

Statement for the Referendum

The dues rollback referendum was started because mandatory annual fees imposed upon Washington lawyers exceed those charged to lawyers in most other states. In addition, the WSBA is making inefficient use of money and is not being totally open with members about where the money goes.

Per the 2010 American Bar Association Survey Dues (latest available as of deadline), Washington ranks 8th highest in mandatory fees among the states. This is up from 27th place in 1995. The ABA Survey compares "mandatory" fees which must be paid in order to practice law in a given state. It does not pertain to voluntary fees which might optionally be paid to a voluntary bar association, despite opponents' attempts to introduce confusion on this point. (Copy of survey at www.legalez.com).

A good contrast with the WSBA is the Virginia Bar Association (VBA), which, like the WSBA is a "unified" bar association, yet has fees of \$275 per year, with a pending decrease to \$250. VBA has about the same number of active members (28k), and it has an Ethics Hotline, Diversity Program, Leadership Program, Access to Legal Services Program, Lawyer-Help Program, Legislative Program, Public Education, etc. Wages are comparable, but overhead is lower and efficiency is greater. (see legalez.com).

Unlike WSBA, VBA helps members by allowing easy, automatic transfers from inactive to active status, thus allowing reduced dues for new mothers, the disabled, those who must relocate to find work, and those who need a break. But WSBA impedes transfers back to active status, and even jacked up inactive dues. That's mean.

Here are fee comparisons, per the ABA Survey:

Connecticut	\$675
Oregon	\$492
Washington	\$480
California	\$410
Montana	\$385
Idaho	\$360
Minnesota	\$317
Ohio	\$300
Massachusetts	\$300
Virginia	\$275
Florida	\$265
Kansas	\$245
Colorado	\$225
Vermont	\$210
New York	\$188
Maryland	\$130

ABA ranks Washington 8th, Minnesota 25th and Maryland 50th.

Our Board increased fees when an economic crisis was underway, despite hardships of members

who are unable to find professional work and struggling with student loans and mortgages.

WSBA President Crossland claims there have been "cuts in some programs and staff". However, data from Washington Department of Retirement Systems (see legalez.com), shows WSBA employment thus:

December 2008	138 employees
December 2009	143
December 2010	140
December 2011	145

Hiring continues, with three "help wanted" ads in December BarNews.

WSBA spends too much money on travel, lodging, and meals at various resorts and hotels around the state and elsewhere. Last March, President Crossland, Director Littlewood, and Board members used license fee money for a six-day trip to Hawaii. (details, legalez.com).

Various opponents are promoting the "Preserve the WSBA" theme. According to the opponents' own figures, the rollback will cost about \$3.6M. However, WSBA has "reserve" funds that could pay for the entire rollback with no cuts in any program. According to the WSBA's September 30, 2011 financial report, WSBA increased cash holdings from about \$4.6M in 2010 to about \$5.4M 2011, with the bulk of the increase going into a "Facilities Reserve Fund", designated for future purchase or rental of a new WSBA headquarters after 2016. But a future office could be in inexpensive suburban space, if need be, so this reserve is not essential. (details, legalez.com.)

In the February BarNews, p. 10, Director Littlewood claims Physicians license fees are \$675 "annually", and auto dealers \$760 annually. However, per WAC 246-919-990, the \$675 fee for physicians is for "two year" renewal. For auto dealers, RCW 46.70.061 sets renewal at \$250. The \$750 figure Littlewood cited applies to a one-time issuance fee, like a bar exam fee.

WSBA lacks transparency in finances. WSBA does not permit the Washington State Auditor to conduct performance audits, as do normal state agencies. WSBA's self-selected, private auditor does not look into program efficiency.

WSBA rules pertaining to public records are more restrictive than the Public Records Act. The WSBA spent over \$30,000 as Plaintiff, suing the State of Washington to prevent release of records from the Department of Retirement Systems, on the theory records of money paid to employees is "private", even with respect to WSBA members. (See letter in April 2011 BarNews by Lori Haskell, Former WSBA Governor, available at legalez.com). In contrast, the Virginia Bar Association posts its check registers on-line (see legalez.com).

WSBA extensively redacted expense records pertaining to the Board Members' 2011 Hawaii trip (see legalez.com). No WSBA financial document should be kept secret from members who fund the WSBA.

Questions may be posted on the comment board at legalez.com.