

WASHINGTON STATE BAR ASSOCIATION

TO: WSBA Board of Governors
FROM: Pam Inglesby, WSBA Bar Services Manager
RE: Report on WSBA Professionalism Activities
DATE: September 17, 2018

The WSBA Board of Governors adopted a Professionalism Plan in 2014 to guide the organization's ongoing efforts to advance and promote professionalism, civility, and related behavior among WSBA members. The plan has three goals:

- Promote and advance professionalism through outreach and recognition activities
- Raise awareness about professionalism among WSBA members
- Integrate professionalism into WSBA's ongoing programs and activities

This report summarizes progress on the plan's three goals since the last report to the Board in 2016.

To promote professionalism, the WSBA recently launched its new Professionalism in Practice (PiP) award program. PiP is a "pop-up" award that recognizes members for notable acts of professionalism. Nominations are made by members, judges, staff and the public, and there is no limit to how many awards WSBA may make in a year. Awards are presented in person, ideally as a surprise, and publicized via WSBA's social media, website, and other communications. As of this date, two awards have been presented, to William White of Tacoma and Kitsap County Senior Deputy Prosecuting Attorney Kelly Montgomery. Other presentations are being planned. For more information, see www.wsba.org/PIP.

WSBA also recognizes professionalism during its annual APEX Awards program which honors legal luminaries across the state, WSBA presents an annual Professionalism Award to a member who exemplifies the spirit of professionalism in the practice of law, as defined in WSBA's Creed of Professionalism. In 2016 the award was given to Anthony R. Hinson of Poulsbo, in 2017 to Don Curran of Spokane, and this year it will be given to Mark Johnson of Seattle. Watch videos honoring each awardee at www.wsba.org/awards.

To raise awareness of professionalism, WSBA joined in May of 2016 with Robert's Fund Civility Center for the Law at Seattle University School of Law to survey WSBA members about civility in the profession. The results were encouraging, as respondents reported that opposing counsel (the focus of the survey) acted civilly more often than not. Preliminary results were published in "The WSBA Civility Survey: Promoting the Civil Practice of Law" by Lisa E. Brodoff and Timothy M. Jaasco-Fisher, *NWLawyer*, December 2016/January 2017.

The law school speaker program, in which WSBA members and staff visit all Professional Responsibility classes once a term to engage students in discussions about professionalism, is continuing at the University of Washington, Seattle University School of Law, and Gonzaga University School of Law with the assistance of volunteers Allen Unzelman, Hunter Abell and David Gardner.

WSBA staff from the Office of Disciplinary Counsel and the Office of General Counsel make presentations at least monthly to current and future attorneys around the state on ethics, professionalism, and civility as they relate to everyday practice as well as to specialized areas such as social media, client communication, and nonprofit board service. These presentations are made in a variety of venues including county and specialized bar events, WSBA section CLEs, law school classes, and legal community networking events.



WSBA also uses its member communication vehicles to address professionalism issues. Articles have appeared in *NWLawyer* magazine since 2016 on work/life balance and well-being, volunteer opportunities, and law office management issues such as leadership and inclusion. Posts on *NW Sidebar*, WSBA's blog, have addressed mentoring, implicit bias, communication, ethics, and other professionalism topics.

Members who attend or purchase WSBA CLEs learn about professionalism through the full-day "Ethics, Professionalism and Civility" program offered every September as well as a large number of ethics CLEs. At least one of WSBA's free Legal Lunchbox CLE webcasts deals with professionalism each year, the most recent being "It's all about the Relationship – Becoming an Effective Counselor at Law."

Those who volunteer with WSBA are asked to think about professionalism as well. The topic is discussed at the annual committee chair and section leader meetings, and both groups are required to report on professionalism activities in their annual reports to the Board. A question about professionalism is also included in the Board of Governors Candidate Forum, raising the awareness of future Board members about the importance of professionalism to the WSBA.

New WSBA members are made aware of professionalism by the inclusion of information on WSBA services including the Ethics Phone Line, Member Wellness Program, WSBA Connects, and Practice Management Assistance in the new member brochure and in materials provided to those preparing to take the bar exam. The Preadmission Education Program also includes significant professionalism content.

Other activities of note include:

- Effective September 1, 2017, the Washington Supreme Court amended its Admission and Practice Rules that relate to LPO and LLLT mandatory continuing legal education (MCLE). As a result LLLTs and LPOs are now able to earn MCLE credit for taking professional development courses, which includes topics like leadership, effective lawyering, and communication skills.
- The Supreme Court adopted in early 2018 Performance Guidelines for Juvenile Offense Representation developed by WSBA's Council on Public Defense. The Guidelines address, among other topics, appropriate attorney-client communication.
- The Practice Management Assistance Program (PMA) promotes better legal service delivery through improved business practices. Through its individual consultations, online resources, and presentations, PMA guides members in all aspects of law-firm business management—including technology adoption, cybersecurity issues, and client communication.