtml>

<sup>11</sup> [https://www.nycourts.gov/LegacyPDFS/publications/RWG-RegulatoryInnovation\\_Final\\_12.2.20.pdf](https://www.nycourts.gov/LegacyPDFS/publications/RWG-RegulatoryInnovation_Final_12.2.20.pdf)

<sup>12</sup> <https://iaals.du.edu/blog/new-mexico-implement-court-navigators-pilot-program>

<sup>13</sup> <https://chicagobarfoundation.org/pdf/advocacy/task-force-report.pdf>

<sup>14</sup> <https://www.ctbar.org/members/sections-and-committees/task-forces/state-of-the-legal-profession-task-force#:~:text=The%20CBA%20has%20convened%20a,and%20better%20manage%20legal%20dockets.&text=To%20accomplish%20these%20goals%2C%20the,in>

<sup>15</sup> <https://www.floridabar.org/the-florida-bar-news/advanced-florida-registered-paralegals-plan-gains-conceptual-approval-from-bars-rules-committee/>

## Legal Regulation Innovation Table

Virginia	A task force is exploring limited licensing <sup>8</sup>
Pennsylvania	A task force is exploring limited licensing <sup>8</sup>
Vermont	A task force is exploring both document preparers and limited licensing <sup>8</sup>
Nevada	Document Preparer Program, licensed legal document preparers - since 2013 <sup>16</sup>
<b>Canada</b>	
British Columbia	Licensed Paralegal Task Force Innovation Sandbox <sup>17</sup>
Ontario	Licensed Paralegals, now considering Family Legal Service Providers (FLSP) <sup>18</sup>
Manitoba	Special Committee on Alternative Legal Services Providers <sup>19</sup>
Nova Scotia	Public Navigator Program <sup>20</sup>
Saskatchewan	Investigating limited licensing <sup>21</sup>

<sup>16</sup> <https://www.leg.state.nv.us/nrs/NRS-240A.html>

<sup>17</sup> <https://www.lawsociety.bc.ca/our-initiatives/innovation-sandbox/>

<sup>18</sup> <https://lso.ca/about-lso/initiatives/family-law-action-plan>

<sup>19</sup> <https://lawsociety.mb.ca/about/lsm-initiatives/alternative-legal-services-providers/>

<sup>20</sup> <https://www.legalinfo.org/navigator/public-navigator-training>

<sup>21</sup> <https://www.lawsociety.sk.ca/initiatives/access-to-justice/future-of-legal-services/>

## Sunset

<b>LLLT DRAFT BUSINESS PLAN FOR DISCUSSION ONLY</b>												
REVENUE	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	
Grants	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
License Fee	\$ 7,203	\$ 12,382	\$ 15,388	\$ 16,638	\$ 20,047	\$ 23,168	\$ 23,811	\$ 24,264	\$ 24,725	\$ 25,195	\$ 25,675	
LLLT Education Fee (CLEs and practice a	\$ 9,580	\$ 2,319	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Exam Application Fee	\$ 5,355	\$ 17,955	\$ 15,750	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Waiver Application Fee	\$ 150	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
MCLE LATE FEE	\$ 150	\$ 300	\$ 300	\$ 450	\$ 450	\$ 600	\$ 600	\$ 750	\$ 750	\$ 750	\$ 750	
Education approval fee (core education)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
<b>TOTAL REVENUE</b>	<b>\$ 22,438</b>	<b>\$ 32,956</b>	<b>\$ 31,438</b>	<b>\$ 17,088</b>	<b>\$ 20,497</b>	<b>\$ 23,768</b>	<b>\$ 24,411</b>	<b>\$ 25,014</b>	<b>\$ 25,475</b>	<b>\$ 25,945</b>	<b>\$ 26,425</b>	
DIRECT COSTS	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	
LLLT Board	\$ 5,656	\$ 2,450	\$ 1,200	\$ 1,236	\$ 1,273	\$ 1,311	\$ 1,351	\$ 1,391	\$ 1,433	\$ 1,476	\$ 1,520	
LLLT Outreach	\$ 1,507	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
LLLT Exam Writing	\$ 8,373	\$ 6,287	\$ 9,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Facility, Parking and Food (LLLT Exam)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Staff Travel/Parking	\$ 102	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
LLLT Education	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Postage	-	-	-	-	-	-	-	-	-	-	-	
Licensing Forms	\$ -	\$ 4	\$ 5	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
<b>TOTAL DIRECT COSTS</b>	<b>\$ 15,638</b>	<b>\$ 8,741</b>	<b>\$ 10,205</b>	<b>\$ 1,236</b>	<b>\$ 1,273</b>	<b>\$ 1,311</b>	<b>\$ 1,351</b>	<b>\$ 1,391</b>	<b>\$ 1,433</b>	<b>\$ 1,476</b>	<b>\$ 1,520</b>	
<b>NET DIRECT INCOME/LOSS</b>	<b>\$ 6,800</b>	<b>\$ 24,215</b>	<b>\$ 21,233</b>	<b>\$ 15,852</b>	<b>\$ 19,224</b>	<b>\$ 22,457</b>	<b>\$ 23,061</b>	<b>\$ 23,623</b>	<b>\$ 24,042</b>	<b>\$ 24,470</b>	<b>\$ 24,905</b>	
INDIRECT COSTS	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	
Salary and benefits	\$ 136,939.00	\$ 88,451.00	\$ 17,157.12	\$ 17,671.84	\$ 18,201.99	\$ 18,748.05	\$ 19,310.49	\$ 19,889.81	\$ 20,486.50	\$ 21,101.10	\$ 21,734.13	
Other indirects	\$ 38,688.00	\$ 23,292.00	\$ 6,125.98	\$ 6,309.76	\$ 6,499.06	\$ 6,694.03	\$ 6,894.85	\$ 7,101.70	\$ 7,314.75	\$ 7,534.19	\$ 7,760.21	
<b>TOTAL INDIRECT COSTS</b>	<b>\$ 175,627.00</b>	<b>\$ 111,743.00</b>	<b>\$ 23,283.11</b>	<b>\$ 23,981.60</b>	<b>\$ 24,701.05</b>	<b>\$ 25,442.08</b>	<b>\$ 26,205.34</b>	<b>\$ 26,991.50</b>	<b>\$ 27,801.25</b>	<b>\$ 28,635.28</b>	<b>\$ 29,494.34</b>	
<b>NET INCOME/LOSS (all revenue and direct and indirect costs as currently calculated)</b>	<b>\$ (168,827.00)</b>	<b>\$ (87,528.19)</b>	<b>\$ (2,049.98)</b>	<b>\$ (8,129.42)</b>	<b>\$ (5,476.82)</b>	<b>\$ (2,985.22)</b>	<b>\$ (3,144.46)</b>	<b>\$ (3,368.91)</b>	<b>\$ (3,759.11)</b>	<b>\$ (4,165.63)</b>	<b>\$ (4,589.06)</b>	
Salaries and Benefits Base	\$ 102,193.28	\$ 83,287.00	\$ 85,785.61	\$ 88,359.18	\$ 91,009.95	\$ 93,740.25	\$ 96,552.46	\$ 99,449.03	\$ 102,432.50	\$ 105,505.48	\$ 108,670.64	
FTE's	1.34	1	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	
Overhead Base	\$ 28,871.64	\$ 29,737.79	\$ 30,629.92	\$ 31,548.82	\$ 32,495.29	\$ 33,470.15	\$ 34,474.25	\$ 35,508.48	\$ 36,573.73	\$ 37,670.94	\$ 38,800.88	



## Sunset

### Assumptions:

1. No new examinees or LLLTs after 2022; 89 LLLTs paying full annual licensing fees starting 2025, 10 paying \$120 annual inactive fee
2. 3% annual increase in LLLT Board expenses
3. 2% annual license fee increase (Social Security Cost of Living Adjustment (COLA) average over last 20 years (2001 – 2020) is 2%)
4. Salaries & Benefits Base and Overhead Base includes 3% annual increase

**Continue Licensing in Family Law**  
**LLLT DRAFT BUSINESS PLAN FOR DISCUSSION ONLY**

REVENUE	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Grants	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
License Fee	\$ 7,203	\$ 12,382	\$ 15,388	\$ 17,580	\$ 23,386	\$ 30,541	\$ 38,557	\$ 49,252	\$ 62,516	\$ 79,615	\$ 99,586
LLLT Education Fee (CLEs and practice a	\$ 9,580	\$ 2,319	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Exam Application Fee	\$ 5,355	\$ 17,955	\$ 15,750	\$ 6,300	\$ 15,750	\$ 25,125	\$ 31,425	\$ 34,725	\$ 40,800	\$ 49,950	\$ 62,025
Waiver Application Fee	\$ 150	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MCLE LATE FEE	\$ 150	\$ 300	\$ 300	\$ 450	\$ 450	\$ 600	\$ 600	\$ 750	\$ 750	\$ 750	\$ 750
Education approval fee (core education)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL REVENUE</b>	<b>\$ 22,438</b>	<b>\$ 32,956</b>	<b>\$ 31,438</b>	<b>\$ 24,330</b>	<b>\$ 39,586</b>	<b>\$ 56,266</b>	<b>\$ 70,582</b>	<b>\$ 84,727</b>	<b>\$ 104,066</b>	<b>\$ 130,315</b>	<b>\$ 162,360</b>
<b>DIRECT COSTS</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>	<b>FY 2030</b>
LLLT Board	\$ 5,656	\$ 2,450	\$ 1,200	\$ 1,236	\$ 1,273	\$ 1,311	\$ 1,351	\$ 1,391	\$ 1,433	\$ 1,476	\$ 1,520
LLLT Outreach	\$ 1,507	\$ -	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500
LLLT Exam Writing	\$ 8,373	\$ 6,287	\$ 9,000	\$ 9,000	\$ 9,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
Facility, Parking and Food (LLLT Exam)	\$ -	\$ -	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200
Staff Travel/Parking	\$ 102	\$ -	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100
LLLT Education	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Postage	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Licensing Forms	\$ -	\$ 4	\$ 5	\$ 5	\$ 7	\$ 8	\$ 10	\$ 13	\$ 16	\$ 18	\$ 21
<b>TOTAL DIRECT COSTS</b>	<b>\$ 15,638</b>	<b>\$ 8,741</b>	<b>\$ 11,005</b>	<b>\$ 11,041</b>	<b>\$ 11,080</b>	<b>\$ 12,119</b>	<b>\$ 12,161</b>	<b>\$ 12,204</b>	<b>\$ 12,248</b>	<b>\$ 12,294</b>	<b>\$ 12,342</b>
<b>NET DIRECT INCOME/LOSS</b>	<b>\$ 6,800</b>	<b>\$ 24,215</b>	<b>\$ 20,433</b>	<b>\$ 13,289</b>	<b>\$ 28,506</b>	<b>\$ 44,147</b>	<b>\$ 58,421</b>	<b>\$ 72,523</b>	<b>\$ 91,818</b>	<b>\$ 118,020</b>	<b>\$ 150,019</b>
<b>INDIRECT COSTS</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>	<b>FY 2030</b>
Salary and benefits	\$ 136,939.00	\$ 88,451.00	\$ 85,785.61	\$ 88,359.18	\$ 91,009.95	\$ 46,870.13	\$ 48,276.23	\$ 49,724.52	\$ 51,216.25	\$ 52,752.74	\$ 54,335.32
Other indirects	\$ 38,688.00	\$ 23,232.00	\$ 30,629.92	\$ 31,548.82	\$ 32,495.29	\$ 16,735.07	\$ 17,237.13	\$ 17,754.24	\$ 18,286.87	\$ 18,835.47	\$ 19,400.54
<b>TOTAL INDIRECT COSTS</b>	<b>\$ 175,627.00</b>	<b>\$ 111,743.00</b>	<b>\$ 116,415.53</b>	<b>\$ 119,908.00</b>	<b>\$ 123,505.24</b>	<b>\$ 63,605.20</b>	<b>\$ 65,513.36</b>	<b>\$ 67,478.76</b>	<b>\$ 69,503.12</b>	<b>\$ 71,588.21</b>	<b>\$ 73,735.86</b>
<b>NET INCOME/LOSS (all revenue and direct and indirect costs as currently calculated)</b>	<b>\$ (168,827.00)</b>	<b>\$ (87,528.19)</b>	<b>\$ (95,982.40)</b>	<b>\$ (106,619.15)</b>	<b>\$ (94,998.90)</b>	<b>\$ (19,458.50)</b>	<b>\$ (7,092.48)</b>	<b>\$ 5,044.17</b>	<b>\$ 22,314.81</b>	<b>\$ 46,432.18</b>	<b>\$ 76,282.80</b>
Salaries and Benefits Base	\$ 102,193.28	\$ 83,287.00	\$ 85,785.61	\$ 88,359.18	\$ 91,009.95	\$ 93,740.25	\$ 96,552.46	\$ 99,449.03	\$ 102,432.50	\$ 105,505.48	\$ 108,670.64
FTE's	1.34	1	1.00	1.00	1.00	0.50	0.50	0.50	0.50	0.50	0.50
Overhead Base	\$ 28,871.64	\$ 29,737.79	\$ 30,629.92	\$ 31,548.82	\$ 32,495.29	\$ 33,470.15	\$ 34,474.25	\$ 35,508.48	\$ 36,573.73	\$ 37,670.94	\$ 38,801.07

## Continue Licensing in Family Law

PROJECTIONS										
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
# LLLTs	76	99	108	130	164	206	257	311	369	429
% Increase	50%	29%	9%	21%	26%	26%	25%	21%	19%	16%
# Examinees	57	50	20	50	75	95	115	120	130	135
% Increase	235%	-12%	-60%	150%	50%	27%	21%	4%	8%	4%

Licensing Fee	\$ 229	\$ 234	\$ 238	\$ 238	\$ 245	\$ 253	\$ 263	\$ 273	\$ 287	\$ 301
% Increase	0%	2%	2%	3%	3%	3%	4%	4%	5%	5%

### Exam Application Fee

FL + PR	\$300	\$300	\$300	\$300	\$300	\$300	\$300	\$300	\$300	\$300
PR only	\$80	\$80	\$80	\$80	\$80	\$80	\$80	\$80	\$80	\$80
FL only	\$250	\$250	\$250	\$250	\$250	\$250	\$250	\$250	\$250	\$250

### Assumptions

1. 3% annual increase in LLLT Board expenses
2. 47% Exam Passage Rate thru 2024, 50% in 2025, 53% in 2026, 55% in 2027, 58% in 2028, 60% in 2029, & 63% in 2030 with development of training materials
3. Salaries & Benefits Base and Overhead Base includes 3% annual increase

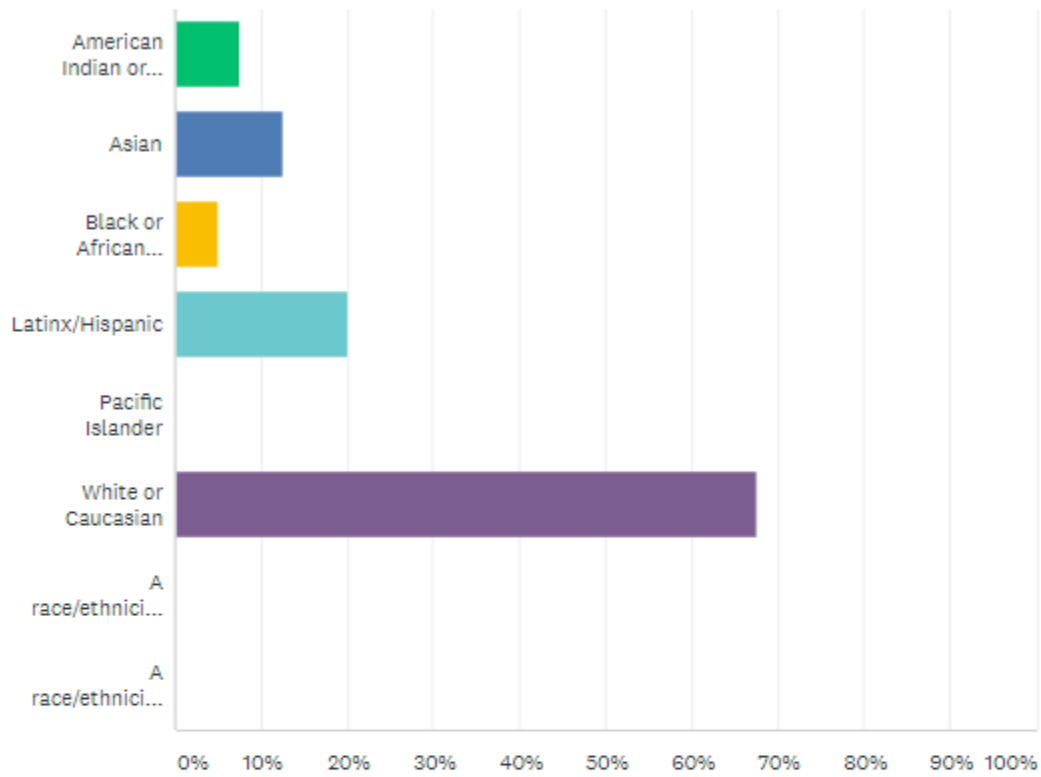
# LLLT Practice Area Course Demographic Survey

Q1



## Race/ethnicity (check all that apply)

Answered: 40 Skipped: 0



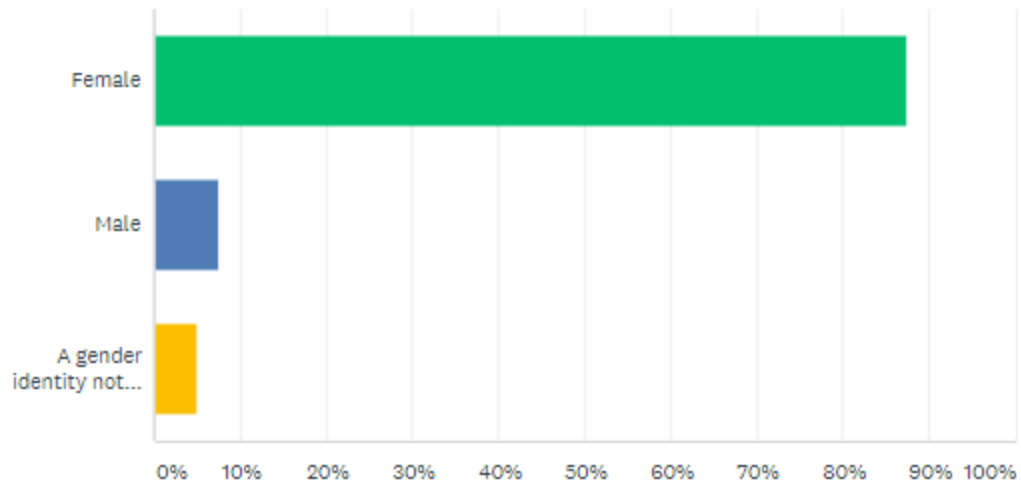
ANSWER CHOICES	RESPONSES	
American Indian or Alaska Native	7.50%	3
Asian	12.50%	5
Black or African American	5.00%	2
Latinx/Hispanic	20.00%	8
Pacific Islander	0.00%	0
White or Caucasian	67.50%	27
A race/ethnicity not listed	0.00%	0
A race/ethnicity not listed	<a href="#">Responses</a>	0.00%
<b>Total Respondents: 40</b>		

Q2



## Gender identity

Answered: 40 Skipped: 0



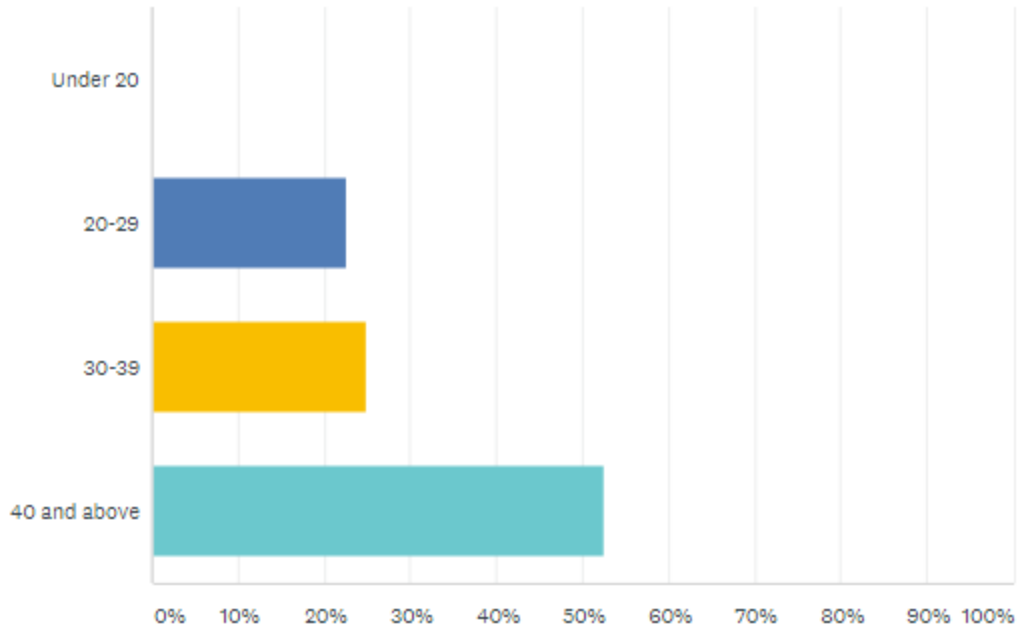
ANSWER CHOICES	RESPONSES	
Female	87.50%	35
Male	7.50%	3
A gender identity not listed	5.00%	2
<b>Total Respondents: 40</b>		

Q3



# Age range

Answered: 40 Skipped: 0



ANSWER CHOICES	RESPONSES	
Under 20	0.00%	0
20-29	22.50%	9
30-39	25.00%	10
40 and above	52.50%	21
<b>TOTAL</b>		<b>40</b>

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2021: October 1, 2020 – September 30, 2021

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2020 – September 30, 2021. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 15:** please submit by emailing [barleaders@wsba.org](mailto:barleaders@wsba.org) or requesting that your staff liaison submit the report internally.

<b>Name of Entity:</b>	Limited Practice Board
<b>Chair or Co-Chairs:</b>	David Bastian
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Bobby Henry, Associate Director for Regulatory Services; Jon Burke, Innovative Licensing Counsel, RSD
<b>Board of Governors Liaison:</b>	Carla Higginson
<b>Purpose of Entity:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Limited Practice Board (LPB) derives its authority from the Washington Supreme Court under Rule 12 of the Admission and Practice Rules (APR). The purpose of the LPB is to oversee the Limited Practice Officer (LPO) license program and to work with Bar and others to create and grade an LPO examination for admission to practice law, approve of standard forms for use by LPOs and to handle grievances and enforce discipline under the applicable ethics rules and procedural rules.	
<b>Strategy to Fulfill Purpose:</b>	
The LPB meets four to six times per year to develop and grade the LPO exam and discuss issues and items of concern or that are relevant to the LPO license. The LPB's disciplinary committee handles the resolution of ethics grievances. The Forms Committee reviews, edits, and creates standard forms used by LPOs that are submitted to the LPB for approval.	

**How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?**

The LPB serves the public by overseeing and effectuating the LPO Program, including (1) working with the Bar to prepare, administer, and grade the LPO exam twice a year, and (2) drafting, updating, editing, and approving forms used by LPO. The LPB ensures the integrity of the legal profession by administering the LPO discipline system, including handling grievances against LPOs.

**2020-2021 Entity Accomplishments:**

The LPB prepared and graded two LPO examinations comprised of 50 multiple choice questions, 3 essay questions, and 1 performance questions that were administered in February 2021 and July 2021. The LPB amended the LPO forms to correct an inconsistency in the LPO forms by replacing the current acknowledgement with the short form of the acknowledgement provided for in RCW 42.45.140. The LPB adopted the recommendation of the Rules Committee to propose an amendment to the WSBA Bylaws to waive the \$100 to-active status application fee when an LPO in on inactive status for 90 days or less.

**Looking Ahead: 2021-2022 Top Goals & Priorities:**

<b>1</b>	Work to develop in-person LPO examinations for FY 2022.
<b>2</b>	Review and make changes to LPO forms, as needed.
<b>3</b>	Review bank of LPO multiple choice an essay questions to ensure content and format appropriately assess the required knowledge and skills to practice law as an LPO.
<b>4</b>	
<b>5</b>	

**Please report how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?*

The LPB encourages diversity, equity, and inclusion in its efforts to recruit board members. These efforts have not yet yielded the positive results that the LPB intended. For example, the last recruitment effort by the LPB yielded only two applications for the two open positions, and neither of the applicants represented a minority or protected class. In the future, LPB will make a stronger effort to encourage more diversity.

**Please describe the relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

The LPB has a positive symbiotic relationship with WSBA staff and the BOG liaison.



<b>SECTIONS ONLY: Please quantify your section's 2020-2021 member benefits:</b>  <i>For example:</i> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>		Newsletters/publications produced
		Mini-CLEs produced
		Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
		Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity
		Receptions/forums hosted or co-hosted
		Recognitions/Awards given
		New Lawyer Outreach events/benefits
		Other (please describe):

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Staff**

<b>Size of Entity:</b>	9
<b>Membership Size: (for Sections Only)</b> <i>(As of September 30, 2021)</i>	N/A
<b>Number of Applicants for FY21</b> <i>(October 1, 2020 – September 30, 2021)</i>	
<b>How many current volunteer position vacancies for this entity?</b>	1 (approval of this new board member pending)
<b>FY21 Revenue (\$): For Sections Only:</b> <i>As of September 30, 2021</i>	\$200,770
<b>Direct Expenses:</b> <i>As of September 30, 2021. For Sections, this does not include the Per-Member-Charge.</i>	\$15,089
<b>Indirect Expenses:</b>	\$78,920

**FY21 Demographics:**  
 The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.  
  
 Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	100%
	Chose Not to Respond	0%
<b>District*</b>	1	13%
	6	13%
	7S	25%
<b>Ethnicity</b>	White or European Descent	100%
	Chose Not to Respond	0%
<b>Gender</b>	Female	50%
	Male	50%
	Chose Not to Respond	0%
<b>Sexual Orientation</b>	Heterosexual	75%
	Chose Not to Respond	13%

---

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

**To:** Washington Supreme Court Justices  
**From:** MCLE Board  
**Date:** August 20, 2021  
**RE:** **2020-2021 MCLE BOARD TERM REPORT**

---

## Background & Purpose:

The Mandatory Continuing Legal Education (MCLE) Board derives its authority from the Washington Supreme Court. Under Admission and Practice Rule (APR) 11(d)(2), the MCLE Board is authorized to accredit courses and educational programs that satisfy the educational requirements of the mandatory CLE rule, consider MCLE policy issues, determine and adjust fees, consider member and sponsor petitions for waivers from requirements and appeals from decisions, and suggest amendments or regulations to APR 11. The MCLE Board is comprised of 6 WSBA members and 1 community members. On average, the MCLE Board meets five times a year.

## FY 2020-2021 MCLE Board Goals:

### 1. Suggested Amendment

Taking into consideration feedback from the public, licensed legal professionals, and the WSBA Board of Governors, the MCLE Board made a goal of determining whether to recommend to the Washington Supreme Court an amendment to the Admission and Practice Rule (APR) 11 ethics requirement. On October 15, 2020, the MCLE Board submitted the suggested amendment to the Washington Supreme Court. On July 1, 2021, the Washington Supreme Court entered order 25700-A-1349 approving the MCLE Board's suggested amendment. The order is effective September 1, 2022. The amendment to APR 11 requires, per each three-year MCLE reporting period, that each licensed legal professional complete at least one ethics credit in the topic of equity, inclusion, and the mitigation of both implicit and explicit bias in the legal profession and the practice of law.

### 2. Course Audits

MCLE Board members have a goal of auditing two or more CLE courses each year, focusing on accredited sponsors. The MCLE Board has completed five (5) audit reports throughout the 2020-2021 term, and are in the process of auditing three (3) additional courses. Accredited sponsors have the same duties as general sponsors, but have the additional responsibility of approving their own courses and determining appropriate MCLE credit in accordance with APR 11. Accredited sponsors pay an annual flat fee for all course applications submitted in lieu of an application fee for each individual course.

### 3. Diversity



The MCLE Board will continue to examine and work to increase the diversity of the MCLE Board. The MCLE Board continues to seek board members who represent diversity in geography, and all other diversity criteria used by the WSBA. In addition, the MCLE Board has done targeted outreach to WSBA members and CLE sponsors regarding topics that the Board has considered during the year. Also, the Board routinely receives and considers input from petitions filed by WSBA members affected by the MCLE rules.

The MCLE Board fosters an atmosphere of civility and collegiality insofar as how the Board receives comments from WSBA members, staff, fellow board members, and others. This is accomplished by active listening and respectful discussion. Consistency in the application of the rules is maintained by active discussion on the merits of each issue brought before the MCLE Board. The MCLE Board aims to achieve Board consensus whenever possible.

## Newly Adopted MCLE Board Policies

At its August 6, 2021 meeting, the MCLE Board adopted two policies with the intent to provide guidance for the implementation of the Court's order NO. 25700-A-1349, which requires at least one MCLE credit in equity, inclusion, and the mitigation of both implicit and explicit bias in the legal profession and the practice of law (hereinafter referred to as "equity credit"). Pursuant to APR 11(d)(2)(ii) the policies will become effective 60 days after promulgation by the MCLE Board. Below is a brief description of each policy.

### MCLE Board Policy – Implementation of New Ethics Requirement

This policy establishes 2023-2025 as the first reporting period required to report and certify the new requirement. The policy is intended to allow time for WSBA staff to develop tracking mechanisms in the MCLE database for certification and course accreditation according to the new requirements. In addition, this policy provides time to notify both licensed legal professionals and CLE sponsors of the new requirement.

### MCLE Board Policy – Credit Carryover

This policy clarifies that while all ethics credit earned in excess of the reporting period requirement will be carried over as ethics credit in accordance with APR 11(c)(7), a new equity requirement must be earned in each reporting period. This policy is consistent with the current administration of ethics carryover credits: excess ethics credits carryover in its broader, general definition. For example, activities that relate to: the ethical risks to practice associated with diagnosable mental health issues, Rules of Professional Conduct, diversity and antibias as it relates to the legal system all currently carryover as ethics credit.

## MCLE Credit for Law Clerk Tutors Workgroup



Over the years, there have been several requests by Law Clerk tutors to receive MCLE credit for giving their time as tutors. Tutors provide three hours of personal supervision each week, including instruction and substantive discussion of the law. It's a four-year program, and each year law clerks are required to study six subjects and pass monthly examinations. The exams are developed, administered, and graded by the tutors. At its May 25, 2021 meeting, the MCLE Board nominated two members to serve on the workgroup alongside two members from the Law Clerk Board to explore the possibility of suggesting an amendment to APR 11(e)(6) to allow Law Clerk tutors to obtain MCLE credit for teaching. On August 12, 2021, the workgroup met to discuss and draft potential language for an amendment to APR 11(e)(6).

## **WSBA Task Force Administering Xenial Involvement with Court Appointed Boards**

MCLE Board member Robert Malae serves as the MCLE Board representative on the WSBA Task Force Administering Xenial Involvement with Court Appointed Boards (TAXICAB), and provides regular updates to the MCLE Board regarding the actions of the task force, at each MCLE Board meeting. The task force was created to begin a collaborative discussion with the Washington Supreme Court and to coordinate efforts to administer Court Boards, as well as to facilitate cooperation and the sharing of information between the Court and the WSBA on issues related to substantive, fiscal, and administrative concerns.

## **Board Interpretations of APR 11**

After receiving a request for course accreditation guidance from MCLE staff, the MCLE Board determined that courses not designed nor intended for licensed legal professionals—that cover issues of diversity, inclusion, and elimination of bias—are not eligible for MCLE credit under APR 11(h). The MCLE Board requested MCLE staff to bring additional course applications in this topic to future meetings, in order to explore potential accreditation.

## **Petitions & Board Decisions**

At each meeting, the MCLE Board reviews petitions that have been submitted on the basis of undue hardship. Per APR 11(i)(5): “a lawyer, LLLT, or LPO may file with the MCLE Board an undue hardship petition for an extension, waiver, and/or modification of the MCLE requirements.”

All petitions are first reviewed by the MCLE staff liaison and approved, denied, or forwarded to the MCLE Board based on the Board-approved decision matrix, which defines applicable hardships. The MCLE Board also reviews appeals of denials and holds hearings at the request of licensed legal professionals who also have the option to appeal a denial by the MCLE Board to the Supreme Court.

In total, two (2) petitions of undue hardship were reviewed by the MCLE Board during the 2020-2021 meeting term; however, both petitions were for the 2017-2019 reporting period. Due to the Court ordered extension of the 2018-2020 reporting period, and as of August 11, 2021, no petitions have been submitted to the MCLE Board for either the 2018-2021 extended reporting period or the 2019 -2021 reporting period. However, it is anticipated that the MCLE Board will begin to receive petitions for both

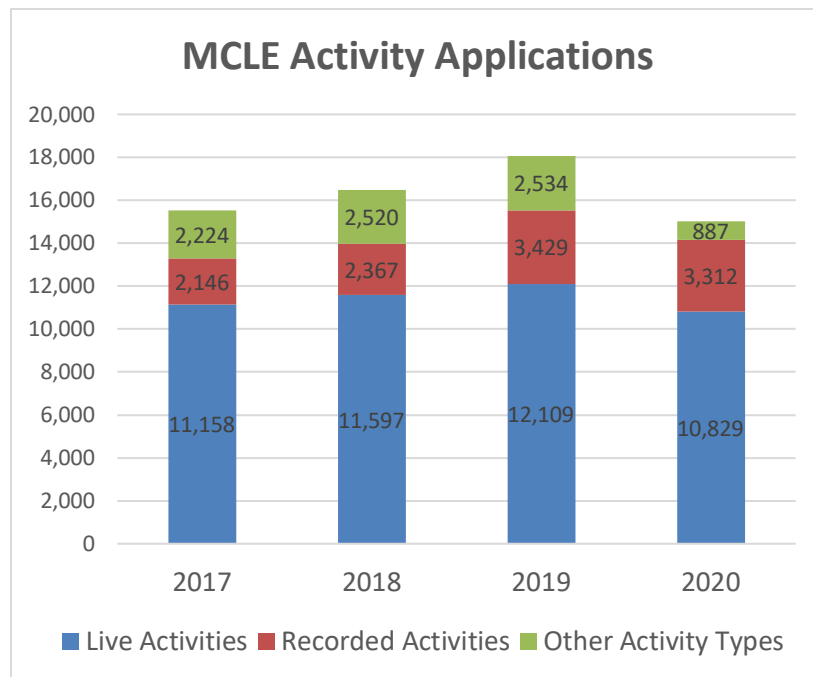


reporting periods this fall. For comparison, the MCLE Board received a total of sixty-eight (68) petitions during the 2017-2019 reporting period.

## Strategies for Mitigating Implicit and Explicit Bias

In an effort to mitigate implicit and explicit bias from the MCLE petition review process, MCLE staff will begin to redact information pertaining to the petitioner’s identity, such as name, email, and license number before forwarding it to the MCLE Board.

## MCLE Certification and Activity Submissions



The MCLE Board has delegated approval of courses to the WSBA’s MCLE staff. MCLE analysts regularly review CLE course submissions and accredit activities per standards outlined in APR 11. Hundreds of CLE activity applications are received each month, and MCLE analysts review and approve thousands of activity applications each year.

In addition to CLE activity reviews, MCLE staff handle the certification review process. As MCLE reporting and certification are based on a three-year reporting period, MCLE analysts review and verify that the MCLE requirements

are completed for one-third of active membership each year.

Due to the Court-ordered extension of the 2018-2020 reporting period (now 2018-2021), twice as many licensed legal professionals are due to certify credits by February 1, 2022. In order to meet and accomplish this increased workload (each individual certification must be reviewed by an MCLE analyst), MCLE staff worked with WSBA IT to open the MCLE certification in July 2021—several months ahead of the normal certification opening month of November. As of August 11, 2021, **1,538** licensed legal professionals have certified and are compliant for the 2018-2021 and 2019-2021 reporting periods, out of the **21,376** individuals that are due to report.

## Sponsor Fees during COVID-19

MCLE staff provided an overview to the MCLE Board of sponsor application fee procedures in the midst of the COVID-19 pandemic—including charging separate application fees for formerly in-person



seminars that are divided into unique webcast offerings/separate applications. MCLE staff had encountered several examples of CLE sponsors attempting to apply for webinars as a package, to avoid multiple application fees. MCLE staff requested sponsors to separate such applications where non-consecutive days could cause confusion for 8-hour violation tracking (required per APR 11(c)(2)). The MCLE Board agreed with the current fee assessment procedure—to ensure that courses advertised as individual webinars be applied for individually—and requested MCLE staff to watch for any unique application issues that may require an additional assessment of the MCLE fee structure.

**Attachments:**

- 2020-2021 MCLE Board Roster
- MCLE Board Policies and Letter to Court (Ethics Requirement Implementation and Credit Carryover)
- WSBA Board of Governors Memo
- MCLE Board Undue Hardship Decision Matrix
- Fee Structure & Budget
- Admission and Practice Rule (APR) 11



# 2020-2021 MCLE Board Term Report

## Attachments

- 2020-2021 MCLE Board Roster
- MCLE Board Policies and Letter to Court (Ethics Requirement Implementation and Credit Carryover)
  - WSBA Board of Governors Memo
- MCLE Board Undue Hardship Decision Matrix
  - Fee Structure & Budget
  - Admission and Practice Rule (APR) 11



**MCLE Board Members:**

Ayanna Colman (Chair)  
Todd Alberstone (Vice-Chair)  
M. Christopher Bueter  
Robert J Malae  
Asia Noel Wright  
Melissa Skelton  
Merri Hartse

**WSBA Board of Governors Liaisons:**

Russell Knight  
Sunitha Anjilvel

**WSBA Staff Liaison:**

Adelaine Shay



August 13, 2021

The Honorable Steven González  
Chief Justice  
Washington State Supreme Court  
PO Box 40929  
Olympia WA 98504-0929

RE: Notification of MCLE Board Policies

Dear Chief Justice González:

The purpose of this letter is to inform the Supreme Court of the MCLE Board's recently adopted policies. Pursuant to Admission and Practice Rule (APR) 11(d)(2)(ii), the MCLE Board is authorized to adopt policies to provide guidance in the administration of APR 11 and the associated regulations. Under that same section of APR 11, the MCLE Board is required to notify the Board of Governors and the Supreme Court of any policies that it adopts.

At its August 6, 2021 meeting, the MCLE Board adopted the attached policies with the intent to provide guidance for implementation of the Court's [order NO. 25700-A-1349](#) which requires at least one MCLE credit in equity, inclusion, and the mitigation of both implicit and explicit bias in the legal profession and the practice of law. Pursuant to APR 11(d)(2)(ii) the policies will become effective 60 days after promulgation by the MCLE Board. Below is a brief description of each policy.

**MCLE Board Policy – Implementation of New Ethics Credit**

This policy establishes 2023-2025 as the first reporting period required to report and certify the new requirement. The policy is intended to allow time for WSBA staff to develop tracking mechanisms in the MCLE database for certification and course accreditation according to the new requirements. In addition, this policy provides time to notify both licensed legal professionals and CLE sponsors of the new requirement.

**MCLE Board Policy – Credit Carryover**

This policy clarifies that while all ethics credit earned in excess of the reporting period requirement will be carried over as ethics credit in accordance with APR 11(c)(7), a new equity requirement must be earned in each reporting period. This policy is consistent with the current administration of ethics carryover credits which is that excess ethics credits carryover in its broader, general definition. (e.g. activities that relate to: the ethical risks to practice associated with diagnosable mental health issues, Rules of Professional Conduct, diversity and antibias as it relates to the legal system, etc... all carryover as "ethics" credit.)

If you would like additional information, please don't hesitate to contact the MCLE Board Staff Liaison at [AdelaineS@wsba.org](mailto:AdelaineS@wsba.org) or (206) 727-8249.



Sincerely,

Ayanna Colman  
MCLE Board Chair

cc: Kyle Sciuchetti, WSBA President  
Terra Nevitt, WSBA Executive Director  
Renata de Carvalho Garcia, Chief Regulatory Counsel  
Adelaine Shay, MCLE Board Staff Liaison

Enclosed: MCLE Board Policies



**BOARD POLICY : Implementation of the New Ethics Credit**

The Supreme Court adopted Order No. 25700-A-1349, which amended APR 11(c)(1)(ii) and APR 11(f)(2), to require licensed legal professionals to earn one credit in the category of equity, inclusion, and the mitigation of both implicit and explicit bias (hereinafter referred to as “equity credit”). The MCLE Board issues the following policy to clarify which MCLE reporting period will be the first required to report the new equity credit.

1. The MCLE Board will track the new equity credit—as outlined in APR 11(c)(1)(ii) and APR 11(f)(2)—starting with the 2023-2025 MCLE reporting period. Licensed legal professionals in the 2023-2025 and subsequent MCLE reporting periods will be required to report and certify fulfillment of the equity credit requirement.

**BOARD POLICY: Ethics Credit Carryover**

The Supreme Court adopted order NO. 25700-A-1349, which amended APR 11(c)(1)(ii) and APR 11(f)(2), to require licensed legal professionals to earn one credit in the category of equity, inclusion, and the mitigation of both implicit and explicit bias (hereinafter referred to as “equity credit”). The MCLE Board issues the following policy to clarify ethics carryover credit. The MCLE Board has determined the following:

1. Equity credit earned in excess of the reporting period requirement may be carried over as ethics credit in accordance with APR 11(c)(7), but a new equity credit must be earned in each reporting period.

**TO:** WSBA Board of Governors  
**FROM:** Ayanna Colman, MCLE Board Chair  
Adelaine Shay, WSBA MCLE Manager  
**DATE:** August 20, 2021  
**RE:** MCLE Board Adopted Policies – Notification

---

### **Notification Summary**

Pursuant to Washington Supreme Court Admission and Practice Rule (APR) 11 (d)(2)(ii) the MCLE Board is notifying the Board of Governors of two policies adopted at its August 6, 2021 meeting. The attached policies are intended to provide guidance in the administration of the newly adopted APR 11 amendment and will become effective 60 days from promulgation.

**APR 11 (d)(2)(ii):** Policies. The MCLE Board may adopt policies to provide guidance in the administration of APR 11 and the associated regulations. The MCLE Board will notify the Board of Governors and the Supreme Court of any policies that it adopts. Such policies will become effective 60 days after promulgation by the MCLE Board.

### **MCLE Board Policy – Implementation of New Ethics Credit**

This policy establishes 2023-2025 as the first reporting period required to report and certify the new requirement. The policy is intended to allow time for WSBA staff to develop tracking mechanisms in the MCLE database for certification and course accreditation according to the new requirements. In addition, this policy provides time to notify both licensed legal professionals and CLE sponsors of the new requirement.

### **MCLE Board Policy – Credit Carryover**

This policy clarifies that while all ethics credit earned in excess of the reporting period requirement will be carried over as ethics credit in accordance with APR 11(c)(7), a new equity requirement must be earned in each reporting period. This policy is consistent with the current administration of ethics carryover credits which is that excess ethics credits carryover in its broader, general definition. (e.g. activities that relate to: the ethical risks to practice associated with diagnosable mental health issues, Rules of Professional Conduct, diversity and antibias as it relates to the legal system, etc... all carryover as “ethics” credit.)

### **Attachments:**

- MCLE Board Policy – Implementation of New Ethics Credit
- MCLE Board Policy – Credit Carryover



MCLE Board Approved  
Undue Hardship Petition Decision Matrix

## EXTENSION (EXT) REQUESTS MATRIX

Reason No.	<b>SITUATION</b> <i>Applies to first period of non-compliance, and multiple consecutive periods of non-compliance.</i>	<b>DECISION</b>
EXT 1	(1) Significant medical hardship of self or immediate family member for whom member is primary support; and  (2) Requested extension deadline is in the same calendar year in which the lawyer is due to report.	* First request -- grant extension with reasonable deadline * Second request -- refer to the MCLE Board
EXT 2	(1) Death of immediate family member which caused lawyer hardship (e.g., emotional, physical, financial, scheduling); and  (2) Requested extension deadline is in the same calendar year in which the lawyer is due to report.	* First request -- grant extension with reasonable deadline * Second request -- refer to the MCLE Board
EXT 3	(1) Financial hardship -- due to (a) being unemployed or employed with poverty-level wages; (b) major medical expense for self or family member; or (c) bankruptcy; and (2) Requested extension deadline is in the same calendar year in which the lawyer is due to report.	* First request -- grant extension with reasonable deadline * Second request -- refer to MCLE Board
EXT 4	On an active military assignment in a location where it is possible to access CLE courses but military obligations do not allow enough time to complete credits by the deadline.	* First request -- grant extension with reasonable deadline * Second request -- refer to MCLE Board
EXT 5	All other requests	Deny



### CREDIT MODIFICATION (MOD) DECISION MATRIX

<b>Reason No.</b>	<b>SITUATION</b> <i>Applies to first period of non-compliance, and multiple consecutive periods of non-compliance.</i>	<b>DECISION</b>
MOD 1	Significant medical hardship of self or immediate family member for whom lawyer is primary support.	Grant as appropriate
MOD 2	Death of immediate family member which caused lawyer hardship (e.g., emotional, physical, financial, scheduling).	Grant as appropriate
MOD 3	Financial hardship (as defined by the "First Time Late Fee Waiver Requests Decision Criteria" table)	Grant as appropriate
MOD 4	All other reasons	Deny

**EXEMPTION (EXM) DECISION MATRIX**

Reason No.	SITUATION <i>Applies to first period of non-compliance, and multiple consecutive periods of non-compliance for EXM 3 only. For EXM 1&amp;2, for multiple consecutive periods of non-compliance, bring to board.</i>	DECISION Note: If a waiver is approved and some credits have already been completed, grant the waiver only for the number of credits still needed for compliance. There should be no carry-over as a result of this waiver.
EXM 1	(1) Significant medical hardship of self or immediate family member for whom member is primary support; and (2) Petition is filed by certification deadline; and (3) <u>Less</u> than 15 credits due of which no more than 2 are ethics.	Grant.
EXM 2	(1) Significant medical hardship of self or immediate family member for whom member is primary support; and (2) Petition is filed by certification deadline; and (3) 15 or <u>more</u> credits still due and/or more than 2 ethics credits due.	Grant request if medical hardship is for lawyer and: (a) is life-threatening; or (b) is of long duration (in years); or (c) lawyer is 75 or older.  All others: Deny request and grant extension instead
EXM 3	On active military assignment in remote location or on a domestic base where it is difficult to access CLE courses.	Grant.
EXM 4	All other requests.	Deny.

**LATE FEE WAIVER DECISION CRITERIA**

Note: If "Credits by 12/31" is "Y," then late fee was assessed because certification was submitted after the February 1 deadline.

Y\* = Complete at time petition considered

No.	SITUATION	CREDITS BY 12/31?	CREDITS DONE After 12/31?	CERTIFIED?	1st Non-Comp RP	>1 Con-secutive Non-Comp RP	DECISION
<b>MEDICAL HARDSHIP/DEATH</b> <ul style="list-style-type: none"> <li>• "Immediate family member" as defined by RPC 1.8(l) subpart 1 as: parent, child, sibling, or spouse</li> <li>• Death must have occurred within six months of end of reporting period</li> <li>• Refer petition requests on basis of death liberally to the Board if any doubt exists</li> </ul>							
<b>A1</b>	Significant medical hardship of self or immediate family member for whom licensed legal professional is primary support, or Death of immediate family member which caused lawyer hardship (e.g., emotional, physical, financial, scheduling)	Y/N	Y*	Y/N	X		Waive if certification submitted or once it is submitted.
<b>A2</b>	Significant medical hardship of self or immediate family member for whom licensed legal professional is primary support, or Death of immediate family member which caused lawyer hardship (e.g., emotional, physical, financial, scheduling)	Y/N	Y*	Y/N		X	Reduce or waive [depending on the circumstance] if certification submitted or once it is submitted.
<b>A3</b>	Significant medical hardship of self or immediate family member for whom licensed legal professional is primary support, or Death of immediate family member which caused lawyer hardship (e.g., emotional, physical, financial, scheduling)	N	N	Y/N	X	X	<15 credits remaining = Reduce or waive [depending on the circumstance] if Certification submitted by the deadline (with all credits needed for compliance completed). >15 credit remaining = Refer to the Board

No.	SITUATION	CREDITS BY 12/31?	CREDITS DONE After 12/31?	CERTIFIED?	1st Non-Comp RP	>1 Consecutive Non-Comp RP	DECISION
	<p><b>FINANCIAL HARDSHIP</b>  as defined by 200% of Federal Poverty Guidelines based on <u>gross household</u> annual income due to  (1) being unemployed or employed with poverty-level wages;  (2) major medical expense for self or family member; or  (3) bankruptcy.  The guidelines are the same ones approved by the BOG in 2010 for determining a one-time waiver of the annual license fee based on financial hardship. (See attached "WSBA License Fee Exemption Request Form".)  Offer a payment extension if necessary, taking the following guidelines into consideration:</p> <ul style="list-style-type: none"> <li>• Petition received for financial hardship waiver of late fee;</li> <li>• Waiver was denied or late fee was reduced;</li> <li>• Gross household income between 200-400% of the Federal Poverty Guidelines;</li> <li>• Credit requirements have been met and certified;</li> <li>• The late fee amount owed is equal to or more than \$450;</li> <li>• The fee is paid in full within 3-5 months depending on the amount.</li> </ul>						
<b>B1</b>	FINANCIAL HARDSHIP	Y		Y	X		Waive
<b>B2</b>	FINANCIAL HARDSHIP		Y*	Y*	X		Reduce to \$50 [ <i>waive</i> \$100] if paid by the deadline.
<b>B3</b>	FINANCIAL HARDSHIP	Y		N	X		Reduce to \$50 [ <i>waive</i> \$100] if paid and certified by the deadline.
<b>B4</b>	FINANCIAL HARDSHIP		Y*/N	Y/N	X		Reduce to \$75 [ <i>waive</i> \$75] if paid and certified by the deadline.
<b>B5</b>	FINANCIAL HARDSHIP	Y		Y*		X	Waive \$300 if paid by the deadline.
<b>B6</b>	FINANCIAL HARDSHIP		Y*	Y*		X	Waive \$200 if paid by the deadline.
<b>B7</b>	FINANCIAL HARDSHIP	Y		N		X	Waive \$250 if paid and certified by the deadline.
<b>B8</b>	FINANCIAL HARDSHIP		Y*/N	Y/N		X	Waive \$150 if paid and certified by the deadline.
<b>B9</b>	FINANCIAL HARDSHIP qualifying criteria not met		Y*/N	Y/N	X	X	Deny - Include payment extension language in denial letter.
	<p><b>MILITARY -- On active military assignment in remote non-U.S. location where mail is slow and unreliable and/or in active combat area.</b>  No deadline for payment due to mail unreliability (but will not be compliant until it is paid).</p>						
<b>D1</b>	MILITARY -- See header criteria	Y/N	Y*/N	Y*/N	X		Waive late fee.
<b>D6</b>	MILITARY -- See header criteria	Y/N	Y*/N	Y/N		X	Refer to the Board
	<p><b>MAIL DELIVERY PROBLEM</b></p>						

No.	SITUATION	CREDITS BY 12/31?	CREDITS DONE After 12/31?	CERTIFIED?	1st Non-Comp RP	>1 Consecutive Non-Comp RP	DECISION
E1	Claims certified by 2/1.	Y	Y*	Y*	X	X	Grant if licensed legal professional establishes timely certification or if administrative error; otherwise deny.
<b>MIS-INFORMATION FROM WSBA / LICENSED LEGAL PROFESSIONAL'S FAILURE TO LEARN MCLE REQUIREMENTS</b>							
F1	Reports that certification completed online by 2/1 and it was the <u>first time</u> licensed legal professional certified online. Certification was not submitted correctly, therefore 2/1 deadline not met.	Y		Y*	X	X	Waive the late fee once certification has been completed successfully. (This policy was passed by the Board on 3/19/10.)
F2	Reports being told by WSBA staff certification not needed	Y/N	Y*	Y*/N	X	X	Deny
F3	Licensed legal professional reports receiving other errant information from the WSBA [and it was reasonable for the licensed legal professional to be dependent on the information] or other WSBA administrative error occurred causing the late fee.	Y	Y*	Y*	X	X	Reduce or waive the late fee depending on the circumstances.
F4	Licensed legal professional reports receiving the previous petition decision letter after the deadline that had to be met for a fee reduction.	Y	Y*	Y*	X	X	Reduce or waive the late fee depending on the circumstances.
	<b>SPONSOR MIS-ADVERTISEMENT</b>						
G1	Short credits due to sponsor error or mis-advertisement of CLE credits (if < or = 2 credits)	See note	See note	Y	X	X	Grant if * At least 43 credits are in reporting period * Shortfall made up in timely manner after notification of misaccreditation * All credits needed for compliance are complete * Certification is complete

No.	SITUATION	CREDITS BY 12/31?	CREDITS DONE After 12/31?	CERTIFIED?	1st Non-Comp RP	>1 Con-secutive Non-Comp RP	DECISION
	<b>MISC. REASONS FOR NON-COMPLIANCE</b>						
<b>K1</b>	<p>Certified reporting period roster with a duplicate course; deletion of the course causes credit non-compliance after 12/31.</p> <p>* All other credits were taken within the RP</p> <p>* &lt; or = 4 credits need to be taken to make up credit deficiency.</p> <p>* Credits made up and certified in a timely manner.</p> <p>* Never late before.</p>	Y		Y	X		Reduce late fee to \$75 [ <i>waive</i> \$75]. if payment postmarked/delivered to the WSBA by the deadline.
<b>K2</b>	<p>Busy practice / Oversight / Other non-medical or non-financial hardship reason [See "Misc." list below]</p>						Deny
<b>MISC. REASONS FOR NON-COMPLIANCE</b>							
Claims mailed certification to WSBA but not received by WSBA.							
Class that licensed legal professional planning to take cancelled at last minute and licensed legal professional still has time in reporting period to take needed credits.							
Did not know certification had to be submitted since all credits are on the MCLE web site (even though instructions about requirement for certification is in APR 11, and in the July 1st letter, in the NW Lawyer FYI column Sept.-April each year, on the certification forms in the annual license packet and in all email reminders about license renewal).							

## **MCLE Board Direction on Petitions**

### **04/03/2020 Meeting:**

- **Regarding Military Spouses Submitting Petitions:** The MCLE Board approved by motion to direct the WSBA Staff Liaison to bring any military spouse petitions to the Board for review.

Current MCLE Fee Structure

<b>Fee For CLE Sponsors</b>	
<b>Course Application and Late Fees for CLE Sponsors</b>	<b>Fees</b>
Course Application <i>Note: Government agencies and Nonprofit organizations are not required to pay the application fee when a course is offered for free.</i>	\$ 100 / course
Course Application Late Fee	\$50 / course
Attendance Late Fee	\$50 / submission

<b>Fees For Accredited Sponsor Annual Fees</b>	
<i>Accredited sponsors have the same duties as sponsors but have the additional responsibility of approving their own courses and determining appropriate MCLE credit in accordance with Washington Supreme Court Admission and Practice Rule 11. Accredited sponsors pay an annual flat fee for all course applications submitted in lieu of an application fee for each individual course.</i>	
<b>Number of annual courses</b>	<b>Fees</b>
0-50 courses	\$ 500
51-100 courses	\$ 1,500
101-250 courses	\$ 2,250
251-500 courses	\$ 3,000
501-1000 courses	\$ 4,500
1001 + courses	\$ 6,000

<b>Late Certification By Licensed Legal Professionals</b>	
<b>Certification Late Fees</b>	<b>Fees</b>
Lawyer, LLLT, and LPO Certification Late Fee	Start at \$ 150 and increase by \$ 300 for every consecutive (three-year) period of late compliance.



**Washington State Bar Association**

Statement of Activities

For the Period from June 1, 2021 to June 30, 2021

**75.00% OF YEAR COMPLETE**

	MONTHLY BUDGET vs. ACTUAL			YEAR TO DATE BUDGET vs. ACTUAL			ANNUAL BUDGET COMPARISON		
	FISCAL 2021 REFORECAST CURRENT MONTH	CURRENT MONTH ACTUAL	MONTHLY VARIANCE	YEAR TO DATE REFORECAST	YEAR TO DATE ACTUAL	YEAR TO DATE VARIANCE	FISCAL 2021 ANNUAL REFORECAST	REMAINING BALANCE OF YEAR	% USED OF ANNUAL REFORECAST
<b>MANDATORY CONTINUING LEGAL EDUCATION</b>									
<b>REVENUE:</b>									
ACCREDITED PROGRAM FEES	40,000	42,600	2,600	377,600	434,400	56,800	497,600	63,200	87.30%
FORM 1 LATE FEES	12,500	18,450	5,950	143,700	180,450	36,750	190,200	9,750	94.87%
MEMBER LATE FEES	-	3,300	3,300	2,400	6,346	3,946	2,700	(3,646)	235.05%
ANNUAL ACCREDITED SPONSOR FEES	(63)	(500)	(438)	41,938	42,250	313	41,750	(500)	101.20%
ATTENDANCE LATE FEES	6,667	11,600	4,933	74,833	92,250	17,417	94,000	1,750	98.14%
COMITY CERTIFICATES	100	650	550	12,687	13,312	625	13,000	(312)	102.40%
<b>TOTAL REVENUE:</b>	<b>59,204</b>	<b>76,100</b>	<b>16,896</b>	<b>653,158</b>	<b>769,009</b>	<b>115,850</b>	<b>839,250</b>	<b>70,242</b>	<b>91.63%</b>
<b>DIRECT EXPENSES:</b>									
DEPRECIATION	7,447	5,530	1,917	120,703	126,456	(5,753)	143,045	16,589	88.40%
STAFF MEMBERSHIP DUES	-	-	-	500	-	500	500	500	0.00%
ONLINE LEGAL RESEARCH	152	154	(2)	1,217	1,224	(8)	1,672	448	73.22%
LAW LIBRARY	13	11	2	110	100	10	150	50	66.43%
MCLE BOARD	-	-	-	-	-	-	650	650	0.00%
STAFF TRAVEL/PARKING	6	-	6	31	-	31	50	50	0.00%
STAFF TRAINING	-	-	-	1,170	-	1,170	1,170	1,170	0.00%
<b>TOTAL DIRECT EXPENSES:</b>	<b>7,619</b>	<b>5,695</b>	<b>1,924</b>	<b>123,731</b>	<b>127,779</b>	<b>(4,049)</b>	<b>147,237</b>	<b>19,458</b>	<b>86.78%</b>
<b>INDIRECT EXPENSES:</b>									
SALARY EXPENSE (3.80 FTE)	24,132	19,148	4,984	197,367	186,113	11,253	269,761	83,648	68.99%
BENEFITS EXPENSE	10,488	10,541	(53)	76,222	76,174	47	106,179	30,004	71.74%
OTHER INDIRECT EXPENSE	11,366	7,262	4,104	93,593	77,263	16,331	135,803	58,540	56.89%
<b>TOTAL INDIRECT EXPENSES:</b>	<b>45,986</b>	<b>36,950</b>	<b>9,036</b>	<b>367,182</b>	<b>339,550</b>	<b>27,631</b>	<b>511,743</b>	<b>172,192</b>	<b>66.35%</b>
<b>TOTAL ALL EXPENSES:</b>	<b>53,604</b>	<b>42,645</b>	<b>10,960</b>	<b>490,913</b>	<b>467,330</b>	<b>23,583</b>	<b>658,980</b>	<b>191,650</b>	<b>70.92%</b>
<b>NET INCOME (LOSS):</b>	<b>5,600</b>	<b>33,455</b>	<b>27,855</b>	<b>162,246</b>	<b>301,679</b>	<b>139,433</b>	<b>180,271</b>	<b>(121,408)</b>	<b>167.35%</b>

**APR 11**  
**MANDATORY CONTINUING LEGAL EDUCATION (MCLE)**

**(a) Purpose.** Mandatory continuing legal education (MCLE) is intended to enhance lawyers', LLLTs', and LPOs' legal services to their clients and protect the public by assisting lawyers, LLLTs, and LPOs in maintaining and developing their competence as defined in RPC 1.1 or equivalent rule for LLLTs and LPOs, fitness to practice as defined in APR 20, and character as defined in APR 20. These rules set forth the minimum continuing legal education requirements for lawyers, LLLTs, and LPOs to accomplish this purpose.

**(b) Definitions.** For the purposes of this rule, the following definitions shall apply:

- (1) "Activity" means any method by which a lawyer, LLLT, or LPO may earn MCLE credits.
- (2) "Attending" means participating in an approved activity or course.
- (3) "Calendar year" means a time period beginning January 1 and ending December 31.
- (4) "Identical activity" means any prior course or other activity that has not undergone any substantial or substantive changes since last offered, provided, or undertaken.
- (5) "Lawyer, LLLT, or LPO" means an active lawyer, LLLT, or LPO of the Bar, a judicial member of the Bar classified as an administrative law judge, and any other lawyer licensed or authorized to practice law in Washington who is required by the Admission and Practice Rules (APR) to comply with this rule.
- (6) "Reporting period" means a three-year time period as assigned by the Bar in which a lawyer, LLLT, or LPO must meet the education requirements of this rule.
- (7) "Sponsor" means a provider of continuing legal education activities.

**(c) Education Requirements.**

- (1) *Minimum Requirement.* Each lawyer must complete 45 credits and each LLLT and LPO must complete 30 credits of approved continuing legal education by December 31 of the last year of the reporting period with the following requirements:
  - (i) at least 15 credits must be from attending approved courses in the subject of law and legal procedure, as defined in subsection (f)(1); and
  - (ii) at least six credits must be in ethics and professional responsibility, as defined in subsection (f)(2).

- (2) *Earning Credits.* A lawyer, LLLT, or LPO earns one credit for each 60 minutes of attending an approved activity. Credits are rounded to the nearest quarter hour. A lawyer, LLLT, or LPO may earn no more than eight credits per calendar day. A lawyer, LLLT, or LPO cannot receive credit more than once for an identical activity within the same reporting period.
- (3) *New Lawyers, LLLTs, and LPOs.* Newly admitted lawyers, LLLTs, and LPOs are exempt for the calendar year of admission.
- (4) *Military Personnel.* Military personnel in the United States Armed Forces may be granted an exemption, waiver, or modification upon proof of undue hardship, which includes deployment outside the United States. A petition shall be filed in accordance with subsection (i)(5) of these rules.
- (5) *Exemptions.* The following are exempt from the requirements of this rule for the reporting period(s) during which the exemption applies:
  - (i) *Judicial Exemption.* Judicial members of the Bar, except for administrative law judges;
  - (ii) *Supreme Court Clerks.* The Supreme Court clerk and assistant clerk(s) who are prohibited by court rule from practicing law;
  - (iii) *Legislative Exemption.* Members of the Washington State Congressional Delegation or the Washington State Legislature; and
  - (iv) *Gubernatorial Exemption.* The Governor of Washington State.
- (6) *Comity.* The education requirements in Oregon, Idaho, and Utah substantially meet Washington's education requirements for lawyers. These states are designated as comity states. A lawyer may certify compliance with these rules in lieu of meeting the education requirement by paying a comity fee and filing a Comity Certificate of MCLE Compliance from a comity state certifying to the lawyer's subjection to and compliance with that state's MCLE requirements during the lawyer's most recent reporting period.
- (7) *Carryover Credits.* If a lawyer, LLLT, or LPO completes more than the required number of credits for any one reporting period, up to 15 of the excess credits, 2 of which may be ethics and professional responsibility credits, may be carried forward to the next reporting period.

**(d) MCLE Board.**

- (1) *Establishment.* There is hereby established an MCLE Board consisting of seven members, six of whom must be active lawyers, LLLTs, or LPOs of the Bar and

one who is not licensed to practice law. The Supreme Court shall designate one board member to serve as chair of the MCLE Board. The members of the MCLE Board shall be appointed by the Supreme Court. Appointments shall be staggered for a three-year term. No member may serve more than two consecutive terms. Terms shall end on September 30 of the applicable year.

(2) *Powers and Duties.*

- (i) **Rules and Regulations.** The MCLE Board shall review and suggest amendments or make regulations to APR 11 as necessary to fulfill the purpose of MCLE and for the timely and efficient administration of these rules and for clarification of education requirements, approved activities, and approved course subjects. Suggested amendments are subject to review by the Board of Governors and approval by the Supreme Court.
- (ii) **Policies.** The MCLE Board may adopt policies to provide guidance in the administration of APR 11 and the associated regulations. The MCLE Board will notify the Board of Governors and the Supreme Court of any policies that it adopts. Such policies will become effective 60 days after promulgation by the MCLE Board.
- (iii) **Approve Activities.** The MCLE Board shall approve and determine the number of credits earned for all courses and activities satisfying the requirements of these rules. The MCLE Board shall delegate this power to the Bar subject to MCLE Board review and approval.
- (iv) **Review.** The MCLE Board shall review any determinations or decisions regarding approval of activities made by the Bar under these rules that adversely affect any lawyer, LLLT, or LPO or sponsor upon request of the lawyer, LLLT, or LPO, sponsor, or Bar. The MCLE Board may take appropriate action consistent with these rules after any such review and shall notify the lawyer, LLLT, or LPO or sponsor in writing of the action taken. The MCLE Board's decision shall be final.
- (v) **Fees.** The MCLE Board shall determine and adjust fees for the failure to comply with these rules and to defray the reasonably necessary costs of administering these rules. Fees shall be approved by the Board of Governors.
- (vi) **Waive and Modify Compliance.** The MCLE Board shall waive or modify a lawyer's, LLLT's, or LPO's compliance with the education or reporting requirements of these rules upon a showing of undue hardship filed in accordance with these rules. The MCLE Board may delegate this power to the Bar subject to (1) parameters and standards established by the MCLE Board and (2) review by the MCLE Board.

- (vii) Approve Mentoring Programs. The MCLE Board shall approve mentoring programs that meet requirements and standards established by the MCLE Board for the purposes of awarding MCLE credit under these rules.
  - (viii) Audits for Standards Verification. The MCLE Board may audit approved courses to ensure compliance with the standards set forth in these rules.
  - (3) *Expenses and Administration.* Members of the MCLE Board shall not be compensated for their services but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties according to the Bar's expense policies. The Bar shall provide administrative support to the MCLE Board.
- (e) **Approved Activities.** A lawyer, LLLT, or LPO may earn MCLE credit by attending, teaching, presenting, or participating in activities approved by the Bar. Only the following types of activities may be approved:
- (1) Attending, teaching, presenting, or participating in or at a course, provided that any pre-recorded audio/visual course is less than five years old;
  - (2) Preparation time for a teacher, presenter, or panelist of an approved activity at the rate of up to five credits per hour of presentation time, provided that the presentation time is at least 30 minutes in duration;
  - (3) Attending law school courses with proof of registration or attendance;
  - (4) Attending bar review courses for jurisdictions other than Washington with proof of registration or attendance;
  - (5) Writing for the purpose of lawyer, LLLT, or LPO education, when the writing has been published by a recognized publisher of legal works as a book, law review, or scholarly journal article of at least 10 pages, will earn one credit for every 60 minutes devoted to legal research and writing;
  - (6) Teaching law school courses, when the instructor is not a full-time law school professor;
  - (7) Providing pro bono legal services provided the legal services are rendered through a qualified legal services provider as defined in APR 1;
  - (8) Participating in a structured mentoring program approved by the MCLE Board, provided the mentoring is free to the mentee and the mentor is an active member of the Bar in good standing and has been admitted to the practice of law in Washington for at least five years. The MCLE Board shall develop standards for approving mentoring programs; and

- (9) Judging or preparing law school students for law school recognized competitions, mock trials, or moot court. The sponsoring law school must comply with all sponsor requirements under this rule.

**(f) Approved Course Subjects.** Only the following subjects for courses will be approved:

- (1) *Law and legal procedure*, defined as legal education relating to substantive law, legal procedure, process, research, writing, analysis, or related skills and technology;
- (2) *Ethics and professional responsibility*, defined as topics relating to the general subject of professional responsibility and conduct standards for lawyers, LLLTs, LPOs, and judges, including diversity and antibias with respect to the practice of law or the legal system, and the risks to ethical practice associated with diagnosable mental health conditions, addictive behavior, and stress;
- (3) *Professional development*, defined as subjects that enhance or develop a lawyer's, LLLT's, or LPO's professional skills including effective lawyering, leadership, career development, communication, and presentation skills;
- (4) *Personal development and mental health*, defined as subjects that enhance a lawyer's, LLLT's, or LPO's personal skills, well-being, and awareness of mental health issues. This includes, stress management, and courses about, but not treatment for, anxiety, depression, substance abuse, suicide, and addictive behaviors;
- (5) *Office management*, defined as subjects that enhance the quality of service to clients and efficiency of operating an office, including case management, time management, business planning, financial management, office technology, practice development and marketing, client relations, employee relations, and responsibilities when opening or closing an office;
- (6) *Improving the legal system*, defined as subjects that educate and inform lawyers, LLLTs, or LPOs about current developments and changes in the practice of law and legal profession in general, including legal education, global perspectives of the law, courts and other dispute resolution systems, regulation of the practice of law, access to justice, and pro bono and low cost service planning; and
- (7) *Nexus subject*, defined as a subject matter that does not deal directly with the practice of law but that is demonstrated by the lawyer, LLLT, or LPO, or sponsor to be related to a lawyer's, LLLT's, or LPO's professional role as a lawyer, LLLT, or LPO.

**(g) Applying for Approval of an Activity.** In order for an activity to be approved for MCLE credit, the sponsor or lawyer, LLLT, or LPO must apply for approval as follows.

- (1) *Sponsor.* A sponsor must apply for approval of an activity by submitting to the Bar an application fee and an application in a form and manner as prescribed by the Bar by no later than 15 days prior to the start or availability of the activity.
  - (i) *Late fee.* A late fee will be assessed for failure to apply by the deadline. The Bar may waive the late fee for good cause shown.
  - (ii) *Repeating Identical Course.* A sponsor is not required to pay an application fee for offering an identical course if the original course was approved and the identical course is offered less than 12 months after the original course.
  - (iii) *Waiver of Application Fee.* The Bar shall waive the application fee for a course if the course is offered for free by a government agency or nonprofit organization. This provision does not waive any late fee.
- (2) *Lawyer, LLLT, or LPO.* A lawyer, LLLT, or LPO may apply for approval of an activity not already approved or submitted for approval by a sponsor by submitting to the Bar an application in a form and manner as prescribed by the Bar. No application fee is required.

**(h) Standards for Approval.** Application of the standards for approval, including determination of approved subject areas and approved activities in subsections (e) and (f) of this rule, shall be liberally construed to serve the purpose of these rules. To be approved for MCLE credit, all courses, and other activities to the extent the criteria apply, must meet all of the following criteria unless waived by the Bar for good cause shown:

- (1) A course must have significant intellectual or practical content designed to maintain or improve a lawyer's, LLLT's, or LPO's professional knowledge or skills, competence, character, or fitness;
- (2) Presenters must be qualified by practical or academic experience or expertise in the subjects presented and not disbarred from the practice of law in any jurisdiction;
- (3) Written materials in either electronic or hardcopy format must be distributed to all lawyers, LLLTs, and LPOs before or at the time the course is presented. Written materials must be timely and must cover those matters that one would expect for a professional treatment of the subject. Any marketing materials must be separate from the written subject matter materials;
- (4) The physical setting must be suitable to the course and free from unscheduled interruption;
- (5) A course must be at least 30 minutes in duration;

- (6) A course must be open to audit by the Bar or the MCLE Board at no charge except in cases of government-sponsored closed seminars where the reason is approved by the Bar;
- (7) Presenters, teachers, panelists, etc. are prohibited from engaging in marketing during the presentation of the course;
- (8) A course must not focus directly on a pending legal case, action, or matter currently being handled by the sponsor if the sponsor is a lawyer, LLLT, or LPO, private law firm, corporate legal department, legal services provider, or government agency; and
- (9) A course cannot have attendance restrictions based on race, color, national origin, marital status, religion, creed, gender, age, disability, or sexual orientation.

**(i) Lawyer, LLLT, or LPO Reporting Requirements.**

- (1) *Certify Compliance.* By February 1 of the year following the end of a lawyer's, LLLT's, or LPO's reporting period, a lawyer, LLLT, or LPO must certify compliance, including compliance by comity certification, with the education requirements for that reporting period in a manner prescribed by the Bar.
- (2) *Notice.* Not later than July 1 every year, the Bar shall notify all lawyers, LLLTs, and LPOs who are in the reporting period ending December 31 of that year that they are due to certify compliance.
- (3) *Delinquency.* A lawyer, LLLT, or LPO who does not certify compliance by the certification deadline or by the deadline set forth in any petition decision granting an extension may be ordered suspended from the practice of law as set forth in APR 17.
- (4) *Lawyer, LLLT, or LPO Late Fee.* A lawyer, LLLT, or LPO will be assessed a late fee for either (i) or (ii) below but not both.
  - (i) *Education Requirements Late Fee.* A lawyer, LLLT, or LPO will be assessed a late fee for failure to meet the minimum education requirements of this rule by December 31. Payment of the late fee is due by February 1, or by the date set forth in any decision or order extending time for compliance, or by the deadline for compliance set forth in an APR 17 presuspension notice.
  - (ii) *Certification and Comity Late Fee.* A lawyer, LLLT, or LPO will be assessed a late fee for failure to meet the certification requirements or comity requirements by February 1. Payment of the late fee is due by the



date set forth in any decision or order extending time for compliance or by the deadline for compliance set forth in an APR 17 presuspension notice.

- (iii) *Failure to Pay Late Fee.* A lawyer, LLLT, or LPO who fails to pay the MCLE late fee by the deadline for compliance set forth in an APR 17 presuspension notice may be ordered suspended from the practice of law as set forth in APR 17.
- (5) *Petition for Extension, Modification, or Waiver.* A lawyer, LLLT, or LPO may file with the MCLE Board an undue hardship petition for an extension, waiver, and/or modification of the MCLE requirements for that reporting period. In consideration of the petition, the MCLE Board shall consider factors of undue hardship, such as serious illness, extreme financial hardship, disability, or military service, that affect the lawyer's, LLLT's, or LPO's ability to meet the education or reporting requirements. The petition shall be filed at any time in a form and manner as prescribed by the Bar, but a petition filed later than 30 days after the date of the APR 17 presuspension notice will not stay suspension for the reasons in the APR 17 presuspension notice.
- (6) *Decision on Petition.* The MCLE Board shall as soon as reasonably practical notify the lawyer, LLLT, or LPO of the decision on a petition. A lawyer, LLLT, or LPO may request review of the decision by filing, within 10 days of notice of the decision, a request for a hearing before the MCLE Board.
- (7) *Hearing on Petition.* Upon the timely filing of a request for hearing, the MCLE Board shall hold a hearing on the petition.
  - (i) The MCLE Board shall give the lawyer, LLLT, or LPO at least 10 days', written notice of the time and place of the hearing.
  - (ii) Testimony taken at the hearing shall be under oath and recorded.
  - (iii) The MCLE Board shall issue written findings of fact and an order consistent with these rules as it deems appropriate. The MCLE Board shall provide the lawyer, LLLT, or LPO with a copy of the findings and order.
  - (iv) The MCLE Board's order is final unless within 10 days from the date thereof the lawyer, LLLT, or LPO files a written notice of appeal with the Supreme Court and serves a copy on the Bar. The lawyer, LLLT, or LPO shall pay to the Clerk of the Supreme Court any required filing fees.
- (8) *Review by the Supreme Court.* Within 15 days of filing a notice with the Supreme Court for review of the MCLE Board's findings and order, after such a noncompliance petition hearing, the lawyer, LLLT, or LPO shall cause the record

or a narrative report in compliance with RAP 9.3 to be transcribed and filed with the Bar.

- (i) The MCLE Board chairperson shall certify that any such record or narrative report of proceedings contains a fair and accurate report of the occurrences in and evidence introduced in the cause.
  - (ii) The MCLE Board shall prepare a transcript of all orders, findings, and other documents pertinent to the proceeding before the MCLE Board, which must be certified by the MCLE Board chairperson.
  - (iii) The MCLE Board shall then file promptly with the Clerk of the Supreme Court the record or narrative report of proceedings and the transcripts pertinent to the proceedings before the MCLE Board.
  - (iv) The matter shall be considered by the Supreme Court pursuant to procedures established by order of the Court, which may in the Court's discretion consist of consideration solely on the basis of the record presented to the MCLE Board.
  - (v) The times set forth in this rule for filing notices of appeal are jurisdictional. The Supreme Court, as to appeals pending before it, may, for good cause shown, (1) extend the time for the filing or certification of said record or narrative report of proceedings and transcripts or, (2) dismiss the appeal for failure to prosecute the same diligently.
- (9) *Compliance Audits.* The Bar may audit an individual lawyer's, LLLT's, or LPO's compliance certification to substantiate participation in the activities listed in the certification. The Bar may request records from a lawyer, LLLT, or LPO, or sponsor for the purpose of conducting the audit and the lawyer, LLLT, or LPO must comply with all such requests. Where facts exist that indicate a lawyer, LLLT, or LPO may not have participated in the activities certified to, the lawyer, LLLT, or LPO may be referred to the Bar's Office of Disciplinary Counsel and/or credit for the activities may be rescinded.
- (j) **Sponsor Duties.** All sponsors must comply with the following duties unless waived by the Bar for good cause shown:
- (1) The sponsor must not advertise course credit until the course is approved by the Bar but may advertise that the course credits are pending approval by the Bar after an application has been submitted. The sponsor shall communicate to the lawyer the number of credits and denominate whether the credits are "law and legal procedure" as defined under subsection (f)(1), "ethics and professional responsibility" as defined under subsection (f)(2), or "other," meaning any of the other subjects identified in subsections (f)(3)-(7).

- (2) The sponsor must provide each participant with an evaluation form to complete. The forms or the information from the forms must be retained for two years and provided to the Bar upon request.
- (3) The sponsor must submit an attendance report in a form and manner as prescribed by the Bar and pay the required reporting fee no later than 30 days after the conclusion of the course. A late fee will be assessed for failure to report attendance by the deadline.
  - (i) *Waiver of Reporting Fee.* The Bar shall waive the reporting fee for a course if the course is offered for free by a government agency or nonprofit organization. This provision does not waive any late fee.
- (4) The sponsor must retain course materials for four years from the date of the course. Upon request of the Bar, a sponsor must submit for review any written, electronic, or presentation materials, including copies of audio/visual courses.
- (5) The sponsor must keep accurate attendance records and retain them for six years. The sponsor must provide copies to the Bar upon request.
- (6) The sponsor shall not state or imply that the Bar or the MCLE Board approves or endorses any person, law firm, or company providing goods or services to lawyers, LLLTs, or LPOs, or law firms.
- (7) *Accredited Sponsors.* The Bar may approve and accredit sponsoring organizations as “accredited sponsors” subject to procedures and fees established by the Bar. Accredited sponsors have the same duties as sponsors but have the additional responsibility of approving their own courses and determining appropriate MCLE credit in accordance with this rule. Accredited sponsors pay an annual flat fee for all course applications submitted in lieu of an application fee for each individual course.

**(k) Confidentiality.** Unless expressly authorized by the Supreme Court or by the lawyer, LLLT, or LPO, all files and records relating to a lawyer’s, LLLT’s, or LPO’s individual MCLE requirements are confidential and shall be privileged against disclosure except as necessary to conduct an investigation, hearing, and appeal or review pursuant to these rules. This provision does not apply to the Bar except that such records shall not be disclosed to Bar staff responsible for creating or marketing CLE products.

[Adopted effective January 1, 2016; amended effective September 1, 2017.]

## Mandatory Continuing Legal Education Board

*Provided by WSBA Staff*

### **FY21 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	86%
	Chose Not to Respond	14%
<b>District*</b>	6	14%
	7N	29%
	7S	14%
	8	14%
	9	14%
<b>Ethnicity</b>	Black, African American, or African Descent	14%
	White or European Descent	71%
	Multi Racial or Bi Racial	14%
	Pacific Islander or Native Hawaiian	14%
	Chose Not to Respond	14%
<b>Gender</b>	Female	57%
	Male	43%
	Chose Not to Respond	0%
<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer	14%
	Heterosexual	71%
	No	14%
	Chose Not to Respond	0%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2021: October 1, 2020 – September 30, 2021

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2020 – September 30, 2021. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 15:** please submit by emailing [barleaders@wsba.org](mailto:barleaders@wsba.org) or requesting that your staff liaison submit the report internally.

<b>Name of Entity:</b>	Member Engagement Workgroup
<b>Chair or Co-Chairs:</b>	Bryn Peterson and Dan Clark
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Kevin Plachy, Director of Advancement Department
<b>Board of Governors Liaison:</b>	N/A
<b>Purpose of Entity:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
<p>The work group shall create a written plan and best practices for governors to: educate members in a proactive manner about WSBA’s and the Board of Governors’ actions and work, Involve members in the decision-making process by informing them and asking for input on a regular basis, involve members in a positive manner with WSBA governance, involve governors on a one-on-one relationship-building basis with individuals who contact WSBA with concerns or feedback, and ensure ongoing updates to the Board of Governors about WSBA member-engagement processes and measurement.</p> <p>As part of the plan, work-group members shall: (1) Define “member engagement” and its role in the board’s governance process; this may include outreach to other mandatory/unified bar associations to determine how they engage members and for what purposes; (2) Create an agreement—with norms, values, and responsibilities—for how governors will represent themselves, WSBA, and their fellow governors while conducting official outreach to members and the public; (3) Identify which board processes and decisions most need member input for the coming year and propose coordinated outreach efforts; (4) Determine how board member-engagement efforts and goals should dovetail with WSBA member-engagement efforts and goals already underway.</p>	

<b>Strategy to Fulfill Purpose:</b>	
Over the course of the past year the workgroup focused on the development of a membership survey to be conducted in partnership with an outside consulting firm (NBRI). The goal of the initial survey is to obtain an understanding of how members perceive WSBA benefits and services, how they engage with WSBA and how they value the organization. The workgroup plans to initiate ongoing surveys on a quarterly basis to obtain more in depth and targeted information from members about their engagement and experiences with the organization with the ultimate goal of identifying ways to enhance member engagement and services.	
<b>How does the entity's purpose help further the mission of the WSBA "to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice"?</b>	
By identifying ways to enhance member engagement with the Board and the organization, WSBA will be able to better fulfill its mission by (1) attracting a larger and more diverse pool of volunteers to serve on committees, boards, and sections; (2) more effectively provide member benefits and services of value to members that will advance their ability to serve their clients and the public with the highest degree of professionalism and competence; and (3) by staying connected to the membership through regular feedback mechanisms the organization can adapt to the changing needs in the profession and ensure the services and benefits provided to members are relevant to the needs of the profession and the public we serve.	
<b>2020-2021 Entity Accomplishments:</b>	
The main focus of the workgroup in FY21 was to identify a third-party, professional organization to partner with in developing an initial survey of the membership and to create a plan for ongoing surveys. The workgroup did establish a relationship with NBRI. We have worked with NBRI to develop the first survey and it is scheduled to be administered to the entire membership in the coming weeks. We are also working to develop a plan for responding to survey results as we receive them with the goals of finding ways to enhance value to members and to increase member engagement not only with WSBA services and benefits offered by the organization but with service to the organization through engagement in WSBA boards and committees and other volunteer opportunities.	
<b>Looking Ahead: 2021-2022 Top Goals &amp; Priorities:</b>	
<b>1</b>	Undertake a comprehensive assessment of the charter.
<b>2</b>	Create a strategic and tactical plan to carry out the purpose of the workgroup.
<b>3</b>	Continue to work with NBRI to obtain relevant member feedback. One of the goals of the quarterly survey is to ask the same base questions 4 times a year to monitor how we are doing. Each quarter we will look to add other questions with the goal of providing relevant feedback to the BOG.
<b>4</b>	Develop a plan to review survey feedback and respond to it in accordance with the workgroup's purpose.
<b>5</b>	

**Please report how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?*

The workgroup is seeking input (specifically in the NBRI survey) from the members on their perceptions of whether WSBA is effectively addressing diversity, equity and inclusion issues and whether WSBA upholds the values of diversity, equity and inclusion. The Workgroup will incorporate a plan to address the responses to these questions into our FY22 goals and priorities.

**Please describe the relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

The staff liaison, Kevin Plachy, provides excellent support for the workgroup and the relationship is great. We also appreciate the stellar contributions from Sara Niegowski in facilitating the partnership with NBRI and her expertise in managing the survey development during the course of this year.

**SECTIONS ONLY: Please quantify your section’s 2020-2021 member benefits:**

*For example:*

- *\$3000 Scholarships, donations, grants awarded;*
- *4 mini-CLEs produced*

	Newsletters/publications produced
	Mini-CLEs produced
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity
	Receptions/forums hosted or co-hosted
	Recognitions/Awards given
	New Lawyer Outreach events/benefits
	Other (please describe):

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Staff**

<b>Size of Entity:</b>	7
<b>Membership Size: (for Sections Only)</b>	

<i>(As of September 30, 2021)</i>	
<b>Number of Applicants for FY22</b> <i>(October 1, 2021 – September 30, 2022)</i>	
<b>How many current volunteer position vacancies for this entity?</b>	
<b>FY21 Revenue (\$): For Sections Only:</b> <i>As of September 30, 2021</i>	
<b>FY21 Direct Budgeted Expenses:</b>	n/a
<b>FY21 Indirect Budgeted Expenses:</b>	n/a
<p><b>FY21 Demographics:</b> The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.</p> <p>Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.</p> <ul style="list-style-type: none"> <li>• <i>Not Available for this Group.</i></li> </ul>	

---

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.



# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2021: October 1, 2020 – September 30, 2021

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** under the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2020 – September 30, 2021. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

Completion of the annual report should be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 15:** please submit by emailing [barleaders@wsba.org](mailto:barleaders@wsba.org) or requesting that your staff liaison submit the report internally.

<b>Name of Entity:</b>	Practice of Law Board
<b>Chair or Co-Chairs:</b>	Michael Cherry (WSBA # 48132)
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Thea Jennings, Assistant General Counsel, WSBA, Office of the General Counsel
<b>Board of Governors Liaison:</b>	Governor Sunitha Anjilvel
<b>Purpose of Entity:</b> <i>May be in Bylaws, Charter, Court Rule, etc.</i>	
Per Washington Court, General Rule 25, the Practice of Law Board is responsible for: (1) Educating the public about how to receive competent legal assistance (Educate); (2) Considering and recommending to the Supreme Court new avenues for persons not currently authorized to practice law to provide legal- and law-related services (Innovate); and (3) Receiving complaints alleging the unauthorized practice of law (UPL) in Washington by any person or entity (Coordinate).	
<b>Strategy to Fulfill Purpose:</b>	
To fulfill the Practice of Law Board’s responsibilities, the Board has prepared several plans as follows: To address the responsibility to educate, the Board has prepared a plan for a Legal Checkup designed to help people determine if they have a legal issue and direct them to appropriate resources to address such issues. To address the responsibility to innovate, the Board is preparing a blueprint for a Legal Regulatory Laboratory (formerly called a sandbox) to permit the testing and potentially authorize entities to	

provide online legal services, or for authorized legal service practitioners (LPOs, LLLTs, and Lawyers) to use an alternative business structure. The Board is also drafting Court orders to create such a laboratory and provide for entities proving they address access to justice without increasing risk of harm to the public to offer such legal services ongoing basis. This laboratory is modeled on the Legal Regulatory Sandbox operating under supervision of the Utah Supreme Court’s Office of Innovation. To address the responsibility to coordinate, the Board is working to improve relationships with the Attorney General’s Office (AGO), as well as with various county prosecutor’s offices and in conjunction with public education, improving information to the public about the unauthorized practice of law with a Frequently Asked Questions (FAQ) page and improved reporting form. The Board has added a county prosecutor to the Board to assist us in understanding UPL from the prosecutor’s perspective.

Finally, to further all of these goals, the Board has developed a diversity plan, outlined in a letter to the Supreme Court, to improve the diversity and inclusion of the Board.

**How do the entity’s strategies help further the mission of the Practice of Law Board under General Rule 25?**

The Board is formulating plans that both set goals and the methods and means to accomplish such goals and to begin to accurately measure the work of the Board. Although plans will need revision as work progresses towards goals, they provide a degree of continuity which the Board has sometimes lacked as it is staffed primarily by volunteers from the public and the legal community.

All of the Boards plans are available to the public as follows:

Educate:

Legal Checkup: [https://wsba.org/docs/default-source/legal-community/committees/practice-of-law-board/polb\\_legal-checkup-project-plan\\_sept-2021.pdf?sfvrsn=262c17f1\\_0](https://wsba.org/docs/default-source/legal-community/committees/practice-of-law-board/polb_legal-checkup-project-plan_sept-2021.pdf?sfvrsn=262c17f1_0)

Innovate:

Legal Regulatory Laboratory: [https://wsba.org/docs/default-source/legal-community/committees/practice-of-law-board/polb\\_legal-regulatory-laboratory-project-plan\\_june-2021.pdf?sfvrsn=582c17f1\\_0](https://wsba.org/docs/default-source/legal-community/committees/practice-of-law-board/polb_legal-regulatory-laboratory-project-plan_june-2021.pdf?sfvrsn=582c17f1_0)

Coordinate:

UPL FAQ and improved forms to report are being prepared.

Diversity:

Letter to the Supreme Court: [https://wsba.org/docs/default-source/legal-community/committees/practice-of-law-board/polb\\_letter-to-sct-re-plb-diversity-plan\\_march-2021.pdf?sfvrsn=492c17f1\\_0](https://wsba.org/docs/default-source/legal-community/committees/practice-of-law-board/polb_letter-to-sct-re-plb-diversity-plan_march-2021.pdf?sfvrsn=492c17f1_0)

**2020-2021 Entity Accomplishments:**

Educate

Created plan and templates for Legal Checkup, which will go out to the Minority and County bar associations for feedback and assistance in generating the underlying materials.

Innovate

Created blueprint and worked with experts on this matter in other jurisdictions such as Utah. Working to create the orders to implement the lab.

Coordinate

Reached out to the Attorney General’s office (AGO) to strengthen the relationship between the Board and the AGO to ensure the proper cases are being referred. Created database to collect data on unauthorized practice of law complaints and began work to improve education on UPL.

Diversity

Began work to understand the Board’s baseline diversity across multiple factors and reached out to members of the public and authorized legal practitioners to improve the diversity of the Board.

Although Washington State Bar Association (WSBA) resources on diversity were instrumental in helping the Board work on diversity through education and assistance, the lack of a diverse pool of volunteers is affecting our ability to fill vacant seats on the board with diverse candidates.

**Looking Ahead: 2021-2022 Top Goals & Priorities:**

<b>1</b>	Educate: Continue work on the Legal Checkup, working with stakeholders including the public, the Minority Bar and County Bar Associations. Update plan as necessary. Investigate best way to bring to the Internet.
<b>2</b>	Innovate: Prepare final version of the blueprint and prepare necessary orders for the Court to implement. Present to the Supreme Court for approval.
<b>3</b>	Coordinate: Continue to evaluate and refer complaints of unauthorized practice of law and educate the public on this issue. Work to ensure people know how to complain, and that complaints are timely referred to the appropriate authority.
<b>4</b>	Diversity: Continue to work to diversify the Board per the letter to the Supreme Court.
<b>5</b>	

**Please report how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?*

The Board conducted a voluntary demographic survey of its membership in an effort to identify gaps and needs to advance diversity and inclusion on the Board. The Board worked with the WSBA DEI team to draft the questions and responses in the survey. Please see the Board’s letter to the Supreme Court on this matter, available at [https://wsba.org/docs/default-source/legal-community/committees/practice-of-law-board/polb\\_letter-to-sct-re-plb-diversity-plan\\_march-2021.pdf?sfvrsn=492c17f1\\_0](https://wsba.org/docs/default-source/legal-community/committees/practice-of-law-board/polb_letter-to-sct-re-plb-diversity-plan_march-2021.pdf?sfvrsn=492c17f1_0)

The Chair has worked to involve all members of the Board in discussions and has circulated the plans to the members for input and comment. To better solicit input and involvement of the members, sub-committees are being created to allow members to work on the matters of most interest to them— while still allowing people to contribute to all the work the Board does.

**Please describe the relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

First and foremost, the Board wants to thank Kyla Jones, Thea Jennings, and General Counsel Julie Shankland, Chief Equity and Justice Officer Diana Singleton, Chief Regulatory Counsel Renata de Carvalho Garcia, and Chief Disciplinary Counsel Doug Ende, for their support of the Board, and their day-to-day contributions to our work. Without their assistance and guidance, the Board could not have put plans in place and begun work on such plans.

Governor Sunitha Anjilvel has also been instrumental in supporting the Board, especially in keeping the Board of Governors up-to-date on the Practice of Law Board’s work.

The Board is concerned about the placement of the Board’s information on the WSBA website. The information is virtually impossible for the public or legal providers to find as it is situated in an area related to volunteer recruitment rather than a place which allows the public to understand what the Board is responsible for and how it fulfills those responsibilities. If this cannot be changed, then the Board may need to create its own website. Tools the Board are using, such as Box, are inadequate for a collaborative Board to use. Therefore, the Board may need to investigate better tools that support online, collaboration (multiple people working in the same documents simultaneously).

The annual budgeting process could include more communication with and input from Board chairs in the future. The Board has been extremely conservative in generating expenses, but as indicated above, may need to spend some money on better and focused technology.

<b>SECTIONS ONLY: Please quantify your section’s 2020-2021 member benefits:</b>  <i>For example:</i> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>		Newsletters/publications produced
		Mini-CLEs produced
		Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
		Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity
		Receptions/forums hosted or co-hosted
		Recognitions/Awards given
		New Lawyer Outreach events/benefits
		Other (please describe):

<b>Entity Detail &amp; Demographics Report: To Be Completed by WSBA Staff</b>	
<b>Size of Entity:</b>	13 members, of which 5 must be non-legal professionals (that is, members of the public).
<b>Membership Size: (for Sections Only)</b> <i>(As of September 30, 2021)</i>	
<b>Number of Applicants for FY22</b> <i>(October 1, 2021 – September 30, 2022)</i>	The Board received 7 applications. The Board recommended 4 applicants to be appointed by the Court.
<b>How many current volunteer position vacancies for this entity?</b>	There is 1 lawyer position open. It is being left open until a diverse candidate can be found.
<b>FY21 Revenue (\$):</b>	

<b>For Sections Only:</b> <i>As of September 30, 2021</i>																																																				
<b>FY21 Budgeted Direct Expenses:</b>	\$9,000																																																			
<b>FY21 Budgeted Indirect Expenses:</b>	\$36,875																																																			
<p><b>FY21 Demographics:</b> The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.</p> <p>Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any of the factors below.</p> <table border="1"> <tr> <td rowspan="3"><b>Disability</b></td> <td>No</td> <td>77%</td> </tr> <tr> <td>Chose Not to Respond</td> <td>15%</td> </tr> <tr> <td>Yes</td> <td>8%</td> </tr> <tr> <td rowspan="6"><b>District*</b></td> <td>1</td> <td>15%</td> </tr> <tr> <td>10</td> <td>8%</td> </tr> <tr> <td>4</td> <td>8%</td> </tr> <tr> <td>7S</td> <td>8%</td> </tr> <tr> <td>9</td> <td>8%</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td rowspan="7"><b>Ethnicity</b></td> <td>Asian - East Asian</td> <td>8%</td> </tr> <tr> <td>Asian - South Asian</td> <td>8%</td> </tr> <tr> <td>Black, African American, or African Descent</td> <td>8%</td> </tr> <tr> <td>White or European Descent</td> <td>69%</td> </tr> <tr> <td>Multi Racial or Bi Racial</td> <td>8%</td> </tr> <tr> <td>Chose Not to Respond</td> <td>0%</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td rowspan="3"><b>Gender</b></td> <td>Female</td> <td>23%</td> </tr> <tr> <td>Male</td> <td>62%</td> </tr> <tr> <td>Chose Not to Respond</td> <td>15%</td> </tr> <tr> <td rowspan="3"><b>Sexual Orientation</b></td> <td>Heterosexual</td> <td>62%</td> </tr> <tr> <td>No</td> <td>8%</td> </tr> <tr> <td>Chose Not to Respond</td> <td>31%</td> </tr> </table> <p>The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.</p>		<b>Disability</b>	No	77%	Chose Not to Respond	15%	Yes	8%	<b>District*</b>	1	15%	10	8%	4	8%	7S	8%	9	8%				<b>Ethnicity</b>	Asian - East Asian	8%	Asian - South Asian	8%	Black, African American, or African Descent	8%	White or European Descent	69%	Multi Racial or Bi Racial	8%	Chose Not to Respond	0%				<b>Gender</b>	Female	23%	Male	62%	Chose Not to Respond	15%	<b>Sexual Orientation</b>	Heterosexual	62%	No	8%	Chose Not to Respond	31%
<b>Disability</b>	No		77%																																																	
	Chose Not to Respond		15%																																																	
	Yes	8%																																																		
<b>District*</b>	1	15%																																																		
	10	8%																																																		
	4	8%																																																		
	7S	8%																																																		
	9	8%																																																		
<b>Ethnicity</b>	Asian - East Asian	8%																																																		
	Asian - South Asian	8%																																																		
	Black, African American, or African Descent	8%																																																		
	White or European Descent	69%																																																		
	Multi Racial or Bi Racial	8%																																																		
	Chose Not to Respond	0%																																																		
<b>Gender</b>	Female	23%																																																		
	Male	62%																																																		
	Chose Not to Respond	15%																																																		
<b>Sexual Orientation</b>	Heterosexual	62%																																																		
	No	8%																																																		
	Chose Not to Respond	31%																																																		

<sup>1</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2021: October 1, 2020 – September 30, 2021

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2020 – September 30, 2021. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 15:** please submit by emailing [barleaders@wsba.org](mailto:barleaders@wsba.org) or requesting that your staff liaison submit the report internally.

<b>Name of Entity:</b>	Pro Bono and Public Service Committee
<b>Chair or Co-Chairs:</b>	Nicholas Larson and Bonnie Rosinbum
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Saleena Salango, Equity and Justice Specialist – Public Service, Equity and Justice Department
<b>Board of Governors Liaison:</b>	Matthew Dresden
<b>Purpose of Entity:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Pro Bono and Public Service Committee’s (Committee) purpose is to serve WSBA members by communicating opportunities and eliminating barriers to providing pro bono services to communities that experience poverty and injustice.	
<b>Strategy to Fulfill Purpose:</b>	
The Committee fulfills its purpose by promoting opportunities and best practices that encourage WSBA members to engage in pro bono and public service.	
<b>How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	
The Committee serves the public and members of the Bar by supporting and promoting pro bono and public service work. It ensures integrity of the legal profession by working to enhance a culture of public service and pro bono among legal professionals. Finally, The Committee champions justice by	

promoting pro bono and public service to help close the access to justice gap and serve communities that experience poverty and injustice.

**2020-2021 Entity Accomplishments:**

The Committee’s work is carried out by established workgroups.

- The Strategic Planning Workgroup wrote a new Mission, Vision, and Values for the committee, which were unanimously approved by the full committee.
- The Continuing Legal Education Workgroup developed and promoted free CLE programs focused on pro bono-related topics including the October 2020 Legal Lunchbox centered on family law and poverty law experts entitled “Serving Low-Income Clients at the Intersection of Family Law and Structural Poverty.” The CLE subcommittee will put on a Legal Lunchbox for October 2021 centered on guardianship law changes. The CLE subcommittee has also conducted outreach to QLSPs to assess gaps in the WSBA CLE Public Service Library and propose future programming to ensure QLSPs have information needed to best serve their client communities.
- The Technology Workgroup collected feedback from stakeholders to redesign and relaunch the Pro Bono WA portal, a clearinghouse for pro bono opportunities in Washington State; the workgroup manages and makes continual improvements to the portal.
- The Rules and Policy Workgroup proposed revisions to the Emeritus Pro Bono status rules to help reduce barriers for engaging in pro bono work that were approved by the BOG; the new Pro Bono Status can be found [here](#). The Rules workgroup also supported the work of the WSBA Committee on Professional Ethics (CPE) in researching humanitarian exceptions to RPC 1.8(e) in other jurisdictions.
- The Communications Workgroup wrote and published articles in the Washington State Bar News Magazine to promote the WSBA Moderate Means Program, highlight minority voter suppression, and promote pro bono and public service. The Communications workgroup also collaborated with the Technology Workgroup and the WSBA Communications Department to develop a full-page advertisement announcing the Pro Bono WA portal redesign in the October 2021 issue of the Bar News.

The committee submitted formal comments to support the DEI CLE requirement and the Pro Bono Council's proposed changes to RPC 6.5, which were ultimately approved by the Supreme Court.

**Looking Ahead: 2021-2022 Top Goals & Priorities:**

<b>1</b>	Continue the Strategic Planning subcommittee's work by implementing the new mission, vision, and values into the day-to-day work of the committee.
<b>2</b>	Improve communication between the committee and justice-partner organizations, WSBA membership, and other interested stakeholders.
<b>3</b>	Increase use of <a href="#">probonowa.org</a> by both WSBA members looking for pro bono opportunities and the organizations that provide them.
<b>4</b>	Identify the committee's role in supporting "public service" organizations, in contrast to the clear role of the committee in supporting "pro bono" service.
<b>5</b>	Recruit new committee members and ensure current members are supported and engaged in the work of the committee.

**Please report how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?*

The Committee co-chairs frequently solicit input from every Committee member. The Committee’s work is structured into separate Workgroups that allow for any member to take a leadership role and/or advance the work of the Committee. The Committee frequently seeks input and opportunities for collaboration with QLSPs, VLPs, and Minority Bar Associations to stay informed by organizations serving legal professionals and client communities that experience poverty and injustice. Finally, the committee has incorporated diversity, equity, and inclusion into the Committee’s stated values, and frequently reflect on these guiding values to accomplish the Committee’s mission.

**Please describe the relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

WSBA staff has always been so supportive of the committee. Even during this year of transition for their team, we always knew there was someone to address any needs that came up. All of the staff have been helpful and responsive, and able to provide great feedback and additional context that helps inform the committee's discussions and decisions. Matthew has been fantastic as liaison. It has been great having him attend our meetings. In the past, it has been difficult to even get an email response from the BOG liaison.

**SECTIONS ONLY: Please quantify your section’s 2020-2021 member benefits:**

*For example:*

- *\$3000 Scholarships, donations, grants awarded;*
- *4 mini-CLEs produced*

	Newsletters/publications produced
	Mini-CLEs produced
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity
	Receptions/forums hosted or co-hosted
	Recognitions/Awards given
	New Lawyer Outreach events/benefits
	Other (please describe):

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Staff**



<b>Size of Entity:</b>	18
<b>Membership Size: (for Sections Only)</b> <i>(As of September 30, 2021)</i>	
<b>Number of Applicants for FY22</b> <i>(October 1, 2021 – September 30, 2022)</i>	9
<b>How many current volunteer position vacancies for this entity?</b>	5
<b>FY21 Revenue (\$): For Sections Only:</b> <i>As of September 30, 2021</i>	
<b>FY21 Budgeted Direct Expenses:</b>	\$2,000
<b>FY21 Budgeted Indirect Expenses:</b>	\$36,934

**FY21 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	85%
	Chose Not to Respond	0%
	Yes	15%
<b>District*</b>	10	15%
	5	23%
	6	15%
	7N	15%
	7S	15%
	9	15%
<b>Ethnicity</b>	Asian - East Asian	8%
	White or European Descent	85%
	Hispanic or Latino/a or Latinx	8%
	Chose Not to Respond	0%
<b>Gender</b>	Female	77%
	Male	23%
	Chose Not to Respond	0%
<b>Sexual Orientation</b>	Heterosexual	92%
	No	8%
	Chose Not to Respond	0%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2021: October 1, 2020 – September 30, 2021

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2020 – September 30, 2021. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 15:** please submit by emailing [barleaders@wsba.org](mailto:barleaders@wsba.org) or requesting that your staff liaison submit the report internally.

<b>Name of Entity:</b>	Washington Young Lawyers Committee
<b>Chair or Co-Chairs:</b>	Brian Neuharth
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Curtiss Melvin, Member Engagement Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Russell Knight
<b>Purpose of Entity:</b>	
<p>The Washington Young Lawyers Committee (WYLC) derives its authority from the WSBA Bylaws, WSBA Board of Governors (BOG) Committees and Boards Policy, and WYLC Appointment Policy. Per Section XII.A of the WSBA Bylaws, the WYLC's purpose is to:</p> <ol style="list-style-type: none"> <li>1) encourage the interest and participation of new and young lawyers and law students in the activities of the WSBA;</li> <li>2) developing and conducting programs of interest and value to new and young lawyers consistent with the focus areas of public service and pro bono programs, transition to practice, and member outreach and leadership;</li> <li>3) and upholding and supporting the Guiding Principles of the WSBA.</li> </ol>	
<b>Strategy to Fulfill Purpose:</b>	

This year's focus on fulfilling the WYLC's purpose involves five key areas:

1. Outreach and communication;
2. Debt;
3. Public Service and Leadership;
4. Access to justice and Rural Recruitment and Retention
5. ABA YLD Representation

The accomplishments and FY21 goals outlined in this document reflect how the work of the WYLC addresses these priorities and fulfills the purpose of the WYLC. These priorities are focused on the key areas identified in the November 2014 and June 2020 new lawyer surveys, July 25, 2015 Generative Discussion of the BOG with the WYLC for key issues facing new and young lawyers: Employment, Debt, Community, and Leadership. Project team members may involve constituents who are not members of the WYLC to help accomplish the project team goals.

**How does the entity's purpose help further the mission of the WSBA "to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice"?**

- 1) As new and young lawyers come in, the WYLC helps those lawyers navigate through difficult issues and connect with the WSBA and its member services.
- 2) We have a committee members involved in the Small Town and Rural Committee (STAR) as the Young Lawyer Liaison. STAR works to bridge the gap between retiring practitioners and new lawyers to ensure consistent access to justice in rural communities.
- 3) We have been using our Facebook page to interact with the public and make young lawyers more accessible to young lawyers.
- 4) The WYLC successfully held two social hours this year, the first in-person events since the coronavirus pandemic. The events were publicized and open to the public.
- 5) The WYLC encourages all new and young lawyers to participate in public service. The WYLC also gives out four Public Service and Leadership Awards every year to recognize outstanding achievement.

**2020-2021 Entity Accomplishments:**

**Outreach and Communication**

Unfortunately, COVID-19 continued to impact the WYLC's ability to host socials, events, and mixers. Fortunately, two meetings were safely held in-person in July and September. The July meeting coincided with the BOG meeting at Skamania Lodge. This was followed by a well-attended public social hour at Bryan Carter Cellars in Vancouver. The September meeting was followed by a social hour and hot sauce challenge in Seattle. Meetings have otherwise taken place virtually via Zoom and non-WYLC committee members are encouraged (and do) attend.

**Debt**

The debt project team is researching alternative approaches to addressing debt. The project team generally has met in alternating months to discuss findings. As part of this, both the debt team and WSBA committee spoke with the Law School Transparency Project to discuss the debt trends and potential solutions.

**Public Service and Leadership**

The Public Service and Leadership Award (PSLA) exists to connect and recognize new and young lawyers that demonstrate values of public service and leadership. The WYLC received several applications and voted to honor four new or young lawyers this year with the PSLA. A WYLC member will write an article about the PSLA recipients for an upcoming Washington State Bar News issue.

**RRR/AATJ**

The WSBA established the STAR Committee to help address what will bring new and young lawyers to underserved rural areas. WYLC member Zachary Bryant is serving as the STAR Committee’s Young Lawyer Liaison. Prior to the creation of the STAR Committee, WYLC member Alixanne Pinkerton assisted with the RRR taskforce.

**ABA YLD Representation**

The WYLC did not need to provide the ABA YLD Meeting Scholarships for new and young lawyers attending ABA meetings as delegates. This is because the meetings were held virtually, so there were no costs to attend. No delegate spots went unfilled, maximizing Washington’s voting power. Although the WYLC did not offer ABA scholarships, this year, the WYLC used those funds to award WSBA CLE scholarships for new and young lawyers. A total of 24 new and young lawyers received a CLE scholarship.

**Looking Ahead: 2021-2022 Top Goals & Priorities:**

<b>1</b>	A main priority will be increasing the participation and involvement of new and young lawyers with WYLC, which has declined significantly since the onset of COVID-19. This includes filling all remaining vacant representative positions.
<b>2</b>	To ensure that folks who are actively involved with WYLC get the most out of their participation by maximizing the efficiency and meaningfulness of their time commitment, which will hopefully further increase and/or maintain long-term involvement.
<b>3</b>	To increase WYLC’s presence within the larger ABA as a YLD Affiliate.
<b>4</b>	To come up with new and creative ways to offer value and benefits to new and young lawyers, particularly in a virtual and/or hybrid format due to COVID-19 given the unknowns about what the future will look like moving forward.
<b>5</b>	To reach out to the law schools with opportunities for early participation of future new and young lawyers with WYLC – whether in-person, virtual and/or hybrid (TBD).

**Please report how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?*

A WSBA new member survey included demographic information to help the WYLC understand its constituency.

The WYLC is currently working on a proposed amendment regarding dress codes for in court

appearances. WYLC members reached out to the WSBA Diversity Committee and they are supportive. The proposal has been submitted the WSBA for formal approval and submission to the Court. Feedback has in part concerned the potential fiscal impact when the proposed rule requires enforcement. WYLC is also working on preparing proposed bylaws changes affecting the definition of “young lawyer” as well as the young lawyer Board of Governors position to make opportunities for involvement more inclusive.

**Please describe the relationship with WSBA staff and the Board of Governors.**

*For example:*

- *Quality of WSBA staff support/services*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

The WYLC continues to enjoy support from the WSBA. Although we are sad to see former WYLC liaison move on to other WSBA roles, the new WSBA-staff liaison Curtiss Melvin has worked diligently as he settles into his role. Member Services and Engagement Administrative Assistant Chelle Gegax also regularly attends meetings to support the WYLC members.

Russell Knight completed his term as the BOG’s young lawyer liaison. Russell attended all or nearly all meetings this year, briefing WYLC members on BOG activities, fielding member questions, and providing insights. He made himself available for conversations on request.

Former WYLC Chair Jordan Couch will serve as the new BOG young lawyer liaison and the WYLC is excited to continue working with him.

In FY20 and FY21, individual members of the BOG have made themselves available for private discussions and advice regarding WYLC activities with past-chair Brian Neuharth.

The WYLC needs direction on how to create a larger debt taskforce that exists within the WSBA, but outside of the WYLC.

**SECTIONS ONLY: Please quantify your section’s 2020-2021 member benefits:**

*For example:*

- *\$3000 Scholarships, donations, grants awarded;*
- *4 mini-CLEs produced*

	Newsletters/publications produced
	Mini-CLEs produced
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with non-WSBA entity
	Receptions/forums hosted or co-hosted
	Recognitions/Awards given
	New Lawyer Outreach events/benefits

		Other (please describe):
<b>Entity Detail &amp; Demographics Report:</b> <i>To Be Completed by WSBA Staff</i>		
<b>Size of Entity:</b>	18	
<b>Membership Size: (for Sections Only)</b> <i>(As of September 30, 2021)</i>		
<b>Number of Applicants for FY22</b> <i>(October 1, 2021 – September 30, 2022)</i>	13	
<b>How many current volunteer position vacancies for this entity?</b>	3	
<b>FY21 Revenue (\$): For Sections Only:</b> <i>As of September 30, 2021</i>		
<b>FY21 Budgeted Direct Expenses:</b>	\$15,500	
<b>FY21 Budgeted Indirect Expenses:</b>	\$59,826	

**FY21 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	88%
	Chose Not to Respond	13%
<b>District*</b>	10	13%
	2	19%
	3	6%
	4	13%
	5	6%
	6	19%
	7N	6%
	7S	19%
<b>Ethnicity</b>	Black, African American, or African Descent	6%
	White or European Descent	69%
	Hispanic or Latino/a or Latinx	6%
	Multi Racial or Bi Racial	6%
	Multi Racial or Bi Racial: White or European Descent Asian, Hispanic or Latinx	6%
	Chose Not to Respond	0%
	Other: Active duty Military Sp.	6%
<b>Gender</b>	Female	50%
	Male	38%
	Chose Not to Respond	13%
<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer	13%
	Heterosexual	38%
	No	25%
	Chose Not to Respond	25%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.