

WASHINGTON STATE BAR ASSOCIATION

Board of Governors June 2023 Meeting Update

A summary prepared by the WSBA of the Board of Governors (Board) meeting held June 23, 2023, in Vancouver, Washington. The agenda, materials, and video recording from this Board meeting are [online](#). The next regular meeting is Aug. 11-12 in Richland, Washington. The Board of Governors is WSBA's governing body charged with determining general policies of the WSBA and approving its annual budget. To subscribe to the Board Meeting Notification list, email barleaders@wsba.org.

NEED TO KNOW

1. **2024 WSBA Budget Taking Shape.** The Board saw a first draft of the Fiscal Year 2024 budget, which maintains programs and services while purposefully using a portion of available reserves to keep license fees stable (the 2024 license fee has already been set by the Board and approved by the Washington Supreme Court). Looking toward the future, board members discussed values and priorities when it comes to setting the license fee and developing the budget to best carry out the WSBA's mission—especially in light of annual increases in the basic costs of doing business as well as potential new programs and services. [See page 29.](#)

OTHER BUSINESS

Local Heroes. The WSBA honored [Hon. Michael Evans](#) and [Zachary H. Stoumbos](#). The Local Hero Award is bestowed by the WSBA President, in partnership with county bar associations, to recognize colleagues who make noteworthy contributions to their communities. Hon. Evans was nominated by the Cowlitz-Wahkiakum Bar Association for his many years of service on the bench dedicated to access to justice. Mr. Stoumbos was nominated by the Clark County Bar Association in recognition of his volunteerism and exceptional professionalism as a legal leader and mentor.

Redefinition of Eligibility for Washington Young Lawyers Committee. After a nationwide study and collection of feedback, leaders of the WSBA Washington Young Lawyers Committee are proposing changes to the WSBA bylaws that would expand the definition of what is “new” or “young.” Specifically, the recommendation is to remove any age restrictions and make eligibility for the WYLC and associated programs/services contingent upon years of practice; and to extend the years of practice cap from 5 to 10 years. The purpose is to expand WYLC programming and practice to support more new lawyers; examples include WYLC awards and

scholarships, WYLC liaisonship seats, and the WYLC seat on the Board of Governors. ([See page 98.](#)) The Board expects to vote on the proposed bylaw changes at a future meeting.

Proposed New Comments to RPC 1.2 and RPC 8.4 Regarding Reproductive

Rights. In August 2022, the Washington State Attorney General asked the Board to confirm that lawyers who advise clients in accessing or providing reproductive healthcare that is lawful and protected in Washington state are not in violation of legal ethical requirements nor subject to professional discipline. In response, the Board asked the WSBA’s Committee on Professional Ethics (CPE) to study the issue and make a recommendation. The basic scenario, the CPE found, involves a Washington lawyer giving advice which is being treated by a prosecutor in another jurisdiction as possible criminal activity. After much consideration, the CPE presented a recommendation that the Washington Supreme Court adopt new comments to Rules of Professional Conduct (RPC) [1.2](#) and [8.4](#) (along the lines of the “special circumstances” Comment [18] previously adopted with respect to Washington’s marijuana laws). The Board asked the CPE to consider extending the scope of the proposed comments to include other potential conflicts between state and federal laws, while still specifically referencing reproductive rights as an example. ([See page 321.](#))

Justice and Fairness in Our Legal System. The WSBA’s [Equity and Disparity Work Group](#) was chartered in 2020 to review rules, regulations, and laws to identify those that impede real justice and fairness in Washington. A subcommittee has identified General Rule 12.2(C) as one such regulation and has proposed changes to it. ([See page 301.](#)) The Board expects to decide at a future meeting whether to recommend the changes to the Court; before then, the subcommittee is seeking member feedback via this [online form before July 7.](#)

The Board also:

- On the Thursday before the business meeting, held an orientation for newly-elected Governors.
- On the Thursday before the business meeting, held a training on diversity, equity, and inclusion for all Board members. This introductory training focused on interpersonal and group skills to have respectful conversations about difficult topics, common definitions and understanding of basic concepts, and the way the WSBA’s mission and strategic goals are grounded in DEI efforts.
- Met with members of the [Washington Young Lawyers Committee](#) and [Washington Leadership Institute.](#)
- On the Saturday after the business meeting, held a retreat to discuss strategic goals for Fiscal Year 2024.