



Diversity Committee Meeting Agenda

November 13, 2019

11 AM – 12:30 PM

Conference Call – 1-866-577-9294 Access Code: 52680

The Washington State Bar Association's Diversity Committee is dedicated to implementing WSBA's Diversity and Inclusion Plan. The work of the committee promotes historically underrepresented groups to enter and stay in the profession of law. The Diversity Committee does this through collaborative relationships and community building activities which highlight the numerous societal benefits of a diverse law profession.

Members: Chelsea Brisbois, William Locke, Gov. Alec Stephens, Allison Ross, Laura Wulf, Yuping Wang, Serena Sayani, Nam Nyguen, Gov. Jean Kang, Andrea Jarmon, Gov. Hunter Abell, Laura Johnson, Carly Summers, Gov. Sunitha Anjivel, Gov. Dan Clark, Lisa Mansfield

Staff: Dana Barnett

1. **Call to Order, Welcome and Approval of Minutes**– Laura Wulf, Co-Chair
2. **OPMA Presentation** – Lisa Amatangel, WSBA Associate Director of Litigation and Operations
3. **BOG Report** – Jean Kang, Co-Chair
4. **Sign- up sheet** - Dana
5. **Program Updates and Reports**
 - a. MCLE Board Proposal Update – Jean
 - b. IL UW panel report – Jean, Sunitha
 - c. IL programs update – Chelsea, Laura
 - d. Legal Lunchboxes and Beyond the Dialogue Topics – Dana
6. **Discussions**
 - a. Diversity Recruitment for BOG and other WSBA entities - Jean
 - i. BOG at-large position, definition
 - b. Pipeline Programming - Laura
 - c. Microaggressions Project - Dana
7. **MBA Updates and Reports** - All
8. **Staffing Update** – Dana
9. **Announcements**

Next Meeting: January 15th 12-1:30 PM Conference Call
If you need special accommodations contact diversity@wsba.org



WSBA

Diversity Committee Orientation and Meeting Minutes

DRAFT

October 26, 2019

10 AM – 3 PM

In-Person: WSBA Office

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In Attendance: Chelsea Brisbois, William Locke, Gov. Alec Stephens, Allison Ross, Laura Wulf, Yuping Wang, Serena Sayani, Nam Nyguen, Gov. Jean Kang, Andrea Jarmon, Gov. Hunter Abell, Laura Johnson, Carly Summers

Absent: Gov. Sunitha Anjivel, Gov. Dan Clark, Lisa Mansfield

Staff: Dana Barnett, Diana Singleton

Call to Order, Welcome and Introductions – Jean Kang and Laura Wulf, Co-Chairs

Laura and Jean called the meeting at 10:00 a.m.

Everyone shared their "Where I'm from" poems and stories.

September Minutes

Alex made a motion to approve the minutes without edits. Allison seconded the motion. All were in favor. Motion passed.

Overview of Equity and Justice Team – Diana Singleton, Equity and Justice Manager

Diana presented an overview of the WSBA mission and the Bar's Equity and Justice Team where the access to justice, public service and pro bono, and diversity, equity and inclusion work is housed.

Diversity Inside – Out: WSBA's Philosophy and Structure – Dana Barnett, Diversity, Equity and Inclusion Specialist

Dana gave a history of the Diversity and Inclusion Plan explaining that it came out of a membership study. The plan outlined how to address the issues coming out of the feedback from the bar members who are marginalized or underrepresented. The plan has three sections: 1) demographics (tracking on member demographics and changing the demographics and who is in leadership in our membership and making sure to include those who are underrepresented); 2) education and training (this committee and staff does work in this); and 3) collaboration (bringing stakeholders together, partnering with MBAs and supporting leadership in MBAs). Andrea asked about the accountability and reporting section of the Plan. Dana shared that she believes

the BOG used to have regular reports but moved away from that because it didn't seem like a good use of time. New President Rajeev has communicated that he would like to facilitate how the BOG can get more updates on the work of the committees.

Dana gave an overview of the Race Equity and Justice Initiative (REJI). Chelsea asked for clarification about who's who in the Alliance and ATJ community. Dana will send everyone a link to the NW Lawyer issue from October 2018 which gives an overview and explains how it's all connected. Diana offered to come and give an overview at any time if the committee wants. The committee read through the REJI acknowledgements and commitments and had a discussion about what it means to be a REJI partner.

The committee had a robust discussion about the MCLE APR11 amendment proposal and the recent BOG discussion in light of REJI. Members of the committee expressed interest in writing a statement to the Supreme Court in support of the amendment. Dana will find out if this is permissible, as a committee of the BOG.

Committee Purpose and Structure, Roles and Responsibilities – Gov. Jean Kang and Laura Wulf, Co-Chairs

Jean and Laura walked the committee through the documents in the materials packet explaining the committee members' roles, goals, and activities.

Committee Annual Report / Goals / Chair Priorities – Gov. Jean Kang and Laura Wulf, Co-Chairs

Committee discussed the annual report and FY19- FY20 goals. Two years ago volunteer committee members led the process of awarding scholarships to lawyers from underrepresented groups to the WSBA and DMCJA Judge Pro Tem CLE. When responding to the question of whether or not committee members are interested in doing this again the committee raised questions about Judge Pro Tem CLE. The committee discussed the idea of expanding it or integrating it into the pipeline conversation.

The committee discussed the history of members writing NW Lawyer articles, and whether, or not they would want to write them again. In the past, committee members have written a series of articles on being a lawyer from an underrepresented group.

Pipeline Programming – Chelsea went over the 1L programming. Jean suggested collaborating with the Board of Judicial Administration. The group also talked about doing research to find out what programs already exist, including MBAs programming. The committee discussed the Youth in Law Program with PCMB and the Color of justice program in Pierce County. Chelsea may reach out to Judge Whitener about the latter. Carly raised the question of the committee trying to work with firms either to support these programs financially and/or to advocate that they continue to invest in pipeline programming, like the 1L fellowships. Can the committee do work to influence the firms?

Serena raised the idea to bring together law firms who have diversity programs, and hosting events where law firms can share practices, talk about barriers etc.

Committee Activities / Programs Overview – Gov. Jean Kang and Laura Wulf, Co-Chairs

Jean went over the current activities that the Diversity Committee does. She also raised the idea of the committee doing work around recruitment for WSBA committees, and boards. Alec pointed out with regard to approaching MBAs to be careful about not just asking the same people who are already stretched thin doing the work with their MBA. Serena brought up the reasons why people of color and other minorities in the profession

have to constantly code-switch, feeling like they have to change to fit in, and how exhausting that is. How do we make the WSBA committees and boards feel inclusive, where people can bring their whole selves?

Jean additionally raised wanting to do some work around microaggressions and bias within the legal community. How can the committee help build safe spaces for sharing stories and for support. The issue of the mental health costs to this was raised, and the idea of having professionals to focus on the stress and health costs of marginalization. How do people have these conversations in supportive confidential environments? Dana mentioned that Just Lead hosts regular caucus groups for POC in the legal profession, as well as a caucus group for white women who are working on anti-racism.

Meeting Schedule – Gov. Jean Kang and Laura Wulf, Co-Chairs

The committee decided to meet in-person on three more Saturdays: February 8th, May 23rd, Sept 12th and to have conference calls on November 13th, January 15th, April 15th, March 18th, June 17th, July 15th
Tyler will send meeting invitations through outlook.

Committee Events and Programs Schedule – Dana Barnett

Dana will send a sign up form to the committee for the upcoming events and programs. Please read and fill out as soon as possible.

CLE Brainstorm – Dana Barnett

The committee brainstormed the following CLE ideas: Hate Crimes, Inclusion Initiatives, REJI (Race Equity and Justice Initiative), and Legal Ramifications of R-88/1-1000 (if it passes).

The committee brainstormed the following Beyond the Dialogue town hall ideas: Allyship between marginalized groups, MeToo in the legal profession, Mental Health related to being a legal professional from an underrepresented group, Trans and Queer Legal Professionals, DEI Workshop for legal administrators etc

The Diversity Committee adjourned at 3 PM

**Proposed Bylaw Amendments –Governor Elections
(Art. IV & VI)**

These amendments are intended to achieve three goals:

1. Policy/Governance Transparency.
2. Enhance Member Influence/Engagement in WSBA Governance.
3. Retain Governance Experience on the Board.

These changes do not affect the requirements for the existing At-Large positions but moves the election of the candidates to the general membership instead of the BoG. There is nothing about the makeup of the BoG that makes it more qualified than the membership at large to select the membership’s representatives, but does impose a duty on the BoG to ensure the candidates do meet such criteria These changes also reverse changes made in a rushed manner and made contrary to the finding of the governance study which recommended shrinking the size of the BoG. This does not preclude the issue of composition or limit future discussion with the court, but rather resets the discussion to the appropriate point before these changes to composition were rushed through.

REDLINE PROPOSED BYLAW AMENDMENTS re: Governor Elections

IV. GOVERNANCE

A. BOARD OF GOVERNORS

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1. Composition of the Board of Governors The BOG will consist of (a) the President; (b) one Governor elected from each Congressional District, except in the Seventh Congressional District where members will be elected from separate geographic regions designated as North and South, and identified by postal zip codes as established by the Bar in accordance with these Bylaws and BOG policy; and (c) ~~six~~three Governors elected at-large pursuant to these Bylaws.

VI. ELECTIONS

A. ELIGIBILITY FOR MEMBERSHIP ON BOARD OF GOVERNORS

1. Governors from Congressional Districts: Any Active member of the Bar, except a person who has previously served as a Governor for more than ~~18~~48 months, may be nominated or apply for election as Governor from the Congressional District, or geographic regions within the Seventh Congressional District, in which such person resides.
2. At Large Governors: There will be a total of ~~six~~three At Large Governor positions.
 - a. Two ~~Lawyer Member~~ At Large Positions: Any Active ~~lawyer~~ member of the Bar, except a person who has previously served as a Governor for more than ~~18~~

48 months, may be nominated or apply for election as an At Large Governor, except as provided in this Article.

b. One Young Lawyer Position: Any Active lawyer member of the Bar who qualifies as a Young Lawyer, except a person who has previously served as a Governor for more than ~~18~~48 months, may be nominated or apply for election as an At Large Governor, except as provided in this Article.

~~c. One Limited License Legal Technician (LLLT) or Limited Practice Officer (LPO) Position: Any Active LLLT or LPO member licensed in Washington State, except a person who has previously served as a Governor for more than 18 months, may be nominated or apply for election as an At Large Governor, except as provided in this Article.~~

~~d. Two Community Representatives: Any resident of Washington State, except a person who has previously served as a Governor for more than 18 months or who is licensed or has previously been licensed to practice law in any state, may be nominated or apply for election as an At Large Governor, except as provided in this Article.~~

3. Filing of nominations and applications must be in accordance with this Article.

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C. ELECTION OF GOVERNORS

1. Election of one Governor from each Congressional District and for the at-large positions will be held every three years as follows:

a. Third, Sixth, Eighth Congressional Districts and the North region of the Seventh Congressional District and ~~two~~one At Large Member Governors ~~(one lawyer and one community representative)~~ – 2014 and every three years thereafter.

b. First, Fourth, Fifth Congressional Districts and the South region of the Seventh Congressional District and ~~two~~one At Large Young Lawyer Governors ~~(one from nominations made by the Young Lawyers Committee and one LLLT/LPO)~~ – 2015 and every three years thereafter.

c. Second, Ninth and Tenth Congressional Districts and ~~two~~one At Large Member Governors ~~(one lawyer and one community representative)~~ – 2013 and every three years thereafter.

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3. Election of At-Large Governors

~~At-large Governors are elected by the BOG as set forth below. At-Large Governors shall be elected in the same manner as Governors from Congressional Districts, except that all Active members wherever they reside shall be eligible to cast a vote in each At-Large election. Candidates must meet the requirements for office of the specific At-large position they seek as outlined in §VI.A.2. and be put forward onto the ballot by the Board of Governors as follows:~~

~~a. For each of the two Member At Large positions, the Board of Governors shall seek applications for the position from the Membership and place three candidates for the ballot, who are persons who, in the BOG's judgment, have the experience and knowledge of the needs of those lawyers whose~~

membership is or may be historically underrepresented in governance, or who represent some of the diverse elements of the public of the State of Washington, to the end that the BOG will be a more diverse and representative body than the results of the election of Governors based solely on Congressional Districts may allow. Under-representation and diversity may be based upon the discretionary determination of the BOG at the time of the election of any At Large Governor to include, but not be limited to age, race, gender, sexual orientation, disability, geography, areas and types of practice, and years of membership, provided that no single factor will be determinative. The Board of Governors may place less than three candidates on the ballot if less than three candidates [apply or](#) meet the criteria.

b. For the Young Lawyer At Large position, the Board of Governors shall place three candidates on the ballot from nominations made by the Young Lawyers Committee. The Young Lawyers Committee will forward two or more candidates who will be Young Lawyers as defined in Article XII of these Bylaws at the time of the election. The Board of Governors may place less than three candidates on the ballot if less than three candidates have been forwarded by the Young Lawyers Committee.

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D. ELECTIONS BY BOARD OF GOVERNORS

~~1. At Large Governors~~

~~The BOG will elect four additional Governors from the Active membership and two additional Governors from the public. The election of At Large Governors will take place during a BOG meeting not later than the 38th week of each fiscal year and will be by secret written ballot.~~

~~a. The BOG will elect two At Large Governors who are persons who, in the BOG's sole discretion, have the experience and knowledge of the needs of those lawyers whose membership is or may be historically under-represented in governance, or who represent some of the diverse elements of the public of the State of Washington, to the end that the BOG will be a more diverse and representative body than the results of the election of Governors based solely on Congressional Districts may allow. Underrepresentation and diversity may be based upon the discretionary determination of the BOG at the time of the election of any At Large Governor to include, but not be limited to age, race, gender, sexual orientation, disability, geography, areas and types of practice, and years of membership, provided that no single factor will be determinative.~~

~~b. The BOG will elect one At Large Governor from nominations made by the Young Lawyers Committee. The Young Lawyers Committee will nominate two or more candidates who will be Young Lawyers as defined in Article XII of these Bylaws at the time of the election.~~

~~c. The BOG will elect one At Large Governor who is a LLLT or LPO from nominations made by the Nominations Committee.~~

~~d. The BOG will elect two At Large Governors who are members of the general public from nominations made by the Nominations Committee~~

... **[THE REMAINDER OF SECTION D UNCHANGED EXCEPT FOR RENUMBERING]**