

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

Small Town and Rural Committee

Small Town and Rural Committee Meeting | Virtual Only

Wednesday, February 22, 2023, | 12:10 p.m. – 1:10 p.m.

Via [Zoom](#) | Meeting ID: 879 0573 6111 | Passcode: 811616 | Call-in: 888-788-0099

AGENDA

1. Introductions, January Meeting Recaps, and Approval of January Meeting Minutes (Gov. Kari Petrusek)
2. WSBA Updates (Gov. Petrusek and Julianne Unite)
3. Subcommittee Report Updates, if any (Subcommittee chairs Laurie Powers, Gov. Petrusek, Betsy Penoyar)
4. CLE/Webinar Update (Karen Duncan)
5. APR6 Discussion (Gov. Kari Petrusek)
6. FLEC/STAR Collaboration Discussion (Gov. Kari Petrusek)
7. Limited GAL/Attorney Shortage Discussion (Gov. Kari Petrusek)
8. June Meeting Update (Julianne Unite, Gov. Kari Petrusek)
9. Rural Definition – Continued Discussion from Jan. (Gov. Kari Petrusek)
10. Other Business
11. Next Steps/ Conclusion
12. Next Meeting: March 22, 2023
13. Adjournment

WASHINGTON STATE BAR ASSOCIATION

Small Town and Rural Committee Charter

Effective: July 16, 2021
as approved by the
WSBA Board of
Governors

Purpose

The WSBA Small Town and Rural (STAR) Committee is committed to strengthen and support the practice of law in the rural communities throughout Washington state. Members of the STAR Committee will work to ensure that the practice of law in rural communities is present, growing, and thriving.

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

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

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

Definition of “Rural”

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

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

adjacent to a labor market and perhaps have a varying set of circumstances that may differ from counties that are less than 30,000.

Composition

Members of the STAR Committee should have demonstrated experience and/or interest in a thriving legal practice in Washington's rural communities. The STAR Committee will consist of 13 members and are outlined as:

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

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

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

Terms

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

Initial Committee Terms

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

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

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

- Chair
- 1 Active WSBA Young Lawyer Member

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

Scope of Work

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

Measures of Success

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

STAR Committee Roles

1. Community Education and Outreach

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

2. Pipeline and Placement Program(s)

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

3. Job Opportunities and Clearinghouse

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

Committee Evaluation

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

WASHINGTON STATE BAR ASSOCIATION

Small Town and Rural Committee

Small Town and Rural Committee Meeting Minutes Wednesday, January 25, 2023, | 12:15 p.m. – 1:18 p.m. *Virtual meeting via Zoom*

Committee Members Present: Gov. Kari Petrasek, Rusty McGuire, Kathryn Burke, Sarah Cuellar, Elizabeth Penoyar, Merf Ehman, Zachary Bryant, Laurie Powers, Erin Lloyd,

Committee Members Absent: Gov. Hunter Abell (excused), Erin Fullner (excused), Allison Foreman (unexcused)

WSBA Staff Present: Julianne Unite – Member Services and Engagement Manager, Chelle Gegax – Member Services and Engagement Administrative Assistant, Karen Duncan – Education Programs Lead, Kevin Plachy – Advancement Department Manager

WSBA Board of Governors Liaisons: Gov. Sunitha Anjilvel, Gov. Mary Rathbone

Public Attendees Present: Michelle Lucas, Stephan Yhann, Annalise Martucci, Arielle Handforth, Zach Acres

Introductions, November Meeting Recaps, and Approval of November Meeting Minutes (Gov. Kari Petrasek)

STAR Committee Chair, Board of Governor Kari Petrasek called meeting to order at 12:15 p.m. and acknowledged public and first-time attendees. Arielle Handforth introduced herself as the Grants Coordinator of Legal Foundation of Washington. Annalise Martucci introduced herself from the Office of Legal Aid from Skagit County. Michelle Lucas introduced herself and is attending as the ATJ Board Liaison. Mary Rathbone introduced herself as the Board of Governors Representative for the 4th District. Zach Akers introduced himself from Moses Lake/ Grant County and is here on invitation of Mary Rathbone.

On motion by STAR Committee Member, Zachary (Zach) Bryant, seconded by STAR Committee member Rusty McGuire, by unanimous vote (9-0-0) the committee approved the November meeting minutes.

WSBA Updates (Gov. Petrasek and Julianne Unite)

Kari reported that there are no major updates since the last meeting. Kari reviewed the FY23 priorities of the Board of Governors (BOG), with Small Town and Rural Practice being a top focus. Relevant materials from the BOG meeting stating goals of the STAR committee are included in today's meeting materials.

WSBA Member Services and Engagement Manager, Julianne Unite, advised the committee of upcoming BOG vacancies and that recruitment is open now and will close on February 15, 2023, for congressional

seats. Julianne also advised that the 2023 Apex Awards nominations are now being accepted; deadline is February 28th, 2023. Julianne reminded committee members that WSBA licensing is due on February 1, 2023.

Subcommittee Report Updates, if any (Subcommittee chairs Laurie Powers, Gov. Petrasek, Betsy Penoyar)

STAR Committee Member Laurie Powers provided update on the STAR Legal Career Fair, held via InternX with Gonzaga University as the host. Laurie provided an overview of the logistics of the career fair, job applications, and how applications will be sent to participating employers. STAR Committee Member Elizabeth (Betsty) Penoyar asked “how will the average small-town practitioner know about the program, to advertise positions?”. Laurie responded that she is hoping the WSBA will be able to assist in marketing. WSBA Advancement Department Manager, Kevin Plachy, commented that WSBA can pull marketing lists based on counties, and could also send to all but may end up with members who don’t find it relevant. Julianne commented that she will be chatting with Jenn Olegario, WSBA Communications and Outreach Manager, for strategy, next best steps, and audience. Julianne will keep Laurie apprised of those conversations. Julianne also commented on branding; STAR does not have specific branding outside of WSBA logos, but if the committee wanted to have something created, we can work with the WSBA Communications department to design something. Mary Rathbone asked if anyone had reached out to law certification board to provide information to graduating Rule 6 students? Julianne commented that there is a connection internally and that can be strengthened down the road, when needed. Mary suggested having a marketing flyer to be able to distribute and Kari agreed. STAR Committee Member, Merf Ehman, commented that this should be advertised through the ATJ Board, due to the amount of satellite offices that employers may have. Laurie suggested updating the flyer that WSBA created for the Rural Job Fair with current language for this project. Julianne advised to send revisions to her via email, and she would forward for updating. Merf commented on having legal aid programs doing hiring in urban areas but having positions in field offices and wouldn’t want this communication to miss those opportunities. Merf feels that advertising via the ATJ list-serve and other forums would be helpful. Members also discussed marketing strategies, and who to send emails to regarding potential employers and applicants.

CLE/Webinar Update (Karen Duncan)

Karen Duncan, WSBA Educational Programs Lead, advised that the CLE date is scheduled for March 15, but additional dates are available toward the end of March if that does not work, and that it will be a lunchtime CLE. The webcast will open at 11:30 a.m., and a one-hour presentation will begin at 12-1pm. Karen commented that the topic was suggested by Kevin and included how the committee was started and background information. Kevin commented that it may be helpful to coordinate a meeting with relevant committee members to discuss additional content. Karen commented that this would be part one of a series but can discuss further in the meeting Kevin suggested. Kari commented that initially, it was discussed being a series of three. Kari thanked Karen for the update and asked that she communicate the finalized date once determined.

Rural Definition Discussion (Gov. Kari Petrasek and Chelsea Baldwin)

Kari provided an update on behalf of STAR Committee Member Chelsea Baldwin, in her absence. Kari advised that the suggested definitions provided by Chelsea are available in the meeting materials packet and read two proposals to the committee.

Proposed definition one (1):

Counties with less than 300 people per square mile and towns with fewer than 2,500 people (if located within a disqualified county).

Pro: County by County approach – very easy to manage what qualifies.

Con: May leave out areas that are underserved – but the “city” catch-all may provide a means of managing that.

Proposed definition two (2):

Small Towns and Rural Areas are those which are located at least 40 driving miles away from the large urban areas of Seattle/Tacoma, Spokane, and Vancouver/Portland.

Pro: Easy to manage and understand.

Con: May include areas what are not actually underserved.

STAR Committee Member Stephan Yhann commented that most people in rural communities have access to some form of transportation and feels that a definition that includes driving distance would be best. Katie commented that she does not feel that distance should be a primary focus, as it would eliminate some opportunities since attorneys can be county based. STAR Committee Member Zachary (Zach) Bryant commented that one of the larger issues, that he feels is inescapable, is that people east of the mountains are going to have a different opinion of “rural” than someone west of the mountains. Zach asked for clarification on why we are revisiting the definition of rural; Kari responded that the current definition excludes communities that are rural, when they should not be excluded. Merf commented that the second definition provided by Chelsea is their preferred option.

Mary left the meeting at 1:00 p.m.

Kevin commented that having the definition be more inclusive seems positive and that the STAR Committee has a lot of discretion on how to use the definition. Laurie commented that she also felt the second option inclusive of mileage was a good choice, and that if there was too much interest and the need to limit, then that could be addressed down the road. Kari advised members to read the definitions provided and be prepared to discuss and finalize at the next meeting. Kari also encouraged members to revise and/or present their own ideas if they have them. Zach suggested that the east and west sides of the mountains could have independent definitions of rural.

Career Center Discount Updates (Julianne Unite)

Julianne commented that the Career Center Discount Launched on November 15 and has received 22 inquiries since. Of the 22, all but 1 were eligible for the discount. There were 10 firms, 10 non-profit, one government and one tribal inquiry. Julianne advised that there was one inquiry that was for a paralegal position and advised the committee that WSBA staff made the decision to allow the positing, since it is a legal position and previously the committee did not designate lawyer-only positions. Kari commented that if it was a legal professional, it should be allowed. Julianne also advised that the one inquiry that did not qualify was due to a position serving the Puget Sound, with no intent on serving rural communities specifically. The information provided regarding service area was vague and did not

specify a rural area. STAR Committee Member, Gov. Hunter Abell was proposing some way of tracking the Career Center Discount initiative, and Julianne would like to spend more time at a future meeting to discuss objectives of what should be tracked on.

In-Person Meeting Discussion (Gov. Kari Petrasek)

Kari commented that she and Gov. Abell have discussed having an in-person meeting. Some locations that have been discussed have been Lake Chelan, Ellensburg, Yakima, or Moses Lake. Kari suggested having this take place for the May or June meeting. Merf commented on having this being a community involved event, not just a meeting. Kari also suggested this be a social event, asking questions or a get to know us type event. Kari asked if Saturday June 3, in Yakima would work for members? Kari also commented that we have a budget that has not been used, and that members' mileage could potentially be reimbursed. Julianne advised that she'd come back to the committee members with mileage reimbursements, and whether additional expenses may or may not be covered such as meeting space and accommodations. Julianne advised that summer weekends typically get very busy with venues and would like to have a decision from the committee no later than the February meeting to begin planning. Kari suggested that the meeting start around 10:00 am and give committee members the opportunity to not miss work.

Merf left the meeting 1:10 p.m.

Kevin left the meeting at 1:15 p.m.

Betsy left the meeting at 1:16 p.m.

Karen left the meeting at 1:17 p.m.

Other Business

None to discuss.

Next Steps/ Conclusion

Tentative hold for Saturday, June 3rd for an in-person meeting in Yakima. This meeting will replace the May 24 2023, meeting.

Next Meeting: February 22, 2023

Adjournment

Kari adjourned meeting at 1:18 p.m.

Rural Practice CLE Outline

Date of Program: The week of April 10th with an estimated delivery time of Noon to 1:30pm.

Chairs:

Rusty McGuire

Kathryn Burke

Title of Program: The Rural Practice Shortage in WA and the Washington State Bar Association's Response

I. Framing the Issue

- a. The WSBA WYLC initial inquiry into rural practice
- b. Followed by the WSBA Board of Governor's interest in the topic
- c. WSBA created the Rural Practice Project Team (RPPT) in early 2020 comprised of members of the Board of Governors, WYLC, Law School Representatives and WSBA Staff.
 - i. The project consisted of seven phases: 1) awareness and conception, 2) research, 3) ideation, 4) prototyping and testing, 5) budget approval, 6) implementation, and 7) ongoing evaluation. During the research phase of this project, WSBA surveyed new members and practitioners in rural communities, conducted outreach calls with individual rural practitioners, gathered information from leaders in other states, and reviewed available literature regarding the unique needs and circumstances of rural practice. Provide current information on the number of WSBA members in rural counties. Go over survey findings



and summary of the results of the outreach calls. Identify the Access to Justice issues related to legal deserts.

Kevin Plachy, ADV Department Director will speak on this topic.

d. The Creation of the WSBA STAR Committee

- i. As a result of the research gathered and ideation phase, the team identified a number of trends related to the benefits, barriers, and challenges facing rural practitioners and ultimately recommended that the WSBA form a standing committee to institutionalize rural practice as an organizational priority. In April 2021, the Washington State Bar Association Board of Governors approved the formation of a Small Town and Rural (STAR) Committee to build upon the work of the project team in support of rural practice in Washington State. Discuss the transition from the RPPT to the STAR Committee and talk a little about the STAR Committee Charter and work the committee has done in the first year of operation. The goal is to increase access to justice and close the justice gap in rural communities.

President-Elect and Immediate Past Chair of STAR Committee Hunter Abel to speak on this topic.

e. Rural Practice in Practice

- i. Chairs McGuire and Burke will discuss rural practice experiences in the communities they serve; Whitman, Adams, Lincoln and Ferry.
 1. Rusty McGuire will focus on Whitman, Adams, Lincoln.
 2. Kathryn Burke will focus on Ferry County.

f. What Can You do to Help?

- i. Engage with the STAR Committee

1. If you are interested in rural practice opportunities reach out and we may be able to direct you to opportunities and resources.
2. If you are from a rural community and know of specific needs reach out to the STAR Committee so we can communicate opportunities to members and law students.

This section could be led by any of the speakers....maybe Hunter would be a good choice?

It would be good for the STAR Committee to discuss topics and timing for at least one more hour to an hour and a half long program to hold before the end of the year. We will need speakers for the topic and the topic content must be accreditable.

Chelle Gegax

From: Kari Petrasek <kari@petraseklaw.com>
Sent: Wednesday, February 8, 2023 10:17 AM
To: Julianne Unite; 'Leone Reinbold'
Cc: Chelle Gegax
Subject: RE: [External]Presentation on Rule 6 Law Clerk Program

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Leone. We will discuss your proposal at our next STAR meeting to determine the best way to spread the news about the APR 6 program. We'll get back to you after that meeting with what we decided.

Kari

From: Julianne Unite <julianneu@wsba.org>
Sent: Thursday, February 2, 2023 3:00 PM
To: 'Leone Reinbold' <leone@reinboldlaw.com>; Kari Petrasek <kari@petraseklaw.com>
Cc: Chelle Gegax <Michellleg@wsba.org>
Subject: RE: [External]Presentation on Rule 6 Law Clerk Program

Hello Leone,

Thank you for your email. I might add this is quite timely as at the last STAR Committee meeting last month, we discussed the APR 6 law clerk program and I've been in touch with Kat Skinner about a potential presentation to the STAR Committee from the program. I am including the current Chair of the STAR Committee, Gov. Kari Petrasek, on this thread as she sets the agenda for the meetings. We may have some time at a future meeting this year for a presentation by the Law Clerk Board, but I will defer to Gov. Petrasek on when that can be.

Regards,



Julianne Unite, J.D. | Member Services and Engagement Manager

Pronouns: she, her, hers, they, them, their, theirs

I am working remotely.

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healthexchange@wsba.org | lendinglibrary@wsba.org | memberbenefits@wsba.org | mentorlink@wsba.org |

newmembers@wsba.org | sections@wsba.org

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COVID 19: Most WSBA employees are working remotely; click here for more information and resources.

From: Leone Reinbold <leone@reinboldlaw.com>
Sent: Thursday, February 2, 2023 1:59 PM
To: Julianne Unite <julianneu@wsba.org>
Subject: [External]Presentation on Rule 6 Law Clerk Program

Good afternoon,

I am a member of the WSBA Rule 6 Law Clerk Board. I've attended a few STAR meetings, but, admittedly I haven't been very diligent despite wanting to do so. I am reaching out to you to see if you all would be interested in having been me do a presentation to your organization on the law clerk program. This program is well suited for rural areas as many people do not want to move to a more urban area to attend law school. It also means that someone who clerked in a rural area often stays.

I think I could offer this presentation for a 1 hour CLE credit if that would be useful in improving attendance. Let me know if you're interested.

Thank you,

--

Leone Reinbold, Attorney
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PO Box 751
Okanogan, WA 98840
(509) 422-3610
Leone@ReinboldLaw.com

Chelle Gegax

From: Kari Petrasek <kari@petraseklaw.com>
Sent: Friday, February 17, 2023 12:40 PM
To: Chelle Gegax
Cc: Julianne Unite
Subject: [External]FW: Reaching Out re: Small Town and Rural Practice Committee re: FLEC and the Family Law Section's Basic Skills CLE

Follow Up Flag: Follow up
Flag Status: Flagged

Please include this email in our materials for next week's meeting.

Kari

From: La Vonna Jones <justus_3_2002@yahoo.com>
Sent: Friday, February 17, 2023 12:06 PM
To: Kari Petrasek <kari@petraseklaw.com>
Cc: Julianne Unite <julianneu@wsba.org>
Subject: Re: Reaching Out re: Small Town and Rural Practice Committee re: FLEC and the Family Law Section's Basic Skills CLE

Good afternoon, Kari:

I hope that you are well and enjoying this fast-moving February!

I am reaching out in hopes that you might be able to help me find a volunteer to present at our upcoming CLE. The draft Agenda is below. The specific area I would like a volunteer to cover is regarding small town/rural practice considerations. The section is meant to get folks thinking seriously about the benefits, challenges, and considerations in practicing away from a densely populated area. I think these types of considerations translate across different practice areas (which might even include considering having a complementary practice area to go with family law). So while a family law practitioner might make a good presenter, I do not believe this person would need to practice only family law (or any family law) as the focus is not the practice of family law, but on running a practice. Right now, there is 30 minutes designated for the slot on the morning of Friday, April 21st. Please let me know if you can connect me with someone who might be interested.

Thanks again!

La Vonna

Tentative Agenda...

DRAFT SCHEDULE OF CURRICULUM FOR TRAINING

Day One

8:30 a.m. Check-in and walk in registration, distribution of course materials (likely electronically in advance), coffee and pastries.

8:45 a.m. **Welcome and Introductions**

The Basics of Getting Started

- Opening the file

- 9 am – 9:30 am

- Amber Bighorse, Bighorse & Associates, PLLC, Tacoma, WA

- The initial client interview and determination of whether to accept the case and client; identification and discussion of the issues, goals and strategies; fee agreements.

- Obtaining information and documents

- 9:30 am – 10:00 am

- Requests and checklists for the client, discovery from the other party, requesting information from other entities.

- Finding Resources and Experts on a Budget

- 10:00 – 10:30 am

- Tips and best practices for finding the information you need to support the case and when you might need to consider hiring an expert

- Break

- 10:30 – 10:45 am

- Small town/rural practice considerations

- 10:45 am – 11:15 am

The Basics of Presenting Your Case

- Preparing to Present for a Settlement Conference

- 11:15 am – 11:45 am

- Preparing and presenting the pleadings and other materials; preparing the client.

- Preparing to Present for a Child Support Hearing before the Office of Administrative Hearings

- 11:45 am – 12:15 pm

- Administrative Law Judge Susan Dumph and Lead Administrative Law Judge Daryl Dumph, Office of Administrative Hearings, Child and Family Division

- Preparing and presenting the pleadings and other materials; preparing the client and witnesses.

- Lunch on your own

- 12:15 – 1:30 pm

- Preparing to Present Motions and Preparing for Trial

- Christopher Torrone

- 1:30 pm – 2:00 pm

- Preparing and presenting the pleadings and other materials; preparing the client and witnesses.

The Basics of Motions Practice

- Preparing Declarations

- 2:00 pm – 2:30 pm

- Amber Bighorse, Bighorse & Associates, PLLC, Tacoma, WA

- A critical part of advocacy is the witness statements submitted in declaration form. This session will include discussion of the technical requirements for valid sworn statements and drafting tips
- **Do's and Don'ts**
- 2:30 pm – 3:15 pm
 - The do's and don'ts of effective presentation and argument of a motion.
- **Break**
- 3:15 pm – 3:30 pm
- **Preserving the Record**
- 3:30 pm – 4:00 pm
 - Things to consider...
- **Professionalism and Mentorship (Ethics)**
- 4:00 pm – 4:45 pm
 - Rules of professional conduct, courtroom conduct and demeanor, communication with opposing counsel and parties. The importance of maintaining a network of professional relationships and/or mentors.
- **Small Group Meetings to Prep for Mock Hearings**
- 4:45 pm – 5:15 pm
 - Participants will break up into groups and assigned roles for the following day's mock hearing exercises. Experienced family law practitioners will assist with preparation.
- **Adjourn** for day at 5:15 pm
- **Reception** at hotel at 5:30 pm

Day Two

- 9:00 a.m. **Small Group Assembly and Final Preparation for Mock Hearings**
- 9:30 a.m. **Mock Hearing Exercises and Critiques:**
- 12:15 p.m. **Conclusion and Program Wrap-Up**
 - Commentary and feedback on the mock hearing exercises.
- 1:00 p.m. **Complete Evaluation Forms and Adjourn**

From: Jacqueline Jeske <jjeske@jeskedr.com>

Sent: Saturday, February 4, 2023 1:31 PM

To: Kari Petrasek <kari@petraseklaw.com>

Cc: La Vonna Jones <justus_3_2002@yahoo.com>

Subject: Reaching Out re: Small Town and Rural Practice Committee re: FLEC and the Family Law Section's Basic Skills CLE

Hi Kari,

I am reaching out with an idea that I floated previously to STAR when it was just beginning, and my timing was a bit premature, so we put it on the back burner at FLEC. FLEC provides a training for new practitioners to develop their courtroom legal skills. This training is not sponsored by WSBA and is done in tandem this year with a local legal aid (Cowlitz Wahkiakum Legal). I had a discussion some time ago (at least a year or more) about whether STAR and FLEC might want to join in funding scholarships to attend seminars. Family law practitioners who are new are often on a very restricted budget, that can be even more true in rural areas where there are fewer jobs, mentors, and training opportunities. Now that the pandemic is “in recession” so to speak, this training will be in person with a great deal of mentorship and the local judiciary is participating to do live practicums with the attendees. I am reaching out now as we are gearing up for this seminar and I wanted to find out if there might be any interest in your group to participate. I have floated this suggestion in the past to the Family Law Executive Committee when I was chair and believe the timing may now be right. I have included La Vonna Jones, who is managing this CLE and who is busy enough with that, so I am going to reach out first. I think this is right in STAR’s wheelhouse and something we could collaborate on but if I have gauged it incorrectly feel free to let me know.

Let me know your thoughts. Happy to chat anytime if that would be helpful.

Best Regards,

Jacqueline L. Jeske

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Jeske Dispute Resolution LLC



Jacqueline L. Jeske

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Chelle Gegax

From: Kari Petrasek <kari@petraseklaw.com>
Sent: Wednesday, February 15, 2023 3:38 PM
To: Julianne Unite; Chelle Gegax
Subject: [External]FW: Meeting with Judge Bartheld

Please add this topic and email to our agenda/materials for next week's meeting.

Kari

From: Dan Clark
Sent: Wednesday, February 15, 2023 2:59 PM
Subject: Meeting with Judge Bartheld

Good afternoon,

I just finished meeting with Judge Bartheld so I wanted to update you while stuff is still fresh with me on what he came down to my office to discuss.

Apparently there was a bill last year from Jamie Peterson that passed (he didn't say the name but it looks like SB 5788), that now requires Counties to provide free attorneys for the parents and children in custody issues involving limited GAL petitions for minors. He said the problem with this is that it has created a massive attorney shortage not only in Yakima County but he said in speaking with other judges especially on the west side of the state, that there is a major attorney shortage doing this. He said Yakima County has tried to address this by agreeing to pay now \$100 dollars an hour up from \$75 dollars an hour for people to handle these cases but they don't really meet the market rate to attract people to do these cases. As it stands, we only have 2 that are qualified and trained to do it and will do it.

So Judge Bartheld and a group of other judges, Ryan Griffie the Yakima County Bar President, (Bill Pickett's law partner), and a few others are putting forth ideas. One of them that they wanted me to specifically ask the Bar about is the potential for somehow creating a program that attorneys could agree to take on these cases for these rates and after performing a certain amount of hours that they could then earn free CLE credit for this service. I told him that I would pass along that idea for thoughts on how they could try to make a formal proposal for whatever they ultimately came up with. I would think it would ultimately go to the MCLE Board for consideration, then the BOG and ultimately the Supreme Court for adoption right? So it wouldn't be a quick fix etc.

I also told him about our STAR committee and said with his permission I would pass this along to them. So Hunter, Francis, please be aware that apparently this is a major ongoing issue per Judge Bartheld. We spoke and brain stormed potentially having WSBA potentially offering reduced cost or free trainings to become a limited GAL for these matters. Judge Bartheld indicated that the new Peterson law was extremely complex and difficult to be trained with all of the new specifics. He said even for experienced attorneys this is a difficult new area of the law to learn. So potentially if there is a way we can help offer trainings at a reduced or free cost, or maybe offer CLE credits for those that give these trainings, he said that would greatly help.

He asked about WSBA being able to finally contribute to counties to subsidize these costs of providing these attorneys. I told him I didn't think WSBA was really in the financial position to be able to do that, but I would pass along his ask. I think that the SCJA, WASAC and WACO lobbying the state legislature for funding for this unfunded mandate seems like the more appropriate avenue to try to pursue.

In any event, he thanked me, and wanted me to thank all of you for the job that we're doing. He said it's much appreciated.

Anyway, Terra, if you could please pass this along to whomever at WSBA it's appropriate to, I'd like to get him back some contact information that he can try to pursue with his requests,

Thanks.

Respectfully,

Dan Clark

Small Town and Rural

Defining “small town and rural:”

The U.S. government has at least fifteen (15) different official definitions of the word “rural,” including eleven (11) at the Department of Agriculture alone. Nearly every federal and state-based department, bureau or legal process uses their own definition. The US is not alone in this problem as our Canadian neighbors share a similar issue and a nearly identical proliferation of definitions.

Given the above I focused on the purpose of the committee and what it and the WSBA hopes to achieve –getting attorneys to underserved areas. I used a combination of various definitions to arrive at the two working proposals you see below.

Proposed definition one (1):

Counties with less than 300 people per square mile and towns with fewer than 2,500 people (if located within a disqualified county).

Pro: County by County approach – very easy to manage what qualifies.

Con: May leave out areas that are underserved – but the “city” catch-all may provide a means of managing that.

Proposed definition two (2):

Small Towns and Rural Areas are those which are located at least 40 driving miles away from the large urban areas of Seattle/Tacoma, Spokane and Vancouver/Portland.

Pro: Easy to manage and understand.

Con: May include areas what are not actually underserved.