



WSBA Board of Governors

May At-Large Governor Update

May 7, 2018

Dear Diversity Stakeholders,

Greetings from your WSBA At-Large Governors. As reflected in the update below, we are working hard at the governance table to meaningfully advance diversity and inclusion within the legal profession.

Justice Charles Z. Smith Excellence in Diversity Award

Last year, the Washington State Minority and Justice Commission recommended that the Board of Governors rename our annual WSBA [APEX diversity award](#) to honor a true trailblazer in Washington's legal history: Justice Charles Z. Smith, the first ethnic minority to serve on the Washington Supreme Court. The board's Awards Committee returned to the board with no recommendation regarding the name change, with some members wondering if any WSBA awards should be associated with a name. We received several concerns regarding the Award Committee's position, which we conveyed at the January board meeting. We further conveyed the significance of Justice Smith's work and legacy, as well as the weight of the Minority and Justice Commission's recommendation to rename the APEX diversity award in his name. Ultimately, the board unanimously approved renaming the award, which was the right thing to do. We look forward to presenting the first Justice Charles Z. Smith Excellence in Diversity Award to a deserving individual or group at this year's APEX Awards on September 27.

Missing perspectives on the board

Over the past few months, several governance issues have consumed the board's agenda, the crux of which seems to be about which perspectives are missing on the board and resistance to even recognizing who is not being included.

First, in January several governors proposed eliminating a bylaw requiring that every fourth year the Board of Governors elect a President-Elect from eastern Washington. We had concerns about the process and presentation of this proposal. Although some framed eliminating this bylaw as a "win" for diversity, the reality is that a myriad of diverse people and cultures reside in eastern Washington. The board ultimately voted to change the bylaw so that the President-Elect must come from eastern Washington *if* four years pass with no person elected from eastern Washington. The real win is that—upon our recommendation—the board is now forming a work group to holistically examine how we elect the WSBA President-Elect. We need to explore appropriate measures for ensuring that all forms of diversity—beyond just geography—are represented in WSBA leadership. We further need to explore how we recruit and encourage more diverse candidates to run for WSBA President-Elect. We hope that several of you will be interested in participating in this work group.

Second, several board members have questioned the process that led to three new seats being added to the Board of Governors (two public members; and one Limited License Legal Technician or Limited Practice Officer). After a four-year governance review process, the board added these seats by amending its bylaws in September 2016. In January 2018, [the Washington Supreme Court issued an order to accept the amendment](#). At a special meeting this month, the board postponed filling the new seats and instead created a review process to revisit the decision to add the new seats in the first place. In our opinion, representation of minorities and diverse perspectives does not happen casually on any governing board. Inclusion at the table must be purposeful. While LLLTs and LPOs are full members of WSBA, they have no direct representative on the Board of Governors. Adding public members is an access-to-justice measure, with an eye toward WSBA's most important mission of championing justice and closing the justice gap. We need to hear from those we serve.

We are very aware that many of you in the Diversity Stakeholders group fought to add At-Large seats on the Board of Governors. Your voice will not be lost in the process ahead. Please let us know if you'd like to officially be part of the work group.

Looking ahead

On June 6, WSBA and its Diversity Committee are hosting a Diversity and Inclusion Celebration to mark the five-year anniversary of our Diversity and Inclusion Plan and to look ahead at what's next. It will be in WSBA's office downtown with a live, satellite celebration in Spokane. Please mark your calendars for an evening of food and inspirational Ted-like talks, including from Justice Steven Gonzalez. Let's send a strong message by coming together in support of a legal profession that includes and serves all people.

Sincerely,

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