

**WASHINGTON STATE**  
BAR ASSOCIATION

**BOARD OF GOVERNORS MEETING**

**January 17-18, 2025**

# Meeting Materials

Seattle WA  
Zoom and Teleconference



**Board of Governors Meeting  
Seattle, WA  
January 17-18, 2025**

*WSBA Mission: To serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice.*

**ALL ITEMS ON THIS AGENDA ARE POTENTIAL ACTION ITEMS**

**To participate by Zoom or Teleconference:**

**Friday, January 17<sup>th</sup> : Meeting ID: 895 6452 9593 Passcode: 569166**  
<https://wsba.zoom.us/j/89564529593?pwd=EMGaKGVBbGCKakTFHbo0gR4lj0TWXt.1>

**Saturday, January 18<sup>th</sup> : Meeting ID: 885 7197 0992 Passcode: 774309**  
<https://wsba.zoom.us/j/88571970992?pwd=DOkirq0yDnMeAWfoWp1VCLSVgUsVaM.1>

**To participate by phone, call +1 253-205-0468**

**FRIDAY, JANUARY 17, 2025**

**9:00 AM – CALL TO ORDER & WELCOME**

**MEMBER & PUBLIC COMMENT**

**MEMBER AND PUBLIC COMMENTS**

Overall public comment is limited to 30 minutes and each speaker is limited to 3 minutes. The President will provide an opportunity for public comment for those in the room and participating remotely. Public comment will also be permitted at the beginning of each agenda item, at the President’s discretion.

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**CONSENT CALENDAR**

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The WSBA is committed to full access and participation by persons with disabilities to Board of Governors meetings. If you require accommodation for these meetings, please contact [accommodations@wsba.org](mailto:accommodations@wsba.org).

A governor may request that an item be removed from the consent calendar without providing a reason and it will be discussed immediately after the consent calendar. The remaining items will be voted on *en bloc*.

- Approve November 7-8, 2024, Board of Governors Meeting Minutes ..... 296
- Approve Client Protection Board Gift Recommendations..... 301
- Approve Presidential Appointments ..... 302

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- UPDATE FROM THE WSBA LEGAL TECHNOLOGY TASK FORCE**, Chair Jenny Durkan, Practice Management Advisor Margeaux Green, Advancement Department Director Kevin Plachy and Craig Shank ..... 303

<b>AGENDA ITEMS &amp; UNFINISHED BUSINESS</b>
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- WSBA COMMITTEE ON PROFESSIONAL ETHICS RECOMMENDATION TO ADOPT ABA AMENDMENTS TO RPC 1.16 AND COMMENTS 1 AND 2**, Chair Monte Jewell, Subcommittee Chair Mark Fucile ..... 463

**11:15 AM to 2:15 PM – RECESS FOR THE KING COUNTY BAR ASSOCIATION MLK LUNCH**

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- INTERVIEW CANDIDATES TO FILL REMAINING TERM FOR VACANT GOVERNOR AT-LARGE POSITION** ..... LM
- SELECTION OF AT-LARGE GOVERNOR**

<b>SPECIAL REPORTS</b>
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- VOLUNTEER ENGAGEMENT REPORT**, Manager for Volunteer Engagement Paris Eriksen ..... LM
- DEI COUNCIL UPDATE ON DEVELOPMENT OF WSBA’S EQUITY & JUSTICE PLAN**, Council Co-Chairs Raina Wagner and Nam Nguyen, Equity & Justice Plan Workgroup Co-Chairs Sharon Sakamoto and Miryam Gordon ..... 475

**5:00 PM – RECESS**

**SATURDAY, JANUARY 18, 2025**

**9:00 AM – RESUME MEETING**

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**AGENDA ITEMS & UNFINISHED BUSINESS**

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- GOVERNOR ROUNDTABLE

**MEETING FEEDBACK**

- MEETING FEEDBACK

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**INFORMATION**

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**TO:** WSBA Board of Governors  
**FROM:** Executive Director Terra Nevitt  
**DATE:** December 19, 2024  
**RE:** Executive Director's Report

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### Comment Period Closed for Suggested Amendments to the Court's Standards for Indigent Defense Services

On March 8, 2024, the Board of Governors adopted revisions to the WSBA Standards for Indigent Defense Services ("WSBA Standards"). Under RCW 10.101.030, the WSBA Standards serve as guidelines to cities and counties, which are required to adopt their own standards for the delivery of public defense. At the same time, WSBA made [proposed amendments to CrR 3.1 Stds, CrRLJ 3.1 Stds, JuCR 9.2 Stds](#) to align the "Court Standards" with the WSBA Standards. The Court standards are consistent with, but less comprehensive than the prior WSBA Standards.

The Washington Supreme Court held two public hearings and collected hundreds of comments both in support of and in opposition to the proposed Court Standards. Public comment closed on October 31, 2024 and the amendments are pending Court action. WSBA is actively looking for opportunities to help address implementation challenges, including by supporting increased state funding for public defense and working with the Council on Public Defense to identify whether there are some regulatory initiatives that might help address the shortage of public defenders.

### Pilot Project of Entity Regulation Approved

On December 5, 2024, the Washington Supreme Court entered an [order](#) authorizing a timebound, data-driven test of entity regulation. Proposed by the Practice of Law Board and the WSBA, the pilot will allow successful applicants to practice law under limited exemptions from otherwise applicable Court rules and statutes governing the practice of law in Washington.

Historically, only *individuals* licensed by the Washington Supreme Court have been allowed to own law firms, share legal fees, and practice law in the state of Washington. Technology, however, is rapidly transforming the legal landscape, presenting both challenges and opportunities. Washington now joins Utah and Arizona in executing a plan to determine how the delivery of legal services by entities can be regulated in a manner that protects consumers and promotes broader access to legal services. Participating entities will be required to abide by a Supreme Court authorizing order detailing conditions on their participation, including adherence to rules of ethics and regular reporting of data and information relating to their delivery of services to the public.

We now begin the work of implementation and will be collaborating with the Practice of Law Board to develop an application and begin to solicit proposals from entities that would like to participate in the pilot. Information related to this project is available on our [website](#).

### Update on Pathways to Licensure

The Licensure Pathways Steering Committee held its first meeting and orientation at the WSBA Office on November 12. The Committee is charged with providing direction and decision-making with respect to implementing new pathways to licensure (alongside the bar exam), which were adopted in concept by the Washington Supreme Court on March 15, 2024. As part of its orientation, the Committee learned about similar initiatives in Oregon and Canada, the history of admissions in the United States, and the current regulatory framework. The Committee has created two subcommittees. The Core Competencies Subcommittee will focus on identifying the core competencies that should be required for admission to the practice of law. The Supervised Practice Subcommittee will develop guidelines for the supervised practice components of all of the new licensure pathways. We are currently recruiting volunteers and expect the subcommittees to begin meeting in January.

### Inaugural Bar Leaders Summit

Planning is underway for a Bar Leaders Summit to be held at the WSBA Offices on April 25, 2025. WSBA will host leaders from Washington county and affinity bars to network, discuss, and learn about some of the common challenges facing bar associations, such as volunteer recruitment and engagement. We have been reaching to bar leaders to solicit their ideas for content and are anticipating that this will be meaningful opportunity to strengthen bar associations and legal communities across the state.

### Attachments

FY24 Entity Annual Reports

Q3 2024 Discipline Report

Litigation Report

[Member Demographics Report](#)

# WASHINGTON STATE BAR ASSOCIATION

**TO:** WSBA Board of Governors  
**FROM:** Paris Eriksen, Volunteer Engagement Advisor  
**CC:** Terra Nevitt, Executive Director  
**DATE:** December 11, 2024  
**RE:** WSBA FY24 Entity Annual Reports

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As required by the WSBA Bylaws Article IX.3(b), 'Each Bar entity must submit an annual report to the Executive Director and submit such other reports as requested by the BOG or Executive Director.' The information contained in the reports was submitted by the respective chair and/or staff liaison. Financial information was provided by the Finance Department and demographic information was compiled using the optional information self-reported by volunteers during the online application process.

Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support the responsibility under GR 12.3, to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court. Some such Board reports are included with supplemental demographic information provided. Other such Board reports will be submitted at another time.

The entity annual reports included following this cover memo are:

<i>Board of Bar Examiners</i>	<i>Law Clerk Board</i>
<i>Character and Fitness Board</i>	<i>Legal Technology Task Force</i>
<i>Continuing Legal Education Committee</i>	<i>Legislative Review Committee</i>
<i>Council on Public Defense</i>	<i>Limited License Legal Technician Board</i>
<i>Court Rules and Procedures Committee</i>	<i>Limited Practice Board</i>
<i>Committee on Professional Ethics</i>	<i>Mandatory Continuing Legal Education Board</i>
<i>Disciplinary Advisory Round Table</i>	<i>Member Engagement Council</i>
<i>Disciplinary Board</i>	<i>Member Well-Being Task Force</i>
<i>Diversity, Equity and Inclusion Council</i>	<i>Pro Bono and Public Service Committee</i>
<i>Editorial Advisory Committee</i>	<i>Small Town and Rural Committee</i>
<i>Judicial Recommendation Committee</i>	<i>Washington Young Lawyers Committee</i>

Adjunct Disciplinary Counsel Panel, Disciplinary Selection Panel and Hearing Officer Panel do not provide annual reports.

The Section annual reports included following this cover memo are:

<i>Administrative Law Section</i>	<i>Intellectual Property Section</i>
<i>Business Law Section</i>	<i>Juvenile Law Section</i>



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800-945-WSBA | 206-443-WSBA | [questions@wsba.org](mailto:questions@wsba.org) | [www.wsba.org](http://www.wsba.org)

*Creditor Debtor Rights Section*

*Civil Rights Law Section*

*Construction Law Section*

*Criminal Law Section*

*Dispute Resolution Section*

*Elder Law Section*

*Environmental and Land Use Law Section*

*Family Law Section*

*Health Law Section*

*Indian Law Section*

*International Practice Section*

*Legal Assistance to Military Personnel Section*

*Low Bono Section*

*Liquor, Cannabis & Psychedelics Law Section*

*Labor and Employment Law Section*

*LGBTQ+ Section*

*Litigation Section*

*Real Property, Probate and Trust Section*

*Senior Lawyers Section*

*Solo and Small Practice Section*

*Taxation Section*

*World Peace Through Law Section*

Attachments:

2023-2024 (FY24) Entity Annual Reports



# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

**FY 2024: October 1, 2023 – September 30, 2024**

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

<b>Name of Entity:</b>	Board of Bar Examiners (BOBE)
<b>Chair</b>	Bruce Turcott
<b>Vice Chair:</b>	Cathy Helman
<b>Staff Liaison:</b>	Ramana Pendyala, Admissions Manager
<b>Board of Governors Liaison:</b>	Allison Widney
<b>Purpose of Entity:</b>	
The Board of Bar Examiners (BOBE) has two purposes: it grades the Multistate Essay Examination (MEE) and Multistate Performance Test (MPT) portions of the Uniform Bar Exam (UBE), and it produces the content for the Washington Law Component (WLC) test. The Board has no oversight over LLLT and/or LPO exams. The BOBE’s authority stems from the Admission and Practice Rules (APR) adopted by the Washington Supreme Court. APR 2(a)(1), 4(a), 4(d).	
<b>Strategy to Fulfill Purpose:</b>	
The grading of the MEE and MPT is typically completed over the course of one long weekend (in March and August, respectively, for the winter and summer exams). The winter exam requires a total of 10 examiners and the summer exam requires a total of 18 examiners. Prior to grading any exams, each examiner must attend the mandatory scheduled NCBE grading workshop, either in person, by teleconference, or by reviewing the conference video. The WLC test is reviewed and updated by members of the BOBE every other year. BOBE leadership, working with bar staff, aims to maintain a sufficient pool of trained bar examiners to fairly and efficiently grade the essay portions of the winter and summer bar exams and update the WLC test to reflect current law.	

<b>How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	
The BOBE facilitates and ensures accurate grading of the essay portions of the Uniform Bar Exam for the purpose of admission to practice law, to serve the bar, the public, and test takers.	
<b>2023-2024 Entity Accomplishments:</b>	
BOBE members graded the winter 2024 and summer 2024 exams in person at the WSBA office. Grading was completed accurately and on time for both exams. A total of 1038 exams were graded together for both winter and summer exams. Appointing new members to the Board has been an ongoing process and from October 2023 until now, the Board has appointed 12 new members. We have a total of 43 members on the Board currently.	
The Board Chair and Vice Chair, along with Staff Liaison and WSBA Volunteer Engagement Advisor, have been working closely with NCBE on recruiting graders to participate in the October field test administration of the NextGen Bar Exam.	
The Board Vice Chair has been nominated to serve on the Pathways to Licensure Steering Committee.	
<b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>	
<i>SMART Goals can be an effective framework for the creation of goal; they detail the work you and your team hope to accomplish and help to foster and communicate clear expectations.</i>	
<i>SMART Goals are: Specific, Measurable, Relevant and Time-Bound</i>	
<b>1</b>	Recruit 5-6 bar examiners so that the Board will be comprised of 50 members. Conduct training for new members and provide refresher training for continuing members.
<b>2</b>	Complete the review of Washington Law Component in the fall of 2024 and make it available for applicants in January 2025.
<b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities your entity seeks to address, beyond the next fiscal year.</i>	
<b>1</b>	Collaborate with NCBE and stakeholders and continue to participate in discussions relating to the NextGen Bar Exam.
<b>Please describe how this entity is addressing diversity, equity, and inclusion:</b>	
<i>How have you elicited input from a variety of perspectives in decision-making? What techniques do you use to promote a culture of inclusion within the board or committee? How do you seek to elicit inclusive decision-making amongst your group? What more would you like to see done in this area to better support the needs of your entity?</i>	
Staff Liaison is working with the WSBA DEI team to schedule a DEI training for new and returning members. Increasing the diversity of graders is a top goal & priority for the Board.	
<b>Please share feedback regarding the support and engagement provided by WSBA.</b>	
The BOG Liaison and Staff Liaison have been working on the recruitment efforts along with the Chair and Vice Chair.	

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Volunteer Engagement Advisor**

<b>Size of Entity:</b> <i>(Include voting and non-voting members)</i>	Currently 45 members; 50 maximum
<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25)</i>	7
<b>Number of Applicants for FY25:</b> <i>Applications were submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>	14
<b>Budgeted Direct Expenses:</b> <i>As of September 30, 2024.</i>	\$39,000
<b>Indirect Expenses:</b> <i>As of September 30, 2024.</i>	\$14,574

**FY24 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	91%
	Yes	7%
	Chose Not to Respond	2%
<b>District*</b>	0	4%
	1	7%
	2	2%
	4	2%
	5	20%
	6	11%
	7N	9%
	7S	11%
	8	4%
	9	14%
<b>Ethnicity</b>	10	16%
	Asian – East Asian	4%
	Asian – South Asian	4%
	Hispanic or Latinx	4%
	Middle Eastern Descent	2%
	White or European Descent	86%
<b>Gender</b>	Female	49%

	Male	51%
<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer	7%
	Heterosexual	82%
	Chose Not to Respond	11%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

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<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT FORM

**FY 2024: October 1, 2023 – September 30, 2024**

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year FY2024 (October 1, 2023 – September 30, 2024). Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and the staff liaison.

<b>Name of Entity:</b>	Character and Fitness Board (CFB)
<b>Entity Size:</b>	12
<b>Chair or Co-Chairs:</b>	Adam Yanasak
<b>Staff Liaison:</b>	Lisa Amatangel, Associate Director, OGC; Emily Crane, Paralegal II, OGC
<b>Board of Governors Liaison(s):</b>	Mary Rathbone
<b>Purpose of Entity:</b>	
The Character and Fitness Board (CFB) derives its authority from the Washington Supreme Court under APR 20 - 25.6, most recently amended in 2016. The CFB conducts hearings upon referral from Regulatory Services Counsel to determine: (1) if applicants to take the Bar Examination (or waiving in from another jurisdiction or transferring their UBE score; or members seeking to transfer from inactive to active) have demonstrated current good moral character and fitness to be admitted or re-admitted to the practice of law, or (2) have met the requirements to be reinstated after disbarment.	
<b>Strategy to Fulfill Purpose:</b>	
Upon referral from Bar Counsel after review of application materials and supplemental information, the CFB conducts hearings, prepares written findings, and makes recommendations to the Washington Supreme Court (who makes the final decisions on all October 1, 2023 – September 30, 2024 (FY24) admission/licensing recommendations). By conducting hearings, observing and questioning witnesses, and reviewing voluminous materials, the CFB assesses the credibility of applicants and witnesses and thus serves as a critical fact-finding body on behalf of the Supreme	

Court. The CFB meets as frequently as necessary, generally meeting one day a month. Hearings are generally scheduled to last one-half to one day, and the CFB may complete up to two hearings in one meeting.

**How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?**

The public, members of the Bar, and the integrity of the legal profession are directly impacted by the character and fitness of persons admitted to the practice of law in this state. Attempting to ensure applicants are of current good moral character and have the fitness to practice law serves a direct public protection function to the benefit of the public, the members of the Bar, and the legal profession as a whole. By Court rule, the CFB has three public members that serve on it. The CFB’s public members have an active role in the hearings and deliberations and assist with written findings and recommendations. Their input and participation are invaluable.

**2023-2024 Entity Accomplishments:**

- *Goal 1:* Continue to conduct hearings as necessary, completing all written findings and recommendations in a timely fashion.
- *Accomplishment:* The Board convened for annual orientation and implicit bias training and attended all scheduled hearings (two in this fiscal year).
- *Goal 2:* Continue to provide diversity and anti-bias training for consideration and reference when conducting all hearings during the year.
- *Accomplishment:* This was successfully completed during the first CFB meeting.
- *Goal 3:* Continue recruiting efforts to fill open positions.
- *Accomplishment:* The Board onboarded three new members to open positions, including two public members.
- *Goal 4:* Continue to assess/refine the execution of in-person/hybrid hearings.
- *Accomplishment:* The Board has successfully returned to in-person/hybrid meetings.

**Looking Ahead: 2024-2025 Top Goals & Priorities:**

- |          |   |
|----------|---|
| <b>1</b> | Continue to conduct hearings as necessary, completing all written findings and recommendations in a timely fashion.   |
| <b>2</b> | Participate in WSBA Regulatory School, including diversity and anti-bias training for consideration and reference when conducting all hearings during the year. |
| <b>3</b> | Continue recruiting efforts to fill open positions.   |
| <b>4</b> | Continue to assess/refine the execution of in-person/hybrid hearings.   |

**Please describe how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?*

The CFB’s makeup is governed by Court rule (APR 23(a)). The members of the CFB come from each congressional district, a wide variety of practice areas and settings, and a variety of ethnic, racial,

gender, sexual orientation, disability, and other diversity factors, and therefore represent broad geographic, practice, and experiential diversity. The Board also includes community representatives, and it can include additional members from each Congressional district (which occurs sometimes in order to include additional members from historically underrepresented backgrounds). The Chair encourages discussion and invites input from all members, and the CFB works cooperatively, even when there are significant disagreements in particular cases; diversity of viewpoints is paramount to the deliberative process.

**Please share feedback regarding the support and engagement provided by WSBA.**

WSBA counsel and paralegal have been very professional and responsive to concerns of the Board and ensure that it operates effectively and efficiently. Continued support from WSBA volunteer coordinator and staff is necessary for recruitment.

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Staff**

<b>Size of Entity:</b> <i>(include voting and non-voting members)</i>	12
<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25)</i>	4
<b>Number of Applicants for FY25:</b> <i>Applications were submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>	12
<b>Budgeted Direct Expenses:</b> <i>As of September 30, 2024. For Sections, this does not include the Per-Member-Charge.</i>	\$18,000
<b>FY23 Indirect Expenses:</b> <i>As of September 30, 2024.</i>	\$86,637

**FY23 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily, and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	92%
	Yes	8%
	Chose Not to Respond	0%
<b>District*</b>	0	25%
	2	17%

	3	8%
	5	8%
	6	8%
	7S	17%
	8	8%
	10	8%
<b>Ethnicity</b>	Black, African American, African Descent	8%
	White, European Descent	82%
	Chose Not to Respond	0%
<b>Gender</b>	Female	75%
	Male	25%
	Chose Not to Respond	0%
<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer	17%
	Heterosexual	66%
	Chose Not to Respond	17%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

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<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.



# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

<b>Name of Entity:</b>	CLE Committee
<b>Chair or Co-Chairs:</b>	Chair Noah Williams (FY24)
<b>Staff Liaison:</b>	Shanthi Raghu, Education Programs Manager
<b>Board of Governors Liaison:</b>	Governor Nam Nguyen
<b>Purpose of Entity:</b>	
The purpose of the Continuing Legal Education (CLE) Committee is to support the Washington State Bar Association’s (WSBA) development of continuing legal educational programming that ensures competent and qualified legal professionals, supports member transitions throughout the life of their practice, and helps to prepare members for the future with skills required for the 21st century practice of law	
<b>Strategy to Fulfill Purpose:</b>	
The CLE Committee provides input to the WSBA CLE Team in fulfilling its mission of serving the ongoing education needs of Washington legal professionals and works actively with the WSBA CLE Team to brainstorm ideas for new CLE content and assist in identifying qualified speakers and chairs.	
<b>How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	
The CLE Committee continues to address the mission of the WSBA by supporting the development of timely and relevant legal education. Content developed by WSBA CLE promotes both professional and personal development - in turn aiding in ensuring the integrity of the legal profession.	

<b>2023-2024 Entity Accomplishments:</b>	
Helped guide WSBA CLE in programming areas	
Brainstormed new topics for FY24 and FY25	
Supported the development of new programs including Supply Chain Issues and Disputes, Litigation Tech, Personal Injury Basics	
<b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b> <i>SMART Goals can be an effective framework for the creation of goal; they detail the work you and your team hope to accomplish and help to foster and communicate clear expectations.</i>	
<i>SMART Goals are: Specific, Measurable, Relevant and Time-Bound</i>	
<b>1</b>	Consult with other WSBA committees on CLE programming and priorities.
<b>2</b>	Identify programming areas that are not addressed by other WSBA committees.
<b>3</b>	Continue to create and promote useful CLE programs.
<b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities your entity seeks to address, beyond the next fiscal year.</i>	
<b>1</b>	Increase CLE committee membership
<b>Please describe how this entity is addressing diversity, equity, and inclusion:</b> <i>How have you elicited input from a variety of perspectives in decision-making? What techniques do you use to promote a culture of inclusion within the board or committee? How do you seek to elicit inclusive decision-making amongst your group? What more would you like to see done in this area to better support the needs of your entity?</i>	
The CLE Committee itself is comprised of several members from diverse backgrounds. Additionally, the CLE Committee is committed to helping the WSBA CLE staff provide programming to Bar members on the topic of equity, inclusion and the mitigation of bias, including offering free CLEs on this topic, and discussed potential topics to bring forward to the membership	
<b>Entity Detail &amp; Demographics Report:</b> <b><i>To Be Completed by WSBA Volunteer Engagement Advisor</i></b>	
<b>Size of Entity:</b> <i>(Include voting and non-voting members)</i>	18
<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25)</i>	14
<b>Number of Applicants for FY25:</b> <i>Applications were submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>	8
<b>Budgeted Direct Expenses:</b>	\$200

<i>As of September 30, 2024.</i>	
<b>Indirect Expenses:</b> <i>As of September 30, 2024.</i>	\$13,306

**FY24 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	Yes	30%
	No	50%
	Chose Not to Respond	20%
<b>District*</b>	4	10%
	5	10%
	6	10%
	7N	10%
	7S	10%
	9	30%
	10	10%
<b>Ethnicity</b>	Asian – Central Asian	10%
	Asian – East Asian	30%
	Hispanic or Latinx	10%
	White or European Descent	30%
	Chose Not to Respond	20%
<b>Gender</b>	Female	50%
	Male	40%
	Chose Not to Respond	10%
<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer	20%
	Heterosexual	40%
	Chose Not to Respond	40%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question ‘Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?’ This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

<sup>1</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

**FY 2024: October 1, 2023 – September 30, 2024**

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

<b>Name of Entity:</b>	Client Protection Board
<b>Chair or Co-Chairs:</b>	Carrie Umland
<b>Staff Liaison:</b>	Nicole Gustine, Assistant General Counsel, OGC      Brenda Jackson, Client Protection Fund Specialist, OGC
<b>Board of Governors Liaison:</b>	Todd Bloom
<b>Purpose of Entity:</b>	
The Client Protection Board derives its authority from Admission and Practice Rules (APR) 15. The WSBA Board of Governors (BOG) serve as trustees of the Fund, while the CP Board, working with WSBA staff, administers it. The Washington Supreme Court has ordered an annual assessment on all active lawyer and LLLT members, to be held in trust for the purposes of the fund. The CP Board helps relieve or mitigate pecuniary losses sustained by clients by reason of the dishonesty of, or failure to account for money or property entrusted to, their lawyers. The CP Board reviews fund applications investigated by WSBA staff. Under APR 15, a decision by the CP Board to make a payment on an application for \$25,000 or less is final; a decision on an application for above \$25,000 is a recommendation and must be approved by the BOG.	
<b>Strategy to Fulfill Purpose:</b>	
The CP Board has a staff specialist and counsel/liaison in the WSBA Office of General Counsel. The CP Board meets four times per year to review applications. In accordance with APR 15, the CP Board provides a detailed report to the BOG and the Washington Supreme Court annually.	
<b>How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	

The CP Board serves the public and members of the Bar by righting the wrongs of members of the legal profession who dishonestly deprive clients of their funds. The CP Board promotes public confidence in the administration of justice and the integrity of the legal profession. Relieving or mitigating the pecuniary loss of injured members of the public often has a deep impact on their lives, and their view of the legal profession.

**2023-2024 Entity Accomplishments:**

Educating WSBA members about the work of CP Board.

Increasing public awareness of the CP Board.

Continuing to operate a fiscally responsible fund.

Continuing to work to decide difficult claims.

**Next Fiscal Year: 2024-2025 Top SMART Goals & Priorities:**

*SMART Goals can be an effective framework for the creation of goal; they detail the work you and your team hope to accomplish and help to foster and communicate clear expectations.*

*SMART Goals are: Specific, Measurable, Relevant and Time-Bound*

**1** Continue to operate a fiscally responsible fund.

**2** Continue to educate WSBA members about the Client Protection Board.

**3** Continue to work to decide difficult claims.

**Looking Ahead:** *Please share any long-term goals and/or priorities your entity seeks to address, beyond the next fiscal year.*

**1** Attract applicants from a diverse array of lawyer and public members for Board positions.

**2** Increase public awareness of the Client Protection Board and uses of the fund.

**Please describe how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in decision-making? What techniques do you use to promote a culture of inclusion within the board or committee? How do you seek to elicit inclusive decision-making amongst your group? What more would you like to see done in this area to better support the needs of your entity?*

The CP Board prioritizes diversity. The CP Board actively recruits members from varied backgrounds and areas of the state. The CP Board consists of eleven lawyers and two community members. It includes members who work in government, solo practice and in larger firms. The CP Board respects the voices and votes of all members. Each application is discussed extensively before a vote is taken. The Board currently has a diverse membership.

**Please share feedback regarding the support and engagement provided by WSBA.**

CP Board applications are prepared by the WSBA analyst who also attends meetings. BOG liaison attends meetings regularly. The BOG can continue to strengthen and support the CP Board by

assisting in the promotion of diverse candidates to the CP Board and by maintaining assessments at a level that allows the fund to have a healthy balance so as to make all deserving qualifying gifts.

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Volunteer Engagement Advisor**

<b>Size of Entity:</b> <i>(Include voting and non-voting members)</i>	13
<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25)</i>	2
<b>Number of Applicants for FY25:</b> <i>Applications were submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>	5
<b>Budgeted Direct Expenses:</b> <i>As of September 30, 2024.</i>	\$2,000
<b>Indirect Expenses:</b> <i>As of September 30, 2024.</i>	\$142, 231

**FY24 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	92%
	Chose Not to Respond	8%
<b>District*</b>	0	6%
	1	15%
	2	8%
	5	8%
	6	8%
	7S	8%
	8	8%
	9	31%
	10	8%
<b>Ethnicity</b>	Asian	8%
	Asian – East Asian	8%
	Black/African American/African Descent	8%
	Hispanic/Latinx	8%

	Multi Racial/Bi Racial	15%
	White/European Descent	53%
<b>Gender</b>	Female	53%
	Male	39%
	Chose Not to Respond	8%
<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer	8%
	Heterosexual	69%
	Chose Not to Respond	23%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

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<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

<b>Name of Entity:</b>	Council on Public Defense
<b>Chair or Co-Chairs:</b>	Jason Schwarz, Chair; Maialisa Vanyo, Vice-Chair
<b>Staff Liaison:</b>	Bonnie Sterken, Equity and Justice Lead, OED
<b>Board of Governors Liaison:</b>	Francis Adewale
<b>Purpose of Entity:</b>	
The Council on Public Defense (CPD) was established in 2004 to implement recommendations of the Washington State Bar Association (WSBA) Blue Ribbon Panel on Criminal Defense for maintaining and improving constitutionally effective public defense services in Washington. The WSBA Board of Governors (BOG), finding that the CPD provided a unique and valuable forum for bringing together representatives across the criminal justice system, subsequently established the CPD.	
<b>Strategy to Fulfill Purpose:</b>	
The CPD unites members of the public and private defense bar, the bench, elected officials, prosecutors, and the public to address new and recurring issues impacting public defenders, the public defense system and the public that depends upon it. The CPD, after review of its Charter obligations, has recently been working on issues in which it has the expertise to provide assistance to public defenders, including addressing the impact of Covid-19 on public defense delivery and workloads, revising the Standards for Indigent Defense to address workload limits, and race equity within the CPD and in public defense statewide.	
<b>How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	



The Council on Public Defense serves the public and champions justice. Our efforts raise the standards for public defense Statewide.

**2023-2024 Entity Accomplishments:**

Proposed comprehensive revisions to the WSBA Standards for Indigent Defense, which were adopted by the BOG in February 2024 and subsequently submitted them to the Court. These revisions focus on increasing the proportion of support staff to attorneys in public defense agencies, modifying attorney qualification requirements, and revising caseload standards to reflect the findings of the 2023 National Public Defense Workload Study.

Proposed revisions to the WSBA Standards for Indigent Defense applicable to family defense practice to ensure family defense attorneys have the supervision and training, caseloads, and access to social work professionals necessary to allow them to provide adequate, ethical defense to their clients. The BOG approved the revisions in September 2024 and subsequently submitted them to the Court.

Proposed revisions to the WSBA Standards for Indigent Defense to implement an interim caseload standard for public defense appeals pending the outcome of a workload study that will result in a final appellate caseload standard. The BOG approved the interim revisions in September 2024 and subsequently submitted them to the Court.

Completed a series of race equity forums and documented the learning in a Race Equity Report. The goal of the forums was to learn how to improve the recruitment, retention, and promotion of BIPOC legal professionals working in indigent defense.

**Next Fiscal Year: 2024-2025 Top SMART Goals & Priorities:**

*SMART Goals can be an effective framework for the creation of goal; they detail the work you and your team hope to accomplish and help to foster and communicate clear expectations.*

*SMART Goals are: Specific, Measurable, Relevant and Time-Bound*

<b>1</b>	Elevate diversity, equity, and inclusion within the Council by revising elements of the CPD charter to encourage diversity, inclusion, and transparent decision-making within the CPD's membership.
<b>2</b>	Supporting for implementation of the Standards for Indigent Defense, including advocating for funding and infrastructure speaking with funders and policy makers and monitoring updates to Standards Appendix B (addressing the offense list).
<b>3</b>	Identify and take actionable steps from the recommendations of the 2024 Race Equity Report to address the recruitment and retention of BIPOC public defense staff.

**Looking Ahead:** *Please share any long-term goals and/or priorities your entity seeks to address, beyond the next fiscal year.*

<b>1</b>	In partnership with the Office of Public Defense, completion of a workload study to determine adequate caseload limits for appellate cases and additional revisions to the Standards in light of the findings.
<b>2</b>	Support efforts to secure adequate levels of public defense funding, in collaboration with the Office of Public Defense, particularly considering implementation of the revised Standards for Indigent Defense and increased workload standards.

<b>3</b>	Continue identifying solutions to improve the recruitment and retention of public defense professionals.
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**Please describe how this entity is addressing diversity, equity, and inclusion:**  
*How have you elicited input from a variety of perspectives in decision-making? What techniques do you use to promote a culture of inclusion within the board or committee? How do you seek to elicit inclusive decision-making amongst your group? What more would you like to see done in this area to better support the needs of your entity?*

The CPD revised the Charter this past year to address improving the diversity of the CPD and this coming year plans to develop a robust plan to improve DEI in its membership. The Council also takes seriously gathering stakeholder input, as reflected in their outreach efforts to gather input from impacted groups when revising the Standards. The CPD is also requesting support to facilitate a robust discussion around its role in addressing the recruitment and retention of BIPOC public defense staff.

**Entity Detail & Demographics Report:  
 To Be Completed by WSBA Volunteer Engagement Advisor**

<b>Size of Entity:</b> <i>(Include voting and non-voting members)</i>	23 voting members and up to 5 emeritus members.
<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25)</i>	8
<b>Number of Applicants for FY25:</b> <i>Applications were submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>	14
<b>Budgeted Direct Expenses:</b> <i>As of September 30, 2024.</i>	\$4,000
<b>Indirect Expenses:</b> <i>As of September 30, 2024.</i>	\$25,927

**FY24 Demographics:**  
 The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	42%
	Chose Not to Respond	58%
<b>District*</b>	0	27%
	2	12%
	3	8%
	4	4%
	5	12%
	7N	17%

	7S	8%
	9	8%
	10	4%
<b>Ethnicity</b>	Asian – South Asian	4%
	Asian – Southeast Asian	4%
	Black, African American, African Descent	8%
	Hispanic or Latinx	8%
	White, European Descent	26%
	Chose Not to Respond	50%
<b>Gender</b>	Female	25%
	Male	21%
	Chose Not to Respond	54%
<b>Sexual Orientation</b>	Heterosexual	46%
	Chose Not to Respond	54%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question ‘Do you open identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?’ This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

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<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

<b>Name of Entity:</b>	Committee on Professional Ethics
<b>Chair or Co-Chairs:</b>	Monte Jewell
<b>Staff Liaison:</b>	Jeanne Marie Clavere, Senior Professional Responsibility Counsel; Sandra Schilling, Professional Responsibility Counsel
<b>Board of Governors Liaison:</b>	Mary Rathbone
<b>Purpose of Entity:</b>	
The Committee on Professional Ethics (CPE) prepares advisory opinions addressing recurring or emerging ethics issues facing WSBA members. The advisory opinions cover a broad context and provide in-depth guidance on the Rules of Professional Conduct (RPCs) applied to a wide variety of practice areas in Washington State. Subject to oversight by the WSBA Board of Governors (BOG) and in consultation with public and professional stakeholders, the CPE also submits reports and recommendations to the BOG for amendments to the RPCs, proposed RPCs, Superior Court Civil Rules (CR), and General Rules (GR) for consideration by the BOG and the Washington State Supreme Court (WSSC).	
<b>Strategy to Fulfill Purpose:</b>	
The CPE prepares advisory opinions and reviews, drafts, and edits amendments to the RPCs for submission to the BOG. The work of the CPE is done primarily by subcommittees who research and develop drafts on specific topics and conduct stakeholder outreach, often circulating discussion drafts for review and comment by stakeholders. The finished advisory opinions are then provided to the BOG for information and posted on the WSBA Advisory Opinion database for the benefit of the	

membership. The CPE also provides reports and recommendations to the BOG regarding the RPCs as requested.

**How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?**

When lawyers practice ethically, we strengthen our profession and uphold the public trust. Through empirically grounded and clearly articulated advisory opinions, the CPE helps to guide our profession to practice competently and honestly with peers and to equitably serve the public interest. By listening with sensitivity to our peers and to our communities to inform our reading of the RPCs, the CPE is a resource for the BOG to protect the quality of public justice for all people in Washington State while enhancing the legitimacy of the rule of democratic law.

**2023-2024 Entity Accomplishments:**

In FY 24, the CPE published AO 202401 which provided a powerful resource to our members about the professional duties and best practices that govern former client files. (This AO supplemented AO 181 which was last updated in 2009.) We finalized proposed changes to RPC 1.7(a)(3) pertaining to government law offices representing separate agencies which was subsequently approved by the BOG and submitted to the WSSC. We provided a review upon the request of the Court Rules and Procedures Committee for possible ethical implications of a suggested rule changes to RPCs 8.4 and 1.2. We withdrew AO 1900 and drafted a replacement opinion regarding contingency fee agreements in committed intimate relationships. We formed a subcommittee to engage with rapidly emerging questions about the use of Large Language Models and generative “artificial intelligence” applications while taking steps to coordinate our work with the newly formed BOG Legal Technology Task Force. We formed a subcommittee to draft an AO regarding fees and the refund of an advanced fee deposit to now adverse parties or to third parties. We formed a subcommittee to review the new ABA amendment to Model Rule 1.16 clarifying ethical obligations and conducting reasonable inquiries into client matters with a possible amendment to WA Rule 1.16. We drafted an advisory opinion regarding certified professional guardians (CPG) representation and RPC 1.7 implications and circulated it among stakeholders. We formed a subcommittee to address the ethical implications of RPC 1.6 and 5.3 and lawyers who are mandatory reporters and/or who employ mandatory employees, and we continued work and stakeholder outreach regarding the implications of fee splitting with a former firm.

**Next Fiscal Year: 2024-2025 Top SMART Goals & Priorities:**

*SMART Goals can be an effective framework for the creation of goal; they detail the work you and your team hope to accomplish and help to foster and communicate clear expectations.*

*SMART Goals are: Specific, Measurable, Relevant and Time-Bound.*

- |          |  |
|----------|--|
| <b>1</b> | Finalize the CPE work on an advisory opinion from a request by legal aid organizations regarding requests by funding agencies for data on clients. Drafting this opinion is completed and presentation before the BOG is pending. This aligns with WSBA goals of access to justice, serving often vulnerable and minority members of our population.                           |
| <b>2</b> | Finalize work on an advisory opinion analogous to ABA Formal Opinion 500 when an attorney is challenged to effectively communicate and represent their client because of language barriers. Completion of drafting this opinion is realistic within 2025. The opinion aligns with WSBA goals of access to justice and protection of vulnerable clients seeking legal services. |

<b>3</b>	Complete stakeholder outreach and work on an AO addressing vacating convictions in the absence of an established attorney-client relationship. Completion of this opinion is realistic in 2025. This opinion aligns with WSBA mission as it will address critical legal issues of often minority and vulnerable members of the public who have convictions on their records.
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**Looking Ahead:** *Please share any long-term goals and/or priorities your entity seeks to address, beyond the next fiscal year.*

<b>1</b>	See Above: Top Goals and Priorities.
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<b>2</b>	Continue to receive and consider requests for advisory opinions from bar members. Respond to requests from the BOG, the WSBA Executive Director and other entities requesting review and analysis of proposed RPC amendments.
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**Please describe how this entity is addressing diversity, equity, and inclusion:**  
*How have you elicited input from a variety of perspectives in decision-making? What techniques do you use to promote a culture of inclusion within the board or committee? How do you seek to elicit inclusive decision-making amongst your group? What more would you like to see done in this area to better support the needs of your entity?*

The committee actively seeks input from interested stakeholders and bar members on proposed rule changes and draft opinions. Five out of nine members are women and three come from diverse backgrounds. Each member brings a unique and valuable perspective to the discussions and work of the committee through practice areas and years of experience, professional positions, and geographic diversity. Through its advisory opinions and analyses of the Rules of Professional Conduct, the CPE assists members of all backgrounds in clarifying their ethical duties under the rules, thereby helping them to maintain their practices and thrive in the profession.

**Please share feedback regarding the support and engagement provided by WSBA.**

The CPE is supported by the Senior Professional Responsibility Counsel and the Professional Responsibility Counsel in the Advancement Department. As staff liaisons, both PRCs advise the committee on policy and procedural issues, participate in discussions to provide additional insights and perspectives, and recommend ethics issues to the attention of the CPE for possible advisory opinions or other action. Researching the ethical implications of LLM AI is an example from FY 24. Both PRCs provide administrative support to the CPE. (The BOG liaison has provided valued background support and consultation between CPE meetings.)

**Entity Detail & Demographics Report:  
 To Be Completed by WSBA Volunteer Engagement Advisor**

<b>Size of Entity:</b> <i>(Include voting and non-voting members)</i>	10
<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25)</i>	4
<b>Number of Applicants for FY25:</b> <i>Applications were submitted in the</i>	14

<i>Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>	
Budgeted Direct Expenses: <i>As of September 30, 2024.</i>	\$1,000
Indirect Expenses: <i>As of September 30, 2024.</i>	\$44,317

**FY24 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily, and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	90%
	Chose Not to Respond	10%
<b>District*</b>	1	10%
	5	10%
	6	10%
	7N	20%
	7S	40%
	9	10%
<b>Ethnicity</b>	Asian – Central Asian	10%
	Middle Eastern Descent	10%
	White, European Descent	80%
<b>Gender</b>	Female	50%
	Male	50%
<b>Sexual Orientation</b>	Heterosexual	70%
	Chose Not to Respond	30%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question ‘Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?’ This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT FORM

FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year FY2024 (October 1, 2023 – September 30, 2024). Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and the staff liaison.

<b>Name of Entity:</b>	Court Rules and Procedures Committee
<b>Entity Size:</b>	28
<b>Chair or Co-Chairs:</b>	Michael Chait
<b>Staff Liaison:</b>	Nicole Gustine, Assistant General Counsel, OGC; Emily Crane, Paralegal II, OGC
<b>Board of Governors Liaison(s):</b>	Allison Widney
<b>Purpose of Entity:</b>	
The Court Rules and Procedure Committee (Committee) studies and develops suggested amendments to designated sets of Washington court rules on a regular cycle of review established by the Washington State Supreme Court. It occasionally responds to requests for comment from the Supreme Court on proposals developed by others. The Committee performs the rules-study function outlined in General Rule 9 and reports its recommendations to the BOG.	
<b>Strategy to Fulfill Purpose:</b>	
The Committee consists of several subcommittees that review the court rules and obtain input from stakeholders as to possible amendments. Evolution in case law, changes in statutes, or other new developments since last amendment drive amendments to rules. The subcommittees vet, draft, and discuss proposed amendments and submit them to the full Committee for discussion and approval. Proposed amendments approved by the Committee are forwarded to the BOG for approval. If the BOG approves, the proposed amendments are forwarded to the Supreme Court in accordance with General Rule 9.	



**How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?**

The legal profession and the public depend on a legal system which is accessible, and which renders consistent and just results. Such a system requires court rules which are clearly understandable, internally consistent, and which function as their drafters intended. The Committee ensures our court rules are clear, consistent, and functioning through periodic review of standing rules, and review of proposed rules as directed by the BOG.

**2023-2024 Entity Accomplishments:**

The committee continues to carefully vet new proposals. In 2023-2024, the Committee reviewed the Superior Court Civil Arbitration Rules, Civil Rules for Superior Courts, and Civil Rules for Courts of Limited Jurisdiction.

**Looking Ahead: 2024-2025 Top Goals & Priorities:**

- |          |  |
|----------|--|
| <b>1</b> | The Committee will review the Rules of Appellate Procedure and the Rules for Appeal from Decisions of Courts of Limited Jurisdiction.  |
| <b>2</b> | The Committee will continue unfinished work from the prior fiscal year regarding proposals related to the Civil Rules for Superior Courts, the Superior Court Civil Arbitration Rules, and the Civil Rules for Courts of Limited Jurisdiction. |

**Please describe how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?*

The Committee is cognizant of diversity in selecting its members. Diversity is an important factor in recruitment and consideration of applicants. The Committee seeks input from a wide variety of stakeholders before finalizing proposals, including reaching out to several minority bar associations. The Committee also reaches out to organizations that represent minority viewpoints that might not normally be aware of the Committee’s work. During the application period, the chair reached out to the leadership of several specialty and minority bar associations to encourage their membership to apply to be on the Committee. The Committee is composed of members with a wide range of backgrounds, experiences, and identities. The chair has attempted to spread subcommittee chair assignments across the state to ensure broad, geographic representation.

**Please share feedback regarding the support and engagement provided by WSBA.**

The Committee has continued to depend on the invaluable work of WSBA support staff. The Committee has also enjoyed a good working relationship with the BOG, which has been responsive in taking up matters sent to it by the Committee, and in referring matters to the Committee for consideration. As proponents of changes to the court rules increasingly present those proposals directly to the Washington State Supreme Court, the Committee has increasingly looked to the BOG for direction to consider such proposals.

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Volunteer Engagement Advisor**

<b>Size of Entity</b> <i>(include voting and non-voting members)</i>	28
<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25)</i>	11
<b>Number of Applicants for FY25 Positions:</b> <i>Applications were submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>	20
<b>Budgeted Direct Expenses:</b> <i>As of September 30, 2024.</i>	\$1,000
<b>FY24 Indirect Expenses:</b> <i>As of September 30, 2024.</i>	\$14,881
<p><b>FY24 Demographics:</b> The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.</p> <p>Aside from the factors marked (*), demographic information was provided voluntarily, and individuals had the option to not respond to any or all of the factors below.</p>	
<b>Disability</b>	No 79%
	Yes 13%
	Chose Not to Respond 8%
<b>District*</b>	1 8%
	2 4%
	3 4%
	5 8%
	6 13%
	7N 17%
	7S 17%
	8 13%
	9 8%
	10 8%
<b>Ethnicity</b>	Asian – East Asian 8%
	Middle Eastern Descent 4%
	White or European Descent 83%
	Chose Not to Respond 5%
<b>Gender</b>	Gender Neutral 4%
	Female 42%
	Male 63%

<b>Sexual Orientation</b>	Heterosexual	79%
	Chose Not to Respond	21%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

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<sup>1</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

<b>Name of Entity:</b>	Disciplinary Advisory Round Table
<b>Chair or Co-Chairs:</b>	Honorable Mary I. Yu
<b>Staff Liaison:</b>	Darlene Neumann
<b>Board of Governors Liaison:</b>	Brent Williams-Ruth
<b>Purpose of Entity:</b>	
The duties and responsibilities of the Disciplinary Advisory Round Table (DART) are as follows: The DART acts as a forum for the identification and discussion of issues and concerns relating to the lawyer, LLLT and LPO disciplinary systems in Washington; the DART may make recommendations for change to discipline-system rules and procedures; the DART shall provide an annual report to the Supreme Court and the WSBA Board of Governors addressing how it has performed the duties and responsibilities set forth in this Charter and, as appropriate, outlining its future work plans; the DART has no independent decision-making authority or regulatory authority.	
<b>Strategy to Fulfill Purpose:</b>	
The DART meets on an ad hoc basis whenever issues or concerns related to the discipline system are identified. From its discussions, the DART may make recommendations for change to the rules or procedures of the discipline system.	
<b>How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	
DART’s consideration of discipline system issues occurs at a high level and the discussions often lead to additional perspectives or ideas to improve the discipline system. Members also benefit by	

<p>gaining a better understanding of the discipline system. This process helps to ensure the integrity of the legal profession and furthers the mission to serve the public and the members of the Bar.</p>	
<p><b>2023-2024 Entity Accomplishments:</b></p>	
<p>DART proposed suggested amendments to ELC 2.14(d) to remove the prohibition on BOG members, who are experienced respondent’s counsel, from representing respondents for three years after leaving office, subject to certain exceptions. The Supreme Court approved the rule amendments on September 5, 2024.</p>	
<p>DART worked in collaboration with the Regulatory Services Department (RSD) on the issue of voluntary transfer to disability inactive status and endorsed the RSD proposal to amend the WSBA Bylaws to add an inactive license fee exemption due to significant health condition. The proposal removes the voluntary transfer to disability inactive process from the discipline system to a more efficient administrative process under RSD. The proposal also protects the privacy of bar members by permitting them to transfer to regular inactive status without publicly disclosing their disability. The BOG held first and second readings on the proposal on July 19, 2024, and September 7, 2024. The proposal is expected to go to the Supreme Court for approval.</p>	
<p>On October 30, 2024, DART received a presentation from the chair emeritus of the Practice of Law Board regarding the unauthorized practice of law, new legal services market, and regulation of new legal service providers.</p>	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>SMART Goals can be an effective framework for the creation of goal; they detail the work you and your team hope to accomplish and help to foster and communicate clear expectations.</i></p> <p><i>SMART Goals are: Specific, Measurable, Relevant and Time-Bound.</i></p>	
<b>1</b>	<p>Possible ELC amendment to address grievances based solely on public information. DART will continue to explore this concept.</p>
<b>2</b>	<p>Other discipline system related issues or concerns as identified.</p>
<b>3</b>	<p>To seek changes to the charter’s member representational categories in order to increase diversity.</p>
<p><b>Please describe how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in decision-making? What techniques do you use to promote a culture of inclusion within the board or committee? How do you seek to elicit inclusive decision-making amongst your group? What more would you like to see done in this area to better support the needs of your entity?</i></p>	
<p>Approximately half of the DART membership is comprised of individuals who have an active role in the discipline system. The other half includes neutrals who are not involved in the discipline system. They are a BOG member, the Executive Director, the General Counsel, a Washington state law professor, a minority bar representative, a LLLT member, and a public member. Issues are explored through the lens of the diverse experiences of its members. The resulting round table discussion reflects a balance of opinions influencing the group’s decision-making.</p>	
<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b></p>	

Overall, the quality of WSBA staff support has been excellent. Staff routinely works with members to reach consensus on meeting dates and times, prepares agendas, minutes, and other materials as requested. Staff utilizes technology such as Box, Zoom, and MS 365 applications to support DART. The BOG liaison, who is a voting member, actively participates in DART meetings and decisions.

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Volunteer Engagement Advisor**

<b>Size of Entity:</b> <i>(Include voting and non-voting members)</i>	8
<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25)</i>	5
<b>Number of Applicants for FY25:</b> <i>Applications were submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>	6
<b>Budgeted Direct Expenses:</b> <i>As of September 30, 2024.</i>	\$0
<b>Indirect Expenses:</b> <i>As of September 30, 2024.</i>	\$6,466

**FY24 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	100%
<b>District*</b>	0	48%
	3	13%
	6	13%
	7N	13%
	10	13%
<b>Ethnicity</b>	American Indian, Native American	13%
	Asian – East Asian	13%
	Asian – South Asian	13%
	Black, African American, African Descent	13%
	Hispanic, Latinx	25%
	Multi-racial, bi-racial	25%
<b>Gender</b>	Female	75%

	Male	25%
<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer	13%
	Heterosexual	50%
	No	13%
	Chose Not to Respond	24%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

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<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

<b>Name of Entity:</b>	Disciplinary Board
<b>Chair or Co-Chairs:</b>	Christopher Sanders, Chair Deborah Severson, Vice Chair
<b>Staff Liaison:</b>	Nicole Gustine, Assistant General Counsel, OGC (October 1, 2023 - January 1, 2024) Szilvia Szilágyi, Assistant General Counsel, OGC (from January 1, 2024) Allison Sato, Discipline System Analyst, OGC
<b>Board of Governors Liaison:</b>	Not applicable.
<b>Purpose of Entity:</b>	
The Disciplinary Board (D-Board) derives its authority from the Supreme Court (see ELC 2.3). The D-Board performs an important role in the disciplinary/regulation process by: (1) serving as an intermediate appellate body for contested disciplinary and disability matters; (2) approving, conditionally approving or rejecting certain stipulations negotiated by the Office of Disciplinary Counsel (ODC) and respondents; and (3) through its review committees, acting on requests from the ODC to order matters to hearing, and on requests from grievants for review of matters that have been dismissed by ODC.	
<b>Strategy to Fulfill Purpose:</b>	
The D-Board is made up of the board chair and vice-chair, plus 12 members composing four review committees, one of which meets every three weeks. The D-Board meets six times each year as a full board. At these meetings, the D-Board reviews hearing officer recommendations for suspension	



and disbarment when a timely request for review/appeal is filed (or sua sponte review is ordered by the Board), and automatically reviews stipulations for suspension or disbarment. The D-Board issues a written recommendation to the Supreme Court in contested matters. The D-Board holds oral arguments in some cases, which are open to the public. The four review committees meet to review requests for hearings and grievant appeals from dismissals. The review committees' work is confidential and not open to the public.

**How does the entity's purpose help further the mission of the WSBA "to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice"?**

The D-Board serves important functions in the disciplinary process and protects the public by upholding professionalism and ethical conduct among legal practitioners.

**2023-2024 Entity Accomplishments:**

In 2023, the review committees of the Disciplinary Board met 16 times to consider 453 matters. They issued 379 dismissals, ordered 43 matters to hearing, issued one admonition and 6 advisory letters, and decided 24 other non-routine matters, such as orders on deferrals, costs, etc.

In 2023, the full Disciplinary Board reviewed and issued orders on 24 stipulations, decided about the maintenance of records in one case, and heard oral argument in one appeal. Per court rule, they considered whether to order or deny Sua Sponte review in 7 cases involving a recommendation of suspension or disbarment.

**Next Fiscal Year: 2024-2025 Top SMART Goals & Priorities:**

*SMART Goals can be an effective framework for the creation of goal; they detail the work you and your team hope to accomplish and help to foster and communicate clear expectations.*

*SMART Goals are: Specific, Measurable, Relevant and Time-Bound*

<b>1</b>	The Disciplinary-Board's work is determined by Court Rule (Rules for Enforcement of Lawyer Conduct). The goal is to continue to perform high quality work in a timely manner in accordance with Court Rules.
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**Looking Ahead:** *Please share any long-term goals and/or priorities your entity seeks to address, beyond the next fiscal year.*

<b>1</b>	The Disciplinary-Board's work is determined by Court Rule (Rules for Enforcement of Lawyer Conduct). The goal is to continue to perform high quality work in a timely manner in accordance with Court Rules.
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**Please describe how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in decision-making? What techniques do you use to promote a culture of inclusion within the board or committee? How do you seek to elicit inclusive decision-making amongst your group? What more would you like to see done in this area to better support the needs of your entity?*

The Disciplinary Selection Panel (DSP), which is a separate entity from the D-Board, makes nominations to the BOG for members to serve on the Board. Under ELC 2.2(f), the DSP considers diversity in gender, ethnicity, disability status, sexual orientation, geography, area of practice and practice experience. The D-Board has been trained by a Diversity Specialist. The D-Board seeks input from all of its members, who must vote on each order/decision in matters involving the full

Board. The D-Board has four public members, who each provide different perspectives. One public member serves on each review committee. By court rule, the D-Board has ten lawyer members and four community representative members. The current D-Board includes members self-identified as from several different races/ethnicities. The DSP interviews prospective members and makes nominations to the BOG. As noted above, ELC 2.2(f) states that in making selections, the DSP and the BOG consider diversity. The D-Board provides many leadership opportunities for interested Board members to serve, as Chair or Vice-Chair of the full Board, or as Chairs of each of the four review committees.

**Please share feedback regarding the support and engagement provided by WSBA.**

Per ELC 2.2(b) the Board of Governors have no right or responsibility to review hearing officer, review committee, or Disciplinary Board decisions or recommendations in specific cases. The Disciplinary Board welcomes BOG support in the form or recruitment of eligible lawyer and public members from diverse backgrounds.

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Volunteer Engagement Advisor**

<b>Size of Entity:</b> <i>(Include voting and non-voting members)</i>	14 (10 lawyers, 4 public members)
<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25)</i>	5
<b>Number of Applicants for FY25:</b> <i>Applications were submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>	12
<b>Budgeted Direct "Expenses:</b> <i>As of September 30, 2024.</i>	\$4,000
<b>Indirect Expenses:</b> <i>As of September 30, 2024.</i>	\$170,677

**FY24 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	62%
	Chose Not to Respond	38%

<b>District*</b>	0	22%
	1	8%
	4	23%
	7N	31%
	7S	8%
	10	8%
<b>Ethnicity</b>	Chose Not to Respond	23%
	American Indian/Native American	8%
	Asian – South Asian	15%
	White or European Descent	46%
	Other	8%
<b>Gender</b>	Female	46%
	Male	39%
	Chose Not to Respond	15%
<b>Sexual Orientation</b>	Heterosexual	54%
	Chose Not to Respond	46%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question ‘Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?’ This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

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<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

<b>Name of Entity:</b>	DEI Council
<b>Chair or Co-Chairs:</b>	Raina Wagner, Pres. Sunitha Anjilvel (outgoing co-chair), Gov. Nam Nguyen (incoming co-chair)
<b>Staff Liaison:</b>	Diana Singleton, Chief Equity & Justice Office Officer, OED Saleena Salango, Equity & Justice Lead, OED
<b>Board of Governors Liaison:</b>	N/A
<b>Purpose of Entity:</b>	
The purpose of the Diversity Equity and Inclusion (DEI) Council is to advance diversity, equity, and inclusion in the legal profession and legal system and address the problems of bias, systemic inequities and under-representation in the legal profession.	
<b>Strategy to Fulfill Purpose:</b>	
The DEI Council fulfills this purpose through supporting programs and systemic efforts to reduce disparities in the legal profession and promote diversity and inclusion through convenings (e.g., Pathways Summit) and events (e.g., ARC reception); working with the Equity and Justice Team to develop diversity, equity and inclusion educational content and programs for members, volunteers	

<sup>1</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.  
October 1, 2023 – September 30, 2024 (FY24)

and the public; supporting and collaborating with the affinity bar associations to promote mutual goals to advance diversity, equity and inclusion in the legal profession; promoting leadership opportunities in the WSBA, legal profession and legal system by outreaching to underrepresented members and the public, promoting diversity in the judiciary (e.g., Pro Tem CLE scholarship and networking reception) and recommending candidates for At-Large positions on the WSBA Board of Governors (BOG); advising the BOG on issues through a diversity, equity and inclusion lens and fulfilling its responsibilities outlined in General Rule 12.2(a)(6), the WSBA Strategic Goals, the Race and Equity Justice Initiatives commitments, and approved resolutions concerning diversity, equity and inclusion.

**How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?**

The DEI Council promotes all parts of the WSBA’s mission: 1) We serve the public by promoting a diverse legal profession that is well-equipped to serve clients and members of the Bar through program and initiatives to improve increase belonging of all legal professionals, particularly for those from marginalized and underrepresented communities; 2) we ensure integrity of the profession by working to increase meaningful access to legal services and the ethical/equitable delivery of legal services; 3) we champion justice by making strides towards a robust, inclusive and thriving profession that serves the public and improves the legal system.

**2023-2024 Entity Accomplishments:**

1. Held the first-ever Pathways To Legal Diversity Summit on September 12th, which convened leaders (both legal professionals and non-legal professionals) to de-silo diversity, rural disparities, and access to justice efforts; ensure greater coordination of legal programs on diversity; and provide ideas for ways the WSBA help people from disadvantaged communities to enter the profession through systemic/policy change, leveraging and improving law school alternative pathways, and filling programming gaps.
2. Drafting a 5-year Equity and Justice Plan for the WSBA Board of Governors based on outreach to key stakeholders and data from the Membership Demographic Study, and work with key consultants.
3. Concluded the WSBA’s Membership Demographic Study to identify disparities in the composition and experiences of WSBA members.
4. Collaborated with other institutions to host events designed to support pathways to a more diverse profession (e.g., WA Law Student Employer Retreat in January, Career Night at Rising Star Elementary School, ARC Reception for Seattle University School of Law Access Admissions students).

**Next Fiscal Year: 2024-2025 Top SMART Goals & Priorities:**

*SMART Goals can be an effective framework for the creation of goal; they detail the work you and your team hope to accomplish and help to foster and communicate clear expectations.*

*SMART Goals are: Specific, Measurable, Relevant and Time-Bound*

- |          |  |
|----------|--|
| <b>1</b> | Finalize and submit the 5-year Equity and Justice Plan to the Board of Governors for approval, adoption, implementation and oversight. |
|----------|--|

2	Collaborate with Equity and Justice Team staff to submit a Pathways Summit report to the Board of Governors that includes proposed investments and strategies to scale up legal diversity pathway programs in our state and/or consider policy/procedure changes that could reduce barriers to accessing the progression.
3	Improve Council member retention (measured by number of non-BOG members serving the entirety of their appointment) and inclusion/engagement (measured by attendance, improved number of people speaking at Council meetings and workgroups, and member reported experiences).
4	Improve outreach and engagement to affinity bar associations by DEI Council members serving as liaisons to affinity bar associations, improving attendance by council members at affinity bar association events, and hosting events for affinity bar associations to build relationships with WSBA.
<b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities your entity seeks to address, beyond the next fiscal year.</i>	
1	Utilize project management tools for DEI Council work to create sustainability and accountability as members roll off and new members join.
2	Set groundwork for a future Membership Demographic Study and other data collection needed to track progress on member diversity and experiences.
3	Building stronger relationships with allies on DEI in the legal community (e.g. Access to Justice Board/Alliance for Equal Justice members, affinity bar associations, community-based organizations) to build more collective momentum for equity and justice work.
<p><b>Please describe how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in decision-making? What techniques do you use to promote a culture of inclusion within the board or committee? How do you seek to elicit inclusive decision-making amongst your group? What more would you like to see done in this area to better support the needs of your entity?</i></p>	
<p>The overall mission and projects our Council undertakes focuses on increasing diversity, equity, and inclusion in the profession overall. Internally, our Council promotes a culture of inclusion through setting aside time for relationship-building, returning to shared values and strengths, and encouraging members to share perspectives. One area our Council could consider improving is in member engagement and equitable decision-making, where we acknowledge, grapple with, and center unequal power dynamics in decision-making authority and influence of members within our own Council. For example, recognizing dynamics between BOG and non-BOG members, public vs. legal professional members, and the identities/experiences of members and how they may contribute to differences in experience on the Council, particularly feelings of belonging.</p>	
<p><b>Entity Detail &amp; Demographics Report:</b>  <b><i>To Be Completed by WSBA Volunteer Engagement Advisor</i></b></p>	
<p><b>Size of Entity:</b>  <i>(Include voting and non-voting members)</i></p>	18
<p><b>Number of Vacancies for FY25:</b></p>	8

<i>The number of positions with terms beginning October 1, 2024 (FY25)</i>	
<b>Number of Applicants for FY25:</b> <i>Applications were submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>	20
<b>Budgeted Direct Expenses:</b> <i>As of September 30, 2024.</i>	\$35,600
<b>Indirect Expenses:</b> <i>As of September 30, 2024.</i>	\$126,544
<p><b>FY24 Demographics:</b> The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.</p> <p>Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.</p>	
<b>Disability</b>	Yes 12%
	No 59%
	Chose Not to Respond 29%
<b>District*</b>	0 29%
	4 6%
	5 %
	6 6%
	7N 29%
	7S 12%
	9 12%
	10 6%
<b>Ethnicity</b>	Black, African American or African Descent 35%
	Hispanic or Latinx 18%
	Middle Eastern Descent 6%
	Multi Racial or Bi Racial 6%
	Other 6%
	White or European Descent 18%
	Chose Not to Respond 11%
<b>Gender</b>	Female 59%
	Male 12%
	Non-Binary 6%
	Transgender 6%
	Chose Not to Respond 17%
<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer 24%
	Heterosexual 59%
	Chose Not to Respond 17%

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

<b>Name of Entity:</b>	Editorial Advisory Committee (EAC)
<b>Chair or Co-Chairs:</b>	Marc Lampson (FY 24 chair); Benjamin Gould (FY 25 chair)
<b>Staff Liaison:</b>	Kirsten Lacko, Editor
<b>Board of Governors Liaison:</b>	Dan Clark
<b>Purpose of Entity:</b>	
<p>The Editorial Advisory Committee (EAC) derives its authority from the WSBA Bylaws. Members of the Editorial Advisory Committee work with the editor and WSBA staff overseeing publication of the WSBA’s official magazine, Washington State Bar News. This may include establishing guidelines and editorial policy, maintaining an editorial calendar, writing articles, securing content, identifying topics and issues relevant to members, identifying authors for content, reviewing articles, and advising on issues related to content. The magazine’s mission statement is: Washington State Bar News will inform, educate, engage, and inspire by offering a forum for members of the legal community to connect and to enrich their careers. Much of the EAC’s work is carried out during monthly meetings that members are asked to attend, making those meetings crucial to participation. Members also engage between meetings by reviewing upcoming issues and contributing and following up on developing story ideas by writing and/or recruiting authors.</p>	
<b>Strategy to Fulfill Purpose:</b>	
<p>EAC members consult with WSBA staff regarding content selection, recruiting of authors or writing articles themselves, and providing suggestions for feature stories and columns that will provide readers with information about other Bar members and their practices, current events and trends of</p>	



<p>interest to the legal community, career advice and other practice-oriented topics, programs and services provided to members by the WSBA, and the work of the Board of Governors.</p>	
<p><b>How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b></p>	
<p>The EAC helps to make a magazine that educates legal professionals about important topics such as ethics, practice management, pro bono opportunities, case updates, diversity, equity, and inclusion, and other significant news, thereby helping to ensure the competency and integrity of the legal profession on behalf of the public and furthering the mission of the WSBA.</p>	
<p><b>2023-2024 Entity Accomplishments:</b></p>	
<p>EAC members wrote, recruited authors to write, and/or helped to develop five feature articles for Bar News this year, on significant topics including Washington’s anti-SLAPP statute, APR 6.1 (the “pro bono rule”), the U.S. Supreme Court’s free speech decision in 303 Creative v. Elenis, and patent enforcement on inventions practiced in outer space.</p>	
<p>The EAC helped us to develop our November 2023 issue on the theme of new lawyer licensing pathways. This issue covered recommendations from the Washington Bar Licensure Task Force, the NextGen Bar Exam, opinion pieces in support of alternatives to the bar exam and changes to the character and fitness process, Washington’s Law Clerk Program, and an in-depth interview with Washington’s three law school deans.</p>	
<p>EAC members helped to revitalize the questionnaire for our Beyond the Bar Number feature, which appears on the last page of each issue of the magazine. They also helped to recruit folks to participate in this feature, a common reader favorite.</p>	
<p>In addition to developing content, the EAC plays a vital role in helping us to review letters to the editor and the Bar News letters to the editor policy. The committee engaged in thoughtful discussions throughout the year about letters to the editor and potential changes to our letters policy.</p>	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>SMART Goals can be an effective framework for the creation of goal; they detail the work you and your team hope to accomplish and help to foster and communicate clear expectations.</i></p> <p><i>SMART Goals are: Specific, Measurable, Relevant and Time-Bound</i></p>	
<b>1</b>	<p>Have each member of the committee write or recruit an author to write at least one article in the coming year.</p>
<b>2</b>	<p>Create at least one themed issue with the help of committee members.</p>
<b>3</b>	<p>Have the committee review at least one pitch or article submission per meeting.</p>
<p><b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities your entity seeks to address, beyond the next fiscal year.</i></p>	
<b>1</b>	<p>Continue to work to include voices from diverse backgrounds and areas of practice, with a variety of views and perspectives.</p>

<b>2</b>	Continue to create opportunities for the magazine (within the parameters of GR 12.2) to be a civil, thought-provoking forum for dialogue among members about current issues relating to the legal system and access to and administration of justice.
<b>3</b>	Continue to increase reader interest and engagement/response with timely, relevant, practical, and interesting articles. Continue to increase readership of the Bar News website ( <a href="https://wabarnews.org/">https://wabarnews.org/</a> ).

**Please describe how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in decision-making? What techniques do you use to promote a culture of inclusion within the board or committee? How do you seek to elicit inclusive decision-making amongst your group? What more would you like to see done in this area to better support the needs of your entity?*

There is diversity in background, years in practice, areas of practice, and perspectives among the EAC members who weigh in on story ideas, unsolicited submissions, and policy decisions. During meetings, we assign issue review to a different person each month to make sure everyone has an opportunity to share their thoughts. We are also in regular dialogue with the WSBA Equity and Justice Team regarding language and images used in the magazine. The WSBA Equity and Justice Team also reviews the Bar News editorial calendar and every issue of the magazine and provides feedback and suggestions. In addition, we are working with the Equity and Justice Team to start producing regular columns in the magazine and other content, including comprehensive coverage of the recent WSBA demographic study and upcoming DEI plan.

**Please share feedback regarding the support and engagement provided by WSBA.**

*For example:*

- *Quality of WSBA staff support/services, including technology solutions*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

The EAC works closely with WSBA staff—the staff liaison as well as the entire magazine team. The magazine team attends every monthly meeting, and the staff liaison prepares the agendas and works with the chair to finalize them. The Board liaison also attended one or two monthly committee meetings. In addition, members of the WSBA Equity and Justice team attend some EAC meetings and contribute to the magazine.

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Volunteer Engagement Advisor**

<b>Size of Entity:</b> <i>(Include voting and non-voting members)</i>	14
<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25)</i>	7
<b>Number of Applicants for FY25:</b> <i>Applications were submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>	5
<b>Budgeted Direct Expenses:</b> <i>As of September 30, 2024.</i>	\$0

<b>Indirect Expenses:</b> <i>As of September 30, 2024.</i>	\$15,879
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**FY24 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	Yes	9%
	No	73%
	Chose Not to Respond	18%
<b>District*</b>	0	1%
	7N	45%
	7S	9%
	8	18%
	9	27%
<b>Ethnicity</b>	Hispanic or Latinx	9%
	White or European Descent	82%
	Chose Not to Respond	9%
<b>Gender</b>	Female	36%
	Male	55%
	Chose Not to Respond	9%
<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer	18%
	Heterosexual	64%
	Chose Not to Respond	18%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question ‘Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?’ This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT FORM

FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year FY2023 (October 1, 2023 – September 30, 2024). Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and the staff liaison.

<b>Name of Entity:</b>	Judicial Recommendation Committee
<b>Entity Size:</b>	22
<b>Chair or Co-Chairs:</b>	Ian Cairns
<b>Staff Liaison:</b>	Sanjay Walvekar, Legislative Affairs Manager, COMM
<b>Board of Governors Liaison(s):</b>	Todd Bloom, Dan Clark
<b>Purpose of Entity:</b>	
The Judicial Recommendation Committee (JRC) derives its authority from the Bylaws of the WSBA. The JRC screens and interviews candidates for state Court of Appeals and Supreme Court positions. Recommendations are reviewed by the WSBA Board of Governors (BOG) and referred to the Governor for consideration when making judicial appointments. Per the JRC Guidelines, “[t]he proceedings and records of the committee, including the comments of applicants, committee discussions, and committee votes, shall be kept strictly confidential.”	
<b>Strategy to Fulfill Purpose:</b>	
The JRC screens and interviews candidates for the state’s appellate courts, the Washington Supreme Court and the Washington State Court of Appeals. Thereafter, it makes recommendations to the BOG. Following Board approval, the recommendations are sent to the Washington State Governor’s Office as part of the committee’s role of preparing and maintaining a list of individuals who are well-qualified for and interested in appointment to the appellate bench.	

<b>How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	
The JRC’s work directly benefits the public, members of the Bar, and the legal profession by providing the Governor’s office with recommendations that help it make informed and quality judicial appointments.	
<b>2023-2024 Entity Accomplishments:</b>	
The JRC held three meetings in which it evaluated eight candidates. The JRC’s recommendations were passed on to the Board of Governors which concurred with the JRC. These recommendations were then given to the Governor’s office.	
<b>Looking Ahead: 2024-2025 Top Goals &amp; Priorities:</b>	
<b>1</b>	Continue to offer a thorough and fair process aimed at ensuring well-qualified candidates are presented to the Governor’s office for open positions to the Washington Supreme Court and Court of Appeals.
<b>2</b>	Continue to educate committee members about the importance of reference check assignments, meeting attendance, and ability to make quorum.
<b>Please describe how this entity is addressing diversity, equity, and inclusion:</b> <i>How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?</i>	
A diversity of perspectives is embedded in the JRC Guidelines under “Composition,” for selection of committee members. The committee received a training from the WSBA’s Diversity, Equity, and Inclusion team at the JRC’s first meeting of the fiscal year. In addition, some of the criteria the committee considers when recommending a candidate are related to a commitment to diversity.	
<b>Please share feedback regarding the support and engagement provided by WSBA.</b>	
The JRC guidelines require a BOG liaison to attend each JRC meeting and JRC recommendations are considered by the BOG periodically throughout the year.	
<b>Entity Detail &amp; Demographics Report:</b> <b><i>To Be Completed by WSBA Staff</i></b>	
<b>Size of Entity:</b> <i>(Include voting and non-voting members)</i>	22
<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25)</i>	4
<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>	6

<b>FY24 Budgeted Direct Expenses:</b> <i>As of September 30, 2024.</i>	\$2,250
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<b>Indirect Expenses:</b> <i>As of September 30, 2024</i>	\$37,852
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**FY24 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily, and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	78%
	Yes	9%
	Chose Not to Respond	13%
<b>District*</b>	0	1%
	1	4%
	2	4%
	4	4%
	5	9%
	6	17%
	7N	26%
	7S	9%
	8	4%
	9	9%
<b>Ethnicity</b>	10	13%
	Asian – East Asian	9%
	Black, African American, African Descent	9%
	Hispanic, Latinx	9%
<b>Gender</b>	White, European Descent	73%
	Female	35%
	Male	61%
<b>Sexual Orientation</b>	Chose Not to Respond	4%
	Gay, Lesbian, Bisexual, Pansexual, or Queer	13%
	Heterosexual	70%
	Chose Not to Respond	17%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question ‘Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?’ This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.



# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

<b>Name of Entity:</b>	Law Clerk Board
<b>Chair or Co-Chairs:</b>	Emily Rose, Chair
<b>Staff Liaison:</b>	Katherine Skinner, Law Clerk Program Lead, RSD
<b>Board of Governors Liaison:</b>	Mary Rathbone
<b>Purpose of Entity:</b>	
The Law Clerk Board (LCB) supervises the Law Clerk Program under Rule 6 of the Washington Supreme Court's Admission and Practice Rules (APR). The purpose of the LCB is to assist the WSBA in supervising the APR 6 Law clerk Program (Program).	
<b>Strategy to Fulfill Purpose:</b>	
The LCB considers applications for enrollment in the program, interviews and evaluates law clerks and tutors during their course of study, and certifies that law clerks have successfully completed the program thereby meeting the educational requirement for the lawyer bar examination in Washington state.	
<b>How does the entity's purpose help further the mission of the WSBA "to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice"?</b>	
The LCB serves the public and members of the bar by assisting law clerks through a rigorous program to become members of the bar themselves. The LCB monitors the law clerks as they progress through the Program to ensure they are meeting requirements in APR 6 so they are as	



<p>prepared for practice as a traditional law school student would be. The Law Clerk Board is working to increase outreach efforts in rural counties in the state to increase access to justice.</p>	
<p><b>2023-2024 Entity Accomplishments:</b></p>	
<p>Created and sent surveys to membership to understand how much is known about the Law Clerk Program.</p>	
<p>Review of Board policies, making necessary adjustments to improve program management</p>	
<p>Developed the Program Expansion Committee to engage in discussion on rule changes and other ways to consider program expansion.</p>	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>SMART Goals can be an effective framework for the creation of goal; they detail the work you and your team hope to accomplish and help to foster and communicate clear expectations.</i></p> <p><i>SMART Goals are: Specific, Measurable, Relevant and Time-Bound</i></p>	
<b>1</b>	<p>Create liaison guidelines to better support the law clerks and tutors.</p>
<b>2</b>	<p>Expansion committee to create a report for the Law Clerk Board’s review on potential rule changes to APR 6.</p>
<b>3</b>	<p>Investigate how to create a presentation or other event to educate members on the Law Clerk Program.</p>
<p><b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities your entity seeks to address, beyond the next fiscal year.</i></p>	
<b>1</b>	<p>Law Clerk graduate reciprocity with other states</p>
<b>2</b>	<p>Program expansion in rural communities</p>
<p><b>Please describe how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in decision-making? What techniques do you use to promote a culture of inclusion within the board or committee? How do you seek to elicit inclusive decision-making amongst your group? What more would you like to see done in this area to better support the needs of your entity?</i></p>	
<p>The Law Clerk Program itself provides an alternative to law school for legal education for those who may have barriers to attending law school. The LCB hopes to increase the diversity of the law clerks enrolled in the Program. The LCB seeks board members who represent diversity in geography as well as members who self-identify as individuals that are underrepresented in the legal profession. The LCB seeks to have a diverse group of board members to bring a variety of perspectives to the Program.</p>	
<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b></p>	
<p>WSBA staff provide technology assistance when needed for participants and Board members. The LCB is assigned at least one BOG liaison that is invited to each LCB meeting. The BOG liaison takes</p>	

what they learn in the meetings to meetings with the BOG and is able to share the knowledge they have on behalf of the LCB as needed.

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Volunteer Engagement Advisor**

<b>Size of Entity:</b> <i>(Include voting and non-voting members)</i>	11
<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25)</i>	3
<b>Number of Applicants for FY25:</b> <i>Applications were submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>	4
<b>Budgeted Direct Expenses:</b> <i>As of September 30, 2024.</i>	\$8,000
<b>Indirect Expenses:</b> <i>As of September 30, 2024.</i>	\$52,524

**FY24 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	91%
	Chose Not to Respond	9%
<b>District*</b>	0	%
	1	9%
	2	18%
	3	9%
	4	9%
	5	36%
	7S	18%
<b>Ethnicity</b>	White or European Descent	82%
	American Indian	9%
	Chose Not to Respond	9%
<b>Gender</b>	Female	64%
	Male	27%
	Chose Not to Respond	9%
<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer	18%
	Heterosexual	45%

No	9%
Chose Not to Respond	28%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

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<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

**FY 2024: October 1, 2023 – September 30, 2024**

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

<b>Name of Entity:</b>	Limited Practice Board
<b>Chair:</b>	Thomas Peterson
<b>Staff Liaison:</b>	Cathy Biestek, Managing Regulatory Counsel
<b>Board of Governors Liaison:</b>	Serena Sayani
<b>Purpose of Entity:</b>	
The Limited Practice Board (LPB) derives its authority from the Washington Supreme Court under Rule 12 of the Admission and Practice Rules (APR). The purpose of the LPB is to oversee the Limited Practice Officer (LPO) license program and to work with the Washington State Bar Association (WSBA) and others to create and grade the LPO examinations for admission to practice law as an LPO, approve standard forms for use by LPOs, and to handle grievances and enforce discipline under the applicable ethics and procedural rules.	
<b>Strategy to Fulfill Purpose:</b>	
The LPB meets four to six times per year to develop and grade the LPO exam and to discuss topics of concern or that are relevant to the LPO license. The LPB has several committees serving various functions. The Discipline Committee handles the resolution of grievances against LPOs in accordance with the Rules for Enforcement of LPO Conduct (ELPOC). The Forms Committee reviews, edits, and creates standard forms used by LPOs that are submitted to the LPB for approval. The LPO Examination Committee identifies, with Court approval, subjects to be covered on the LPO examination and develops and updates exam questions. The Rules Committee reviews rules related to the LPO license, drafts amendments or new rules when necessary and makes recommendations to the LPB regarding suggested rule changes. The Liaison Committee establishes and maintains	

communication with entities both inside and outside of the WSBA, including the Supreme Court, the WSBA Board of Governors, and the Department of Financial Institutions.	
<b>How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	
The LPB serves the public by overseeing the LPO license, including (1) preparing and grading the LPO examinations that are administered by the WSBA twice a year, and (2) drafting, updating, editing, and approving forms used by LPO. The LPB ensures the integrity of the legal profession by administering the LPO discipline system, including handling grievances against LPOs. The LPB champions justice by helping make certain legal services (real estate closings) more affordable than they likely would be if performed only by attorneys and therefore accessible by a broader percentage of the population.	
<b>2023-2024 Entity Accomplishments:</b>	
Prepared and graded the February 2024 and July 2024 LPO Examinations	
LPB first reading of proposed edits to the LPO exam study-topic list by the LPO Examination Committee	
Began comprehensive review of LPO-exam questions bank	
Revised the following LPO forms: Bargain & Sale Deeds (LPB15-05(i) rev. 10.2023 and LPB 15-05(r) rev. 10.2023) and Personal Representative Deed (LPB 74-16(r) rev. 01.2024)	
<b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b> <i>SMART Goals can be an effective framework for the creation of goal; they detail the work you and your team hope to accomplish and help to foster and communicate clear expectations.</i>	
<i>SMART Goals are: Specific, Measurable, Relevant and Time-Bound</i>	
<b>1</b>	Prepare and grade the February 2025 and July 2025 LPO Examinations.
<b>2</b>	Revise the LPO exam study-topic list and submit to Court for approval per APR 12(b)(2)(A).
<b>3</b>	Process grievances against LPOs in a timely manner as needed.
<b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities your entity seeks to address, beyond the next fiscal year.</i>	
<b>1</b>	Assess LPO examination content, format, grading, and pass score requirements under APR 4(f) against current information regarding the preparation and grading of professional exams to determine whether any changes to rules or practices relating to the LPO exam and LPO admission should be proposed.
<b>Please describe how this entity is addressing diversity, equity, and inclusion:</b> <i>How have you elicited input from a variety of perspectives in decision-making? What techniques do you use to promote a culture of inclusion within the board or committee? How do you seek to elicit inclusive decision-making amongst your group? What more would you like to see done in this area to better support the needs of your entity?</i>	

The required qualifications to sit for the LPO examination under APR 3 are to be of good moral character, possess the requisite fitness to practice law, and to be at least 18 years of age. As a result, the pathway to acquiring an LPO license is accessible to a broad and diverse applicant pool. The LPB, in collaboration with the WSBA, works to update the LPO examination questions and the study-topic list to ensure the LPO examination is a fair and equitable method of licensing qualified applicants as LPOs. The LPB, in collaboration with the WSBA, will work to advertise and do outreach regarding the LPO license and the LPB with the goal to increase diversity in LPO and LPB applicants.

**Please share feedback regarding the support and engagement provided by WSBA.**

The LPB has a positive, collaborative relationship with WSBA staff.

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Volunteer Engagement Advisor**

<b>Size of Entity:</b> <i>(Include voting and non-voting members)</i>	9
<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25)</i>	2
<b>Number of Applicants for FY25:</b> <i>Applications were submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>	3 (of which one was selected to complete the partial board-member term vacated during FY2024 that will end 09/30/2026)
<b>Budgeted Direct Expenses:</b> <i>As of September 30, 2024.</i>	\$4,000
<b>Indirect Expenses:</b> <i>As of September 30, 2024.</i>	\$170,677

**FY24 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	89%
	Chose Not to Respond	11%
<b>District*</b>	0	56%
	1	11%
	2	22%
	7S	11%
<b>Ethnicity</b>	White or European Descent	89%
	Chose Not to Respond	11%
<b>Gender</b>	Female	56%
	Male	33%

	Chose Not to Respond	11%
<b>Sexual Orientation</b>	Heterosexual	56%
	Chose Not to Respond	44%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

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<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

<b>Name of Entity:</b>	Limited License Legal Technician (LLLT) Board
<b>Chair</b>	Steve Crossland
<b>Vice Chair:</b>	Nancy Ivarinen
<b>Staff Liaison:</b>	Cathy Biestek, Managing Regulatory Counsel
<b>Board of Governors Liaison:</b>	Kristina Larry
<b>Purpose of Entity:</b>	
The Limited License Technician Board (LLLT Board) derives its authority from the Washington Supreme Court under Rule 28 of the Admissions and Practice Rules (APR). The purpose of the LLLT Board is to oversee the LLLT license program, perform the responsibilities provided in APR 28(C)(2), and to handle grievances and enforce discipline against LLLTs under the applicable ethics and procedural rules.	
<b>Strategy to Fulfill Purpose:</b>	
The LLLT Board meets approximately six times a year to discuss topics of concern or that are relevant to the LLLT license and to accomplish responsibilities provided in APR 28(C)(2), including but not limited to proposing appropriate rule changes, addressing LLLT disciplinary issues, developing forms for LLLT use, and developing CLEs relevant to LLLT scope of practice. The LLLT Board has several committees serving various functions, including the Family Law Practice Area Committee, the Discipline Committee, the Nominations Committee, the Rules & Research Committee, and the Communications Committee.	



<b>How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	
The LLLT Board serves the public by overseeing the LLLT license. Practicing LLLTs provide limited legal services in the practice area of domestic relations. Many LLLTs report serving primarily clients of low and moderate means, as well as providing pro bono services. The LLLT Board ensures the integrity of the legal profession by administering the LLLT discipline system, including handling grievances against LLLTs.	
<b>2023-2024 Entity Accomplishments:</b>	
Proposed appropriate and necessary amendments to APR 28 and Regulations that were adopted by the Court.	
Approved the Real Property Division Form for LLLT use. See attached Real Property Division Form.	
Developed and conducted required supplemental education for LLLTs on the Real Property Division Form.	
Presented to the WSBA BOG at its May 2024 meeting on the history and current status of the LLLT license. See attached LLLT Board Presentation.	
Continue to collaborate with the Practice of Law Board and Access to Justice Board regarding other programs involving limited legal service providers.	
<b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b> <i>SMART Goals can be an effective framework for the creation of goal; they detail the work you and your team hope to accomplish and help to foster and communicate clear expectations.</i>	
<i>SMART Goals are: Specific, Measurable, Relevant and Time-Bound</i>	
<b>1</b>	Research and gather information on limited legal license types in an increasing number of other states and countries; assess the LLLT license against the information gathered about other limited license types to help inform possible improvements to the LLLT license and applicable rules; continue to be a resource to other states exploring limited legal licenses.
<b>2</b>	Collaborate with other boards and entities, including the WSBA BOG, the Practice of Law Board, the Access to Justice Board, the WSBA DEI Council, and the WSBA STAR Committee, regarding the delivery of law related services by limited license professionals.
<b>3</b>	Develop and conduct required supplemental education for LLLTs on the topic of Minor Guardianship Actions.
<b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities your entity seeks to address, beyond the next fiscal year.</i>	
<b>1</b>	Collaborate with other boards and entities, including the WSBA BOG, the Practice of Law Board, the Access to Justice Board, the WSBA DEI Council, and the WSBA STAR Committee, regarding the delivery of law related services by limited license professionals and propose changes to APR 28 Rule and Regulations to improve the LLLT license.

**Please describe how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in decision-making? What techniques do you use to promote a culture of inclusion within the board or committee? How do you seek to elicit inclusive decision-making amongst your group? What more would you like to see done in this area to better support the needs of your entity?*

The LLLT Board emails all LLLTs prior to LLLT Board meetings inviting them to attend and sharing where the Board meeting information can be found on the LLLT Board website. The LLLT Board surveyed LLLTs to gather information about the impact of the LLLT license on communities in Washington. The LLLT Board, in collaboration with the WSBA, will work to recruit diverse applicants to the LLLT Board.

**Please share feedback regarding the support and engagement provided by WSBA.**

The LLLT Board has a positive, collaborative relationship with WSBA Staff and BOG liaison. WSBA CLE has sponsored MCLE credit for the LLLT Board’s required supplemental education for LLLTs.

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Volunteer Engagement Advisor**

<b>Size of Entity:</b> <i>(Include voting and non-voting members)</i>	11
<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25)</i>	4
<b>Number of Applicants for FY25:</b> <i>Applications were submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>	7
<b>Budgeted Direct Expenses:</b> <i>As of September 30, 2024.</i>	\$14,240
<b>Indirect Expenses:</b> <i>As of September 30, 2024.</i>	\$48,846

**FY24 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	73%
	Yes	27%
<b>District*</b>	0	45%
	2	18%
	3	9%
	8	9%

	9	9%
<b>Ethnicity</b>	White or European Descent	100%
<b>Gender</b>	Female	73%
	Male	27%
<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer	9%
	Heterosexual	82%
	Chose Not to Respond	9%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

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<sup>1</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

**TO:** WSBA Board of Governors  
**CC:** Terra Nevitt, Executive Director  
**FROM:** Steve Crossland, Limited License Legal Technician (LLLT) Board Chair  
Cathy Biestek, Managing Regulatory Counsel &  
WSBA Staff Liaison to LLLT Board  
**DATE:** April 5, 2024  
**RE:** Informational Presentation Regarding LLLT License Post-Sunset

---

**INFORMATION/PRESENTATION:** Informational presentation regarding LLLT license post-sunset.

The LLLT-license pipeline closed July 31, 2023, in accordance with the Washington Supreme Court’s decision to sunset the LLLT license per Supreme Court Order Nos. 25700-A-1361 and 25700-A-1428. There are currently 86 LLLT members of the WSBA. Representatives of the LLLT Board will provide an informational presentation on the LLLT license post-sunset and invite questions from current BOG members regarding the LLLT license.

The goal of the presentation is to provide BOG members with information about the LLLT license, including its history, administration, and impact, and share reflections on knowledge gained from being the first state in the country to adopt a paraprofessional license of its kind.

Attachments

LLLT Informational PowerPoint Presentation: *Overview of the Limited License Legal Technician (LLLT) License (May 2024)* with hyperlinks included.

# OVERVIEW OF THE LIMITED LICENSE LEGAL TECHNICIAN (LLLT) LICENSE

Sarah Bové

Christine Carpenter

Stephen Crossland

May 2024



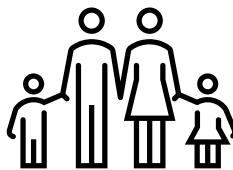
# LLLT LICENSE ORIGIN

## 2003 WASHINGTON STATE CIVIL LEGAL NEEDS STUDY

of low-income populations revealed unmet need for legal services for both low- and moderate-income populations, with areas of greatest need



HOUSING LAW



FAMILY LAW



CONSUMER LAW

# LLLT LICENSE: FIRST IN THE NATION

## June 2012 Supreme Court Order No. 25700-A-1005

adopted APR 28 - LLLT Rule



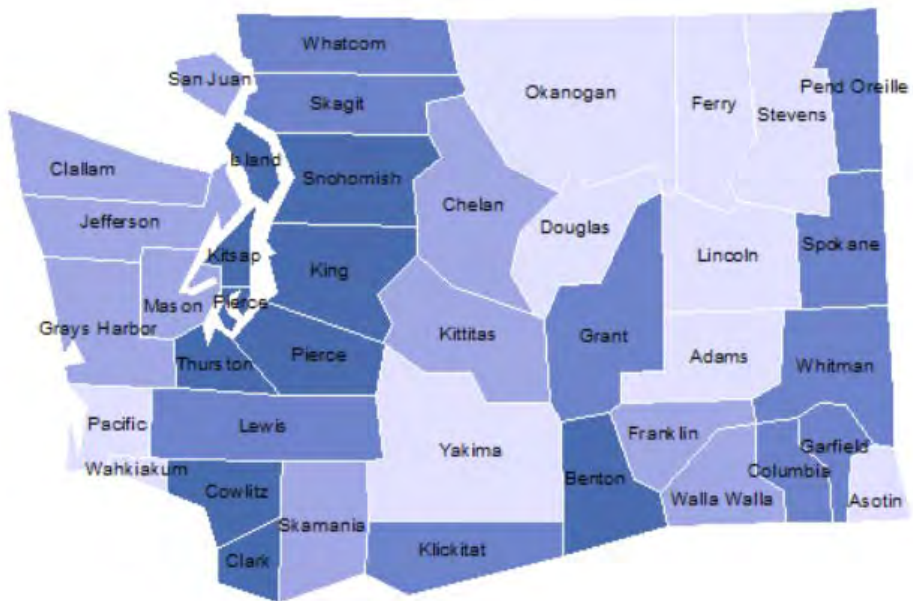
- ➔ “we have ... witnessed the wide and ever-growing **gap in necessary legal and law related services for low and moderate income persons.**”
- ➔ “[The civil legal system] ... is **unaffordable not only to low income people but, as the 2003 Civil Legal Needs Study documented, moderate income people as well** (defined as families with incomes between 200% and 400% of the Federal Poverty Level.”
- ➔ “[w]e have a **duty to ensure the public can access affordable legal and law related services**, and that they are not left to fall prey to the perils of the **unregulated market place.**”

In 2015, Supreme Court issues first LLLT licenses.

# WASHINGTON INCOME LEVELS

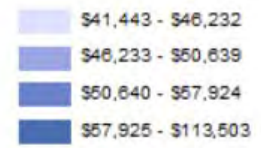
## Average Wages, 2021

Inflation-Adjusted to 2021 Dollars



Family Size	2024 Federal Poverty Level (FPL) Income*	Moderate Income 200-400% FPL (2024)
1	\$15,060	\$30,120-\$60,240
2	\$20,440	\$40,880-\$81,760
3	\$25,820	\$51,640-\$103,280
4	\$31,200	\$62,200-\$124,800

\*<https://www.healthcare.gov/glossary/federal-poverty-level-fpl/>



WA State Office of Financial Management Average Wages by County Map

<https://ofm.wa.gov/washington-data-research/statewide-data/washington-trends/economic-trends/washington-and-us-average-wages/average-wages-county-map>



# THE LLLT LICENSE



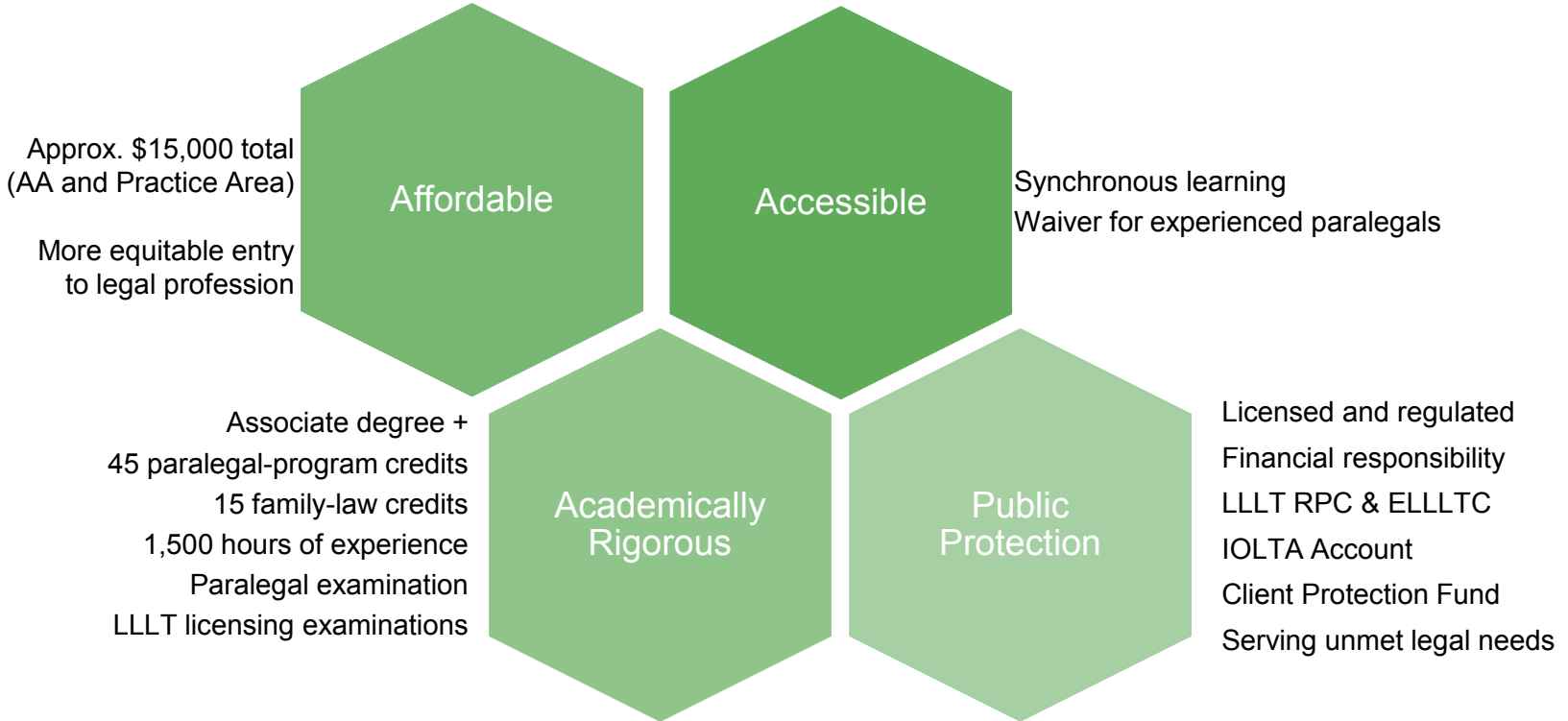
Purpose of the LLLT License: to serve the public with qualified and regulated legal services providers at a price that the consumer can afford.

LLLT Scope of Practice: LLLTs are licensed to provide legal advice and limited legal services in family law matters including child support modification actions, dissolution, and domestic violence actions.

## LLLT Business Models:

- Solo LLLT practices
- Employment with firm
- Co-Ownership of Law/LLLT Firm
- Government
- Civil legal aid providers/ volunteer lawyer programs

# LLLT LICENSE: AN ALTERNATIVE PATHWAY TO LEGAL PROFESSION



## WASHINGTON SUPREME COURT DECISION TO SUNSET LLLT LICENSE

- [June 2020 Supreme Court Letter re Decision to Sunset](#), providing “after careful consideration of the **overall costs** of sustaining the program and the **small number of interested individuals**, a majority of the court determined that the LLLT program is not an effective way to meet these needs....”
- [June 2020 Justice Madsen’s Dissent to Decision to Sunset LLLT Program](#), “disagree[ing] with the court’s vote as well as the way in which it was carried out.”
- [July 2021 Supreme Court Order No. 25700-A-1361](#) adopted amendments to APR for sunset of LLLT licensing.
- [June 2022 Supreme Court Order No. 25700-A-1428](#) required all remaining LLLT applicants to complete preadmission requirements by July 31, 2023.

See [Decision to Sunset LLLT Program](#) webpage to review communication and history regarding Court’s decision to sunset LLLT Program.



## WASHINGTON SUPREME COURT

### ADMINISTERED BY THE WSBA



### BOARD OF GOVERNORS (BOG)

#### Court-Created Boards (Court-appointed)

- Access to Justice
- Disciplinary
- Limited License Legal Technician
- Limited Practice
- Mandatory Continuing Legal Education
- Practice of Law

#### Court-Created Boards (BOG-appointed)

- Bar Examiners
- Character and Fitness
- Law Clerk
- Client Protection

#### Other Discipline-Related Entities

- Hearing Officer List (Court-appointed)
- Disciplinary Selection Panel (Court-appointed)
- Adjunct Disciplinary Counsel Panel (Board of Governors-appointed)
- Discipline Advisory Round Table (joint venture of the WSBA and the Supreme Court)

#### BOG Committees

- Awards
- Budget & Audit
- Executive
- Legislative
- Nominations
- Personnel

#### WSBA Committees

- Continuing Legal Education
- Court Rules and Procedures
- Editorial Advisory
- Judicial Recommendation
- Legislative Review
- Pro Bono and Public Service
- Professional Ethics
- Small Town and Rural
- Washington Young Lawyers

#### Other

- Sections (29)
- Council on Public Defense
- Long-Range Strategic Planning
- Member Engagement Council
- Diversity, Equity & Inclusion Council\*

\* Includes both WSBA and BOG members

WSBA  
Foundation  
501(c)(3)

## Entity Chart

The WSBA operates under the delegated authority of the Washington Supreme Court to license the state's nearly 40,000 legal professionals.

Created Oct. 25, 2019/Updated Aug. 18, 2022

WASHINGTON STATE  
BAR ASSOCIATION

[https://www.wsba.org/docs/default-source/legal-community/volunteer/volunteer-toolbox/wsba\\_entity-chart\\_8.18.22.pdf?sfvrsn=847010f1\\_5](https://www.wsba.org/docs/default-source/legal-community/volunteer/volunteer-toolbox/wsba_entity-chart_8.18.22.pdf?sfvrsn=847010f1_5)

# CURRENT STATUS OF LLLT LICENSE

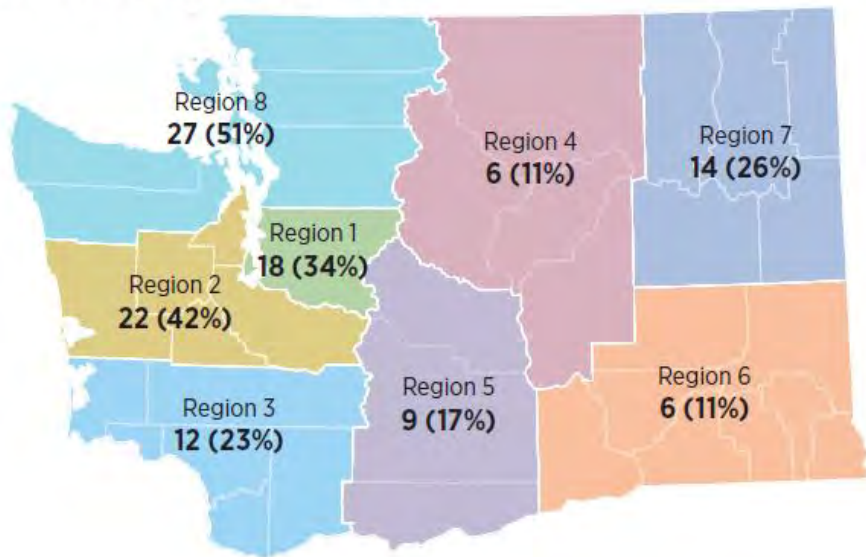
- LLLT Board oversees 86 LLLTs currently
  - Provides required supplemental education to LLLTs.
  - Approves forms, including [real property division form](#) in September 2023.
  - Carries out functions under ELLLTC relating to LLLT discipline system.
- [LLLT License FY2024 Budget:](#)
  - Revenue (\$20,712): LLLT license fees and late fees;  
Lack opportunity to increase with LLLT license in sunset status
  - Expense (\$91,840): LLLT Board and WSBA staff expenses related to ongoing regulatory oversight of LLLT license

# IMPACT OF LLLTs

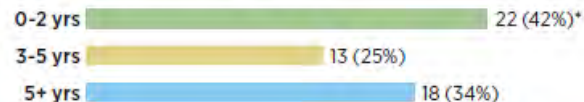


In January 2024, the LLLT Board surveyed the WSBA's then eighty-eight LLLTs to better understand the current impact of the LLLT license in Washington. Fifty-three LLLTs participated (60% response rate), representing a cross-section of LLLT experience levels and demonstrating a LLLT presence throughout the state.

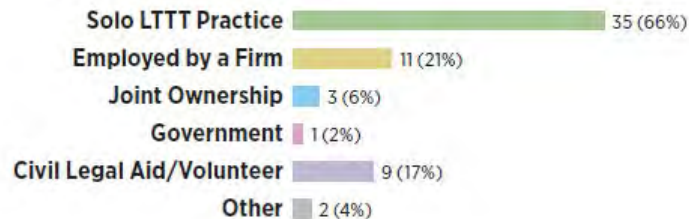
## Regions Where LLLTs Practiced or Served Clients



## Years Licensed as LLLT



## LLLT Business Structure



\*Data labels refer to the number of responses and % of total responses.

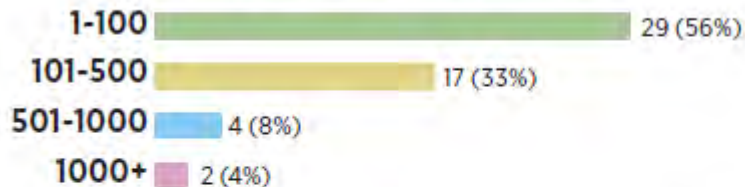
# IMPACT OF LLLTs



## January 2024 LLLT Survey Responses

- ❖ Significant portion of responding LLLTs' clients are below 400% of Federal Poverty Level

### ■ Number of Clients Served (since licensed)



### ■ % of Clients Served Below 400% of Federal Poverty Level



\*Data labels refer to the number of responses and % of total responses.

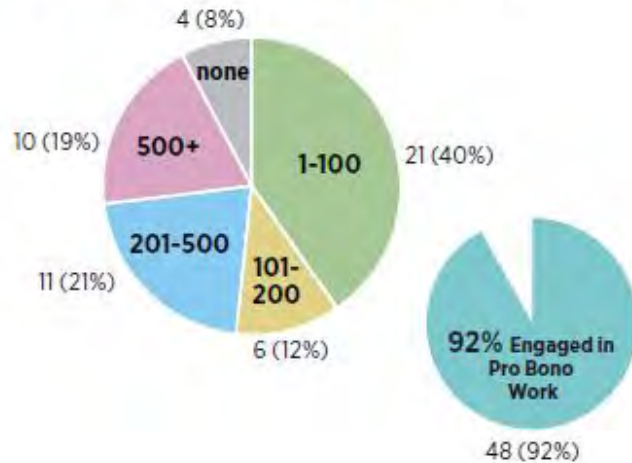
# IMPACT OF LLLTs



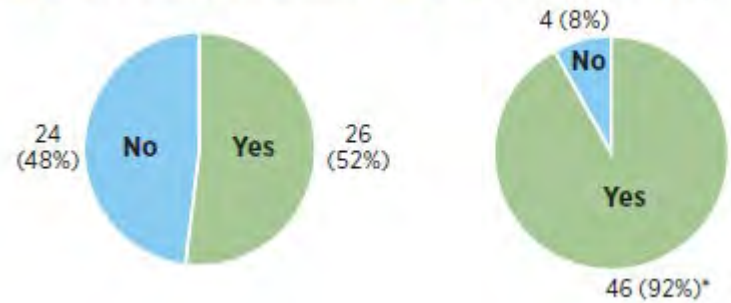
## January 2024 LLLT Survey Responses

- ❖ Nearly all responding LLLTs have engaged in pro bono hours (as defined in [LLLT RPC 6.1](#))
- ❖ Over half of responding LLLTs offer sliding fee scale

### ■ Total Pro Bono Hours (since licensed)



### ■ Offer Sliding Fee Scale? ■ Offer Unbundled Legal Services?

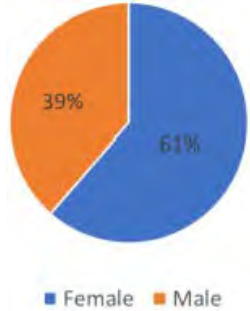


\*Data labels refer to the number of responses and % of total responses.

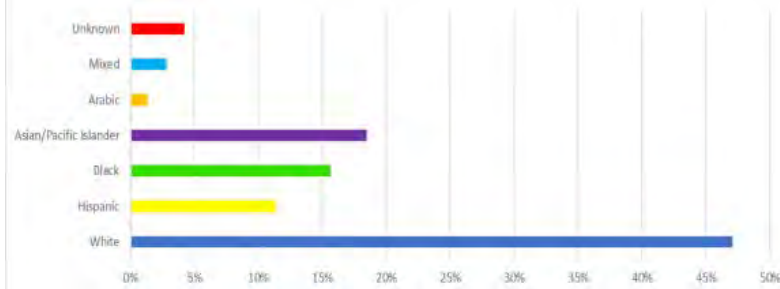


# IMPACT OF LLLTs: ONE LLLT's STORY

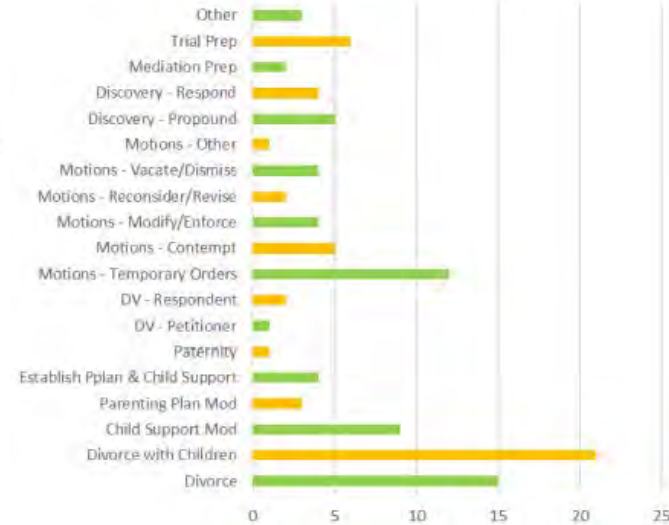
Client (%) Gender



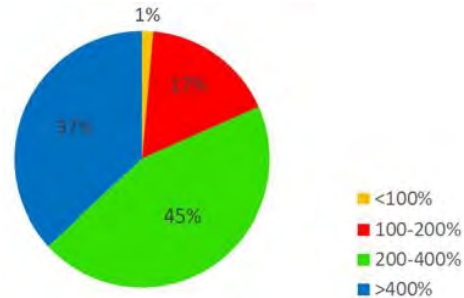
Client (%) Race/Ethnicity



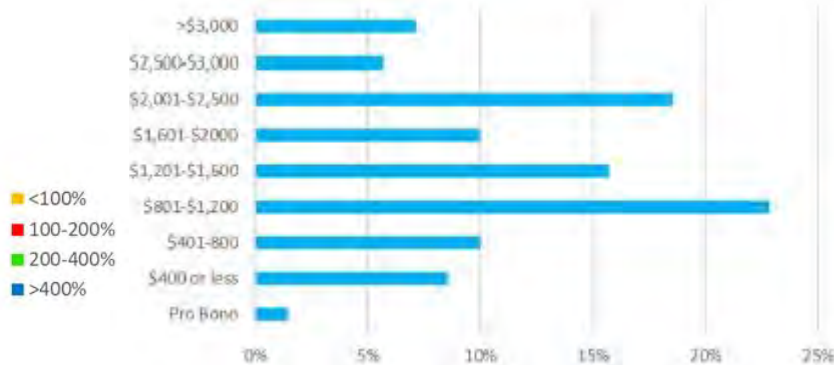
Case/Task Types



Client (%) FPL Level



Fees Paid Per Client for All Actions within Case



# IMPACT OF LLLTs

Highlighting a few LLLTs recognized for pro bono service in their communities:

- **Andren Moyer** presented with the Dedicated Service Award in 2024 and recognized as the [June 2023 Very Important Volunteer \(V.I.V.\)](#) by the Volunteer Lawyers Program of Spokane County Bar Association.
- **Mark Von Weber** presented with the [Gene Schuster Award in 2023](#) by the Benton-Franklin Legal Aid Society.
- **Sarah Bové** presented [Pro Bono Award in 2023](#), along with attorney Rene Cespedes, with whom Sarah works, by Eastside Legal Assistance Program (ELAP).
- **Lorena Mendoza** presented with the [Gene Schuster Award in 2022](#) by the Benton-Franklin Legal Aid Society.
- **Lesli Ashley** recognized as the [July 2021 V.I.V.](#) by the Volunteer Lawyers Program of Spokane County Bar Association.

# IMPACT OF LLLTs

*“There is considerable evidence that for the LLLTs, their clients, the lawyers who work with them, the judges who decide family-law cases, and attorneys who employ LLLTs, the program has been a real success. The LLLTs have provided competent legal services to moderate means Washingtonians at critical moments in their lives. Their professionalism and proficiency in family law have enabled more efficient proceedings and better decision-making for the commissioners who conduct pre-trial proceedings and judges who hold trials, improved outcomes for clients, and added more business for attorneys who have hired LLLTs to capture a previously untapped market.”*

Jason Solomon & Noelle Smith, The Surprising Success of Washington State's Limited License Legal Technician Program, Stanford Center on the Legal Profession, April 2021, at page 5, <https://law.stanford.edu/publications/the-surprising-success-of-washington-states-limited-license-legal-technician-program/>.

# A NATIONAL TREND

## Licensed Legal Paraprofessional Programs:

Year	State	Program	Status
2012	Washington	<a href="#">Limited License Legal Technicians</a>	Sunset (July 2023)
2018	Utah	<a href="#">Licensed Paralegal Practitioner</a>	Currently Licensing
2020	Minnesota	<a href="#">Legal Paraprofessional Pilot Project</a>	Pilot program extended through March 2024
2021	Arizona	<a href="#">Legal Paraprofessional</a>	Currently Licensing
2023	Colorado	<a href="#">Licensed Legal Paraprofessionals</a>	Currently Licensing
2023	Oregon	<a href="#">Licensed Paralegals</a>	Currently Licensing
2023	New Hampshire	<a href="#">Paraprofessional Pilot Program</a>	Pilot program began January 2023

- ➔ With [other states](#) considering similar licensed legal paraprofessional programs and/or implementing other programs allowing legal-aid workers, court navigators or others to provide legal assistance in discrete areas of law.
- ➔ Entities in Washington continuing to consider alternative legal-service providers as a way of closing the justice gap, including the [Practice of Law Board](#) and the [Access to Justice Board](#).

# LLLT LICENSE: REFLECTIONS ON THE EXPERIENCE

- **Practice Areas**: Provide for more practice areas from the start (e.g., family-law, evictions, and debt-collection matters).
- **Experience Requirement**: Lower experience requirement hours and provide waiver for those who have pursued higher education, bachelor degrees and JDs.
- **Course Delivery**: Work with community colleges to provide practice-area curriculum and create opportunity for financial aid.
- **Mentorship**: Create opportunities for those new to the legal field to form professional mentorships with attorneys and LLLTs.
- **Marketing**: Increase awareness of existence of the license and the services that LLLTs provide.
- **Data**: Gather data to evaluate the effectiveness of the license and ways in which the license might be improved to better serve the public.
- **Collaboration**: Communicate benefits and opportunities of working with LLLTs to judges and attorneys.



# Real Property Division Form and Worksheet Instructions

*The information provided on this document does not and is not intended to constitute legal advice; instead, all information and content are for general informational purposes only.*

The primary purpose of the real property division form and worksheets is to clearly define what will happen with the real property in a dissolution action, and the agreed responsibilities of the owners/parties. See Appendix A Real Property Basics for more information about the ownership and transfer of real property.

Once signed by both owners/parties, the agreement is intended to be a binding contract enforceable by the court.

## Limited License Legal Technician (LLLT) Real Property Division Scope of Practice

Under APR 28, LLLT legal services regarding the division of real property shall be limited to matters where the real property is a single-family residential dwelling with owner equity less than or equal to two times the homestead exemption<sup>1</sup> (*see* RCW 6.13.030). LLLTs shall use the form for real property division as approved by the LLLT Board.

Only real property that is either unencumbered or secured by a promissory note and deed of trust or real property contract may be divided by an LLLT. If the marital community holds real property that is encumbered by a mortgage (see 3. Encumbrances below for information on the difference between a mortgage and a deed of trust), the LLLT must advise the client to seek the direction of an attorney.

An LLLT must complete the real property form for any single-family residential dwelling owned by one or both spouses in a dissolution action when the final orders in a dissolution effectuate the division of real property held by the marital community. **It is not required if the real property is sold or refinanced prior to the entry of final orders. An LLLT should not prepare any deed to effectuate the transfer of title.**

The real property division form and worksheet and schedules do not have to be filed with the court. If the form (and any attachments) is filed, it should only be filed under seal.

## Real Property Division Form and Worksheet and Schedules A-F

### 1. Owner Information

List all legal and equitable owners. A thorough check of all deeds recorded in the county auditor's office should reveal the name(s) of all persons on title. There may be multiple transfers of the real property over a long time period. Care must be taken to verify the chain of title is complete and accurate. A title search by a title company or litigation guarantee by a title company is strongly recommended to identify all legal owners and whether there is any cloud on title.

---

<sup>1</sup> APR 28 Regulation 2(B)2(b)

# Real Property Division Form and Worksheet

## Instructions

*The information provided on this document does not and is not intended to constitute legal advice; instead, all information and content are for general informational purposes only.*

### 2. Real Property, Value and Equity Information

#### Real Property Information

The real property must be clearly and distinctly identified, and the identification must satisfy RCW 60.04.010 and the statute of frauds and be sufficient to locate the real property without extrinsic evidence. Address information or tax parcel ID or account # alone is not sufficient to identify the real property.

Assessor's property tax parcel ID or account # may be found on the county tax assessor's website. If the property consists of more than one parcel, include all parcel ID or account #s and full legal descriptions for all parcels. If the county does not provide this information on its website, the auditor's office will have those records. This information may also be included on the deed(s).

The abbreviated and full legal description is included on the Deed of Trust (or other deed) and recorded in the county in which the real property is located. Recorded documents are available on the county's website or at the county auditor's or recorder's office. The most recent conveyance recorded should be reviewed to obtain the current legal description.

The assessed value is primarily used for the calculation of property taxes and shall not be used as the fair market value<sup>2</sup> of the real property.

#### Value Information

An appraisal is generally the most reliable indicator of a property's fair market value. Real property values fluctuate, sometimes greatly—an appraisal completed within the last six months is highly recommended.

A reasonable no-cost or low-cost alternative is a comparative market analysis (CMA) prepared by an experienced local licensed real estate agent. An amount based on a CMA is a non-binding value, in that a later appraisal or value determination by a lender supersedes a value provided on a CMA.

Online real estate listing sites are not reliable indicators of a property's fair market value. Although it is not recommended, if the parties choose to make their own determination of the real property's value, a written agreement must be completed using Schedule A.

**Schedule A:** If the real property's value is based on the owner's written agreement, complete Schedule A.

**Schedule B.** If there is deferred maintenance or repairs required which detract from the value of the real property, complete Schedule B.

---

<sup>2</sup> The fair market value is the price the property would sell for on the open market.



# Real Property Division Form and Worksheet

## Instructions

*The information provided on this document does not and is not intended to constitute legal advice; instead, all information and content are for general informational purposes only.*

### Equity Information

Equity is the value of the property minus the total of all encumbrances and unsecured obligations on the property. If the equity exceeds two times the homestead exemption amount in the county in which the real property is located, the division of the real property is outside of the LLLT's scope.

#### Determining Equity

Example 1: A property is appraised at \$300,000. The owners owe \$100,000 on their bank loan (i.e. mortgage). The equity is \$200,000.

\$300,000 (value)  
- \$100,000 (loan/mortgage)  
\$200,000 (equity)

Example 2: The property owners obtained several CMAs on their property, and the average value (which they agree is the fair market value) is \$250,000. The owners have both a first and second mortgage (bank loan and home equity line of credit, or HELOC) on the property for \$175,000 and \$50,000 respectively, amounting to \$225,000. The equity is \$25,000.

\$250,000 (value)  
- \$175,000 (1<sup>st</sup> mortgage)  
- \$50,000 (2<sup>nd</sup> mortgage/HELOC)  
\$ 25,000 (equity)

Example 3: A property has an assessed value of \$350,000. The owners obtained an appraisal showing the property's fair market value is \$500,000. The owners have a first mortgage of \$100,000, and also owe a family member \$100,000. They have a written agreement with the family member to pay back the loan when they sell the house. The equity is \$300,000. (The assessed value shall not be used when determining the equity.)

\$500,000 (value)  
- \$100,000 (1<sup>st</sup> mortgage)  
- \$100,000 (personal loan)  
\$300,000 (equity)

### 3. Encumbrances

An encumbrance may be a loan from a financial institution (frequently called a mortgage loan) home equity line of credit (HELOC), lien, promissory note with deed of trust, judgment, Uniform Commercial Code (UCC) filing, or other interest secured against the property.

A lien is a charge, hold claim, or other encumbrance upon the property of another as a security for some debt or charge. There are numerous types of liens, such as tax, judgment, mechanic's, or attorney's lien. In general, the lien is recorded with the county in which the real property is located.

Often, people refer to a home loan as a "mortgage," but a mortgage is not actually a loan agreement. It is the promissory note that contains the promise to repay an amount borrowed to

# Real Property Division Form and Worksheet

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buy a home/real property. A "mortgage" is a contract between an owner/borrower and the lender that creates a lien on the property. Some states use mortgages to create the lien, while other states, such as Washington, also use deeds of trust. The mortgage or deed of trust gives the lender the right to foreclose if a borrower fails to make the monthly payments or breaches the loan contract in some other way.

While mortgages and deeds of trust are similar because they are both agreements in which a borrower puts up the title to real estate as security (collateral) for a loan, these legal instruments do have some differences. For instance, mortgages and deeds of trust differ in the parties involved and, often, how the foreclosure process works.<sup>3</sup>

**Schedule E:** All encumbrances must be listed on the real property division form and on Schedule E.

Generally, a monthly/periodic statement from the mortgage lender or loan servicer<sup>4</sup> will contain the required loan information. The mortgage lender is the financial institution that loaned the money. The mortgage servicer is the company that sends out the mortgage statements. The servicer also handles the day-to-day tasks for managing the loan.

### 4. Unsecured Obligations

An unsecured obligation may be a personal loan from family or friends, a fee due to a homeowner's association, or a promissory note (without a deed of trust). The unsecured obligation is any money that should be disclosed—and possibly paid—upon transfer of ownership of the real property.

Because these types of obligations are rarely recorded against the property, the owner(s) must be advised to provide all records relating to the purchase of the real property, as well as all records regarding the real property.

**Schedule E:** All unsecured obligations related to the real property must be listed on the real property division form and on Schedule E.

### 5. Total Encumbrances and Unsecured Obligations

Add the amount of all encumbrances and unsecured obligations to arrive at the total amount owed on the real property. This is the amount subtracted from the value of the real property to determine the equity. (See *Examples in section 2.*)

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<sup>3</sup> For further information regarding foreclosures in Washington, see RCW 61.24: Deeds of Trust and RCW 61.12: Foreclosure of Real Estate Mortgages and Personal Property Liens. Largely excerpted from <https://www.nolo.com/legal-encyclopedia/understanding-mortgages-deeds-trust>

<sup>4</sup> See <https://www.consumerfinance.gov/ask-cfpb/whats-the-difference-between-a-mortgage-lender-and-a-servicer-en-198/>

# Real Property Division Form and Worksheet

## Instructions

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### 6. Value Adjustments

A value adjustment is an amount that may be deducted from the real property's value. Value adjustments should be based on written bids or quotes from licensed contractors for necessary repairs and/or deferred maintenance which detract from the value of the real property. Oftentimes, a lender may require certain repairs/maintenance be completed prior to refinancing a loan, or as a condition of the purchase and sale of the real property.

The repairs/maintenance must be necessary and not purely cosmetic or routine maintenance items.

**Schedule B:** All value adjustments must be listed on Schedule B.

### 7. Occupancy, Encumbrance Payment(s), Maintenance, Repairs, and Costs

#### Occupancy

In most cases, one owner will occupy the real property, while the other owner establishes a new residence. The non-occupying owner should be provided a reasonable timeframe to vacate the property. If a court order set a date for the non-occupying owner to vacate, that same date should be listed.

If an owner continues to occupy the real property beyond the agreed date or after the sale of the real property, the occupancy is subject to RCW 59.12.030 (1): Unlawful Detainer Defined or RCW 7.28: Ejectment; Quieting Title.

**Encumbrance Payment(s)** Specify who will make required loan payments, and which costs are included in the payment. If there are additional required payments, such as for unsecured obligations, include that information in the Other: section.

#### Routine Maintenance

The general upkeep of the real property falls under routine maintenance. It should be clear who is responsible for routine maintenance costs. Routine maintenance includes but is not limited to:

- seasonal landscaping, mowing, weeding, mulching, and trimming
- fixing small plumbing issues, such as leaks, drips, continuous running, and drain clearing
- fixing small electrical issues, such as replacing fixtures, outlets, fuses/breakers, and smoke/carbon monoxide detectors
- keeping roof, gutters and downspouts clear, cleaning exteriors surfaces, clearing driveways & sidewalks, and removing hazards
- keeping interior clean and hazard free, exterminating pests, removing rubbish, and cleaning and maintaining appliances, hot water tank, heating/cooling system, and other installed systems
- cleaning and maintaining outdoor fixtures, such as pools, hot tubs, fireplaces/firepits, and ponds

# Real Property Division Form and Worksheet

## Instructions

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### Routine Costs

Payment for utilities associated with the real property (i.e. water, sewer, power) and minor/cosmetic repairs (i.e. paint, light bulbs, batteries) are routine costs. It should be clear who is responsible for these costs, and how reimbursement (if any) will be made.

### Repair and Deferred Maintenance Costs

Costs for repairs and deferred maintenance are those items not considered routine. For example, replacing an aging furnace with a more efficient model because the old furnace no longer heats well could be considered a repair or deferred maintenance. It is not, however, an issue that would likely require replacement by a lender, therefore a value adjustment would not likely be needed.

Uncompleted repairs and maintenance which may affect the value of the real property and likely require repair in order to get financing should be listed on Schedule B.

**Schedule B:** All value adjustments must be listed on Schedule B.

### Completion of Necessary or Agreed Repairs

It should be clear who is responsible for arranging and ensuring completion of repairs. It is recommended the owners establish a method for exchanging information or documentation as needed.

#### Sample Necessary Repairs/Deferred Maintenance Items

Example 1: An inspection as part of a pending refinance was completed which noted the following issues:

1. 30-year-old roof has failed and there is water damage to interior ceilings
2. concrete driveway is crumbling and has several potholes
3. two of the windows on the south side of the house are broken
4. yard is weedy, grass is overgrown, and planting beds need new mulch
5. several rain gutters and downspouts blocked

Items 1 to 3 above are necessary repairs/maintenance that may require a value adjustment.

Items 4 and 5 are routine maintenance and should not be included as a value adjustment.

## 8. Final Disposition Provisions

The owners must identify what is ultimately expected to happen with the real property and, if there will be a transfer of ownership, how and when that transfer will occur. If the property will be retained solely by one owner and no equity buyout is required, no additional provisions need be clarified in the real property division form. Owners may add additional provisions in section 15 as desired.

In most cases, however, the real property will be sold or refinanced and/or an equity buyout will occur.

# Real Property Division Form and Worksheet

## Instructions

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### 9. Equity Division Provisions

The amount of equity to be awarded to each owner (if any) must be listed as either a lump sum or percentage of the total.

If the real property will be sold more than two years after the entry of the final decree, the parties are to obtain an appraisal or CMA to determine the value at that time. A property value agreement using Schedule A does not suffice in this instance. Although real property values fluctuate, and current equity is not determinative of future equity, it is vital both owners/parties are aware of the real property's current value at the time of the dissolution.

### 10. Refinance Provisions

If the real property will be refinanced, specify the timeframe or deadline for the refinance process to be initiated, and the expected completion date. An anticipated refinance may later prove to be impossible if the owner is unable to obtain financing, or the owner expected to refinance may default, i.e. not follow through with the process. As noted in section 13, remedies for default or impossibility must be included in the final decree.

### 11. Sale Provisions and Default or Impossibility Provisions

If the real property will be sold, specify the timeframe or deadline for the sales process to be initiated, and the expected completion date.

#### Listing and Showing

One owner should be responsible for working with a realtor to list and show the real property. Agreement in advance on the listing agent/realtor is highly recommended.

#### Offer Acceptance

The owners must agree in advance on what constitutes an acceptable offer, particularly regarding the price.

**Schedule C:** Complete this schedule to document the acceptable price range and contingencies. An anticipated sale may later prove to be impossible if a prospective buyer owner is unable to obtain financing, or the owner expected to list the real property for sale may default, i.e. not follow through with the process. As noted in section 13, remedies for default or impossibility must be included in the final decree.

### 12. Retained or Refinanced with Future Buyout Provisions

While it is generally preferable in a dissolution to refinance the real property into only one owner's name, or to sell the real property, there are instances in which neither option appeals to the owners. As real property is often the largest asset owned by a married couple, the division of equity may play a large role in the division of marital assets.

# Real Property Division Form and Worksheet

## Instructions

*The information provided on this document does not and is not intended to constitute legal advice; instead, all information and content are for general informational purposes only.*

A future division of equity based on a refinance or sale more than two years after the entry of the final decree requires additional thought on how the buyout will occur. Additionally, if one owner is required to relinquish title (such as by signing a Quitclaim Deed), that owner's interest in the real property must be protected, and Schedule D must be completed. The final decree must include a judgment, and both a promissory note and deed of trust may need to be recorded against the real property.

**Schedule D:** Complete this schedule with specific details of the future equity buyout and remedies for default or impossibility.

### **13. Remedies in the Event of Default or Impossibility**

The final decree must include these remedies. Additional remedies may also be included as agreed by the owners, such as penalties and fees.

### **14. Other Provisions and Required Creditor Payment from Sale Proceeds**

Use this section to include owner and property specific provisions not already listed in the real property division form or schedules. If the real property is to be sold and there is a Required Creditor Payment from Sale Proceeds, Schedule F must be completed. The final decree should include sufficient detail to be enforceable in court.

**Schedule F:** Complete this schedule with details of any required creditor payments from sale proceeds.

### **15. Proposal, Temporary Agreement or Final Agreement of the Owners**

The form may be completed and provided as a proposal to assist the owners in coming to agreement. The form may also be a temporary agreement while one or both owners seek additional information, such as whether refinancing is likely.

If the Final Agreement provision is checked, the form with its worksheets and schedules is intended to become a binding contract, enforceable in court.

# **Appendix A**

## **Real Property Basics**

*The information provided on this document does not, and is not intended to, constitute legal advice; instead, all information and content are for general informational purposes only.*

### **Property Deeds<sup>5</sup>**

Every piece of real property in the United States is tracked or recorded. Usually, these files are kept with the County Recorder's office. They are public record, which means that anyone who wants the information can take certain steps to obtain it. It also means that when property is transferred from one owner to the next, the official documents must reflect the transfer. In fact, a failure to record the required documents accurately can undermine and even invalidate the transfer altogether.

The legal term used to describe the act of transferring real property or title to a new owner is "conveyance." A conveyance translates the wishes of the buyer and the seller into a legal document, and the transfer process happens by way of deed. The person transferring ownership is often referred to as the "grantor." The person receiving property is the "grantee."

A property deed is a formal, legal document that transfers one person or entity's rights of ownership to another individual or entity. The deed is the official "proof of transfer" for real estate, which can include land on its own or land that has a house or other building on it.

Every deed should contain the following information:

- An indication that it is a deed
- A description of the property involved
- The signature of the individual or entity that is transferring the property
- Data regarding who is taking title to the property

As deeds do not require much information, the document itself is often very short. However, the document may also contain additional information such as the conditions or assurances that go along with the transfer. Each deed must also be validly delivered to the individual taking ownership of the property. In most situations, it should also be filed with the appropriate authority as well. Every real property transfer will require the use of some type of deed. There are several types of deeds. Each type varies based on the warranties provided to the grantee. Different varieties of deeds provide varying levels of title.

### **Common Types of Deeds Available**

The kind of deed used to transfer property will depend on title to the property. When there is a valid title, for example, the deed used to transfer that property may be different than the deed used if the title's integrity is uncertain. The following is a brief list of some of the various types of deeds available to transfer property:

- Statutory Warranty Deed

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<sup>5</sup> Largely excerpted from <https://www.legalnature.com/guides/what-you-need-to-know-about-deeds-and-property-transfer>

# **Appendix A**

## **Real Property Basics**

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- Special Warranty Deed
- Bargain and Sale Deed
- Quitclaim Deed

RCW 64.04: Conveyances provides information about the specific types of deeds used in Washington State. Descriptions of the different types of deeds may be found by searching online at reputable sources.

### **Title to Property**

Deeds help show ownership of the property. However, the deed itself is really only used for transfer of the property. While ownership of real property in Washington State is not strictly based on whether or not an owner's name is on the title, the inclusion of an owner's name on title provides certain rights, such as the right to:

- access and occupy the property;
- place encumbrances on the property (i.e. mortgage);
- use the property as desired within legal bounds; and
- transfer the property in whole or in part.

Often, titles will be in more than one person's name. For example, if a married couple owns real property (such as their home) together, both of their names will often (but not always) be on the title. When this occurs, each spouse *generally* holds a one-half interest in the property. That also means the property cannot be transferred without both spouses' permission.

As property is held in such high regard in the United States, having a good title is critical when transferring property. Every time a property is transferred, it is recorded in a public way, usually with the County Recorder's office. When a property transfer is not recorded properly, there may be "holes" or "gaps" in the title, oftentimes called *cloud on title*. These deficiencies make ownership questionable because it is unclear whether the person who received the transfer after a gap did so validly. That is, the person transferring the property may not have had the necessary ownership rights to assign it.

These concerns about titles lead to products such as title insurance, which will indemnify losses related to defects in the title to real property. Problems associated with the title become particularly relevant if there are encumbrances or debts the owners are unaware of or to which they did not agree.



# Real Property Division

If this form is filed with the court, it should only be filed under seal.

See the Real Property Division Form and Worksheet Instructions for details on completing this form.

## 1. Owner Information

All legal owners must be listed. <sup>1</sup> The award of a property to one owner as their separate property, even without an equity division, is still the division of real property within a marital community. **If there are more than two legal owners, if there is an owner who is not a party to the dissolution, or if the owners are not married, an LLLT may not advise the client regarding the division of the real property under APR 28.**

Petitioner/Owner #1		Respondent/Owner #2	
Name		Name	
Street Address		Street Address	
City, State, Zip		City, State, Zip	
Phone		Phone	
Email		Email	

## 2. Real Property, Value, and Equity Information

Real Property		Value and Equity	
Street Address		Value	\$
City, State, Zip		As of (date)	
Assessor's Tax Parcel ID/Acct <sup>2</sup>	1) # 2) #	Value Based on	<input type="checkbox"/> Property Value Agreement of the parties – <b>Schedule A attached</b>
Abbreviated Legal Description <sup>3</sup>	- last recorded conveyance document (i.e. Deed of Trust/other deed) copy attached		<input type="checkbox"/> Adopted Comparative Market Analysis (CMA) <sup>4</sup> – <b>attached</b>
			<input type="checkbox"/> Adopted Appraisal <sup>5</sup> – <b>attached</b>
		<i>Obtain an appraisal if there will be a future equity buyout.</i>	
Current Assessed Value <sup>6</sup>	\$ - current tax assessment attached	Total of All Encumbrances & Obligations from 3 and 4 below	\$
		Total Equity Value less encumbrances and unsecured obligations	\$

<sup>1</sup> Legal owners are generally—but not always—shown on title records, deeds and/or recorded documents, as title is not determinative of character. A title search by a title company or litigation guarantee from a title company is recommended to identify all legal owners and any cloud on title.

<sup>2</sup> Assessor's property tax parcel ID or account # may be found on the county tax assessor's website. If the property consists of more than one parcel, include all other parcel and legal description information.

<sup>3</sup> The abbreviated and full legal description is included on the Deed of Trust (or other deed) and recorded in the county in which the real property is located. Recorded documents are available on the county's website or at the county recorder's office.

<sup>4</sup> A CMA is a non-binding value.

<sup>5</sup> An appraisal completed within the last six months is recommended.

<sup>6</sup> Assessed value is not conclusive of actual, fair market value.

# Real Property Division

## 3. Encumbrances (mortgages, HELOCs, liens, etc.)

Complete **Schedule E** for every encumbrance.

<b>Encumbrance 1</b>	
Encumbrance may be a mortgage loan, home equity line of credit (HELOC), lien, promissory note with deed of trust, judgment, Uniform Commercial Code (UCC) filing, or other interest secured against the property. <i>For more than two encumbrances, attach additional sheets.</i> <b>Attach copies of all encumbrance documents.</b>	
Secured Party Name <sup>7</sup>	
Principal Balance	\$ - Note & current statement attached
As of (date)	
<b>Encumbrance 2</b> Attach copies of all encumbrance documents.	
Secured Party Name	
Principal Balance	
As of (date)	

## 4. Unsecured Obligations (personal loans, fees due, etc.)

Complete **Schedule E** for every unsecured obligation.

<b>Unsecured Obligation 1</b>	
Unsecured obligation may be a personal loan from family or friends, a fee due to a homeowner's association, or a promissory note (without a deed of trust.) <i>For more than two unsecured obligations, attach additional sheets.</i> <b>Attach copies of all unsecured obligation documents.</b>	
Unsecured Party Name <sup>8</sup>	
Principal Balance	\$ - documentation attached
As of (date)	
<b>Unsecured Obligation 2</b>	
Unsecured Party Name	
Principal Balance	\$ - documentation attached
As of (date)	

<sup>7</sup> A secured party may be a mortgage lender, noteholder, lienholder, or holder of a judgment. Many mortgage loan payments are made to a loan servicer, which collects payments on behalf of the actual lender or noteholder. The loan servicer should be able to provide information on the mortgage company. Federally backed loans may be searched at [www.freddiemac.com](http://www.freddiemac.com) and [www.fanniemae.com](http://www.fanniemae.com).

<sup>8</sup> An unsecured party may be a family member, friend, homeowner's association, holder of a promissory note (without a deed of trust recorded against the real property), or other party to whom money is owed, and who would have to be paid off so the real property ownership could be transferred. Unsecured obligations are not generally recorded against the real property.

# Real Property Division

## 5. Total Encumbrances and Unsecured Obligations

This is the total amount owed, which is subtracted from the value of the property to determine the equity amount in the property before value adjustments.

Total Amount of All Encumbrances	\$
Total Amount of All Unsecured Obligations	\$

## 6. Value Adjustments

Complete **Schedule B** if there are uncompleted, necessary repairs and/or deferred maintenance which reduce the value of the property.

## 7. Occupancy, Encumbrance Payment(s), Routine Maintenance, Repairs, and Costs

### a. Occupancy<sup>9</sup>

The property shall be occupied by (owner's name) \_\_\_\_\_ beginning (date)\_\_\_\_\_.

Check all that apply.

The other owner, (owner's name) \_\_\_\_\_, shall vacate the property by (date):\_\_\_\_\_.

(Owner's name) \_\_\_\_\_ will occupy the property until (check one):  
 the property is sold as specified in the dissolution decree.  
 the property is sold for any other reason.  
 the property is refinanced into the other owner's name.  
 Other:

### b. Encumbrance Payment(s) (i.e. mortgage, loans)

Check all that apply.

All encumbrance payment(s) will be made by (owner's name) \_\_\_\_\_.  
 Encumbrance payment(s) will be made as follows: \_\_\_\_\_  
(describe the payment method and any due dates).  
 Encumbrance payments made by (owner's name) \_\_\_\_\_ shall be offset against any sale proceeds.  
 Other:

The payment(s) includes (check all that apply):

- principal
- interest
- property taxes
- insurance premiums

<sup>9</sup> Occupancy is subject to RCW 59.12.030(1) and RCW 7.28.

# Real Property Division

Other:

## c. Routine Maintenance

The real property shall be maintained in a safe and livable condition, either at or better than its current condition. Decisions on routine maintenance will be made by:\_\_\_\_\_.

Routine maintenance costs, such as interior/exterior upkeep, will be paid by (*owner's name*) \_\_\_\_\_.

Routine maintenance costs are (*check one*):

subject to reimbursement from the marital community (receipts required).

not subject to reimbursement.

subject to reimbursement if over \$\_\_\_\_\_.

Other:

This owner shall continue to pay routine maintenance costs until (*check one*):

the property is sold as specified in the dissolution decree or for any other reason.

the property is refinanced into the other owner's name.

Other:

## d. Routine Costs

Routine costs shall be paid timely to avoid the property becoming subject to utility liens, and to help prevent the property failing into disrepair due to a lack of heat or sewer service or other reasons. Decisions on routine costs will be made by:\_\_\_\_\_.

*Check one.*

Routine costs, including but not limited to utilities and minor/cosmetic repairs, will be paid by (*owner's name*) \_\_\_\_\_

Routine costs will be paid as follows:\_\_\_\_\_

## e. Repair and Deferred Maintenance Costs

Decisions on repair and deferred maintenance will be made by:\_\_\_\_\_. Costs to repair the property prior to sale or refinance (*check all that apply*):

Does not apply. There are no repair or deferred maintenance costs.

are shown on **Schedule B** (attached) and will be deducted from the property's net value prior to the division of equity.

will be paid as follows:\_\_\_\_\_  
(*describe who will pay for repairs and maintenance and whether/how costs will be reimbursed*)

Other:

# Real Property Division

## f. Completion of Necessary or Agreed Repairs

(Owner's name) \_\_\_\_\_ is responsible for (check all that apply):

- obtaining bids/quotes for repairs.
- authorizing repairs.
- ensuring repairs are timely completed.
- Other:

## 8. Final Disposition Provisions

If the property will be sold, refinanced by one owner, or if one owner must buy out the other owner without refinancing the property, complete all sections below. *Check one.*

- Does not apply. The property will not be sold or refinanced as a requirement of the final decree and neither owner is required to buy out the other owner's interest in the property. **Skip to section 14.**
- The property will be refinanced into one owner's name only, who will buy out the other owner's equity at the time the refinance is completed. *(detailed in section 10.)*
- The property will be sold. *(detailed in section 11.)*
- The property will be retained by one owner, who will buy out the other owner's equity at a date more than two years in the future. *(detailed in section 12.)*
- The property will be retained by one owner via a Veteran's Administration (VA) loan assumption. *(complete section 9 or 11 as needed)*
- Other:

## 9. Equity Division Provisions

List dollar amount or percentage of equity each owner will receive upon refinance or sale of the property. If one owner is buying out the other owner without refinancing the property, list the amount of the equity to be paid as a buyout.

	<b>Current Equity</b> <sup>10</sup> <small>Choose one:</small>	<b>Owner 1 will receive</b>	<b>Owner 2 will receive</b>
<input type="checkbox"/>	\$ _____	\$ _____ OR % _____	\$ _____ OR % _____
<input type="checkbox"/>	There is no equity to be divided. <b>Skip to section 10.</b>		
<b>Payment of Equity/Buyout</b> <i>(after deducting closing costs and cost of repairs)</i>			

<sup>10</sup> Current equity is not determinative of future equity. If the property will be sold more than two years after the entry of the final decree, the parties agree to obtain an appraisal prior to listing for sale to determine the current value.

# Real Property Division

Check one: <input type="checkbox"/> Owner 1 <input type="checkbox"/> Owner 2 <input type="checkbox"/> Both owners	Shall receive their portion of equity (check one):	<input type="checkbox"/>	as a lump sum payment on or before date/time period: _____ <i>i.e. dd/mm/yyyy, or no later than <u>X</u> months from final order entry/other event (if more than two years complete Section 12.)</i>
		<input type="checkbox"/>	as a future buyout as described in section 12.
		<input type="checkbox"/>	as a lump sum when youngest child turns 18 or graduates high school, whichever occurs last, but in no event after the youngest child turns 19.
		<input type="checkbox"/>	Other:

## 10. Refinance Provisions

Check one.

Does not apply. **Skip to section 11.**

(Owner's name) \_\_\_\_\_ will refinance the property solely in their name. This owner shall be responsible for timely initiating and completing the refinance. The other owner will be paid their share of equity upon the completion of the refinance. Both owners shall timely cooperate in providing and signing any necessary documents required to refinance the property into one owner's name, including any deed required to transfer the vesting of the property.

Other:

Refinance Timeframes		
Refinance shall be INITIATED on or before	<input type="checkbox"/>	Date: _____ <i>dd/mm/yyyy</i>
	<input type="checkbox"/>	Time period: _____ <i>Example: No later than <u>x</u> months from final order entry</i>
	<input type="checkbox"/>	Other: <i>Example: By _____ date unless interest rate drops below _____%, and then by _____ date</i>
Refinance is EXPECTED TO BE COMPLETED on or before	<input type="checkbox"/>	Date: _____ <i>dd/mm/yyyy</i>
	<input type="checkbox"/>	Time period: _____ <i>Example: No later than <u>x</u> months from final order entry</i>
	<input type="checkbox"/>	Other: <i>Example: By _____ date unless interest rate drops below _____%, and then by _____ date.</i>
Refinance Costs		
Refinance costs will be paid by: <i>This includes but is not limited to loan closing costs.</i>	<input type="checkbox"/>	Owner 1 \$ _____ OR % _____

# Real Property Division

	<input type="checkbox"/>	Owner 2	\$ _____ OR % _____
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If the refinance is not initiated or completed as expected, then (*check all that apply*):

- The remedies as described in section 13 shall apply.
- The property shall be sold as described in section 11.
- Other:

## 11. Sale Provisions and Default or Impossibility Provisions

Completion of this section is required if the property will be sold, refinanced, or if there is an equity buyout provision.

*Check all that apply.*

- The property will be sold within the next two years.
- The property will be sold more than two years in the future. (Also complete section 12.)
- These provisions apply only in the event of default or impossibility of the intended final property disposition as indicated in section 8.

*Default means an owner did not meet a requirement of this agreement. For example, if an owner was required to initiate a refinance by a certain date and chose not to apply, or if an owner chose not to make required payments or repairs, then a default has occurred.*

*Impossibility means an owner was unable to meet a requirement of this agreement due to unanticipated circumstances. For example, if an owner was unable to qualify for a refinance, was unable to sell the property due to market conditions, or was unable to make payments or repairs due to incapacity, then impossibility of performance has occurred.*

***Both default and impossibility must be contemplated in the division of real property, and related provisions and remedies must be described on this form.***

Both owners shall timely cooperate in providing and signing any necessary documents required to sell the property.

Sale Timeframes		
The property shall be LISTED FOR SALE on or before	<input type="checkbox"/>	Date: _____ <i>dd/mm/yyyy</i>
	<input type="checkbox"/>	Time period: _____ <i>Example 1: No later than x months from final order entry</i> <i>Example 2: xx days after default or impossibility has occurred.</i>
	<input type="checkbox"/>	Other:
	<input type="checkbox"/>	Date: _____ <i>dd/mm/yyyy</i>

# Real Property Division

The sale is EXPECTED TO BE COMPLETED on or before	<input type="checkbox"/>	Time period: _____ <i>Example: No later than <u>x</u> months from final order entry</i>
	<input type="checkbox"/>	Other:

If the property is not listed for sale, or the sale is not completed as expected, then (*check one*):

- [ ] The remedies as described in section **13** shall apply.
- [ ] Other:

### a. Listing and Showing

Both owners shall cooperate to make the property available as needed, such as for showings or open houses. The property shall be maintained in a clean and orderly state.

*Check all that apply.*

- [ ] The listing agent is (*agent's name*) \_\_\_\_\_.
- [ ] The listing price is \$ \_\_\_\_\_.
- [ ] (*Owner's name*) \_\_\_\_\_ will arrange showings.
- [ ] The listing and showing details are not yet determined. (*Owner's name*) \_\_\_\_\_ is responsible for (*check all that apply*):

- [ ] choosing the listing agent.
- [ ] determining the listing price.
- [ ] arranging showings.
- [ ] Other:

### b. Offer Acceptance

Complete and attach **Schedule C**.

## 12. Retained or Refinanced with Future Buyout Provisions

*Check one:*

- [ ] Does not apply. **Skip to section 13.**
- [ ] The property will be retained by or refinanced solely into the name of (*owner's name*) \_\_\_\_\_ on a date that is more than two years in the future. The owner retaining or refinancing the property shall remain current on all encumbrances. The other owner will receive a buyout of their share of equity in the property as described below and in section **9**.

*Check one:*

- [ ] Both owners shall remain legal co-owners on title (also called tenants in common) of the property until the buyout is completed or the property is sold.



# Real Property Division

(Owner's name) \_\_\_\_\_ shall transfer title to the other owner prior to the completion of the buyout. On or before the date of transfer of title the owners shall complete **Schedule D** which describes how payment will be made. **The final decree shall include the information on Schedule D in the form of a judgment.**

A promissory note and deed of trust or mortgage shall be recorded against the property on or before \_\_\_\_\_.

Other:

## 13. Remedies in the Event of Default or Impossibility

**When there are post-decree events which may require enforcement remedies, the final decree shall include the following statements:**

Once an owner becomes aware of default or impossibility, that owner must notify the other owner. The non-defaulting owner has a right to enforce the provisions of this agreement. The defaulting owner shall be responsible for all attorney's fees and costs, and any costs incurred relating to curing the default.

If the defaulting owner fails to promptly sign documents, the other (non-defaulting) owner is authorized to have the commissioner or clerk of the court sign any documents necessary to enforce this agreement, ex parte without notice to the defaulting owner.

Prejudgment interest shall accrue at \_\_\_\_\_%

Other:

## 14. Dispute Resolution

Any disputes about this Real Property Division form or what it means shall be resolved by:

Binding arbitration on the written materials only. The arbitrator shall be:

\_\_\_\_\_.

Mediation with \_\_\_\_\_.

Other:

## 15. Other Provisions

*Check one:*

Does not apply.

The following other provisions apply (*specify*):

Required Creditor Payment from Sale Proceeds applies.

**Complete and attach Schedule F.**

# Real Property Division

[ ] Other:

## 16. Proposal, Temporary Agreement or Final Agreement of the Owners

This agreement is a (*check one*):

[ ] Proposal presented by (*owner's name*) \_\_\_\_\_ and expires \_\_\_\_\_ (*date/time period*). It is protected by Evidence Rule (ER) 408 as a settlement proposal and neither enforceable nor evidence of actual value or agreement.

[ ] Temporary agreement of the owners if signed below. The agreement is temporary because the parties have not yet obtained all information and documentation required to make a final agreement, or the court will make the final determination of the division of property.

[ ] Final agreement of the owners if signed below, and replaces any temporary agreement.

I declare under penalty of perjury of the laws of the state of Washington that the facts I have provided on this form and any attachments are true.

Owner 1		Owner 2	
Printed Name		Printed Name	
Signature		Signature	
Date		Date	
Represented by		Represented by	
Signature		Signature	
Date		Date	

### Limited Licensed Legal Technician (if any):

Prepared with the assistance of a Family Law Legal Technician.

LLLT signs here
Print name and WSBA #
Date

# Schedule A

to Real Property Division

## Property Value Agreement

If this form is filed with the court, it should only be filed under seal.

### 1. Owner(s) and Property Address

Petitioner/Owner #1		Respondent/Owner #2	
Name		Name	
<b>Real Property</b>			
Street Address			
City, State, Zip			

### 2. Value Agreement – do not use this schedule if equity buyout is two or more years in the future; in that case, obtain an appraisal or CMA.

Owners agree the property's value is set at \$\_\_\_\_\_ as of (date) \_\_\_\_\_. This value shall be the value used to determine the amount of equity in the property, after total encumbrances and value adjustments (if any).

The owners have based the property value on (check all that apply):

- appraisal(s).
- CMA(s).
- an online search of the property. Printouts of each website searched showing the estimated value of the property are attached.
- an online search of similar properties. Printouts of each website searched showing the estimated value of similar properties are attached.
- Other:

Owner 1		Owner 2	
Printed Name		Printed Name	
Signature		Signature	
Date		Date	

# Schedule B

to Real Property Division

## Repair and Deferred Maintenance Value Adjustments

If this form is filed with the court, it should only be filed under seal.

### 1. Owner(s) and Property Address

Petitioner/Owner #1		Respondent/Owner #2	
Name		Name	
<b>Real Property</b>			
Street Address			
City, State, Zip			

### 2. Value Adjustments

Use this section to describe necessary repairs/maintenance which detract from the value of the property. Unless otherwise agreed in writing by both parties, costs shall be based on reasonable written quotes/estimates and/or contractor bids. **Attach copies of estimates, bids or receipts.**

Generally, only lender-required repairs should be included. Cosmetic or routine maintenance issues should not be listed here.

Description of required repairs/maintenance – attach additional sheets as needed

Cost of Repairs/Value Adjustment	\$	Covered by Insurance?	<input type="checkbox"/> No
	- cost estimates & contractor bids attached		<input type="checkbox"/> Yes

# Schedule B

to Real Property Division

## Repair and Deferred Maintenance Value Adjustments

If this form is filed with the court, it should only be filed under seal.

Owner 1		Owner 2	
Printed Name		Printed Name	
Signature		Signature	
Date		Date	

# Schedule C

to Real Property Division

## Offer Acceptance Provisions

If this form is filed with the court, it should only be filed under seal.

### 1. Owner(s) and Property Address

Petitioner/Owner #1		Respondent/Owner #2	
Name		Name	
<b>Real Property</b>			
Street Address			
City, State, Zip			

### 2. Offer Contingencies

*Check all that apply.*

- An offer contingent upon the buyer's sale of their own property  will  will not be accepted.
- An offer contingent upon the buyer's inspection of the property  will  will not be accepted.
- The contingency must be satisfied within \_\_\_\_\_ days (30 days if left blank).
- Other:

### 3. Offer Acceptance Provisions

An offer within (\$/%) \_\_\_\_\_ of the listed price must be accepted. This is the upset price.

If repairs are required by the lender as a result of an inspection, then the costs of the repairs shall be deducted from the list price before the upset price will apply.

If the property has not sold within \_\_\_\_\_ days, then an offer within (\$/%) \_\_\_\_\_ must be accepted.

Other Provisions:

# Schedule C

to Real Property Division

## Offer Acceptance Provisions

If this form is filed with the court, it should only be filed under seal.

Owner 1		Owner 2	
Printed Name		Printed Name	
Signature		Signature	
Date		Date	

# Schedule D

## to Real Property Division

### Future Buyout Provisions

*Use only when equity buyout will be made more than 2 years in the future*

If this form is filed with the court, it should only be filed under seal.

#### 1. Owner(s) and Property Address

Petitioner/Owner #1		Respondent/Owner #2	
Name		Name	
<b>Real Property</b>			
Street Address			
City, State, Zip			

#### 2. Future Buyout Provisions

Buyout shall be made as follows (provide detailed description including dates/time periods, owner responsibilities, and amounts if different from section 9 of the Real Property Division form):

#### 3. Remedies in the Event of Default or Impossibility

All remedies described on this schedule shall be included as provisions written into the final decree.

*Check all that apply.*

- The remedies as described in section 13 of the Real Property Division form apply.  
 The following remedies apply:



# Schedule D

## to Real Property Division

### Future Buyout Provisions

*Use only when equity buyout will be made more than 2 years in the future*

If this form is filed with the court, it should only be filed under seal.

<b>Owner 1</b>		<b>Owner 2</b>	
Printed Name		Printed Name	
Signature		Signature	
Date		Date	

# Schedule E

## to Real Property Division

### Encumbrances and Unsecured Obligations

If this form is filed with the court, it should only be filed under seal.

#### 1. Owner(s) and Property Address

Petitioner/Owner #1		Respondent/Owner #2	
Name		Name	
<b>Real Property</b>			
Street Address			
City, State, Zip			

#### 2. Encumbrance Information

Encumbrance	
Encumbrance may be a mortgage loan, home equity line of credit (HELOC), lien, promissory note, judgment, Uniform Commercial Code (UCC) filing, or other interest secured against the property. <i>For more than one encumbrance, complete additional schedules.</i> <b>Attach copies of all encumbrance documents.</b>	
Secured Party Name	
Mailing Street Address	
City, State, Zip	
Physical Street Address	
City, State, Zip	
Phone	
Fax	
Email	
Principal Balance	\$ - Note & current statement attached
As of (date)	
Monthly Payment	\$
Most Recent Payment Date	
Next Payment Due Date	

# Schedule E

## to Real Property Division

### Encumbrances and Unsecured Obligations

If this form is filed with the court, it should only be filed under seal.

Payment Includes:	<input type="checkbox"/>	Annual property taxes
	<input type="checkbox"/>	Annual insurance
Taxes Not in Payment	\$	
Insurance Not in Payment	\$	
VA Assumable Loan?	<input type="checkbox"/>	No
	<input type="checkbox"/>	Yes – <b>attached</b>
Balloon Payment <sup>1</sup> ?	<input type="checkbox"/>	No
	<input type="checkbox"/>	Yes \$_____ due on _____ - <b>Note attached</b>
Lis Pendens <sup>2</sup> filed?	<input type="checkbox"/>	No
	<input type="checkbox"/>	Yes – <b>attached</b>
Any Other Cloud on Title? <sup>3</sup>	<input type="checkbox"/>	No
	<input type="checkbox"/>	Yes – <b>attached</b>

### 3. Unsecured Obligation Information

Unsecured Obligation	
Unsecured obligation may be a loan from family or friends, a promissory note (without a deed of trust), or a fee due to a homeowner's association. <i>For more than one unsecured obligation, complete additional schedules.</i> <b>Attach copies of all unsecured obligation documents.</b>	
Unsecured Party Name	
Mailing Street Address	
City, State, Zip	
Physical Street Address	
City, State, Zip	

<sup>1</sup> A balloon payment is a lump sum principal balance payment due at the end of the loan term.

<sup>2</sup> A lis pendens is an official, public notice that a property has a pending lawsuit or claim attached to it.

<sup>3</sup> A title search by a title company or litigation guarantee from a title company is recommended in order to identify all legal owners and any cloud on title. A cloud on title is any document, claim, unreleased lien or encumbrance that might invalidate or impair a title to real property or make the title doubtful.

# Schedule E

## to Real Property Division

### Encumbrances and Unsecured Obligations

If this form is filed with the court, it should only be filed under seal.

Phone		
Fax		
Email		
Principal Balance	\$	<b>- documentation attached</b>
As of (date)		
Monthly Payment	\$	
Most Recent Payment Date		
Next Payment Due Date		
Balloon Payment?	<input type="checkbox"/>	No
	<input type="checkbox"/>	Yes \$ _____ due on _____ - <b>- documentation attached</b>
Lis Pendens filed?	<input type="checkbox"/>	No
	<input type="checkbox"/>	Yes - <b>attached</b>
Any Other Cloud on Title?	<input type="checkbox"/>	No
	<input type="checkbox"/>	Yes - <b>attached</b>

Owner 1		Owner 2	
Printed Name		Printed Name	
Signature		Signature	
Date		Date	

# Schedule F

## to Real Property Division

### Required Creditor Payment from Sale Proceeds

If this form is filed with the court, it should only be filed under seal.

#### 1. Owner(s) and Property Address

Petitioner/Owner #1		Respondent/Owner #2	
Name		Name	
<b>Real Property</b>			
Street Address			
City, State, Zip			

#### 2. Creditor Payment Information

Use this section to detail creditor payments that must be paid out of real property sale proceeds, either prior to or after disbursement to owners. The final dissolution decree should include sufficient detail to be enforceable in court.

Creditor Payment	
Creditor payments may include credit card balances, loan balances, legal fees, or other unsecured debts. <i>For more than one creditor, complete additional schedules.</i>	
Creditor Name	
Mailing Street Address	
City, State, Zip	
Physical Street Address	
City, State, Zip	
Phone	
Email	
Payment Amount <sup>1</sup>	\$

<sup>1</sup> Payment amount may be the entire outstanding balance or may be a certain dollar amount; use specific dollar amounts whenever possible.

# Schedule F

## to Real Property Division

### Required Creditor Payment from Sale Proceeds

If this form is filed with the court, it should only be filed under seal.

Payment Deadline	<input type="checkbox"/>	Payment shall be made prior to the disbursement of net sale proceeds. <i>Owners/parties will receive their share of net sale proceeds only <u>after</u> this payment has been made.<sup>2</sup></i>
	<input type="checkbox"/>	_____ (owner's name) shall make this payment within _____ (days/months) of receipt of net sale proceeds. <i>Owners/parties will each receive their share of net sale proceeds, out of which this payment must then be made.</i>
	<input type="checkbox"/>	Other:

Owner 1		Owner 2	
Printed Name		Printed Name	
Signature		Signature	
Date		Date	

<sup>2</sup> All payments to be made prior to the disbursement of net sale proceeds to the owners/parties should be included in escrow closing instructions.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT FORM

FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year FY2024 (October 1, 2023 – September 30, 2024). Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and the staff liaison.

<b>Name of Entity:</b>	Legislative Review Committee
<b>Entity Size:</b>	12
<b>Chair or Co-Chairs:</b>	Matt LeMaster
<b>Staff Liaison:</b>	Sanjay Walvekar, Legislative Affairs Manager, COMM
<b>Board of Governors Liaison(s):</b>	Mary Rathbone
<b>Purpose of Entity:</b>	
The WSBA Legislative Review Committee (Committee) reviews internal legislative proposals before making a recommendation for sponsorship or support to the Board of Governors (BOG). The Committee’s primary purpose is to ensure that WSBA-request legislation fulfills GR12 and is vetted both internally and externally. The Committee may also consider non-WSBA proposals submitted to the committee for the purpose of seeking WSBA input and support. WSBA-request bills approved by the Board are introduced in the upcoming legislative session.	
<b>Strategy to Fulfill Purpose:</b>	
The Committee determines if a legislative proposal fulfills GR 12.2. If the Committee determines a legislative proposal fulfills GR 12.2 the Committee conducts a thorough analysis of the issue, discusses details with the WSBA entity offering the proposal, and ensures input is included from a broad stakeholder network.	
<b>How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	

The Committee serves the public, members of the Bar, and the legal profession by vetting and recommending legislation that improves the practice of law and the administration of justice.	
<b>2022-2023 Entity Accomplishments:</b>	
The Committee received and reviewed two legislative proposals – one from the Business Law Section’s Corporate Act Revision Committee (CARC) and one from the Real Property, Probate & Trust (RPPT) Section - and forwarded these proposals to be reviewed by the BOG for WSBA request legislation. The Committee vetted these proposals and determined that they fulfilled GR 12.2 requirements. The Committee conducted a thorough analysis of relevant issues and discussed details with representatives of CARC and RPPT. Then, the Committee voted to recommend sponsorship of both proposals. This recommendation was approved by the BOG; however, the BOG later voted to decline sponsorship of the RPPT proposal due to negative feedback from the WSBA membership and potential legal risk. The CARC bill retained Bar sponsorship, reached final passage, and was signed into law by Governor Inslee during the 2024 legislative session.	
<b>Looking Ahead: 2024-2025 Top Goals &amp; Priorities:</b>	
<b>1</b>	The Committee will continue to work collaboratively with WSBA entities to thoroughly vet and analyze legislative proposals impacting the practice of law and our justice system.
<b>Please describe how this entity is addressing diversity, equity, and inclusion:</b> <i>How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?</i>	
Committee appointments follow WSBA’s diversity guidelines and the Committee includes representatives from multiple districts, a variety of practice areas, new/young lawyers, gender, race/ethnicity and other factors. Although it has a narrow focus, the Committee strives to include all members’ perspectives and achieve consensus decision-making.	
<b>Please share feedback regarding the support and engagement provided by WSBA.</b>	
The Committee utilizes the expertise of the WSBA’s Legislative Affairs Manager and Legislative Affairs staff in all of the committee’s work. The Committee also works closely with the BOG Governor assigned to ensure that it considers a BOG perspective in how the committee accomplishes its work. The Committee is critical in using its expertise to ensure the BOG only receives properly worked and vetted proposals before the Committee votes to recommend that the BOG support, sponsor, etc. legislation proposals and that recommendation is ultimately considered by the BOG at its November meeting. The BOG could work with the Committee to consider ways the Committee and BOG can better serve WSBA sections in helping with legislative proposals that impact the practice of law.	
<b>Entity Detail &amp; Demographics Report:</b> <i>To Be Completed by WSBA Staff</i>	
<b>Size of Entity:</b>	12
<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25)</i>	12



<b>Number of Applicants for FY25:</b> <i>Applications were submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25).</i>	12																																											
<b>Budgeted Direct Expenses:</b> <i>As of September 30, 2024</i>	\$1,250																																											
<b>FY24 Indirect Expenses:</b> <i>As of September 30, 2024.</i>	\$28,612																																											
<p><b>FY24 Demographics:</b></p> <p>The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.</p> <p>Aside from the factors marked (*), demographic information was provided voluntarily, and individuals had the option to not respond to any or all of the factors below.</p> <table border="1"> <tr> <td rowspan="3"><b>Disability</b></td> <td>No</td> <td>60%</td> </tr> <tr> <td>Yes</td> <td>20%</td> </tr> <tr> <td>Chose Not to Respond</td> <td>20%</td> </tr> <tr> <td rowspan="6"><b>District*</b></td> <td>2</td> <td>40%</td> </tr> <tr> <td>3</td> <td>10%</td> </tr> <tr> <td>6</td> <td>10%</td> </tr> <tr> <td>7N</td> <td>20%</td> </tr> <tr> <td>8</td> <td>10%</td> </tr> <tr> <td>10</td> <td>10%</td> </tr> <tr> <td rowspan="3"><b>Ethnicity</b></td> <td>Multi-Racial or Bi-Racial</td> <td>10%</td> </tr> <tr> <td>White or European Descent</td> <td>70%</td> </tr> <tr> <td>Chose Not to Respond</td> <td>20%</td> </tr> <tr> <td rowspan="4"><b>Gender</b></td> <td>Female</td> <td>20%</td> </tr> <tr> <td>Male</td> <td>50%</td> </tr> <tr> <td>Non-Binary</td> <td>10%</td> </tr> <tr> <td>Chose Not to Respond</td> <td>20%</td> </tr> <tr> <td rowspan="3"><b>Sexual Orientation</b></td> <td>Gay, Lesbian, Bisexual, Pansexual, or Queer</td> <td>10%</td> </tr> <tr> <td>Heterosexual</td> <td>70%</td> </tr> <tr> <td>Chose Not to Respond</td> <td>20%</td> </tr> </table> <p>The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.</p>		<b>Disability</b>	No	60%	Yes	20%	Chose Not to Respond	20%	<b>District*</b>	2	40%	3	10%	6	10%	7N	20%	8	10%	10	10%	<b>Ethnicity</b>	Multi-Racial or Bi-Racial	10%	White or European Descent	70%	Chose Not to Respond	20%	<b>Gender</b>	Female	20%	Male	50%	Non-Binary	10%	Chose Not to Respond	20%	<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer	10%	Heterosexual	70%	Chose Not to Respond	20%
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<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to

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provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

<b>Name of Entity:</b>	Legal Technology Task Force
<b>Chair or Co-Chairs:</b>	Jenny Durkan
<b>Staff Liaison:</b>	Kevin Plachy, Director of the Advancement Department; Margeaux Green, Practice Management Advisor. Both in Advancement Department
<b>Board of Governors Liaison:</b>	Kari Petrasek, Jordan Couch
<b>Purpose of Entity:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Legal Technology Task Force, led by Jenny Durkan, was created in response to the Board of Governors' recognition in November 2023 of the transformative impact of technology, particularly artificial intelligence (AI), on the legal profession. As one of its four strategic priorities for the 2023-24 fiscal year, the BOG set the goal to "assess technology-related opportunities and threats and determine WSBA's role vis-a-vis regulation, consumer protection, and support to legal professionals." The 15-month Task Force is charged with assessing the legal technology landscape, identifying both threats and opportunities, and making recommendations that promote the ethical and effective use of technology, while enhancing equitable access to justice. To achieve these objectives, the Task Force divided its work into four key areas: 1) Key Emerging Technologies, 2) Impacts on Practice, Access to Justice, and Consumer Protection, 3) Impact on Courts, Court Rules, and Procedures, and 4) Education and Ethics.	
<b>Strategy to Fulfill Purpose:</b>	

The Legal Technology Task Force chose to focus on four key points during FY24.

1. Establish deadlines for deliverables.
2. Establish four workgroups: 1) Key Emerging Technologies, 2) Impacts on Practice, Access to Justice, and Consumer Protection, 3) Impact on Courts, Court Rules, and Procedures, and 4) Education and Ethics.
3. Draft survey questions to send to 10,000 WSBA members (deployed in October 2024).
4. Educate members via a field trip to the Microsoft Campus.
5. Update the Member Engagement Council.
6. Provide interim and final reports to the WSBA Board of Governors. The Final report will provide recommendations on tangible steps the WSBA can take to support and strengthen the use of technology within the legal profession in Washington state.

**How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?**

1) The Task Force is working to assess the legal technology landscape across various sectors of the legal profession, including private practice, courts, public interest, and legal education. By identifying threats and opportunities, the Task Force aims to provide the WSBA with recommendations on how to prioritize and integrate technology in ways that benefit members and the public. (2) It is articulated in the charter that the Task Force will use the Washington State Supreme Court’s Access to Justice Tech Principles as a guide in its work and recommendations. (3) The Task Force actively seeks input from WSBA members through a survey developed to understand their use of and challenges with technology with the ability to analyze particular demographic groups to determine disparate impacts. This feedback will inform final recommendations on how technology can support and enhance access to justice while promoting the ethical use of innovative tools within the legal profession.

**2023-2024 Entity Accomplishments:**

Establishment of Task Force and Chair Appointment: The WSBA Legal Technology Task Force was created following the approval of its charter by the BOG on March 7, 2024. Jenny Durkan was appointed as the Chair by the WSBA President and her appointment was confirmed by the BOG.

Appointment of Task Force Members: The Chair appointed members to the Task Force: 1) Voting: Michele Carney, Laura Lemire, Nicholas Pleasants, Kenneth Zigler, Patrick Palace, Kirk Arthur, Drew Simshaw, Judge Sean O’Donnell, Judge Christon Skinner, Margaret Chon. (2) Non-Voting Members: Kari Petrasek (BOG Liaison), Professor Leigha LeighAnne Thompson (Ex Officio), Craig Shank (POLB Liaison). The Task Force met for the first meeting in May 2024 and held monthly meetings thereafter.

Appointment of Ad Hoc Members: In August 2024, Chair Jenny Durkan appointed 11 new ad hoc members to support the workgroups and enhance their capacity: Faisal Akhter, Jacob Wall, Dan Lear, Carol Mullins-Hayes, Leslie Volez, Joshua Hawkins, Leslie English, Joshua Field, Rebecca Garland, Jacqueline Schaefer, John Bender, Denise Farr, Matt Dyor, Jonathan Franklin.

Workgroup Establishment and Charters: The Task Force successfully established four workgroups and drafted charters for each: (1) Key Emerging Technologies Workgroup (2) Impacts on the Practice of Law, Access to Justice, and Consumer Protection Workgroup (3) Impacts on Courts, Rules, and Procedures Workgroup (4) Education and Ethics Workgroup.

<p>Creation of Timeline for Deliverables: A timeline for deliverables was created, guiding the Task Force’s work through its 15-month duration.</p>	
<p>Survey Drafted for Member Input: The Task Force drafted a survey for WSBA members to gather input on technology adoption, challenges, and needs. The survey was distributed to 10,000 members in October 2024 to help shape the Task Force’s recommendations.</p>	
<p>First Quarterly Update to Member Engagement Council: The Task Force provided its first quarterly update to the Member Engagement Council in July 2024, summarizing progress on workgroup establishment and ongoing efforts.</p>	
<p>Microsoft Tour of CELA: In September 2024, the Task Force participated in a field trip to Microsoft’s campus to meet with a team of attorneys, data scientists, engineers, and business professionals from the Corporate, External, and Legal Affairs (CELA) team. The group explored Microsoft’s Digital Crimes Unit and its cross-disciplinary approach to combating cybercrime, gaining insights on the intersection of technology and legal practice.</p>	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>SMART Goals can be an effective framework for the creation of goal; they detail the work you and your team hope to accomplish and help to foster and communicate clear expectations.</i></p> <p><i>SMART Goals are: Specific, Measurable, Relevant and Time-Bound</i></p>	
<b>1</b>	<p>Deliver Final Report to the WSBA Board of Governors: The Task Force will submit its final report, including recommendations on technology adoption, ethical considerations, and access to justice, to the WSBA BOG by August 2025. The final report will be reviewed and approved by the Task Force in or before June 2025, with drafts circulated for feedback by May 1, 2025. The report will outline key findings from the workgroups and will include tangible steps to support the legal profession’s use of technology.</p>
<b>2</b>	<p>Complete Member Survey and Analyze Results: The Task Force will analyze the results of the October 2024 member survey, assessing member awareness, adoption, and challenges related to emerging legal technologies. The insights from this survey will inform the Task Force’s final recommendations.</p>
<b>3</b>	<p>Submit Regular Workgroup and Preliminary Reports: The Task Force will submit regular workgroup progress reports and a preliminary report to the BOG as outlined in its timeline to ensure consistent updates. The Task Force will also deliver quarterly updates to the Member Engagement Council. Workgroup reports will be submitted to the Chair on October 15, 2024, January 3, 2025; March 4, 2025; and April 4, 2025. A preliminary report for is due to the Chair by December 4, 2024, with a delivery date to the BOG in January 2025. The final draft report will be submitted to the Chair for distribution to the Task Force for review by May 1, 2025, with the final version delivered to the Board of Governors by August 2025.</p>
<p><b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities your entity seeks to address, beyond the next fiscal year.</i></p>	
<b>1</b>	<p>N/A – this entity concludes in August 2025</p>

**Please describe how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in decision-making? What techniques do you use to promote a culture of inclusion within the board or committee? How do you seek to elicit inclusive decision-making amongst your group? What more would you like to see done in this area to better support the needs of your entity?*

The Task Force addresses diversity, equity, and inclusion by ensuring broad representation in its membership, which includes attorneys from diverse practice areas, career stages, geographic locations, and marginalized communities. Guided by the Washington State Supreme Court’s Access to Justice Tech Principles, the Task Force fosters inclusive decision-making through diverse workgroups and actively solicits input from all members. It also gathers member feedback through a survey developed to analyze impacts to particular demographic groups to ensure its recommendations reflect the needs of the WSBA members.

**Please share feedback regarding the support and engagement provided by WSBA.**

*For example:*

- *Quality of WSBA staff support/services, including technology solutions*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

The support and engagement by WSBA has been excellent. The two staff members who have provided primary support are Kevin Plachy and Margeaux Green. They have been superb in helping manage the process, in anticipating next steps and needs of the task force and in facilitating with other “parts” of WSBA. The BOG has been very responsive and involved, both through the excellent liaison, Kari Petrasek, and through the Membership Engagement Council. We have also had great connectivity with the CPE, which is so important given the ramifications of emerging technology. We have also been able to connect and coordinate with efforts by a Washington State Supreme Court Justice and the Attorney General’s office. The Task Force has successfully navigated some complex and overlapping issues because of WSBA support.

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Volunteer Engagement Advisor**

**Size of Entity:**  
*(Include voting and non-voting members)* 28

**Number of Vacancies for FY25:** 28

**Number of Applicants for FY25:** 61

**FY24 Demographics:**  
Demographic information is not available for this entity.

**To:** Washington Supreme Court  
**From:** MCLE Board  
**Date:** September 26, 2024  
**RE:** **2023-2024 MCLE BOARD ANNUAL REPORT**

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## Background & Purpose

The Mandatory Continuing Legal Education (MCLE) Board derives its authority from the Washington Supreme Court. Under Admission and Practice Rule (APR) 11(d)(2), the MCLE Board is authorized to accredit courses and educational programs that satisfy the educational requirements of the mandatory CLE rule, consider MCLE policy issues, determine and adjusts fees, consider member and sponsor petitions for waivers from requirements and appeals from decisions, and suggest amendments or regulations to APR 11. The MCLE Board is comprised of six (6) WSBA members and one (1) community member. On average, the MCLE Board meets five times a year.

## MCLE Board Accomplishments and Activities

During the 2023-2024, the MCLE Board reviewed 74 petitions of undue hardship, completed Board review on 3 activity applications, suggested amendments to Admission and Practice Rule 11, revised the standards for approving structured mentoring programs, updated the definitions used in the MCLE Board approved undue hardship matrix, and participated in diversity equity and inclusion training and discussion facilitated by the WSBA Equity and Justice Leads.

### Mentoring Policy

Under APR 11(e)(8), members can earn credit for participating in an approved mentoring program. The MCLE Board is charged with developing the standards of approval for a mentoring program, and organizations interested in obtaining board approval of a program must submit an application. Currently, members can earn credit by participating in a structured mentoring program approved by the MCLE Board or developing their own self-directed plan that must adhere to established guidelines and complete plan forms. For either option, both the mentor and mentee have to be active bar members. Recently, the MCLE Board decided to expand its policy to allow MCLE credit to those mentoring law students, those enrolled in the law clerk program, recent JD graduates, and inactive members who plan to be licensed in WA state when participating in certain approved structured mentoring programs. This policy expands the pool of participants who can be considered a mentee for MCLE credit purposes, but the requirement that a mentor be an active member of the bar for at least five years and in good standing remains unchanged. It also excludes self-directed mentoring programs as these programs do not have the degree of oversight that exists in mentoring programs devised and monitored by organizations that have sought and obtained approval from the Board. This policy change reflected in the Revised Standards for Approving Structured Mentoring Programs (enclosed herein) will be



referred to both the Board of Governors and the Supreme Court pursuant to the notice requirement per APR 11 (d)(2)(ii).

### Petitions & Board Decisions

At each meeting, the MCLE Board reviews petitions that have been submitted on the basis of undue hardship. Per APR 11(i)(5): “a lawyer, LLLT, or LPO may file with the MCLE Board an undue hardship petition for an extension, waiver, and/or modification of the MCLE requirements.”

All petitions are first reviewed by the MCLE staff liaison and approved, denied, or forwarded to the MCLE Board based on the Board-approved decision matrix, which defines applicable hardships. The MCLE Board reviews appeals of denials and holds hearings at the request of licensed legal professionals who may appeal a denial by the MCLE Board to the Supreme Court.

The MCLE Board expanded the undue hardship matrix to match the language included in the Paid Family and Medical Leave Act, which takes a broad view of who is recognized as a family member. It defines the term as “child, grandchild, grandparent, sibling, or spouse...and also includes any individual who regularly resides in the employee’s home or where the relationship creates an expectation that the employee care for the person, and that individual depends on the employee for care...” RCW 50A.05.010. The act also affords leave to individuals to allow them to bond with a new child born or placed into their family and provides leave when a family member is about to be deployed overseas or is returning from overseas deployment. The former was incorporated into the Board’s definition of parental leave and the latter into the existing definition of military leave. Overall, laws such as the Washington Paid Family and Medical Leave Act employ inclusive language and definitions that the MCLE Board drew upon when considering a more encompassing reform of the hardship matrix.

### Update on Recent Amendments to APR 11

#### *Law Clerk Credit*

On September 1, 2023, the adopted amendments to APR 11 allowing MCLE credit for law clerk tutors went into effect. This change recognizes the work performed by law clerk tutors as valuable continuing legal education for themselves, as well as the education they provide to APR 6 law clerks. As of September 16, 2024, law clerk tutors have submitted and received MCLE credit for sixty-seven approved activities.

#### *Equity Credit Requirement<sup>1</sup>*

Effective September 1, 2022, and starting with the 2023-2025 reporting period, one of the six required ethics credits must be earned in the subject of equity, inclusion, and the mitigation of both implicit and explicit bias in the legal profession and the practice of law. To date, 2,150 activities covering this subject have been approved.

### Diversity, Equity and Inclusion

The MCLE Board will continue to examine and work to increase the diversity of the MCLE Board. The MCLE Board continues to seek board members who represent diversity in geography and all other

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<sup>1</sup> APR 11 (c)(1)(ii) requires licensed legal professionals to earn “...at least one credit in equity, inclusion, and the mitigation of both implicit and explicit bias in the legal profession and the practice of law.”

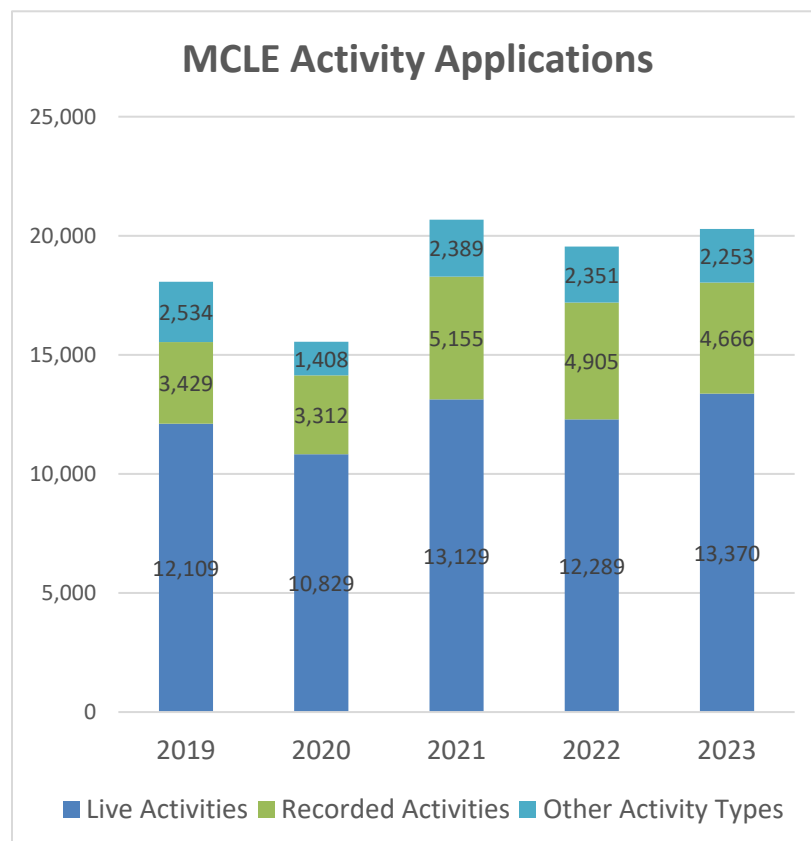


diversity criteria used by the WSBA. Additionally, the Board routinely receives and considers input from petitions filed by WSBA members affected by the MCLE rules. The MCLE Board participates in diversity, equity, and inclusion trainings. The recent changes to the undue hardship matrix and the mentoring policy reflect the MCLE Board’s commitment to fostering inclusivity, diversity, and equity. The MCLE Board fosters an atmosphere of civility and collegiality insofar as how the Board receives comments from WSBA members, staff, fellow board members, and others. This is accomplished by active listening and respectful discussion. Consistency in the application of the rules is maintained by active discussion on the merits of each issue brought before the MCLE Board. The MCLE Board aims to achieve Board consensus whenever possible.

### MCLE Activity Applications & Certifications Review

The MCLE Board has delegated approval of courses to the WSBA’s MCLE staff. MCLE analysts regularly review CLE course submissions and accredit activities per standards outlined in APR 11. Hundreds of CLE activity applications are received each month from both sponsors and WSBA members. MCLE analysts review and approve thousands of activity applications each year. In 2023, 20,289 applications were reviewed by MCLE analysts and approved for MCLE credit.

In addition to CLE activity reviews, MCLE staff reviews all certifications from members who are due to report their MCLE compliance. As MCLE reporting and certification are based on a three-year reporting period, MCLE analysts review and verify that the MCLE requirements are completed for one-third of the active membership each year. This last year that totaled more than 10,424 certifications.



## **Certification for the 2022-2024 Reporting Period**

Over 11,000 lawyers, LPOs, and LLLTs are due to earn their required credits by December 31, 2024, and certify by February 3, 2025.<sup>2</sup> Typically, MCLE certification opens as part of license renewal in November. This year, to ensure that all the recent online system updates are functional before licensing opens in November, we have enabled certification through the MCLE online earlier than usual and as of September 16th, 755 licensed legal professionals are compliant for the 2022-2024 reporting period.

### **Attachments:**

1. 2024-2025 MCLE Board Roster
2. Undue Hardship Decision Matrix
3. FY 24 Budget Summary
4. Revised Standards for Approving Structured Mentoring Programs

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<sup>2</sup> Since February 1 falls on a Saturday this year, both the licensing and MCLE certification deadline was moved to the next business day.

## Attachments:

1. 2024-2025 MCLE Board Roster
2. Undue Hardship Decision Matrix
3. FY 24 Budget Summary
4. Revised Standards for Approving Structured Mentoring Programs

## 2024-2025 MCLE Board Roster

**2024-2025 MCLE BOARD ROSTER**  
*(Updated 9/16/2024)*

Katharine Denmark (Chair)  
18145 SE 42nd Pl  
Issaquah, WA 98027-9716  
[katiedenmark@gmail.com](mailto:katiedenmark@gmail.com)  
Term Expires: 9/30/2025 (first term)

M. Christopher Bueter  
Michael Christopher Bueter  
8526 Interlake Ave N  
Seattle, WA 98103-4028  
(574) 575-0472  
[christopher.bueter@gmail.com](mailto:christopher.bueter@gmail.com)  
Term Expires: 9/30/2025 (second term)

Darryl Elliott Colman  
Office of Superintendent of Public Instruction  
600 Washington St SE  
(360) 725-6162  
[darryl.colman@gmail.com](mailto:darryl.colman@gmail.com)  
Term Expires: 9/30/2026 (first term)

Merri Hartse  
2020 E 36th Ave  
Spokane, WA 99203-4046  
(509) 209-0004  
[hartsem@hotmail.com](mailto:hartsem@hotmail.com)  
Term Expires: 9/30/2025 (second term)  
Public Member

Efrem Robert Krisher  
115 141st Pl NE  
Bellevue, WA 98007  
(425) 891-3079  
[ekrisher@gmail.com](mailto:ekrisher@gmail.com)  
Term Expires: 9/30/2027 (second term)

Henry Phillips  
1301 2nd Ave Ste 3000  
Seattle, WA 98101-3800  
[henry.phillips@morganlewis.com](mailto:henry.phillips@morganlewis.com)  
(206) 274-6400  
Term Expires: 9/30/2027 (first term)

Brendon Taga  
1600 Chester Ave  
Bremerton, WA 98337-1600  
(360) 792-6050  
[brendontaga@alumni.upenn.edu](mailto:brendontaga@alumni.upenn.edu)  
Term Expires: 9/30/2026 (first term)

**BOG Liaison:**  
Kevin Fay  
[KevinFayBOG@yahoo.com](mailto:KevinFayBOG@yahoo.com)

**Staff Liaison:**  
Adelaine Shay  
MCLE Manager  
(206) 727-8249  
[adelaines@wsba.org](mailto:adelaines@wsba.org)



## Undue Hardship Decision Matrix

## EXTENSION (EXT) REQUESTS MATRIX

Reason No.	<b>SITUATION</b> <i>Applies to first period of non-compliance, and multiple consecutive periods of non-compliance.</i>	<b>DECISION</b>
EXT 1	(1) Significant medical hardship of self or immediate family member for whom member is primary support; and  (2) Requested extension deadline is in the same calendar year in which the lawyer is due to report.	* First request -- grant extension with reasonable deadline * Second request -- refer to the MCLE Board
EXT 2	(1) Death of immediate family member which caused lawyer hardship (e.g., emotional, physical, financial, scheduling); and (2) Requested extension deadline is in the same calendar year in which the lawyer is due to report.	* First request -- grant extension with reasonable deadline * Second request -- refer to the MCLE Board
EXT 3	(1) Financial hardship -- due to (a) being unemployed or employed with poverty-level wages; (b) major medical expense for self or family member; or (c) bankruptcy; and (2) Requested extension deadline is in the same calendar year in which the lawyer is due to report.	* First request -- grant extension with reasonable deadline * Second request -- refer to MCLE Board
EXT 4	On an active military assignment in a location where it is possible to access CLE courses but military obligations do not allow enough time to complete credits by the deadline.	* First request -- grant extension with reasonable deadline * Second request -- refer to MCLE Board
EXT 5	Immediate family member is about to be deployed overseas or is returning from overseas deployment within the last 3 months of the reporting period.	* First request -- grant extension with reasonable deadline * Second request -- refer to the MCLE Board
EXT 6	Took parental leave within the last year of member's reporting period.	* First request -- grant extension with reasonable deadline * Second request -- refer to the MCLE Board
EXT 7	All other requests	Deny or Refer to Board

\*"Immediate family member" as defined by RCW 50A.05.010 "as child, grandchild, parent, grandparent, sibling, or spouse of [the member] and also includes any individual who regularly resides in the [member's] home or where the relationship creates an expectation that the [member] care for the person, and that individual depends on the [member] for care. "Family member" includes any individual who regularly resides in the [member's] home, except that it does not include an individual who simply resides in the same home with no expectation that the [member] care for the individual."

**CREDIT MODIFICATION (MOD) DECISION MATRIX**

<b>Reason No.</b>	<b>SITUATION</b> <i>Applies to first period of non-compliance, and multiple consecutive periods of non-compliance.</i>	<b>DECISION</b>
MOD 1	Significant medical hardship of self or immediate family member for whom lawyer is primary support.	Grant as appropriate
MOD 2	Death of immediate family member which caused lawyer hardship (e.g., emotional, physical, financial, scheduling).	Grant as appropriate
MOD 3	Financial hardship (as defined by the "First Time Late Fee Waiver Requests Decision Criteria" table)	Grant as appropriate
MOD 4	All other reasons	Deny

\*"Immediate family member" as defined by RCW 50A.05.010 "as child, grandchild, parent, grandparent, sibling, or spouse of [the member] and also includes any individual who regularly resides in the [member's] home or where the relationship creates an expectation that the [member] care for the person, and that individual depends on the [member] for care. "Family member" includes any individual who regularly resides in the [member's] home, except that it does not include an individual who simply resides in the same home with no expectation that the [member] care for the individual."



## EXEMPTION (EXM) DECISION MATRIX

Reason No.	SITUATION <i>Applies to first period of non-compliance, and multiple consecutive periods of non-compliance for EXM 3 only. For EXM 1&amp;2, for multiple consecutive periods of non-compliance, bring to board.</i>	DECISION Note: If a waiver is approved and some credits have already been completed, grant the waiver only for the number of credits still needed for compliance. There should be no carry-over as a result of this waiver.
EXM 1	(1) Significant medical hardship of self or immediate family member for whom member is primary support; and (2) Petition is filed by certification deadline; and (3) <u>Less</u> than 15 credits due of which no more than 2 are ethics.	*Grant.
EXM 2	(1) Significant medical hardship of self or immediate family member for whom member is primary support; and (2) Petition is filed by certification deadline; and (3) 15 or <u>more</u> credits still due and/or more than 2 ethics credits due.	*Grant request if medical hardship is for lawyer and: (a) is life-threatening; or (b) is of long duration (in years); or (c) lawyer is 75 or older.  All others: Deny request and grant extension instead
EXM 3	On active military assignment in remote location or on a domestic base where it is difficult to access CLE courses.	Grant.
EXM 4	All other requests.	Deny.

\*"Immediate family member" as defined by RCW 50A.05.010 "as child, grandchild, parent, grandparent, sibling, or spouse of [the member] and also includes any individual who regularly resides in the [member's] home or where the relationship creates an expectation that the [member] care for the person, and that individual depends on the [member] for care. "Family member" includes any individual who regularly resides in the [member's] home, except that it does not include an individual who simply resides in the same home with no expectation that the [member] care for the individual."

**LATE FEE WAIVER DECISION CRITERIA**

Note: If "Credits by 12/31" is "Y," then late fee was assessed because certification was submitted after the February 1 deadline.

Y\* = Complete at time petition considered

No.	SITUATION	CREDITS BY 12/31?	CREDITS DONE After 12/31?	CERTIFIED?	1st Non-Comp RP	>1 Consecutive Non-Comp RP	DECISION
<p><b>MEDICAL HARDSHIP/DEATH</b></p> <ul style="list-style-type: none"> <li>“Immediate family member” as defined by RCW 50A.05.010 “ as child, grandchild, parent, grandparent, sibling, or spouse of [the member] and also includes any individual who regularly resides in the [member’s] home or where the relationship creates an expectation that the [member] care for the person, and that individual depends on the [member] for care. "Family member" includes any individual who regularly resides in the [member’s] home, except that it does not include an individual who simply resides in the same home with no expectation that the [member] care for the individual.”</li> </ul>							
A1	Significant medical hardship of self or immediate family member for whom licensed legal professional is primary support, or Death of immediate family member which caused lawyer hardship (e.g., emotional, physical, financial, scheduling)	Y/N	Y*	Y/N	X		Waive if certification submitted or once it is submitted.
A2	Significant medical hardship of self or immediate family member for whom licensed legal professional is primary support, or Death of immediate family member which caused lawyer hardship (e.g., emotional, physical, financial, scheduling)	Y/N	Y*	Y/N		X	Reduce or waive [depending on the circumstance] if certification submitted or once it is submitted.
A3	Significant medical hardship of self or immediate family member for whom licensed legal professional is primary support, or Death of immediate family member which caused lawyer hardship (e.g., emotional, physical, financial, scheduling)	N	N	Y/N	X	X	<15 credits remaining = Reduce or waive [depending on the circumstance] if Certification submitted by the deadline (with all credits needed for compliance completed). >15 credit remaining = Refer to the Board

No.	SITUATION	CREDITS BY 12/31?	CREDITS DONE After 12/31?	CERTIFIED?	1st Non-Comp RP	>1 Consecutive Non-Comp RP	DECISION
	<p><b>FINANCIAL HARDSHIP</b>  as defined by 200% of Federal Poverty Guidelines based on <u>gross household</u> annual income due to  (1) being unemployed or employed with poverty-level wages;  (2) major medical expense for self or family member; or  (3) bankruptcy.  The guidelines are the same ones approved by the BOG in 2010 for determining a one-time waiver of the annual license fee based on financial hardship. (See attached "WSBA License Fee Exemption Request Form".)  Offer a payment extension if necessary, taking the following guidelines into consideration:</p> <ul style="list-style-type: none"> <li>• Petition received for financial hardship waiver of late fee;</li> <li>• Waiver was denied or late fee was reduced;</li> <li>• Gross household income between 200-400% of the Federal Poverty Guidelines;</li> <li>• Credit requirements have been met and certified;</li> <li>• The late fee amount owed is equal to or more than \$450;</li> <li>• The fee is paid in full within 3-5 months depending on the amount.</li> </ul>						
B1	FINANCIAL HARDSHIP	Y		Y	X		Waive
B2	FINANCIAL HARDSHIP		Y*	Y*	X		Reduce to \$50 [ <i>waive</i> \$100] if paid by the deadline.
B3	FINANCIAL HARDSHIP	Y		N	X		Reduce to \$50 [ <i>waive</i> \$100] if paid and certified by the deadline.
B4	FINANCIAL HARDSHIP		Y*/N	Y/N	X		Reduce to \$75 [ <i>waive</i> \$75] if paid and certified by the deadline.
B5	FINANCIAL HARDSHIP	Y		Y*		X	Waive \$300 if paid by the deadline.
B6	FINANCIAL HARDSHIP		Y*	Y*		X	Waive \$200 if paid by the deadline.
B7	FINANCIAL HARDSHIP	Y		N		X	Waive \$250 if paid and certified by the deadline.
B8	FINANCIAL HARDSHIP		Y*/N	Y/N		X	Waive \$150 if paid and certified by the deadline.
B9	FINANCIAL HARDSHIP qualifying criteria not met		Y*/N	Y/N	X	X	Deny - Include payment extension language in denial letter.
	<b>Maternity/Paternity Leave</b>						
C1	Leave must be taken within the last year of member's reporting period. Waive if ≤approximately half of credit requirement is remaining (22 total credits for lawyers or 15 total credits for LLLT/LPOs), No fee waiver if more than half of credits remaining.						
	<b>MILITARY -- On active military in a location where it is possible to access CLE courses, but military obligations do not allow enough time to complete credits by the deadline or internet is unreliable.</b>						

No.	SITUATION	CREDITS BY 12/31?	CREDITS DONE After 12/31?	CERTIFIED?	1st Non-Comp RP	>1 Consecutive Non-Comp RP	DECISION
D1	MILITARY -- See header criteria	Y/N	Y*/N	Y*/N	X		Waive late fee.
D6	MILITARY -- See header criteria	Y/N	Y*/N	Y/N		X	Refer to the Board
	<b>MAIL DELIVERY PROBLEM</b>						
D7	Claims certified by 2/1.	Y	Y*	Y*	X	X	Grant if licensed legal professional establishes timely certification or if administrative error; otherwise deny.
	<b>MILITARY FAMILY</b>						
E1	If immediate family member is deployed overseas or is returning from overseas deployment in the last 3 months of member's reporting period. Waive if approximately half of credit requirement is remaining (22 total credits for lawyers or 15 total credits for LLLT/LPOs), No fee waiver if more than half of credits remaining.						
<b>MIS-INFORMATION FROM WSBA / LICENSED LEGAL PROFESSIONAL'S FAILURE TO LEARN MCLE REQUIREMENTS</b>							
F1	Reports that certification completed online by 2/1 and it was the <u>first time</u> licensed legal professional certified online. Certification was not submitted correctly, therefore 2/1 deadline not met.	Y		Y*	X	X	Waive the late fee once certification has been completed successfully. (This policy was passed by the Board on 3/19/10.)
F2	Reports being told by WSBA staff certification not needed	Y/N	Y*	Y*/N	X	X	Deny
F3	Licensed legal professional reports receiving other errant information from the WSBA [and it was reasonable for the licensed legal professional to be dependent on the information] or other WSBA administrative error occurred causing the late fee.	Y	Y*	Y*	X	X	Reduce or waive the late fee depending on the circumstances.

No.	SITUATION	CREDITS BY 12/31?	CREDITS DONE After 12/31?	CERTIFIED?	1st Non-Comp RP	>1 Consecutive Non-Comp RP	DECISION
F4	Licensed legal professional reports receiving the previous petition decision letter after the deadline that had to be met for a fee reduction.	Y	Y*	Y*	X	X	Reduce or waive the late fee depending on the circumstances.
	<b>SPONSOR MIS-ADVERTISEMENT</b>						
G1	Short credits due to sponsor error or mis-advertisement of CLE credits (if < or = 2 credits)	See note	See note	Y	X	X	Grant if * At least 43 credits are in reporting period * Shortfall made up in timely manner after notification of misaccreditation * All credits needed for compliance are complete * Certification is complete
	<b>MISC. REASONS FOR NON-COMPLIANCE</b>						
K1	Certified reporting period roster with a duplicate course; deletion of the course causes credit non-compliance after 12/31. * All other credits were taken within the RP * < or = 4 credits need to be taken to make up credit deficiency. * Credits made up and certified in a timely manner. * Never late before.	Y		Y	X		Reduce late fee to \$75 <u>[waive \$75]</u> . if payment postmarked/delivered to the WSBA by the deadline.
K2	Busy practice / Oversight / Other non-medical or non-financial hardship reason [See "Misc." list below]						Deny
	<b>MISC. REASONS FOR NON-COMPLIANCE</b>						
	Claims mailed certification to WSBA but not received by WSBA.						
	Class that licensed legal professional planning to take cancelled at last minute and licensed legal professional still has time in reporting period to take needed credits.						

<b>No.</b>	<b>SITUATION</b>	<b>CREDITS BY 12/31?</b>	<b>CREDITS DONE After 12/31?</b>	<b>CERTIFIED?</b>	<b>1st Non- Comp RP</b>	<b>&gt;1 Con- secutive Non- Comp RP</b>	<b>DECISION</b>
	Did not know certification had to be submitted since all credits are on the MCLE web site (even though instructions about requirement for certification is in APR 11, and in the July 1st letter, in the NW Lawyer FYI column Sept.-April each year, on the certification forms in the annual license packet and in all email reminders about license renewal).						

Fiscal Year 2024  
August MCLE Budget Summary

## Washington State Bar Association

Statement of Activities

For the Period from August 1, 2024 to August 31, 2024

**92% OF YEAR COMPLETE**

	FISCAL 2024 REFORECAST	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
<b>MANDATORY CONTINUING LEGAL EDUCATION</b>						
<b>REVENUE:</b>						
ACTIVITY APPLICATION FEE	550,000	57,200	665,500	(115,500)	121%	161,333
ACTIVITY APPLICATION LATE FEE	220,000	16,450	246,700	(26,700)	112%	45,033
MCLE LATE FEES	190,000	1,200	267,375	(77,375)	141%	93,208
ANNUAL ACCREDITED SPONSOR FEES	36,000	500	37,250	(1,250)	103%	4,250
ATTENDANCE LATE FEES	90,000	7,950	112,550	(22,550)	125%	30,050
COMITY CERTIFICATES	27,800	500	29,822	(2,022)	107%	4,339
<b>TOTAL REVENUE:</b>	<b>1,113,800</b>	<b>83,800</b>	<b>1,359,197</b>	<b>(245,397)</b>	<b>122%</b>	<b>338,214</b>
<b>DIRECT EXPENSES:</b>						
DEPRECIATION	130,449	10,736	112,728	17,721	86%	6,850
STAFF MEMBERSHIP DUES	500	-	500	-	100%	(42)
MCLE BOARD	5,000	-	-	5,000	0%	4,583
STAFF TRAVEL/PARKING	50	-	-	50	0%	46
STAFF CONFERENCE & TRAINING	4,000	3,464	3,564	436	89%	103
<b>TOTAL DIRECT EXPENSES:</b>	<b>139,999</b>	<b>14,200</b>	<b>116,792</b>	<b>23,207</b>	<b>83%</b>	<b>11,540</b>
<b>INDIRECT EXPENSES:</b>						
SALARY EXPENSE (5 88 FTE) **	454,500	28,723	417,018	37,482	92%	(393)
BENEFITS EXPENSE	155,895	11,316	131,366	24,529	84%	11,538
OTHER INDIRECT EXPENSE	173,235	9,268	140,236	33,000	81%	18,564
<b>TOTAL INDIRECT EXPENSES:</b>	<b>783,630</b>	<b>49,307</b>	<b>688,619</b>	<b>95,011</b>	<b>88%</b>	<b>29,708</b>
<b>TOTAL ALL EXPENSES:</b>	<b>923,629</b>	<b>63,507</b>	<b>805,411</b>	<b>118,218</b>	<b>87%</b>	<b>41,249</b>
<b>NET INCOME (LOSS):</b>	<b>190,171</b>	<b>20,293</b>	<b>553,786</b>	<b>(363,615)</b>	<b>291%</b>	<b>379,463</b>

\*\*Budget reallocations apply to this line item For details, see FY24 Budget Reallocations memo(s) included in the Board of Governors meeting materials



Revised Standards for  
Approving Structured Mentoring Programs

**STANDARDS FOR APPROVING STRUCTURED MENTORING PROGRAMS FOR MCLE CREDIT**  
**Adopted by MCLE Board on August 9, 2024**

The MCLE Board will approve structured mentoring programs for MCLE credit that meet the requirements of APR 11 and the following requirements and standards:

1. **Purpose.** Structured mentoring programs are intended to:
  - a. Foster professionalism, civility and collegiality in the legal community;
  - b. Bridge the gap for new and transitioning attorneys;
  - c. Promote inclusion and eliminate bias with respect to the practice of law;
  - d. Encourage professional development, including insights into the practice of law;
  - e. Encourage personal development, including the need for healthy work-life balance and awareness of mental health, addiction, and stress issues; and/or
  - f. Support the community through public service.
  
2. **Structured Mentoring Program Standards.** The minimum structural standards for a program to be approved include facilitating and requiring the mentor and mentee to:
  - a. Attend an orientation meeting for which MCLE credit is not earned;
  - b. Sign a mentoring agreement;
  - c. Create a personalized mentoring plan that includes meetings on approved subjects under APR 11(f);
  - d. Have face-to-face mentoring meetings related to the approved course subjects under APR 11(f). Face-to-face meetings can be in person or via electronic means of communication; and
  - e. Provide an evaluation of the mentoring experience to the organization. The forms or the information from the forms must be retained for two years and provided to the MCLE Board upon request.
  
3. **Goals of Approved Structured Mentoring Programs.** Approved Structured Mentoring Programs should:
  - a. Strive to appropriately match qualifying mentors with qualifying mentees;
  - b. Assist mentors and mentees in creating a mentoring plan that will best serve them in achieving their goals; and
  - c. Provide support as needed to help mentors and mentees fulfill their responsibilities.
  
4. **Application for Approval of Structured Mentoring Program.** Organizations shall submit an application, program materials and sample forms to the MCLE Board to be considered for approval.

5. **Self-Directed Structured Mentoring Programs.** Mentors and mentees wishing to develop their own mentoring relationship and attain MCLE credit for mentoring may do so through the Self-Directed Structured Mentoring Program Guide available at <https://www.wsba.org/for-legal-professionals/mcle/mcle-credit-for-mentorship>.
6. **Eligibility.** The mentor and mentee shall not be employed by the same employer. Those using the WSBA provided “Self-Directed Mentoring Program Guide” must mentor active members of the WSBA to obtain MCLE credits.
7. **Mentor Eligibility.** The mentor must be an active member of the WSBA in good standing and have been admitted to the practice of law in Washington for at least five years.
8. **Mentee Eligibility.** To be eligible, the mentee must:
  - a) be an active member of the WSBA; or
  - b) be an inactive member of the WSBA who intends to return to active status within one year; or
  - c) be a J.D. graduate seeking admission in Washington; or
  - d) be an enrolled law student who has successfully completed not less than one third of a law school’s prescribed 3-year course of study or 16 months of a law school’s prescribed 4-year course of study; or
  - e) be an enrolled law clerk who has successfully completed not less than 16 months of the law clerk’s program prescribed 4-year course of study; or
  - f) have completed the APR 6 law clerk program.

Prior to commencing a mentoring relationship under this policy, mentees who are inactive members, law school students, or participating in the law clerk program must certify in writing their intention to complete all steps to obtaining an active WSBA license by signing the MCLE Board mentoring agreement.

9. **MCLE Credit for Participation.** Mentors and mentees may earn one MCLE credit per each 60 minutes during which they held mentoring meetings and covered topics or issues related to the approved course subjects under APR 11(f). Law and Legal Procedure credits may not be earned through mentoring. There are no limits on the number of MCLE ethics and “other” credits attorneys may earn and attorneys may participate as often as they wish. The mentor may not receive payment for the mentoring time.

## Mandatory Continuing Legal Education (MCLE) Board

### FY24 Demographics:

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	86%
	Chose Not to Respond	14%
<b>District*</b>	0	29%
	1	24%
	6	14%
	7S	14%
	8	14%
	9	10%
	10	14%
<b>Ethnicity</b>	Multiracial, biracial	14%
	White or European Descent	71%
	Chose Not to Respond	19%
<b>Gender</b>	Female	29%
	Male	57%
	Chose Not to Respond	14%
<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual or Queer	14%
	Heterosexual	57%
	Chose Not to Respond	29%

*The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you open identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.*

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

<b>Name of Entity:</b>	Member Engagement Council
<b>Chair or Co-Chairs:</b>	Francis Adewale and Matthew Dresden
<b>Staff Liaison:</b>	Kevin Plachy and Jennifer Olegario
<b>Board of Governors Liaison:</b>	None
<b>Purpose of Entity:</b>	
The Council shall seek to educate members in a proactive manner about WSBA’s and Board of Governor’s actions and work, seek input from and involve members in decision-making process, build relationship between members and WSBA governance and ensure ongoing updates of members on WSBA processes and measurement. In carrying out these lofty goals, the council shall seek to create mutual understanding between the board and members, drive board priorities, form relationships with WSBA sections, specialty, minority and regional bars and share opportunities across regions of the state and members resident outside the geographical area of the state. The Council will serve as an advisory body to the Board of Governors as set forth in the WSBA Bylaws.	
<b>Strategy to Fulfill Purpose:</b>	
Seek active engagement with members through (1) direct communication with voluntary bars, WSBA sections, and minority bar associations, and (2) a quarterly survey administered by the Member Engagement Council.	
<b>How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	

By identifying ways to enhance member engagement with the Board and the organization, WSBA will be able to better fulfill its mission by (1) attracting a larger and more diverse pool of volunteers to serve on committees, boards, and sections; (2) more effectively providing member benefits and services of value to members that will advance their ability to serve their clients and the public with the highest degree of professionalism and competence; and (3) staying connected to the membership through regular feedback mechanisms, thereby enabling the organization to adapt to the changing needs in the profession and ensuring the services and benefits provided to members are relevant to the needs of the profession and the public.

**2023 -2024 Entity Accomplishments:**

Received FY23 Year-End report on Member Perception survey results from NBRI. Also administered quarterly surveys for FY24 and reviewed results.

Received feedback from members about their dissatisfaction with the address and resident agent requirements. Subsequently, received information from WSBA Regulatory staff about their intention to request that the Supreme Court remove the requirement.

Worked with WSBA staff to develop the Member Well-Being Task Force charter. Reviewed the charter, provided feedback, and forwarded the final charter to the Board of Governors with a recommendation to approve it. The BOG approved this recommendation. Co-Chairs Francis Adewale and Matthew Dresden and staff liaison Kevin Plachy reviewed the applications for Chair of the task force and recommended the person to serve as Chair to the WSBA President. They also reviewed the applicants for members of the task force and recommended a slate of members to the WSBA President for appointment.

Worked with WSBA staff to develop the Legal Technology Task Force charter. Reviewed the charter, provided feedback, and forwarded the final charter to the Board of Governors with a recommendation to approve it. The BOG approved this recommendation. Co-Chairs Francis Adewale and Matthew Dresden and staff liaison Kevin Plachy reviewed the applications for Chair of the task force and recommended the person to serve as Chair to the WSBA President. They also reviewed the applicants for members of the task force and recommended a slate of members to the WSBA President for appointment.

Worked with WSBA’s Volunteer Engagement Advisor to develop a board recruitment policy.

Developed a member survey regarding proposals for WSBA Deskbooks. Reviewed the survey results and worked with WSBA Communications staff on a recommendation to expand member access to deskbooks free of charge, by subsidizing more licenses to libraries that allow members to check out deskbooks for free. The BOG approved this recommendation.

Received the first quarterly update from both the Legal Technology and Member Well-Being Task Forces in July 2024.

Received feedback from sections on a potential revision of the fiscal policy to allow sections to use their funds to purchase alcohol. No recommendations were developed in FY24.

Implemented the WSBA Communities platform as a pilot project, which will continue into next fiscal year.

**Next Fiscal Year: 2024-2025 Top SMART Goals & Priorities:**

<i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i>	
<b>1</b>	Continue to conduct NBRI Quarterly Surveys and review the results.
<b>2</b>	Receive information and provide input on the Bar Leaders’ Summit scheduled to take place in FY24.
<b>3</b>	Receive quarterly updates from the WSBA Legal Technology Task Force.
<b>4</b>	Receive quarterly updates from the WSBA Well-Being Task Force.
<b>5</b>	Continue to review information about the potential change to the WSBA Fiscal Policies to allow sections to utilize their funds to purchase alcohol.
<b>6</b>	Take up any tasks/initiatives assigned by the Board of Governors.
<b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i>	
<b>1</b>	This entity may play a role in vetting the recommendations generating from the Legal Technology Task Force and the Member Well-Being Task Force.
<b>2</b>	Continue to strengthen connections with the county bars, MBAs and other members throughout the state.
<b>Please describe how this entity is addressing diversity, equity, and inclusion:</b> <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i>	
The Council is seeking ongoing input (specifically in the NBRI survey) from the members on their perceptions of whether WSBA is effectively addressing diversity, equity and inclusion issues and whether WSBA upholds the values of diversity, equity and inclusion. The Council will continue to monitor those results.	
<b>Please share feedback regarding the support and engagement provided by WSBA.</b>	
WSBA staff has been top-notch: efficient, productive, responsive, and a delight to work with. In particular, Kevin Plachy, Sara Niegowski, and Jenn Olegario have provided invaluable contributions. Kevin was the guiding force behind the creation of both task forces, from creating the initial drafts of the charters to recruiting applicants to assisting with the selection of the chair and then the task force members. Sara has done masterful work managing the surveys and developing the now-adopted plan regarding deskbooks. And Jenn has enthusiastically taken on the role of engaging with voluntary bars, MBAs, and sections to set up a Bar Leaders’ Summit.	
<b>Entity Detail &amp; Demographics Report:</b> <i>To Be Completed by WSBA Volunteer Engagement Advisor</i>	
<b>Size of Entity:</b> <i>(Include voting and non-voting members)</i>	11

<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25)</i>	3
<b>Number of Applicants for FY25:</b> <i>Applications were submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>	3
<b>Budgeted Direct Expenses:</b> <i>As of September 30, 2024.</i>	\$1,000
<b>Indirect Expenses:</b> <i>As of September 30, 2024.</i>	\$17,748

**FY24 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	No	56%	
	Yes	11%	
	Chose Not to Respond	33%	
<b>District*</b>	0	1%	
	1	22%	
	2	11%	
	3	11%	
	5	11%	
	6	11%	
	9	11%	
	10	22%	
	<b>Ethnicity</b>	Asian – South Asian	11%
		Black, African American, of African Descent	11%
White, or European Descent		44%	
Chose Not to Respond		34%	
<b>Gender</b>	Female	22%	
	Male	33%	
	Chose Not to Respond	45%	
<b>Sexual Orientation</b>	Heterosexual	44%	
	No	11%	
	Chose Not to Respond	45%	

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you open identify as a sexual minority to include the following: gay, lesbian, bisexual,



transgender?’ This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

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<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2024: October 1, 2023 – September 30, 2024

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**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

<b>Name of Entity:</b>	Member Well-Being Task Force
<b>Chair or Co-Chairs:</b>	Justin Bingham
<b>Staff Liaison:</b>	Dan Crystal, Adely Ruiz, and Kevin Plachy
<b>Board of Governors Liaison:</b>	Nam Nguyen
<b>Purpose of Entity:</b>	
<p>The Task Force seeks to (1) study well-being among WSBA members and the broader legal community in Washington and (2) make recommendations to enhance well-being for those same individuals and thereby improve the provision of legal services. The Task Force will draw on the considerable and influential existing body of work compiled by national and state legal organizations, most prominently <i>The Path to Lawyer Well-Being: Practical Recommendations for Positive Change</i>, authored by the National Task Force on Lawyer Well-Being, a coalition of organizations including the National Organization of Bar Counsel (NOBC), the Association of Professional Responsibility Lawyers (APRL) and the American Bar Association’s Commission on Lawyer Assistance Programs (CoLAP). Following publication of the report in 2017, both the ABA and the Conference of Chief Justices passed resolutions urging all states to review and consider the report’s 44 recommendations. Subsequently, 26 states have formed well-being committees and another eight states have held well-being conventions or “summits.” In November 2023, at the recommendation of the Member Engagement Council (MEC), the WSBA Board of Governors (BOG) voted to adopt member wellness as an organizational priority. Creating a Well-Being Task Force (which was also part of the MEC’s recommendation) is the first step in acting on that priority.</p>	
<b>Strategy to Fulfill Purpose:</b>	

The Task Force’s primary objective will be to create a report synthesizing the Task Force’s research and recommending tangible steps WSBA can take to enhance well-being among WSBA members and the broader legal community in Washington. This objective will be achieved by accomplishing two subsidiary objectives: 1. Create Workgroups to Research Well-Being Across the Various Sectors of the Legal Profession in Washington and the U.S. By the end of its second meeting, the Task Force will establish multiple workgroups to research well-being across various sectors of the legal profession. The workgroups will be comprised of Task Force members and additional non-voting members if desired, such as WSBA employees and members of relevant associations (e.g., Superior Court Judges Association, District and Municipal Court Judges Association, and Appellate Judges Association). The workgroup members will be appointed by the Chair of the Task Force, with consent of a majority of the task force members. 2. Create a Workgroup to Investigate Well-Being Among WSBA Members The Task Force will also form a workgroup to investigate well-being among WSBA members. This workgroup’s primary goal will be to develop and deploy a member survey by no later than the end of the Task Force’s first year. Areas of inquiry for the survey may include the relative well-being of members, the identification of challenges in legal practice, the occurrence of mental health conditions or illness, and suggestions for the Task Force. The workgroup may also solicit member feedback through listening sessions, focus groups, and other forms of interaction. The workgroup will provide a final report to the full Task Force, containing its findings and recommendations.

**How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?**

The ultimate goal of the task force is to study well-being within the legal profession in WA and other states and make recommendations to enhance well-being for WSBA members and thereby improve the provision of legal services.

**2023 -2024 Entity Accomplishments:**

During the course of its first few meetings the taskforce received two presentations. The first presentation was from Kyra Hazilla from the Oregon Attorney Assistance Program. Kyra reviewed the Oregon Taskforce’s report and their process in studying member wellbeing during the duration of their taskforce. The second presentation was from Heidi Alexander, Director of Massachusetts Supreme Judicial Court Standing Committee on Lawyer Well-Being. Heidi’s presentation included a review of the Massachusetts report, the national lawyer well-being movement, and the Institute for Well Being in Law’s (IWIL) work, as well as Massachusetts process in drafting its report.

The three workgroups are as follows: 1. Private Practice Workgroup,2. Law Student/New Member Workgroup,3. Member Survey Workgroup. Chair Bingham assigned task force members to the three workgroups, assigned a Chair for each workgroup, and reviewed expectations of the workgroups which are memorialized in workgroup charters. In that process he made the following appointments of Chairs and members: Private Practice Workgroup: Chair Annasara Purcell; Members: Kyle Sciuchetti, Melissa Berry, Darcel Lobo; Law Student/New Member Workgroup: Chair Susan Lee; Members: Bushra Rahim, Justice Raquel Montoya-Lewis; Member Survey Workgroup: Chair Emily Arneson; Members: Laura Moss, Michael Finkle, Justin Bingham, and Sara Smucker Barnwell. Chair Bingham has also recommended that each workgroup recruit three ad-hoc members. The Private Practice and Law Student/New Member workgroups will run until December, 2024 and the Member Survey Workgroup will run until June 2025.

Recruited Professor Matt Thiese from University of Utah to assist the task force with development of the member survey. Professor Thiese has helped a few other states develop similar surveys and was

highly recommended. Professor These will assist with development of the survey and analysis of the survey results when they are available.	
Provided a quarterly update to the Member Engagement Council in July, 2024.	
<b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b> <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i>	
<b>1</b>	The task force will establish two more workgroups in January 2025 which will focus on Suicide, Addiction and Burnout and Judicial, Rules, and Regulatory. Those two workgroups are scheduled to run through May 2025. In July 2025 three more workgroups will be established focusing on DEI and Well-Being, Government, Legal Aid, and LAP/Member Wellness Programs. Those workgroups are scheduled to run through November 2025.
<b>2</b>	Will provide quarterly updates to the Member Engagement Council in November 2024, February 2025, May 2025, and August 2025.
<b>3</b>	Will provide an interim report/update to the WSBA Board of Governors in May 2025.
<b>4</b>	Will deploy member survey on well-being in January 2025 and plan to have full analysis of the survey done by the end of March, 2025.
<b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i>	
<b>1</b>	The task force will be working to compile its final report to the Board of Governors which will be due in March, 2026.
<b>Please describe how this entity is addressing diversity, equity, and inclusion:</b> <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i>	
The Task Force will be considering the impacts of DEI on well-being within the legal profession in WA State. We will integrate DEI considerations into the survey and we will be establishing a workgroup devoted to the study of DEI and Well-Being in FY25.	
<b>Please share feedback regarding the support and engagement provided by WSBA.</b>	
Support from WSBA staff has been exceptional. Kevin Plachy, Dan Crystal, and Adely Ruiz have provided continuous assistance with taskforce planning and implementation. Kevin has provided much needed project management support, while Dan and Adely have provided subject matter expertise. WSBA staff support has been key to the taskforce's launch and initial success. SharePoint services provided by WSBA has given the taskforce a platform for collaboration. SharePoint will be key as we move into the report writing phase of the taskforce. The taskforce is lucky to have extensive BOG involvement. Not only do we have an assigned BOG liaison; one of our most active members, Emily Arneson, has recently joined the BOG! This strong connection will be very helpful as the taskforce moves into its second year.	
<b>Entity Detail &amp; Demographics Report:</b> <b><i>To Be Completed by WSBA Volunteer Engagement Advisor</i></b>	

<b>Size of Entity:</b> <i>(Include voting and non-voting members)</i>	11
<b>Number of Vacancies:</b>	11
<b>Number of Applicants for FY25:</b>	40
<b>FY24 Demographics:</b> Demographic information is not available for this entity.	

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<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2024: October 1, 2023 – September 30, 2024

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It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

<b>Name of Entity:</b>	Pro Bono & Public Service Committee
<b>Chair or Co-Chairs:</b>	Erin Ream, Parvin Price
<b>Staff Liaison:</b>	Joyce Diaz Sandi; Equity & Justice Specialist
<b>Board of Governors Liaison:</b>	Tom Ahearne
<b>Purpose of Entity:</b>	
The Pro Bono and Public Service Committee serves WSBA members by communicating opportunities and eliminating barriers to providing pro bono services to communities that experience poverty and injustice.	
<b>Strategy to Fulfill Purpose:</b>	
The PBPSC Chose the following priorities for FY24:	
<ol style="list-style-type: none"> <li>1. Second Annual Pro Bono Fall Fair – Offering 3 CLE credits with three sessions: Pro Bono Stories, Pro Bono Ethics, and View from the Bench</li> <li>2. Article introducing WSBA membership to the inconsistency in pro bono reporting, and also how RPC 6.1 counts a myriad of work as pro bono hours</li> <li>3. October Legal Lunchbox – Basics for Lawyers on Nonprofit Boards</li> <li>4. The expansion and voting on having law students serve on the PBPSC</li> </ol>	
<b>How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	

<p>The entity’s purpose increases the awareness of membership to pro bono opportunities and the need that Washington state low-income communities have for pro bono services. With our annual Pro Bono CLE event, we are attempting to reduce the hesitance that attorneys may have to volunteering for pro bono projects. With the article, we are attempting to highlight the lack of pro bono hours that are devoted in Washington state, to encourage our membership to think about how they can help community members access justice.</p>	
<p><b>2023-2024 Entity Accomplishments:</b></p>	
<p>Pro Bono CLE Fair October 2nd, 2024 – 3 CLE Credits</p>	
<p>September Bar News Article – Written by Gabe Hinman the Rules &amp; Policy Subcommittee Chair – <i>What is Pro Bono Service and How Should the WSBA Monitor It?</i></p>	
<p>Legal Lunchbox October 29<sup>th</sup>, 2024 - Basics for Lawyers on Nonprofit Boards</p>	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>SMART Goals can be an effective framework for the creation of goal; they detail the work you and your team hope to accomplish and help to foster and communicate clear expectations.</i></p> <p><i>SMART Goals are: Specific, Measurable, Relevant and Time-Bound</i></p>	
<b>1</b>	<p>Diversify the perspectives of the committee and increase the excitement from future lawyers by having law students serving as representatives on the committee. We can measure this goal through seeing how many applications we receive and how many total law students we have on the committee by the end of FY25.</p>
<b>2</b>	<p>Pass a change where pro bono reporting is mandatory, even if membership reports 0 hours. This will require BOG action since changing how we report would mean changing the language in RPC 6.1. This change would effectively make the reporting box something that people can’t skip.</p>
<b>3</b>	<p>Increase Pro Bono volunteering by creating community at local bar associations. We will accomplish this by hosting networking sessions or highlighting existent networking sessions across different local bar associations in Washington state. We hope to host some in Central Washington and Eastern Washington this year. It will be measured by the amount of volunteers that sign up to local bar associations and begin volunteering with them. Any increase would be considered a success.</p>
<p><b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities your entity seeks to address, beyond the next fiscal year.</i></p>	
<b>1</b>	<p>Planning for the Pro Bono CLE Fair in FY26</p>
<b>2</b>	<p>If the passing of the RPC 6.1 language change does not happen this year, then we will look to proceed with it in FY26</p>
<b>3</b>	<p>Continuation of law school student involvement, and possibly adding a member of the public as a consultant.</p>

**Please describe how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in decision-making? What techniques do you use to promote a culture of inclusion within the board or committee? How do you seek to elicit inclusive decision-making amongst your group? What more would you like to see done in this area to better support the needs of your entity?*

We reach out to various stakeholders inclusive of the QLSPs and the ATJ board to inform our decision making. In addition, we are working this year to change our application process for the PBPSA to ensure that we are intentional in diversifying the perspectives of the membership in PBPSA. This is what we are aiming to accomplish in part by adding law students, and gaining their perspective on the profession.

**Please share feedback regarding the support and engagement provided by WSBA.**

I am grateful for the Pilot project with WSBACommunity. I am excited to use the document sharing function, and the new committee members are aiming to use it more often. We have a different BOG Liaison this year who was a past chair and member of PBPSA. Parvin is more involved, and we look forward to partnering with him to make our efforts come to fruition this year. None that I can think of at the moment.

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Volunteer Engagement Advisor**

<b>Size of Entity:</b> <i>(Include voting and non-voting members)</i>	18
<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25)</i>	6
<b>Number of Applicants for FY25:</b> <i>Applications were submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>	12
<b>Budgeted Direct Expenses:</b> <i>As of September 30, 2024.</i>	\$2500
<b>Indirect Expenses:</b> <i>As of September 30, 2024.</i>	\$56,609

**FY24 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	Yes	11%
	No	53%
	Chose Not to Respond	36%



<b>District*</b>	0	16%
	3	6%
	4	6%
	5	6%
	6	18%
	7N	12%
	8	12%
	9	6%
	10	18%
<b>Ethnicity</b>	Asian – South Asian	6%
	Black, African American or African Descent	12%
	Hispanic or Latinx	6%
	White or European Descent	53%
	Chose Not to Respond	23%
<b>Gender</b>	Female	35%
	Male	41%
	Non-Binary	6%
	Chose Not to Respond	18%
<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer	18%
	Heterosexual	47%
	Demisexual	6%
	Chose Not to Respond	29%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question ‘Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?’ This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

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<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

<b>Name of Entity:</b>	Small Town and Rural Council
<b>Chair or Co-Chairs:</b>	Kari Petrasek
<b>Staff Liaison:</b>	Julianne Unite - WSBA Member Services and Engagement Manager
<b>Board of Governors Liaison:</b>	Matthew Dresden
<b>Purpose of Entity:</b>	
“....to strengthen and support the practice of law in the rural communities throughout Washington state.” – STAR Council Charter.	
<b>Strategy to Fulfill Purpose:</b>	
The STAR Council continued to execute their three-phase strategic plan adopted in May 2022 by the full STAR Council, expanding their deliverables for FY24.	
<b>How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	
The STAR Council directly supports the WSBA’s mission by helping address the issue of “legal deserts” in Washington, strengthens the quality of legal practice in underserved areas, and serves as a critical “force multiplier” for rural practitioners throughout Washington.	
<b>2023-2024 Entity Accomplishments:</b>	

<p>Legal Lunchbox: Legal Issues Affecting Farm Workers &amp; Agricultural Employees. Delivered July 30, 2024</p>
<p>Rural Practice Day: The council held their second rural practice networking event on November 8th, 2023. In this same week, the STAR Council resubmitted for the Rural Practice Month Proclamation from the Governor’s Office. It was declared that November 13- December 11, 2023 would serve as Rural Practice Awareness Month.</p>
<p>Rural Practice Job Fair: In partnership with Gonzaga Law School the committee conducted their second rural practice job fair, in attempts to connect rural employees with qualified applicants who may not have otherwise known about rural opportunities. There were 17 employers who joined this year’s virtual job fair, with approximately 60 job seekers. One employer shared that they intended to hire 2-3 interns as result of the job fair.</p>
<p>STAR Summit: The STAR Council hosted the Small Town and Rural Practice Inaugural Summit, in-person, at Gonzaga School of Law. The all-day seminar was approved for 6.0 CLE credits, which could include 6 Other credits or 4.75 Other and 1.25 Ethics-DEI, depending on choice of concurrent sessions. The Washington State Small Town and Rural Practice Summit convened a broad range of stakeholders, including judges, attorneys, and law school students from across Washington State, to discuss and learn about the challenges and opportunities facing rural communities and the legal professionals practicing within them. This first-of-its-kind event was thought-provoking and solution-driven as participants explored rural legal needs, resource allocation, access to justice issues, career fulfillment, and the opportunities and challenges associated with small town and rural law practice. Featuring US 9th Circuit Court of Appeals Judge Salvador Mendoza Jr., Washington State Supreme Court Chief Justice Steven C. González, Washington State Superior Court Judges, prosecutors, public defenders, public interest attorneys, private practitioners, and law school leaders, the event included keynote presentations, panel discussions, and breakout sessions. The summit had over 100 registrants and featured a very popular Welcome Reception the evening before the CLE. The STAR Council is currently in discussion of how to host this event again for FY25.</p>
<p>Initiated a Rural Practice Internship program which provides \$5,000.00 grants to law students who intern in rural law offices, government, or legal aid organizations. The committee awarded two scholarships in FY24 with the goal of expanding the program in FY25.</p>
<p>Brought a request for change to the STAR Committee charter to the Board of Governors. The change approved by the Board of Governors changed the STAR Committee to the STAR Council which allows the entity to add non-WSBA members to its ranks (this was particularly important for the law school representative slots).</p>
<p>Two STAR Council members (Merf Ehman and Kari Petrasek) and Advancement Department Director Kevin Plachy attended the National Center for State Courts (NCSC) Legal Deserts Summit in Las Vegas, NV. This national conference focused on the shortage of legal services in rural communities throughout the United States and best practices for addressing them.</p>
<p>Started development of a Rural Practice Day of Service program wherein WSBA will partner with a QLSP to provide a one-day legal clinic in rural communities. The council has budgeted to deliver two clinics in FY25.</p>
<p>The STAR Council continued to offer free job postings to qualified rural employers on the WSBA career center. There were 43 inquiries for job postings in FY24.</p>

**Next Fiscal Year: 2024-2025 Top SMART Goals & Priorities:**

*SMART Goals can be an effective framework for the creation of goal; they detail the work you and your team hope to accomplish and help to foster and communicate clear expectations.*

*SMART Goals are: Specific, Measurable, Relevant and Time-Bound*

<b>1</b>	The STAR Council plans to deliver another Legal Lunchbox CLE
<b>2</b>	Host a statewide Summit in Eastern WA in Spring 2025, bringing stakeholders together to create goals on how to increase the number of lawyers in “legal deserts.”
<b>3</b>	Will offer ten rural practice internships to law students over the summer (\$5,000.00 each).
<b>4</b>	Have requested the Governor’s office to declare another rural practice month in November/December 2024.
<b>5</b>	Host another job fair targeted at rural communities in spring 2025.
<b>6</b>	Plan to deliver two, one-day Rural Practice Day of Service clinics within rural communities in FY25.

**Looking Ahead:** *Please share any long-term goals and/or priorities your entity seeks to address, beyond the next fiscal year.*

<b>1</b>	Continue to investigate other options to address legal deserts such as loan forgiveness, partnerships with the courts, and alternative pathways into the profession.
<b>2</b>	Work with state organizations to create policy regarding student loan forgiveness for lawyers who work in “legal deserts.”
<b>3</b>	Ensure greater visibility for the STAR Committee in the statewide legal practice.

**Please describe how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in decision-making? What techniques do you use to promote a culture of inclusion within the board or committee? How do you seek to elicit inclusive decision-making amongst your group? What more would you like to see done in this area to better support the needs of your entity?*

The council is focused on developing programs that narrow the access to justice gap in rural communities. The programs developed by the STAR committee integrate DEI principles. For instance, the Rural Practice internship Program was awarded to students who were serving groups that face economic, geographical, cultural, or language barriers to legal services. The STAR Council is discussing DEI issues in rural communities and looking for strategies to help address DEI issues within rural communities and how best to support legal professionals from marginalized groups in rural communities. For instance, the Rural Practice Summit this summer included a session on effectively addressing LGBTQIA, disability, immigration status, and racial bias. The STAR Committee actively seeks participation, input, and feedback from attorneys in traditionally under-represented areas of the state, including rural counties, Native American reservations, and areas outside the I-5 corridor. The STAR Committee comprises a mix of private and public attorneys and comprises predominately attorneys outside the greater Seattle area.

**Please share feedback regarding the support and engagement provided by WSBA.**

WSBA staff provide exemplary support for the WSBA STAR Committee. Julianne Unite, Kevin Plachy, and Chelle Gegax are all essential to the Committee’s success to date.

**Entity Detail & Demographics Report:  
To Be Completed by WSBA Volunteer Engagement Advisor**

<b>Size of Entity:</b> <i>(Include voting and non-voting members)</i>	13
<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25)</i>	8
<b>Number of Applicants for FY25:</b> <i>Applications were submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>	11
<b>Budgeted Direct Expenses:</b> <i>As of September 30, 2024.</i>	\$5,000
<b>Indirect Expenses:</b> <i>As of September 30, 2024.</i>	\$45,154

**FY24 Demographics:**

The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.

Aside from the factors marked (\*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.

<b>Disability</b>	Yes	40%
	No	40%
	Chose Not to Respond	20%
<b>District*</b>	0	10%
	4	20%
	5	30%
	6	10%
	7N	10%
	8	10%
	9	10%
	<b>Ethnicity</b>	Multi-Racial or Bi-Racial
	White or European Descent	80%
	Chose Not to Respond	10%
<b>Gender</b>	Female	40%
	Male	40%
	Non-Binary	10%
	Chose Not to Respond	10%

<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer	10%
	Heterosexual	70%
	Chose Not to Respond	20%

The Yes/No response for the Sexual Orientation category is data from a previous demographic question 'Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?' This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.

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<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA ENTITY ANNUAL REPORT

**FY 2024: October 1, 2023 – September 30, 2024**

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

<b>Name of Entity:</b>	Washington Young Lawyers Committee
<b>Chair or Co-Chairs:</b>	Aaron Haynes
<b>Staff Liaison:</b>	Chelle Gegax; Advancement Department Member Engagement Specialist
<b>Board of Governors Liaison:</b>	Jordan Couch
<b>Purpose of Entity:</b>	
The Washington Young Lawyers Committee (WYLC) derives its authority from the WSBA Bylaws, WSBA Board of Governors (BOG) Committees and Boards Policy, and WYLC Appointment Policy. Per Section XII.A of the WSBA Bylaws, the WYLC's purpose is to: 1) encourage the interest and participation of new and young lawyers and law students in the activities of the WSBA; 2) developing and conducting programs of interest and value to new and young lawyers consistent with the focus areas of public service and pro bono programs, transition to practice, and member outreach and leadership; 3) and upholding and supporting the Guiding Principles of the WSBA.	
<b>Strategy to Fulfill Purpose:</b>	
The WYLC chose to focus on four key points during FY24.	
1. Outreach and communication;	
2. Public Service and Leadership;	
3. New Member Education and CLE Opportunities	

<p>4. ABA YLD Representation</p> <p>The accomplishments goals outlined in this document reflect how the work of the WYLC addressed these priorities and fulfills the purpose of the WYLC.</p>	
<p><b>How does the entity’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b></p>	
<p>1) As new and young lawyers come in, the WYLC helps those lawyers navigate through difficult issues and connect with the WSBA and its member services.2) We have a committee member involved in the Small Town and Rural Committee (STAR) and the Young Lawyer member. STAR works to bridge the gap between retiring practitioners and new lawyers to ensure consistent access to justice in rural communities.3) The WYLC encourages all new and young lawyers to participate in public service. The WYLC also gives our Public Service and Leadership Awards every year to recognize outstanding achievement.</p>	
<p><b>2023-2024 Entity Accomplishments:</b></p>	
<p>July After-Bar-Exam Social: 70+ attendees; partnered with KCBA and TPCBA</p>	
<p>ABA YLD Representation: The WYLC appointed former WYLC Chair, Emily Albrecht, as ABA delegate for the committee, and Mason Ji as the District Representative for Washington and Oregon to the ABA YLD, ensuring WYLC representation at the ABA conference.</p>	
<p>NME &amp; CLE Opportunities: The WYLC successfully partnered with WSBA CLE to deliver a Legal Lunchbox CLE, a Financial Focus CLE and partnered with the MSE Team to deliver a MentorLink Mixer on Navigating a Courtroom.</p>	
<p>Public Service and Leadership: The Public Service and Leadership Award (PSLA) exists to connect and recognize new and young lawyers that demonstrate values of public service and leadership. In FY24, the WYLC received several nominations and awarded four New &amp; Young Lawyers with the PSLA. A WYLC member drafted the article about the PSLA recipients for and upcoming Washington State Bar News issue and the committee agreed to restructure the display of this award and its recipients on the WSBA Website to look like the Apex Awards, ensuring the accomplishments of the recipients are easy to review.</p>	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>SMART Goals can be an effective framework for the creation of goal; they detail the work you and your team hope to accomplish and help to foster and communicate clear expectations.</i></p> <p><i>SMART Goals are: Specific, Measurable, Relevant and Time-Bound</i></p>	
<b>1</b>	<p>Achieve quorum at meetings to advance key WYLC initiatives for the majority of meetings. Meetings are important for ensuring that WYLC initiatives and goals are met. They also amplify the WYLC’s impact to get committee members involved and engaged.</p>
<b>2</b>	<p>Obtain Board of Governors’ vote/approval on definition of “young lawyer.” This is an initiative that the WYLC has spearheaded since 2023, and achieving its realization will be a milestone for the WYLC this fiscal year.</p>
<b>3</b>	<p>Collaborate with local bar associations to host regular CLE events. Collaboration between the WYLC and local bar associations is critical for engaging new and young lawyers. CLEs</p>



	are a great way to engage new and young lawyers, and seeking avenues for collaboration can deepen the WYLC's impact and visibility.
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**Looking Ahead:** *Please share any long-term goals and/or priorities your entity seeks to address, beyond the next fiscal year.*

<b>1</b>	Increasing visibility and capture among new and young lawyers. Getting new and young lawyers to engage and participate with the WYLC in larger numbers is critical.
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<b>2</b>	Increase collaboration with local and national bar associations. This includes county bar associations as well as the American Bar Association.
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<b>3</b>	Achieve full membership year-to-year. Making sure that each region is represented and has a voice on the WYLC is critical for the committee's long-term success.
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**Please describe how this entity is addressing diversity, equity, and inclusion:**  
*How have you elicited input from a variety of perspectives in decision-making? What techniques do you use to promote a culture of inclusion within the board or committee? How do you seek to elicit inclusive decision-making amongst your group? What more would you like to see done in this area to better support the needs of your entity?*

The WYLC took care to select members for the FY25 Committee who could provide unique perspectives that may not already exist on the committee currently. The WYLC also prioritized applicants with practice areas and experience that the committee does not already exist in the WYLC currently. The WYLC structures its meetings in a manner that ensures all members have an opportunity to share information and concerns during discussions.

**Please share feedback regarding the support and engagement provided by WSBA.**

WSBA support and engagement has been terrific, and the WYLC looks forward to the continued support and engagement provided by WSBA. Having such excellent support staff and services has always been a boon for the WYLC, and the WYLC wishes to continue tapping into these excellent resources this fiscal year to plan events and drive engagement.

**Entity Detail & Demographics Report:**  
*To Be Completed by WSBA Volunteer Engagement Advisor*

<b>Size of Entity:</b> <i>(Include voting and non-voting members)</i>	18
<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25)</i>	7
<b>Number of Applicants for FY25:</b> <i>Applications were submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>	15
<b>Budgeted Direct Expenses:</b> <i>As of September 30, 2024.</i>	\$13,500

<b>Indirect Expenses:</b> <i>As of September 30, 2024.</i>	\$52,600	
<b>FY24 Demographics:</b>		
The WSBA promotes diversity, equality, and cultural competence in the courts, legal profession, and the bar, and is committed to ensuring that its committees, boards, and panels reflect the diversity of its membership.		
Aside from the factors marked (*), demographic information was provided voluntarily and individuals had the option to not respond to any or all of the factors below.		
<b>Disability</b>	No	59%
	Yes	18%
	Chose Not to Respond	23%
<b>District*</b>	0	16%
	1	12%
	2	6%
	3	18%
	4	12%
	5	6%
	6	12%
	7N	12%
	7S	12%
	10	6%
<b>Ethnicity</b>	Asian – East Asian	6%
	Asian – South Asian	6%
	Hispanic, Latinx	6%
	White, European Descent	59%
	Chose Not to Respond	23%
<b>Gender</b>	Female	47%
	Male	35%
	Chose Not to Respond	18%
<b>Sexual Orientation</b>	Gay, Lesbian, Bisexual, Pansexual, or Queer	12%
	Heterosexual	47%
	Chose Not to Respond	41%
The Yes/No response for the Sexual Orientation category is data from a previous demographic question ‘Do you openly identify as a sexual minority to include the following: gay, lesbian, bisexual, transgender?’ This question was on the volunteer application when some of the current members submitted their application and therefore, is still included.		

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

TO: Terra Nevitt, Executive Director

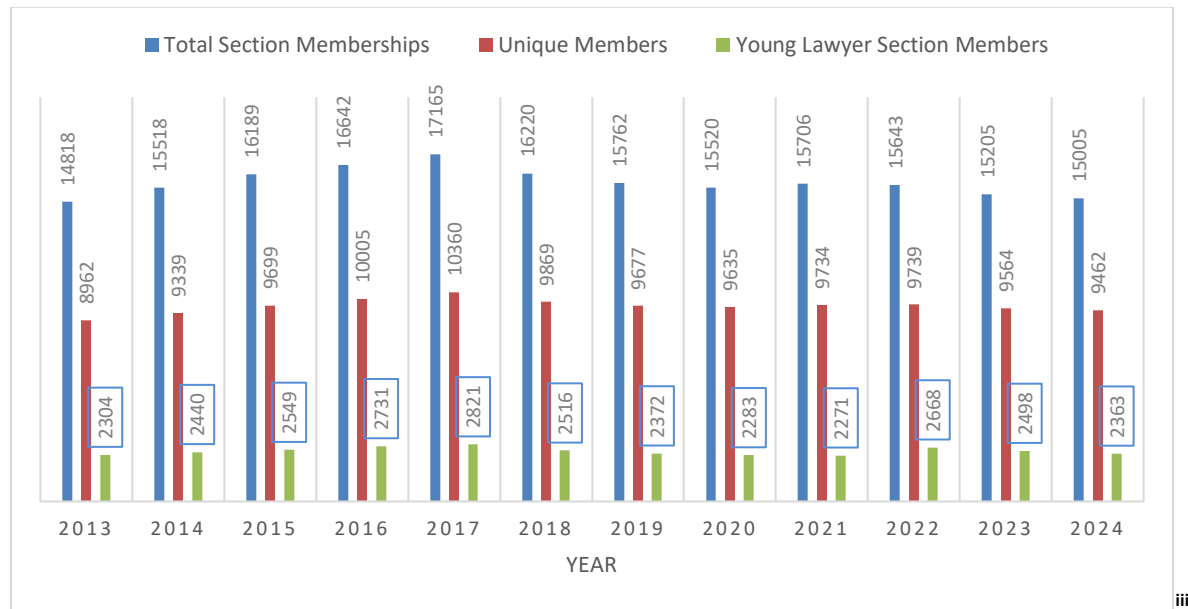
FROM: Kevin Plachy, Director of Advancement  
Julianne Unite, Member Services and Engagement Manager  
Carolyn MacGregor, Sections Program Specialist  
Noah Baetge, Sections Program Coordinator  
Vanessa Sweeney, Member Services and Engagement Program Coordinator

RE: WSBA Sections 2024 Annual Summary Memo & Section Annual Reports

DATE: December 9, 2024

Washington State Bar Association (“WSBA” or “Bar”) Sections are entities of the Bar created and tasked to carry on the work of the WSBA and further their purposes as defined in the WSBA Bylaws and further articulated in individual section bylaws. Approximately 22% of all WSBA members belong to one or more of the WSBA’s 29 sections.<sup>1</sup> Each year, section executive committees (also referred to as “section leaders” collectively) and WSBA staff work together to increase and improve the benefits and support available to section members. Sections generally rely on membership dues, CLE registration revenue, and publication royalties to fund their activities. Per the WSBA Bylaws XI.K, each WSBA section is required to submit an annual report to the WSBA Executive Director.

**Section Membership Numbers Over the Years<sup>2</sup>**



<sup>1</sup> Based on [December 2, 2024, WSBA Member Demographic Reports](#) and December 4, 2024, data from WSBA Regulatory Services Department.

<sup>2</sup> Reflects calendar/licensing year and based on December 4, 2024, data from WSBA Regulatory Services Department.

**Summary of WSBA Sections for 2024** (January 1, 2024 – December 1, 2024):

- **15,005** section memberships.<sup>3</sup>
- **Over 333** section leader volunteers across all 29 sections.<sup>4</sup>
- **\$30** average dues amount to join a section in 2024 (range \$20-\$40). Current law student rate is \$18.45<sup>5</sup> (as of October 1, 2024). Law student rate was \$18.73 (January 1-September 30, 2024).

**In FY2024, WSBA sections provided the following member benefits<sup>6</sup>:**

- **70** section-sponsored educational programs with WSBA: CLE seminars (27) and mini-CLEs (43).<sup>7</sup>
- **\$95,535** awarded in scholarships donations and/or grants.<sup>8</sup>
- **7** law school/student and new lawyer outreach events/benefits.
- **Over 227** legislative bills reviewed/drafted.
- **7** newsletters produced and 15 blog entries posted.
- **22** receptions or forums (non-CLE).

**Sections Team: Internal Highlights & Goals in FY2024**

The “Sections Team” is comprised of 2.5 WSBA FTEs<sup>9</sup> dedicated to the support and success of the 29 WSBA Sections through close partnership with section executive committees. In addition, several other staff members/departments throughout WSBA provide section-related support at different times, including staff from finance/accounting, CLE, legislative, regulatory, and communications.

*The Sections Team provided valuable benefits to section members through the following:*

- Provided guidance on WSBA policies and procedures pertaining to sections.
- Supported activities to foster sustainable sections.
- Supported a pipeline of future leaders.
- Facilitated collaboration between sections and other WSBA programs/efforts.
- Assisted with section member recruiting efforts.

*The Sections Team highlights during FY2024 include:*

- Hosted a virtual Fall Section Leaders Orientation in November 2023, which included as speakers WSBA President Hunter Abell, Executive Director Terra Nevitt, and other WSBA staff leadership.

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<sup>3</sup> Based on [December 2, 2024, WSBA Member Demographic Reports](#). Section memberships range between 66 – 2,202 members.

<sup>4</sup> Based on committee member totals pulled from Personify for FY24. Includes Young Lawyer Liaisons; does not include BOG liaisons.

<sup>5</sup> The law student rate mirrors the per-member charge for a given fiscal year.

<sup>6</sup> Unless otherwise cited, all information was gathered from the completed FY2024 annual reports received from 26 of the 29 section executive committees.

<sup>7</sup> Based on data obtained from WSBA-CLE and accounting team on December 3, 2024.

<sup>8</sup> Based on year-to-date actual scholarships/donations/grant expense budget line in the September 2024 Monthly Financial Reports.

<sup>9</sup> The following positions are included in FTE count: Sections Program Specialist, Sections Program Coordinator, Member Services and Engagement Manager, and Member Services and Engagement Program Coordinator.

# WASHINGTON STATE BAR ASSOCIATION

The orientation also included sessions on court rules, fiscal policy updates, partnering with WSBA CLE, and sections best practices. Attendance included 31 section leaders.

- Presented the annual Spring Section Leaders Meeting virtually in April 2024, inviting WSBA staff leadership to present on WSBA updates, budget planning, new member engagement, and executive committee retreat planning. Twenty-six section leaders attended the meeting.
- Assisted sections and provided staff support for sections that held virtual, hybrid, and in-person events (e.g., receptions, panels, and roundtables), as sections are employing all three options when planning programs and events.
- Continued monthly publication of the *Sections Bulletin*, continuing our regular “Did You Know” item, highlighting various tools and tips that WSBA offers volunteers and members and a new Section Spotlight item. The *Bulletin* is intended to provide section leaders with up-to-date information regarding WSBA matters and events; best practice tips; supplemental resources regarding leadership, diversity, and educational development; and to connect sections with existing and relevant WSBA programs.
- Provided individualized support to executive committees, including, but not limited to: design and implementation of member surveys; virtual, hybrid, and in-person event planning; financial and data analysis; guidance through the bylaws amendment approval process; facilitation of section newsletter review and production; section webpage formatting and content updates; support during executive committee retreats; and assistance developing and growing mentorship programs.
- Offered numerous drop-in planning and info sessions for potential and current section leaders during the election and budget prep seasons.
- Completed a successful budgeting process, including review of budget histories and follow-up with sections before budgets were submitted to the Budget & Audit Committee.
- Engaged in ongoing collaboration with CLE, Legislative, Communications, and Finance staff to update materials and processes related to sections.
- Continued the Sections Noon Discussion Series with the following sessions:
  - January session on Executive Committee Member Recruitment, Part 2, led by a panel of section leaders representing the Health Law, Administrative Law, and Environmental and Land Use Law Section, with 13 section leaders in attendance.
  - June session on Engaging Your Young Lawyer Liaison, led by a mixed panel of section leaders and young lawyer liaisons who have benefited from the program and utilized it well.
- Maintained and updated the online “Volunteer Toolbox,” including section leader meeting recordings/materials, new tools, and resources to help section leaders implement their activities (e.g., templates, meeting tools, and policies).
- Compiled information and data from section annual reports and regulatory services to create annual section “Year in Review” infographs, with design support from Communications.
- Worked closely with IT staff and section officers to administer section executive committee elections for all 29 sections.
- Worked closely with Member Services and Engagement Specialist Chelle Gegax on increased efforts to promote and strengthen the Young Lawyer Liaison to Sections program.
- Collaborated with Volunteer Engagement Advisor Paris Eriksen to continue support of the three sections participating in the *WSBACommunity* pilot project.

**Sections Team: Internal Goals for FY2025**

The primary areas of focus for the Sections Team in FY2025 include continued support for section member and section leader recruitment; using improved communications and tools for virtual meetings and events; continued partnering with the three sections participating in the *WSBACommunity* pilot project to help navigate the platform and fully explore its functionality; exploring innovative member benefit ideas; promoting collaboration among sections; fostering relationships between sections and the Board of Governors; and continuing engagement with section leaders through the annual spring update session, fall orientation programming, and Sections Discussion Series.

**WSBA FY2024 Section Annual Reports**

Included with this memo are the FY2024 sections annual reports submitted by 26 of 29 section executive committees.

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# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	Administrative Law Section
<b>Chair or Co-Chairs:</b>	Ed Pesik
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Kevin Fay
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
<p>The purpose of the Administrative Law Section is to seek participation of all interested members of the Bar to benefit section members, their clients, and the general public by: exchanging ideas and sharing knowledge in administrative law, including the Washington Administrative Procedure Act, Public Records Act, and Open Public Meetings Act; through CLEs, publications, meetings, and other means of communication; initiating and implementing common projects; improving and facilitating the administration of justice in administrative law through the review of pending legislation and regulations, the development of proposed statutes, and the promotion of uniformity in legislation and administration; and providing other services that may benefit section members, the legal profession, and the public.</p>	
<b>Strategy to Fulfill Purpose:</b>	

<p>The Section’s Diversity Outreach Committee actively solicits and recruits individuals to join the Administrative Law Section through recruiting events. The Section’s Nominating Committee actively solicits and recruits individuals to join the Section’ Executive Committee when openings arise. The Section’s CLE Committee routinely hosts and puts on Mini-CLEs concerning various topics in administrative law. The Section’s Legislation Legislative Committee tracks pending legislation, writes articles on legislative activity and agency actions, and where appropriate gives feedback back to the WSBA Legislative Liaison on pending legislation of concern to the section. The Section’s Newsletter Committee publishes a Newsletter that includes articles on administrative law, and advertises events like the Section’s CLEs; the Homan Award Committee solicits and reviews nominations for the Homan Award and awards it to individuals who have shown a strong dedication and commitment to administrative law through their actions and accomplishments. The Section’s Publications and Practice Manual Committee ensures that the Section’s Public Records Act Deskbook and Administrative Law Practice Manual are updated regularly and published.</p>	
<p><b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b></p>	
<p>The Section’s purpose furthers this mission through the exchange of ideas and sharing of knowledge via publications the Section produces - The Public Records Act (PRA) Deskbook &amp; Administrative Law Practice Manual; the CLEs it sponsors and produces; the Newsletter it publishes with articles and case law summaries; tracking proposed legislation and agency actions and best practices; and providing current knowledge on administrative law to the public and members of the Bar. It serves to enhance the practice of administrative law in Washington through both knowledge and awareness, which aids members of the Bar in championing justice.</p>	
<p><b>Top 2023 -2024 Section Accomplishments:</b></p>	
<p>Between October 1, 2023, and September 30, 2024, the Executive Committee held regular meetings via TEAMS video conferencing. These were typically scheduled for the third Monday of each month, unless an alternative date was chosen due to conflicts. In May 2024, the Section hosted its Annual Retreat at the Alderbrook Conference Center in Union, WA. The retreat also featured a mini-CLE. The Section awarded the Frank Homan award for 2023 to the Hon. Johnette Sullivan, and held an in-person reception at Mercato’s in December for Judge Sullivan. This event also featured a mini-CLE. The Section produced multiple mini-CLEs. The subjects included the Chevron deference standard litigation, an election law grab bag, ensuring access to justice for disabled person, discipline in the health provider profession, among others.</p>	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i>  <a href="#">Use this worksheet</a> (under ‘Leadership’) to develop your SMART goals and then summarize below in 1-2 sentences.</p>	
<b>1</b>	<b>Continued development of Mini-CLE presentations</b>
<b>2</b>	<b>Annual retreat with CLE, location TBD</b>



<b>3</b>	<b>Further development of the Mentorship Program</b>
<b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i>	
<b>1</b>	<b>Increase nominations for the Homan Award</b>
<b>2</b>	<b>Increase Newsletter Publication</b>
<b>3</b>	<b>Prepare for Admin Law Practice Manual Updates</b>
<p><b>Please describe how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i></p>	
<p>The Administrative Law Section is involved in all areas of administrative law of interest to Washington lawyers, including Washington State administrative law, federal administrative law, tribal administrative law, and interstate compact administrative law. We recognize that most attorneys in Washington practice some type of administrative law, even if they never directly apply the Washington Administrative Procedure Act. The Section welcomes anyone as a member who has an interest in administrative law. Our members include: Assistant attorneys general; Public agency in-house attorneys; City attorneys (on private contract as well as municipal employees); County prosecutors; Private practitioners who represent clients subject to government regulation; Judicial officials; and Administrative Law Judges. The Section’s Executive Committee strives to recruit members and board members from historically underrepresented backgrounds, LGBTQ+ attorneys, young/new attorneys, and attorneys from all over the state. The Section’s Diversity and Outreach co-chairs have focused primarily on both creating awareness within the Section leadership about bias, equality and equity while developing a mentorship program that is designed to provide guidance and support to new and underrepresented attorneys as they begin their practice in administrative law. Instead of working directly with minority bar associations, we are focused on developing a Section that is inclusive and supportive of minorities in the practice area which we hope will foster a diverse population for the practice in the future. In addition, the Section tries to recruit attorneys for the Section Executive Committee and sub-committees who have been practicing for a broad range of years, including attorneys who are planning for retirement and attorneys who have just begun their careers. We encourage all board and committee members—including new attorneys—to serve in all leadership positions, including as Section officers and Committee chairs. The Section’s Young Lawyer Liaison is a voting member of the Section’s Executive Committee.</p>	
<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>Quality of WSBA staff support/services, including technology solutions</i></li> <li>• <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> <li>• <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i></li> </ul>	

Sections

<p>The liaisons coordinate with the Section’s graphic designer and WSBA legal counsel to review content in the draft Newsletter before publication. WSBA staff assist with the technical details and On24 support that help us create a more successful and accessible continuing legal education program. The Section also has the opportunity to interact with WSBA staff regarding legislation related to administrative law. Also very much appreciated is the annual new leaders orientation sponsored by the Bar in the fall</p>	
<p><b>Please quantify your section’s 2023-2024 member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	
0	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
0	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity.
1 Homan Award Reception and CLE in Olympia and 1 CLE with reception hosted at Alderbrook in Union.	Receptions/forums hosted or co-hosted
0	\$ amount given through donations/scholarships/grants.
0	Newsletters/publications produced
7	Mini-CLEs produced
0	New Lawyer Outreach events/benefits
1 Homan Award	Recognitions/Awards given
<p>16 bills were reviewed during the short legislative session that began in January 2024. Our legislative committee also continued to monitor state agency rulemaking by looking for rule proposals that do or should implement the requirements of RCW 42.56.070(5) that state agencies “shall, by rule, establish and implement a system indexing” for final orders in adjudicative proceedings, declaratory orders, interpretive statements, and policy statements. In 2024 the Section submitted written comments in one proceeding, consulted with one agency on ways to implement its rule with a final decisions index to be posted on the agency’s website, and followed up with two agencies that had</p>	<p><b>Legislative Activity During Short Session</b></p>

Sections

previously stated they might address the issue in a future rulemaking.		
<b>SECTION DATA</b> <i>To Be Completed by WSBA Sections Team</i>		
<b>Section Membership Information:</b>	238	<b>Membership Size:</b> <i>(As of September 30, 2024)</i>
	\$19,409	<b>FY24 Revenue (\$):</b> <b>For Sections Only:</b> <i>As of September 30, 2024</i>
	\$15,525	\$15,585 <b>Budgeted and Direct Expenses:</b> <i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
<b>Section Executive Committee Information:</b>	15	<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>
	9	<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	10	<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>

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<sup>1</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT

**FY 2024: October 1, 2023 – September 30, 2024**

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	Business Law Section
<b>Chair or Co-Chairs:</b>	<a href="#">Kelly Lawton-Abbott</a>
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	<a href="#">Kevin Fay</a>
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
<p>The purpose of the Section shall be to benefit the members of the Section and their clients:                  (a) By encouraging research and study, and the development of best practices, in the area of business law in the State of Washington, and sharing these efforts through continuing legal education where possible and appropriate; (b) By participating in the development of state legislation and regulations in order to improve and facilitate the administration of justice in the area of business law; and (c) By undertaking such other services relating to the area of business law as maybe of benefit to members of the Section, members of the Bar and the greater public.</p>	
<b>Strategy to Fulfill Purpose:</b>	

<p>CLE’s organized by Committee Sections to provide member relevant education opportunities through both virtual and in-person events.</p>	
<p><b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b></p>	
<p>The Section seeks to promote professionalism among our members by helping to build and foster personal relationships among business attorneys across the state and by providing a forum for the discussion and exchange of ideas leading to the improvement of the laws relating to these areas of law.</p>	
<p><b>Top 2023 -2024 Section Accomplishments:</b></p>	
<p>Organized Annual CLE: 2024 Business Law Update: What Every Business Lawyer Needs to Know Now</p>	
<p>Organized 44th Annual Northwest Securities Institute</p>	
<p>The Corporate Act Revision Committee proposed amendments to the Washington Business Corporation Act (RCW 23B).</p>	
<p>Contributed \$5,000 to Communities Rise</p>	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i>  <a href="#">Use this worksheet</a> (under ‘Leadership’) to develop your SMART goals and then summarize below in 1-2 sentences.</p>	
<b>1</b>	<p>We are currently working on the 2024-2025 goals and priorities during our strategic planning retreat on November 18th.</p>
<b>2</b>	
<b>3</b>	
<p><b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i></p>	
<b>1</b>	<p>Increase engagement within the Business Law community.</p>
<b>2</b>	<p>Provide meaningful CLEs and networking opportunities for our members</p>
<b>3</b>	<p>Continue the Section’s strong tradition of legislative participation.</p>
<p><b>Please describe how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i></p>	

<p>The Section has tried to promote a culture of diversity, equity, and inclusion, particularly with respect to the constitution of our executive committee. Women and racial and ethnic minorities currently represent almost 100% of our executive committee.</p>		
<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>Quality of WSBA staff support/services, including technology solutions</i></li> <li>• <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> <li>• <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i></li> </ul>		
<p>We believe the Section’s relationship with the WSBA staff and governors has been fruitful. The WSBA staff has always been willing to help. We appreciate the lengths to which the WSBA staff always goes to acknowledge the contributions of the section leaders.</p>		
<p><b>Please quantify your section’s 2023-2024 member benefits:</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>\$3000 Scholarships, donations, grants awarded;</i></li> <li>• <i>4 mini-CLEs produced</i></li> </ul>		
3	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA	
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity.	
	Receptions/forums hosted or co-hosted	
\$5,000	\$ amount given through donations/scholarships/grants.	
	Newsletters/publications produced	
3	Mini-CLEs produced	
	New Lawyer Outreach events/benefits	
	Recognitions/Awards given	
1 Legislative proposal	Other (please describe):	
<p><b>SECTION DATA</b>  <i>To Be Completed by WSBA Sections Team</i></p>		
<b>Section Membership Information:</b>	1185	<b>Membership Size:</b> <i>(As of September 30, 2024)</i>
	\$19,409	<b>FY24 Revenue (\$):</b> <b>For Sections Only:</b> <i>As of September 30, 2024</i>

Sections

	\$25,683	\$5,812	<b>Budgeted and Direct Expenses:</b> <i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
<b>Section Executive Committee Information:</b>	22		<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>
	20		<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	16		<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>

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<sup>1</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	Creditor Debtor Section
<b>Chair or Co-Chairs:</b>	J. Todd Tracy
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Matthew Dresden
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
Provide continuing legal education programs on topics of interest to the section membership with the purpose of devoting revenue generated from said programs to debt related legal clinics or debt related education organizations; Provide communication amongst members of the section; Review and comment on proposed creditor-debtor legislation.	
<b>Strategy to Fulfill Purpose:</b>	
The Section sponsors continuing legal education programs that generate revenues which are then distributed, in the form of grants, to statewide legal programs or debt related education organizations. The Section also distributes information to members on the Section List-Serve re opportunities with the Court and regarding important legislation impacting section members.	



<b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	
See above	
<b>Top 2023 -2024 Section Accomplishments:</b>	
Provide grant funding of \$5,000 to low income legal clinics across Washington.	
Provide quality CLE programs, including co-sponsorship (Oregon State Bar) of the Northwest Bankruptcy Institute.	
Review and comment on proposed legislation that is referred to the Section by WSBA that might have direct impacts on Section members.	
Maintain active discussions amongst section members via the section list-serve.	
<b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b> <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i> <a href="#">Use this worksheet</a> (under ‘Leadership’) to develop your SMART goals and then summarize below in 1-2 sentences.	
<b>1</b>	<b>Increase membership as the practice area recovers</b>
<b>2</b>	<b>Work with other WSBA Sections on CLE cross-programing</b>
<b>3</b>	<b>Manage budget carefully to increase annual grant award</b>
<b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i>	
<b>1</b>	<b>Increase involvement from practitioners outside the major metropolitan areas, specifically southwest and eastern Washington</b>
<b>2</b>	<b>Develop learning programs with state and federal courts that assist members</b>
<b>3</b>	<b>Re-start the section newsletter</b>
<b>Please describe how this entity is addressing diversity, equity, and inclusion:</b> <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i>	
The Creditor Debtor Section’s Executive Committee is aware of the need to be inclusive in all our activities. We are inherently diverse in that some of us represent creditors, some of us represent debtors, and others represent both. The Executive Committee strives to recruit candidates that represent members from historically underrepresented backgrounds. We strive to take positive steps to deal with those issues and the Section welcomes any member of the Bar that is interested in a substantive area of practice that we are involved with. We also strive to embrace the cultural differences that make interaction amongst us more interesting. The Section has not utilized the services of the WSBA Diversity Specialist and have not had any	

contact with or from that person. The Executive Committee continues to keep its focus on the issues of diversity and inclusion, together with the issue of avoiding inappropriate discrimination in our activities.

**Please share feedback regarding the support and engagement provided by WSBA.**

*For example:*

- *Quality of WSBA staff support/services, including technology solutions*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

Click or tap here to enter text.

**Please quantify your section’s 2023-2024 member benefits:**

*For example:*

- *\$3000 Scholarships, donations, grants awarded;*
- *4 mini-CLEs produced*

1	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
1	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity.
0	Receptions/forums hosted or co-hosted
\$5,000.00	\$ amount given through donations/scholarships/grants.
0	Newsletters/publications produced
0	Mini-CLEs produced
0	New Lawyer Outreach events/benefits
0	Recognitions/Awards given
0	Other (please describe):

**SECTION DATA**

*To Be Completed by WSBA Sections Team*

<b>Section Membership Information:</b>	410	<b>Membership Size:</b> <i>(As of September 30, 2024)</i>	
	\$18,706	<b>FY24 Revenue (\$):</b> <b>For Sections Only:</b> <i>As of September 30, 2024</i>	
	\$8,650	\$5,366	<b>Budgeted and Direct Expenses:</b>

Sections

			<i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
<b>Section Executive Committee Information:</b>	13		<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>
	5		<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	5		<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>

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<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT

**FY 2024: October 1, 2023 – September 30, 2024**

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	Civil Rights Law Section
<b>Chair or Co-Chairs:</b>	David Montes
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Tom Ahearne
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
<p>The Section will be concerned with all aspects of law and policy related to the improvement of the legal practice in the substantive area of civil rights law, which includes, but is not limited to violations of rights provided under the constitutions of United States and Washington state, under federal and state statutes, local laws and regulations; criminal harassment, hate crimes; and immigration matters. The Section will provide continuing legal education on civil rights law to its voting and non-voting members and all interested persons. The Section will provide a network for communications with the civil rights organizations throughout the State. The Section will submit, to the Board of Governors or other appropriate Bar entity, recommendations concerning proposed legislation or court rules that impact legal practice in the area of civil rights.</p>	
<b>Strategy to Fulfill Purpose:</b>	

<p>Our current plan is to primarily function as a source for education and collaboration amongst the civil rights bar in Washington. We intend to put together several CLEs over the next year and hope to have strategy sessions where civil rights practitioners share the work they are doing and strategize about how to work collaboratively across the state to further civil rights work.</p>	
<p><b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b></p>	
<p>There is perhaps no better way to champion justice than to work on civil rights issues. This section hopes to help educate bar members so they can protect the civil rights of the most vulnerable people in our community.</p>	
<p><b>Top 2023 -2024 Section Accomplishments:</b></p>	
<p>Put on a voting rights CLE.</p>	
<p> </p>	
<p> </p>	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i>  <a href="#">Use this worksheet</a> (under ‘Leadership’) to develop your SMART goals and then summarize below in 1-2 sentences.</p>	
<b>1</b>	<b>Put on three CLEs within the next year.</b>
<b>2</b>	<b>Have one in-person gathering within the next year.</b>
<b>3</b>	<b>Publish quarterly newsletters in 2025.</b>
<p><b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i></p>	
<b>1</b>	<b>Create regular strategy meetings to coordinate civil rights work across the state.</b>
<b>2</b>	
<b>3</b>	
<p><b>Please describe how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i></p>	
<p><b>We are currently in the early stages of reviving the section but intend to have the perspectives of people affected by systems have an active voice.</b></p>	

<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• Quality of WSBA staff support/services, including technology solutions</li> <li>• Involvement with Board of Governors, including assigned BOG liaison</li> <li>• Ideas you have on ways WSBA can continue to strengthen/support your entity.</li> </ul>			
<p><b>Carolyn was extremely helpful in helping us learn what we are doing. The mini CLE crew was helpful and efficient in helping us set up the CLE we did.</b></p>			
<p><b>Please quantify your section’s 2023-2024 member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>			
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA		
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity.		
	Receptions/forums hosted or co-hosted		
	\$ amount given through donations/scholarships/grants.		
	Newsletters/publications produced		
	Mini-CLEs produced		
	New Lawyer Outreach events/benefits		
	Recognitions/Awards given		
	Other (please describe):		
<p><b>SECTION DATA</b>  <i>To Be Completed by WSBA Sections Team</i></p>			
<b>Section Membership Information:</b>	150		<b>Membership Size:</b> <i>(As of September 30, 2024)</i>
	\$6,025		<b>FY24 Revenue (\$):</b> <b>For Sections Only:</b> <i>As of September 30, 2024</i>
	\$4,222	\$0	<b>Budgeted and Direct Expenses:</b> <i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
	11		<b>Size of Executive Committee:</b>

Sections

<b>Section Executive Committee Information:</b>		<i>(include and specify voting and non-voting positions)</i>
	9	<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	0	<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>

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# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	Construction Law Section
<b>Chair or Co-Chairs:</b>	Seth Millstein
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Serena Sayani
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The purpose of the Section shall extend to the field of public and private procurement and construction matters, with emphasis upon laws, regulations, and administrative, and court decisions affecting the same. The purpose of this Section is also to promote the education of Washington State Bar Association members in laws, regulations, and administrative and court decisions affecting such procurement and construction, the sound development of relevant laws and regulations, to cooperate in that endeavor with the American Bar Association and its sections, and to promote the objects of the Washington State Bar Association (hereinafter referred to as “WSBA”).	
<b>Strategy to Fulfill Purpose:</b>	



<p>Community service; quarterly newsletters (with updates and announcements); monthly EC meetings to discuss progress and sub-committees; mid-year CLE (all day educational event), winter forum (site visit and engagement with speaker), reaching out to law schools to encourage interest in construction</p>	
<p><b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b></p>	
<p>The Section tries to reach out and provide education to its members on issues surrounding our industry, which in turn helps ensure integrity of the legal profession. As to “championing justice” in the past the Section has drafted “neutral” construction contracts and has various resources online, as well as its engagement in community service (most recently at a ‘tiny home’ factory dedicated to mitigating Seattle’s unhoused population.</p>	
<p><b>Top 2023 -2024 Section Accomplishments:</b></p>	
<p>Quarterly Newsletter including case updates</p>	
<p>WSBA Deskbook involvement</p>	
<p>Mid-year CLE and winter forum</p>	
<p>Reaching out to law students via Zoom and charitable efforts.</p>	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i>  <a href="#">Use this worksheet</a> (under ‘Leadership’) to develop your SMART goals and then summarize below in 1-2 sentences.</p>	
<b>1</b>	<b>Continue educating our members via newsletters and deskbook</b>
<b>2</b>	<b>Continue putting on seminars and education events</b>
<b>3</b>	<b>Continue creating goodwill in the community</b>
<p><b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i></p>	
<b>1</b>	<b>Continued community goodwill</b>
<b>2</b>	<b>Continued education</b>
<b>3</b>	<b>Continued work on creating unity and engagement among members.</b>
<p><b>Please describe how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i></p>	
<p><b>We have a subcommittee that is devoted to diversity. We also recently changed our Bylaws to allow for both the young lawyer liaison and past chairs to vote more readily.</b></p>	

<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• Quality of WSBA staff support/services, including technology solutions</li> <li>• Involvement with Board of Governors, including assigned BOG liaison</li> <li>• Ideas you have on ways WSBA can continue to strengthen/support your entity.</li> </ul>		
<p><b>Noah has helped with potential technology updates.</b></p>		
<p><b>Please quantify your section’s 2023-2024 member benefits:</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>		
None	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA	
One, with discounted tuition for members	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity.	
Multiple	Receptions/forums hosted or co-hosted	
8-9 of us volunteered our time at Sound Foundations which builds tiny homes. See above.	\$ amount given through donations/scholarships/grants.	
Issued approximately quarterly	Newsletters/publications produced	
None	Mini-CLEs produced	
None	New Lawyer Outreach events/benefits	
Awards were given to Beth Andrus and one was ready to be presented to Paul Cressman	Recognitions/Awards given	
	Other (please describe):	
<p><b>SECTION DATA</b>  <i>To Be Completed by WSBA Sections Team</i></p>		
Section Membership Information:	482	Membership Size: <i>(As of September 30, 2024)</i>
	\$24,514	FY24 Revenue (\$): For Sections Only: <i>As of September 30, 2024</i>
	\$22,600	\$4,011
	16	Size of Executive Committee:

Sections

<b>Section Executive Committee Information:</b>		<i>(include and specify voting and non-voting positions)</i>
	6	<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	9	<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>

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# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT

**FY 2024: October 1, 2023 – September 30, 2024**

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	Criminal Law
<b>Chair or Co-Chairs:</b>	Tracey Munger
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Alison Widney
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
	Stated in Section 1.2 of the bylaws
<b>Strategy to Fulfill Purpose:</b>	
	Our strategy includes: Review pending legislation and comment as requested as well as discuss legislation and if appropriate, solicit input from the membership; Continue to present the CJI every year; recruiting new members for growth of the section.
<b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	
	As opposing forces in the gambit of criminal law, the section offers perspectives on legislation that work toward benefitting both sides of the coin instead of one side over the other. The CJI CLE

<p>presentation also presents cutting edge education in a non-partisan manner and the recruitment for growth of the section is wholly devoid of bias toward one side or the other. We strongly believe that by working together we can bridge a gap rather than harvest diversion in the criminal law arena.</p>	
<p><b>Top 2023 -2024 Section Accomplishments:</b></p>	
<p>CJI CLE</p>	
<p>Membership growth</p>	
<p>Legislation review</p>	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i>  <a href="#">Use this worksheet</a> (under 'Leadership') to develop your SMART goals and then summarize below in 1-2 sentences.</p>	
<b>1</b>	<b>Continued membership growth</b>
<b>2</b>	<b>CJI CLE Production</b>
<b>3</b>	<b>Legislative review and commentary as requested</b>
<p><b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i></p>	
<b>1</b>	<b>Continue to grow the current membership</b>
<b>2</b>	<b>Implement a lunchbox CLE program</b>
<b>3</b>	<b>Implement a section newsletter</b>
<p><b>Please describe how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i></p>	
<p><b>Including DEI presentations in the CJI every year and actively recruiting a diverse leadership.</b></p>	
<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>Quality of WSBA staff support/services, including technology solutions</i></li> <li>• <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> <li>• <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i></li> </ul>	
<p><b>very helpful</b></p>	
<p><b>Please quantify your section’s 2023-2024 member benefits:</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>\$3000 Scholarships, donations, grants awarded;</i></li> </ul>	

Sections

<ul style="list-style-type: none"> <li>4 mini-CLEs produced</li> </ul>		
Reduced cost CLE's for members	full-day CLE seminars with WSBA	
Scholarships / refund grants to cover CLE costs	\$ 245.00 given through donations/scholarships/grants.	
Service Award	Recognitions/Awards given	
Annual Caselaw Notebook	Free to membership	
	Other (please describe):	
<b>SECTION DATA</b> <i>To Be Completed by WSBA Sections Team</i>		
<b>Section Membership Information:</b>	343	<b>Membership Size:</b> <i>(As of September 30, 2024)</i>
	\$19,244	<b>FY24 Revenue (\$):</b> <b>For Sections Only:</b> <i>As of September 30, 2024</i>
	\$28,650      \$763	<b>Budgeted and Direct Expenses:</b> <i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
<b>Section Executive Committee Information:</b>	17	<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>
	9	<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	3	<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>

## Sections

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# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	Dispute Resolution
<b>Chair or Co-Chairs:</b>	Courtland Shafer
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Kristina Larry
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The section promotes the informed use and best practices for all dispute resolution processes in Washington.	

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October 1, 2023 – September 30, 2024 (FY24)



<b>Strategy to Fulfill Purpose:</b>
The Dispute Resolution Section of the Washington State Bar Association provides resources, develops programs, and addresses legal and legislative issues to: 1) enhance the skills of dispute resolution practitioners; 2) educate the public in the availability and use of party-determined solutions; and 3) assist the growth and development of dispute resolution services across the State of Washington.
<b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>
Educating members of the Bar and the public about Dispute Resolution serves to bring awareness to nonlitigation methods of resolving disputes. These methods can be more efficient, less expensive, faster, allow party control of the process, provide for the use of experts in the subject matter as decision-makers, and allow privacy in the dispute resolution process. We also serve members of the Bar by bringing CLE opportunities in DR subjects and procedures, by holding networking events, and by providing channels to communicate with other Section Members and with other DR professionals or interested parties. Additionally, we monitor legislation and comment on legislation to further ensure the integrity and utility of DR processes.
<b>Top 2023 -2024 Section Accomplishments:</b>
Delivered an outstanding Northwest Dispute Resolution Conference (March 21-22, 2024), after a 5 year hiatus due to the pandemic. Keynote speakers included Dr. Chantal Prat, neuroscientist at the University of Washington and Nina Meierding, an accomplished and nationally recognized local mediation professional. The conference was attended by ~140 individuals and netted a profit of ~3000.00 for the section.
Established the Alan Kirtley Dispute Resolution Conference Scholarship, to advance the practice of dispute resolution and in deep recognize of and appreciation for Professor Kirtley’s many contributions, including education, training, legislation (RCW Chapter 7.07), DR advocacy and scholarly contributions at the local, state, and national levels.
Produced a miniCLE discussing early dispute resolution for members of HOAs attended by 582 individuals (April 30, 2024)
Recruited 2 newly licensed lawyers to join the Executive Committee, to help us begin offering more benefits for younger professionals, as our section currently has one of the earliest average bar admission years of all the sections.
<b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b> <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i>

Sections

<p><i>Use this worksheet (under 'Leadership') to develop your SMART goals and then summarize below in 1-2 sentences.</i></p>	
<b>1</b>	Increase attendance at 2025 NWDR Conference by 20%
<b>2</b>	Deliver 3 miniCLEs on topics of interest to practitioners and advocates with other sections
<b>3</b>	Participate meaningfully in legislative activities impacting dispute resolution (expected to be included in the FY25 session)
<p><b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i></p>	
<b>1</b>	Increase section membership by 20%
<b>2</b>	Diversify section membership through outreach efforts and programming
<b>3</b>	Improve collaboration with other sections, to achieve economies of scale in delivering programming through volunteer section leaders
<p><b>Please describe how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i></p>	
<p>As the second oldest Section (in terms of the median age of our members), the DR Section has both unique challenges and opportunities in addressing systemic inequalities. We also enjoy the benefit of being able to welcome those who are not members of WSBA (or are ineligible to join WSBA) as DR section members. These members participate in a non-voting capacity as part of our section and contribute thought leadership and challenge siloed thinking that can inhibit the impact of DEI efforts. DEI topics are top of mind as the conference planning committee solicits and reviews presenter proposals. We have intentionally cultivated membership on the ExCom from recent law school graduates and will continue these efforts to produce programming that resonates for all experience levels and incorporates our members' lived experiences.</p>	
<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>● <i>Quality of WSBA staff support/services, including technology solutions</i></li> <li>● <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> <li>● <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i></li> </ul>	

Sections

<p>We have enjoyed close communications with and great support from our WSBA staff liaison and other WSBA personnel. They have helped us accomplish our projects and helped us negotiate WSBA filings and permissions. Carolyn frequently attends our monthly Executive Committee meetings. We continue to seek opportunities to deepen connections with the Board of Governors through our BOG liaison.</p>		
<p><b>Please quantify your section’s 2023-2024 member benefits:</b></p>		
	<p>Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA</p>	
<p>Northwest Dispute Resolution Conference produced by the section and supported with in-kind contribution (facilities use) from the University of Washington School of Law</p>	<p>Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i>-WSBA entity.</p>	
<p>Northwest Dispute Resolution Conference social produced by the section and sponsored by King County Bar Association</p>	<p>Receptions/forums hosted or co-hosted</p>	
	<p>\$ amount given through donations/scholarships/grants.</p>	
	<p>Newsletters/publications produced</p>	
<p>1 mini-CLE produced</p>	<p>Mini-CLEs produced</p>	
	<p>New Lawyer Outreach events/benefits</p>	
<p>Established Alan Kirtley Conference Scholarship to begin in FY25</p>	<p>Recognitions/Awards given</p>	
<p>The Section maintains an active Listserv both to disseminate information to the Section and for Section Members to communicate with each other on relevant topics.</p>	<p>Other (please describe):</p>	
<p style="text-align: center;"><b>SECTION DATA</b> <i>To Be Completed by WSBA Sections Team</i></p>		
<p><b>Section Membership Information:</b></p>	<p>283</p>	<p><b>Membership Size:</b> <i>(As of September 30, 2024)</i></p>

Sections

	\$16,114.		<b>FY24 Revenue (\$): For Sections Only:</b> <i>As of September 30, 2024</i>
	\$50,030	\$7,628	<b>Budgeted and Direct Expenses:</b> <i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
<b>Section Executive Committee Information:</b>	17 (14 voting members and 3 nonvoting advisors)		<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>
	9		<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	8		<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>

# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	Elder Law Section
<b>Chair or Co-Chairs:</b>	Ronald St. Hilaire
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Brent Williams-Ruth
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
Improve WSBA members’ understanding of the legal needs of older adults in Washington; (2) Create a cooperative structure through which WSBA members can work together to better understand Elder Law issues and effective problem solving approaches; (3) Provide legal assistance to older adults in Washington; (4) Serve as a liaison between the WSBA, BOG, Section members and other organizations serving older adults; and (5) Facilitate opportunities for research, advocacy and publications in the field of Elder Law.	
<b>Strategy to Fulfill Purpose:</b>	
The Elder Law Section: (1) hosts regular CLE programs on issues impacting older adults; (2) monitors legislation impacting older adults and shares information with members; (3) maintains an active listserv for section members to collaborate and consult on elder law issues; (4) holds monthly meetings for the executive committee that include the WSBA staff liaison and BOG liaison; and (5)	

sponsors a summer intern to provide legal assistance to low-income seniors at a nonprofit legal aid organization.	
<b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	
The Section provides legal education, advice and consultation, and legislative updates with members. The Section sponsors a legal intern to provide free legal services at a nonprofit legal services organization.	
<b>Top 2023 -2024 Section Accomplishments:</b>	
Hosted spring CLE April 5, 2024 covering annual legislative update, community and separate property in conservatorship proceedings, financial exploitation of the elderly, and recent RPC amendments.	
Sponsored a summer intern to provide legal assistance to low-income seniors at a nonprofit legal aid organization.	
Monitored legislation impacting older adults, shared legislative information with members, and provided comment to the legislature when necessary	
Hosted fall CLE September 13, 2024 covering entity transition upon death, advising trustee of special needs trust, mental illness, AI, and prospectives from a professional fiduciary.	
<b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b> <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i> <a href="#">Use this worksheet</a> (under ‘Leadership’) to develop your SMART goals and then summarize below in 1-2 sentences.	
<b>1</b>	<b>Host 2 CLEs, one in spring and one in fall</b>
<b>2</b>	<b>Maintain vibrant section listserv for mentorship, collaboration, and consultation</b>
<b>3</b>	<b>Sponsor legal intern at non-profit legal aid organization for summer 2025</b>
<b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i>	
<b>1</b>	<b>Monitor legislation impacting older adults and engage Section members in legislative information-sharing and comment when appropriate</b>
<b>2</b>	<b>Collaborate with WSBA, BOG and Washington State Bar Foundation to achieve goals</b>
<b>3</b>	
<b>Please describe how this entity is addressing diversity, equity, and inclusion:</b> <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i>	

<p><b>The Section sponsors a legal intern to work with a Washington legal services organization. Internships at legal services organizations are traditionally unpaid, which means the intern must have a separate source of income or support to participate. Therefore, these internships are not available to many students and disproportionately unavailable to BIPOC students. Sponsorship by the Section opens the opportunity to all students and encourages a more diverse and inclusive pool of applicants. In addition, the Section leadership has regular discussion about strategies for making the Section open and available to all WSBA members in an effort to create a more diverse and inclusive Section.</b></p>	
<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>Quality of WSBA staff support/services, including technology solutions</i></li> <li>• <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> <li>• <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i></li> </ul>	
<p><b>The Section has a good working relationship with liaisons from WSBA, BOG and Washington State Bar Foundation. Our liaisons have been very involved in Section activities and business and extremely helpful to Section leaders.</b></p>	
<p><b>Please quantify your section’s 2023-2024 member benefits:</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>\$3000 Scholarships, donations, grants awarded;</i></li> <li>• <i>4 mini-CLEs produced</i></li> </ul>	
2	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
0	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity.
1	Receptions/forums hosted or co-hosted
	\$ amount given through donations/scholarships/grants.
0	Newsletters/publications produced
0	Mini-CLEs produced
0	New Lawyer Outreach events/benefits
0	Recognitions/Awards given
	Other (please describe):
<p><b>SECTION DATA</b>  <i>To Be Completed by WSBA Sections Team</i></p>	
<b>Section Membership Information:</b>	611
	<b>Membership Size:</b> <i>(As of September 30, 2024)</i>

Sections

	\$38,917		<b>FY24 Revenue (\$): For Sections Only:</b> <i>As of September 30, 2024</i>
	\$47,270	\$789	<b>Budgeted and Direct Expenses:</b> <i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
<b>Section Executive Committee Information:</b>	15		<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>
	11		<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	14		<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>

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<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.



# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	Environmental and Land Use Law Section
<b>Chair or Co-Chairs:</b>	Chair as of October 11: Darren Carnell
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Jordan Couch
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The ELUL Section is a formal association of attorneys who share a common focus and interest in the practices of environmental and land use law. Our Section represents a diverse membership with individuals, drawn from law firms, solo practice, government, private industry, and public interest groups, who often represent different sides of an issue, but who are all committed to civil and professional cooperation for the benefit, protection, and enhancement of our communities and Washington State. Accordingly, our Section aims to provide opportunities for the exchange of ideas surrounding environmental and land use law.	
<b>Strategy to Fulfill Purpose:</b>	
ELUL Section activities fulfill the Section’s purpose in the following ways: (1) We host educational (CLE) events and gatherings for lawyers, law students, and professionals. We make an effort to include the presentation of differing opinions in our CLEs, so that we can	

<p>educate each other on various sides of land use or environmental issues and legal positions. Our educational events also frequently include a “view from the bench,” which provides practitioners with insight into what our court and administrative judges need and wish to see to effect justice; (2) We keep our membership up-to-date about Section events and developments in our practice areas through the use of our website (blog), social media accounts (Facebook and LinkedIn), and our email ListSERV; (3) We share information about bills in the Washington Legislature that are relevant to environmental and land use law on a weekly basis during session; (4) We co-host networking events for law students and practitioners to support law students’ interest in our practice areas. We also support law students with fellowship and scholarship awards. Not only does this expose students to the field, but it promotes involvement by attorneys and furthers civility and professionalism by creating an environment of inclusion and open communication; and (5) We offer social and networking events designed to support camaraderie and WSBA’s professional networking needs.</p>
<p><b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b></p>
<p>The ELUL Section furthers WSBA’s mission to serve the public and members of the bar by supporting communication and collaboration between them. In practice, the ELUL Section supports this communication through our newsletter (blog) and events, which are open to anyone – members and the general public. We also provide regular email updates on legislative bills during the legislative session, which are shared as a member benefit. The ELUL Section ensures integrity of the legal profession by providing educational opportunities and opportunities for civil discourse on ethics and environmental and land use legal issues. Due to our membership’s differing perspectives on the legal issues surrounding our practices areas, professionalism is essential to our Section’s continued success in supporting communication and collaboration. Our educational events also frequently include a “view from the bench” to provide opportunities for the court and administrative judges to share insights with practitioners. We champion justice by our dedication to uplift law students and Section members in government and non-profit roles. This effort is clear through our fellowship grants and scholarships, which subsidize legal internships and/or attendance at our annual Mid-Year conference.</p>
<p><b>Top 2023 -2024 Section Accomplishments:</b></p>
<p>We hosted multiple CLEs, including (1) the 2024 Mid-Year CLE which was held over three days at Suncadia in Cle Elum, with a virtual option and sold out in person attendance and the Section provided two scholarships for a government and a nonprofit practitioner; (2) our first land use-focused CLE which was held in WSBA’s conference room in Seattle; (3) two virtual mini-CLEs in November and December, with ~167 attendees; and (4) co-hosted the September Legal Lunchbox with WSBA.</p>
<p>Provided three summer scholarships to support law students working in government and nonprofit summer clerkships and held two in-person networking social events for law students and young lawyers in October and April.</p>
<p>Increased blog content with 15 posts, including monthly “round-ups” containing news of interest to Section members as well as in-depth articles.</p>
<p>Tracked and reported weekly to Section members on over 200 bills during the 2024 legislative session, including assistance from two UW law students.</p>

<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i>  <a href="#">Use this worksheet</a> (under 'Leadership') to develop your SMART goals and then summarize below in 1-2 sentences.</p>	
<b>1</b>	<b>Commitment to make ELUL CLEs accessible for all Section members, regardless of practice or geographic location.</b>
<b>2</b>	<b>Active engagement in law school outreach, provide scholarships, and provide law students with networking opportunities with experienced practitioners.</b>
<b>3</b>	<b>Provide timely legislative updates on all bills that affect environmental and land use practitioners.</b>
<p><b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i></p>	
<b>1</b>	<b>Connect members with tools, networking, and other opportunities related to the practice of Environmental and Land Use Law.</b>
<b>2</b>	<b>Decrease expenses and increase revenue to balance the Section budget.</b>
<b>3</b>	
<p><b>Please describe how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i></p>	
<p><b>The ELUL Section is always pleased to support new and incoming attorneys. The Section provides law student fellowships to students working on an internship position each year. Additionally, the Section provides for scholarships funds to support attendance at our annual Mid-Year conference by attorneys working in government and non-profit jobs. Our Section is committed to including diverse topics for our CLEs—for example, our presentations included tribal law, environmental justice, and differing perspectives on land use regulations.</b></p>	
<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>Quality of WSBA staff support/services, including technology solutions</i></li> <li>• <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> <li>• <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i></li> </ul>	
<p><b>We have communicated frequently with WSBA staff about budgeting issues and CLE planning. We include WSBA staff in our meeting and event invitations, and regularly communicate any updates for our Section. We are interested in upgrading the level of communications between the Board of Governors and the ELUL Executive Committee. Although our BOG liaison was invited to our section meetings, he wasn't able to attend.</b></p>	
<p><b>Please quantify your section's 2023-2024 member benefits:</b>  <i>For example:</i></p>	

Sections

<ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>		
1 3-day and 1 1-day	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA	
0	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity.	
3, including two events for law students and young lawyers, and 1 EC member reception	Receptions/forums hosted or co-hosted	
5 total scholarships: two for Mid-Year attendance and three for law clerks, totaling ~\$11,000	\$ amount given through donations/scholarships/grants.	
15 blog posts	Newsletters/publications produced	
2 mini-CLEs and 1 Legal Lunchbox	Mini-CLEs produced	
2 networking events	New Lawyer Outreach events/benefits	
2 scholarships to our Mid-Year and 3 scholarships to law students	Recognitions/Awards given	
Over 200 bills reviewed and tracked during the legislative session	Other (please describe):	
<b>SECTION DATA</b> <i>To Be Completed by WSBA Sections Team</i>		
<b>Section Membership Information:</b>	761	<b>Membership Size:</b> <i>(As of September 30, 2024)</i>
	\$42,098	<b>FY24 Revenue (\$):</b> <b>For Sections Only:</b> <i>As of September 30, 2024</i>
	\$35,805	\$18,124 <b>Budgeted and Direct Expenses:</b> <i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
<b>Section Executive Committee Information:</b>	13	<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>
	7	<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>

Sections

	13	<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>
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<sup>1</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	WSBA Family Law Section
<b>Chair or Co-Chairs:</b>	Dawn Sydney
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Kari Petrasek and Kristina Larry
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
<p>The purpose of the Family Law Section is to involve all interested members of the WSBA in order to benefit its members, their clients, and the general public by:</p> <ul style="list-style-type: none"> <li>• Providing the opportunity and forum for the interchange of ideas in all areas of law affecting families;</li> <li>• Initiating and implementing common projects, including but not limited to an annual meeting;</li> <li>• Reviewing pending legislation and court rules, providing input and timely responses to pending and proposed legislation and court rules and development of proposed statutory enactments to improve and to facilitate the administration of justice within the Section’s area of interest and expertise; and</li> <li>• Educate the staff and BOG on issues of concern arising from WSBA issues and projects; and</li> </ul>	

- Host CLE’s to improve the quality of family law practice; and undertaking such other service and participation of our members as may be of benefit to the members, the legal profession, and the public.

**Strategy to Fulfill Purpose:**

Legislative Efforts: FLEC works with BOG staff and the legislative review process to promote and enhance our ability to perform the section’s legislative duties. Of particular importance is to identify potential unintended consequences of draft legislation. FLEC’s BOG liaison reports at least monthly to our committee members and this contributes, we believe, to ongoing communication with current BOG members and keep our membership informed. FLEC’s strategy is to work collaboratively with a variety of legislative, judicial, other sections and bar association or community groups on a variety of legislative and educational issues of interest to our membership.

Education Programming and CLEs: We provided in-person CLEs, including the [Basic Skills Seminar](#), April 21-22, 2023 in Longview, WA., the [WSBA Family Law Section Annual Fall Seminar: The New Uniform Family Law Arbitration Act](#), October 27, 2023, in Seattle, WA. , and the [2024 Family Law Midyear Meeting and Conference-Keeping Your Passion for the Practice of Law](#), July 19-21, 2024 in Vancouver, WA. We used a hybrid format that allowed for the option of remote or in-person attendance, which increased participation for those unable to attend in-person. We continue to weight the pros and cons of offering hybrid programming in the future.

Workgroups and Collaboration: Our members continue to be involved in important and impactful collaborations. (e.g.,. Superior Court Judges Association (SCJA), WSBA Small Town and Rural Practice Committee (STAR), WSBA Practice of Law Board Committee (POLB).

Member Engagement: We continue to evaluate and seek input from our membership and other members of the legal community to better serve our communities. We host a list serve for our members which offers an important forum for sharing information and expertise. We are improving our presence on the WSBA Family Law Section website. We have created and continually freshen a separate Family Law Section website ([www.wafls.org](http://www.wafls.org)) that provides information for our members and the general public. Through our New Lawyer Liaison to FLEC, we continue to broaden the scope of our membership. As we transitioned to a hybrid format for the Basic Skills and Mid-Year Seminar, we provided numerous opportunities for in-person networking and social interactions with a reception and a fundraising event. We offered scholarships for Basic Skills training, approved a \$5,000 grant for the 2025 S.T.A.R. Committee, and provided a reduced tuition for new lawyers attending our Mid-Year conference.

**How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?**

We seek to recruit new members to the executive committee to emphasize diversity, including age and length of time in practice, geographic representation and encourage legal professionals of diverse backgrounds to participate, to assure that in our service, we incorporate and honor diverse perspectives in our work.

We have focused on Legal Deserts and participated in work groups, such as S.T.A.R. and focus on steps that our section can take to bridge the gap to access to legal aid in rural areas.

We intend to make even more headway to advance the WSBA’s REJI goals and to challenge structural inequities. We maintain a list serve for section members to discuss legal issues and to build community and developed a website with extensive, continually updated content and resources for our members. This gives practitioners access to a diverse and experienced pool of professions for advice and information.

We have surveyed our membership to gather a wide range of viewpoints and to help guide the section’s future activity.

We work to provide education and scholarship to new members or those who are disadvantaged in our community so that our work can be broad-based.

We provided our annual Basic Skills Seminar in a hybrid format to assist new legal professionals or those new to family law with the intent to accomplish training for both virtual practice/in-person practice and around equity concerns.

We provided scholarship grants for this seminar as well as our annual Midyear. Reduced tuition was also available for the Midyear for new attorneys.

We had a very active year working with the legislature on multiple issues that impact family law.

We collaborated with the WSBA STAR Committee (and provided a \$5,000 grant), and provided input to the POLB Committee regarding its Data-Driven Legal Regulatory Reform proposal.

As a committee, we have studied and continue to study POLB initiatives by researching both the systemic implications and outcomes in other states, fostering a broad discussion at the Committee level. We have invited guest lecturers to deepen our knowledge as we work to gain a deeper understanding before we take a long-term position on this change in technology and business impact to our legal community.

We continue to advocate for WSBA policies, which recognize the sections’ expertise especially the need for timely comment on pending legislation to avoid unintended negative consequences. Our BOG Liaison, Nancy Hawkins, is a clear voice for the interests of FLEC and the section as a whole and her dedication and experience is of great value to FLEC. These collaborative activities demonstrate FLEC’s efforts to foster professionalism and collegiality.

Our committee members also actively participate and respond on the Section list serve and at the Section Leaders monthly meetings. This approach keeps membership educated, engaged in legal discussions in civil forums, up-to-date and interacting with our legislators and trial courts and is an integral part of contributing to justice.

**Top 2023 -2024 Section Accomplishments:**

We maintained our commitment to increasing member engagement and providing meaningful resources, including the web presence on both the WSBA website and the separate Family Law Section website: [www.wafls.org](http://www.wafls.org).

FLEC held regular, lengthy, meetings and several special meetings to address pending legislation and other urgent policy matters.



FLEC strengthened their involvement with WSBA staff and communicated more directly our needs to better provide services to our section, such as timelier notification and advertisement of upcoming CLEs.

We continued to meet the needs of our members as it relates to changing legislation.

FLEC meetings are conducted with respect for all members’ input, and it is clear in our discussions that all voices are heard and contribute to the ultimate actions taken by FLEC.

We continue to build and maintain relationships with other sections.

We continue to have membership interest in serving on FLEC, and had more nominees run for this year’s election than there were spaces available.

Our finances are maintained in a thoughtful manner with budget considerations discussed by the entire FLEC. Budget adjustments were made this year to include more resources for outreach, communication, and scholarships for our community and section members. We are holding a FLEC retreat in May 2025 for more in depth discussions among FLEC members.

Our increased focus at Basic Skills and the Midyear on practical topics, such as motion practice, discovery, appeals, financial issues in family law, tribal courts, and domestic violence including as it relates to parenting plans.

Justice Montoya-Lewis provided a keynote address at the Midyear conference which we plan to provide a link to our membership on the website to disseminate this important education and to combine with a podcast invitation.

**Next Fiscal Year: 2024-2025 Top SMART Goals & Priorities:**

*Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound*

*[Use this worksheet](#) (under ‘Leadership’) to develop your SMART goals and then summarize below in 1-2 sentences.*

- |          |   |
|----------|---|
| <b>1</b> | We anticipate an active 2024-2025, beginning with the presentation of a WSBA CLE on November 15, 2024 on the newly enacted UFLAA that will provide practitioners with the necessary credits to meet the education requirement in the Act.   |
| <b>2</b> | We are planning a FLEC retreat for May 2025 at which we can spend additional time and energy on issues we are not able to address in our regular monthly meetings. While the planning is still underway for the retreat, the agenda includes an in depth review for possible revisions of the FLEC bylaws, reviewing the structure of FLEC to determine if/how additional member engagement benefits FLEC and the section, and a section on interpreting the budget as the FLCE members need to fully understand and actively participate in budget discussions of the section. |
| <b>3</b> | Additional CLEs planned for this fiscal year include our Annual Midyear conference will in Spokane from July 18-20, 2025 and Basic Skills in Spring 2025.   |

**Looking Ahead:** *Please share any long-term goals and/or priorities that your entity aims to address.*

<b>1</b>	<p>Improve member engagement and communication with specific emphasis on advancing diversity, equity and inclusion to achieve the organizational goals as set forth in the WSBA Diversity Council’s recommendations and the REJI commitments that the WSBA has endorsed. Access to Justice remains a central goal of the work we do on FLEC and within our section to advance our service to the public.</p>
<b>2</b>	<p>The FLEC legislative liaison, Patrick Rawnsley, who has served for nearly 10 years, will lead FLEC’s work to continue to build on the respected reputation of FLEC and remain a strong voice in the legislative and rule process. Continue to review, comment and testify regarding family-law related legislation. Continue to review and comment regarding proposed court rules</p>
<b>3</b>	<p>Collaborative Participation with Judicial and Legislative Workgroups. Work to strengthen FLECs involvement with BOG such as participation on S.T.A.R. and expressing a candid, yet constructive voice to family-law related issues. FLEC’s liaison to BOG has worked hard to improve the existing relationship and those efforts will continue.</p>
<p><b>Please describe how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i></p>	
<p>We have prioritized access to our CLEs by offering hybrid platforms to eliminate travel costs for those unable to travel due to economic or other barriers. We have also committed financially to contributing to scholarships and fundraisers for legal aid organizations located in rural and/or small towns. We offered topics to educate our members on family law topics centric to diversity and inclusion, such as gender diverse youth, issues regarding Native Peoples and ICWA, to name a few. We have participated in S.T.A.R. and focused on the challenges of legal deserts in WA. We engage with the Superior Court Judge’s Association annually and work collaboratively with them on issues of mutual concern. We have engaged in a concerted effort to recruit committee members of diverse background to our committee and help us to hear a wider range of viewpoints. We continue to evaluate our practices and our recruiting methods to better engage with underrepresented communities and to ensure that we are connecting with and responding to the needs of all family law attorneys in Washington State.</p>	
<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>Quality of WSBA staff support/services, including technology solutions</i></li> <li>• <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> <li>• <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i></li> </ul>	
<p>For the most part since the inception of the Family Law Section, FLEC has maintained a regular presence at the Board of Governors meetings. Our current Liaison – Nancy Hawkins – has continued a strong Family Law Section presence at the meetings. We are pleased with the improvements we have seen in our relationship with the BOG; we are dedicated to moving in a positive direction. FLEC works well with WSBA staff and makes payments to WSBA to cover the cost of any staff support we receive. Staff are routinely helpful in identifying CLE locations, obtaining budget and contract information, and handling</p>	

<p>administrative issues we otherwise would struggle to navigate. WSBA staff played a critical role in the success of the Basic Skills and Midyear CLE which were managed in a hybrid format. They have also been responsive to feedback from our Section regarding WSBA policies and how they impact the Section, membership recruitment and participation. We value our collaboration with the WSBA to improve the process for earlier notice and marketing of upcoming CLEs and to more effectively coordinate with BOG to serve our membership.</p>		
<p><b>Please quantify your section’s 2023-2024 member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>		
<p>Our multi-day, in-person Midyear CLE (also available online) in July 2024 in Vancouver, WA. An all-day, in person CLE on the UFFLA in October 2023</p>	<p>Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA</p>	
	<p>Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i>-WSBA entity.</p>	
<p>Hosted a reception where Justice Montoya-Lewis spoke.</p>	<p>Receptions/forums hosted or co-hosted</p>	
<p>\$5,000 donation to WSBA 2025 S.T.A.R. Committee</p>	<p>Amount given through donations/scholarships/grants.</p>	
<p>Developed a separate Family Law Section website: <a href="http://www.wafls.org">www.wafls.org</a> for which member engagement increases each month.</p>	<p>Newsletters/publications produced</p>	
	<p>Mini-CLEs produced</p>	
	<p>New Lawyer Outreach events/benefits</p>	
<p>2024 Attorneys of the Year to Kids in Need of Defense and Washington State Taks Force on Unaccompanied Children and the 2024 Professional of the Year to Quinn Dalan at Volunteer Attorney Services in Yakima.</p>	<p>Recognitions/Awards given</p>	
	<p>Other (please describe):</p>	
<p><b>SECTION DATA</b> <i>To Be Completed by WSBA Sections Team</i></p>		
<p><b>Section Membership Information:</b></p>	<p>1021</p>	<p><b>Membership Size:</b> <i>(As of September 30, 2024)</i></p>

Sections

	\$84,132		<b>FY24 Revenue (\$): For Sections Only:</b> <i>As of September 30, 2024</i>
	\$55,050	\$19,239	<b>Budgeted and Direct Expenses:</b> <i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
<b>Section Executive Committee Information:</b>	15 voting + 3 nonvoting members		<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>
	6		<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	8		<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>

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<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT

**FY 2024: October 1, 2023 – September 30, 2024**

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>1</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	Health Law Section (HLS)
<b>Chair or Co-Chairs:</b>	Elena Praggastis
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Kristina Larry (2023-2024)
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	

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<sup>1</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.  
October 1, 2023 – September 30, 2024 (FY24)

<ul style="list-style-type: none"> <li>• To further the knowledge of the members of the Section and the Washington State Bar Association (“Bar”) in the areas of law involving both federal and local health care;</li> <li>• To form an available working unit to assist in the activities of the Bar; and</li> <li>• To otherwise further the interests of the Bar and the legal profession as a whole.</li> </ul>	
<p><b>Strategy to Fulfill Purpose:</b></p>	
<p>Host educational events (including, but not limited to, CLE events) regarding health care law and related topics. Host other events for HLS members and others to socialize and network. Provide information about job opportunities to members of the HLS. Collaborate with the Bar to improve the value provided to WSBA members.</p>	
<p><b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b></p>	
<p>The HLS Executive Committee (EC) aims to serve WSBA members by providing events and information of value to them, and in doing so, the EC aims to improve the practice of health care law in Washington State.</p>	
<p><b>Top 2023 -2024 Section Accomplishments:</b></p>	
<ul style="list-style-type: none"> <li>• Student Health Law Fair (educational event and networking reception hosted in collaboration with the law schools of the University of Washington and Seattle University)</li> </ul>	
<ul style="list-style-type: none"> <li>• Well-attended virtual CLE events on hospital operations (half day), and privacy/ethics/AI (mini)</li> </ul>	
<ul style="list-style-type: none"> <li>• Conference scholarships awarded to two (2) recipients</li> </ul>	
<ul style="list-style-type: none"> <li>• Planned and hosted first multi-day, destination, in-person EC Retreat (October 4-6, 2024) post-COVID pandemic.</li> </ul>	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i>  <a href="#">Use this worksheet</a> (under ‘Leadership’) to develop your SMART goals and then summarize below in 1-2 sentences.</p>	
<b>1</b>	Continue hosting relevant educational events to HLS members and other WSBA members.
<b>2</b>	Continue hosting a successful annual Student Health Law Fair.

Sections

<b>3</b>	Provide additional scholarships for students/new practitioners to attend health law conferences, and continue to improve the Executive Committee’s process for administering the scholarship program.
<b>4</b>	Host a networking/social event for members.
<b>5</b>	Distribute at least one newsletter/bulletin for members.
<b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i>	
<b>1</b>	Continuity within, and effectiveness of, EC leadership.
<b>2</b>	Develop a regular and reputable program schedule that members can look forward to and count on each term year.
<b>3</b>	Explore strategies for getting in touch with our membership and surveying members to see what types of programing and other value the EC should prioritize year to year.
<b>Please describe how this entity is addressing diversity, equity, and inclusion:</b> <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i>	
<ul style="list-style-type: none"> <li>• We have hosted CLE events focused on access to healthcare among diverse groups and related issues (i.e., CLE focused on the intersection of tribal law and healthcare)</li> <li>• We’ve continued a scholarship program to enable students and new practitioners to attend health law conferences.</li> <li>• When recruiting for open positions and providing opportunities within the Executive Committee, our Executive Committee is intentional about maintaining diversity among participants.</li> <li>• Representatives from our Executive Committee attended WSBA sessions related to diversity and inclusion.</li> </ul>	
<b>Please share feedback regarding the support and engagement provided by WSBA.</b> <i>For example:</i>	
<ul style="list-style-type: none"> <li>• <i>Quality of WSBA staff support/services, including technology solutions</i></li> <li>• <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> <li>• <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i></li> </ul>	
<ul style="list-style-type: none"> <li>• Carolyn MacGregor is an amazing staff liaison! She provides a great deal of value to our regular EC meetings and we enjoy working with her.</li> </ul>	

Sections

<ul style="list-style-type: none"> <li>• Kristina Larry attended our regular EC meetings and consistently provided timely, succinct, and helpful summaries of various BOG issues and happenings. She also provided helpful context when we were preparing for our Bylaws amendment this term.</li> <li>• Tech support and general WSBA support (particularly Sally and her team!) for CLE events were VERY helpful and comprehensive.</li> <li>• We continue to be frustrated by issues related to our section listserv and how best to connect with our membership.</li> <li>• We also run into extra hurdles when trying to wrangle external sponsorship funds for alcoholic beverages (both having to obtain funds and keep them separate from our internal funds/payment methods).</li> </ul>	
<p><b>Please quantify your section’s 2023-2024 member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	
1	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
1	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity.
1	Receptions/forums hosted or co-hosted
\$1,900	\$ amount given through donations/scholarships/grants.
0	Newsletters/publications produced
1	Mini-CLEs produced
1	New Lawyer Outreach events/benefits
2	Recognitions/Awards given
1 pro bono event that one of our EC officers was involved in to provide education on MHMDA to small businesses through Communities Rise.	Other (please describe):
<p><b>SECTION DATA</b>  <i>To Be Completed by WSBA Sections Team</i></p>	
<b>Section Membership Information:</b>	397
	<b>Membership Size:</b> <i>(As of September 30, 2024)</i>



Sections

	\$13,775		<b>FY24 Revenue (\$): For Sections Only:</b> <i>As of September 30, 2024</i>
	\$35,000	\$6,841	<b>Budgeted and Direct Expenses:</b> <i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
<b>Section Executive Committee Information:</b>	9 voting members + 1 YLL and 2 nonvoting members		<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>
	11		<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	10		<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>

# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	Indian Law Section
<b>Chair or Co-Chairs:</b>	Brenda L. George
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Sunitha Anjilvel
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Indian Law Section’s purpose is to seek the participation of all interested members of the Bar, and of county and local bar associations, in order to benefit such members, their clients and the general public.	
<b>Strategy to Fulfill Purpose:</b>	
(a) By providing the opportunity for exchange of ideas in the area of Indian law; to further the development of this area of the law; to communicate useful information pertaining to Indian law to members of the Bar; and to improve the application of justice in this field, all in conformity with the Bylaws of the Bar; (b) By initiating and implementing common projects; (c) By review of pending legislation and development of proposed statutory enactments to improve and to facilitate the administration of justice within the Section’s area of interest; (d) By undertaking such other service as may be of benefit to the members, the legal profession and the public.	

<b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	
The ILS works each year to ensure that members interested in Indian law have opportunities to further their knowledge and network together. Indigenous communities are often underserved, so championing justice is at the core of every Indian law attorney’s work. ILS allows those attorneys to network together and learn for the purpose of serving those communities.	
<b>Top 2023 -2024 Section Accomplishments:</b>	
The Section held its 36th Annual Indian Law CLE in May in partnership with the Seattle U Law Center for Indian Law and Policy and Stokes Lawrence LLP. This continues to generate a great amount of revenue for the section which allows the section to provide scholarships and other services to the greater Indian Law community.	
The Section partnered with WSBA to provide an Intro to Indian Law CLE. The CLE will be available on demand and provides a much needed baseline understanding of Indian law for practitioners in the state. All speakers were selected by the Section.	
The Section provided financial assistance to Native American Law Student Association (NALSA) groups at Seattle University School of Law and University of Washington School of Law. Funds were utilized for attendance of the annual Federal Bar Association Indian Law Conference and Moot Court competitions. The Section also sponsored a table at the UW NALSA Salmon Bingo Dinner and the UW Law annual symposium.	
<b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b> <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i> <a href="#">Use this worksheet</a> (under ‘Leadership’) to develop your SMART goals and then summarize below in 1-2 sentences.	
<b>1</b>	<b>Host 37th Annual ILS CLE</b>
<b>2</b>	<b>Resurrect Indian Law Section Newsletter</b>
<b>3</b>	<b>Support Gonzaga Law students in establishment of NALSA Chapter</b>
<b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i>	
<b>1</b>	<b>Sponsor Mini CLEs</b>
<b>2</b>	<b>Sponsor meet and greets for section members and law students</b>
<b>3</b>	<b>Sponsor opportunities to connect section members with native college students interested in law school.</b>
<b>Please describe how this entity is addressing diversity, equity, and inclusion:</b> <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i>	

Diversity is part and parcel of the ILS mission. Native Attorneys are often drawn to Indian law and frequently take leadership roles in the Section. For instance, the 2021-2023 Chair and Chair-Elect were both members of a tribe and approximately five at-large members are also Tribal members. The ILS welcomes members of other under-represented groups as well.

**Please share feedback regarding the support and engagement provided by WSBA.**

*For example:*

- *Quality of WSBA staff support/services, including technology solutions*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

**Our WSBA staff liaison continues to be instrumental in our Section’s success. Attendance at meetings was reliable and communication was excellent. We are well-supported by this staff member. Our contact with the Board of Governor’s Liaison has improved since prior year but we think attendance to at least a few meetings annually might be useful. WSBA has significantly improved its consultation with the ILS and we appreciate being included in conversations that are about Indian Law. We hope this will continue for the benefit of all.**

**Please quantify your section’s 2023-2024 member benefits:**

*For example:*

- *\$3000 Scholarships, donations, grants awarded;*
- *4 mini-CLEs produced*

1	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
1	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity.
3	Receptions/forums hosted or co-hosted
\$12,500	\$ amount given through donations/scholarships/grants.
0	Newsletters/publications produced
0	Mini-CLEs produced
0	New Lawyer Outreach events/benefits
0	Recognitions/Awards given
	Other (please describe):

**SECTION DATA**  
*To Be Completed by WSBA Sections Team*

<b>Section Membership Information:</b>	339	<b>Membership Size:</b> <i>(As of September 30, 2024)</i>
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Sections

	\$26,846		<b>FY24 Revenue (\$): For Sections Only:</b> <i>As of September 30, 2024</i>
	\$27,850	\$13,500	<b>Budgeted and Direct Expenses:</b> <i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
<b>Section Executive Committee Information:</b>	13		<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>
	5		<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	8		<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>

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<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	International Practice Section
<b>Chair or Co-Chairs:</b>	Larry Ward
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Matthew Dresden
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The International Practice Section has a broad focus that includes not only the study of current developments in the field of international law but also immigration law, international transactional work, aerospace, taxation, intellectual property, financing, services, trade regulation, exports and imports, transnational contracts, travel, and international dispute resolution. Members represent a wide variety of backgrounds and practices, including full-time and part-time practitioners, government, business, foreign lawyers, academia, internationally-focused law students, and those simply intellectually interested	
<b>Strategy to Fulfill Purpose:</b>	
The IPS regularly hosts mini-CLEs, offers a scholarship through its Hueneke Fellowship, has a mentoring program, and holds networking and other social activities to connect its members.	

<b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	
We serve the public and members of the Bar through our CLE programming. We ensure the integrity of the legal profession through our mentorship program and Hueneke Fellowship. We champion justice by regularly monitoring legislative updates.	
<b>Top 2023 -2024 Section Accomplishments:</b>	
Co-hosted Annual General Meeting and CLE Event with Federal Bar Association, Washington Chapter	
Signed cooperation agreement with Mexican Bar Association and began discussions with Taipei Bar Association	
Made all mini-CLEs free to all WSBA members	
Voted to increase funding for Hueneke Fellowship to allow for multiple scholarships in 2025	
Sponsored event at Seattle University Law School	
<b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b> <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i> <a href="#">Use this worksheet</a> (under ‘Leadership’) to develop your SMART goals and then summarize below in 1-2 sentences.	
<b>1</b>	Continue to grow the membership
<b>2</b>	Provide members with high quality CLE and member programs
<b>3</b>	Develop programs with other bar associations to share resources and offer members more networking opportunities
<b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i>	
<b>1</b>	Provide members and law students interested in international practice professional support through section programs
<b>2</b>	Build a future leader pipeline through outreach
<b>3</b>	Maintain a healthy balance sheet to sustain and potentially expand the scholarship program
<b>Please describe how this entity is addressing diversity, equity, and inclusion:</b> <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i>	
<b>Please share feedback regarding the support and engagement provided by WSBA.</b> <i>For example:</i>	
<ul style="list-style-type: none"> <li>Quality of WSBA staff support/services, including technology solutions</li> </ul>	

Sections

<ul style="list-style-type: none"> <li>• <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> <li>• <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i></li> </ul>		
<p><b>Please quantify your section’s 2023-2024 member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>\$3000 Scholarships, donations, grants awarded;</i></li> <li>• <i>4 mini-CLEs produced</i></li> </ul>		
0	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA	
0	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity.	
2	Receptions/forums hosted or co-hosted	
\$1,000	\$ amount given through donations/scholarships/grants.	
0	Newsletters/publications produced	
6	Mini-CLEs produced	
N/A	New Lawyer Outreach events/benefits	
Huneke Fellowship (accounted for above in scholarships)	Recognitions/Awards given	
All mini-CLEs were free to WSBA members	Other (please describe):	
<p><b>SECTION DATA</b>  <i>To Be Completed by WSBA Sections Team</i></p>		
<b>Section Membership Information:</b>	222	<b>Membership Size:</b> <i>(As of September 30, 2024)</i>
	\$10,506	<b>FY24 Revenue (\$):</b> <b>For Sections Only:</b> <i>As of September 30, 2024</i>
	\$11,200	\$4,726
<b>Section Executive Committee Information:</b>	10	<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>



Sections

	6	<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	5	<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>

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# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT

**FY 2024: October 1, 2023 – September 30, 2024**

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	WSBA Intellectual Property Section
<b>Chair or Co-Chairs:</b>	Connie Wan
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Alain Villeneuve
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
	To promote the practice of Intellectual Property Law.
<b>Strategy to Fulfill Purpose:</b>	
<b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	
	Member outreach, community outreach, and hosting CLEs
<b>Top 2023 -2024 Section Accomplishments:</b>	
	Hosted 4 CLEs

Gave 3 \$5,000 scholarships to law students from each of WA law schools	
Supported patent pro bono program hosted at the SU law school	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i>  <a href="#">Use this worksheet</a> (under 'Leadership') to develop your SMART goals and then summarize below in 1-2 sentences.</p>	
1	Plan and present 4 CLEs
2	Work with law schools to give another 3 scholarships
3	Host a joint event with lawyers from the in-house counsel section
<p><b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i></p>	
1	Expand IP section membership
2	More community outreach by working with patent pro bono program
3	
<p><b>Please describe how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i></p>	
<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• Quality of WSBA staff support/services, including technology solutions</li> <li>• Involvement with Board of Governors, including assigned BOG liaison</li> <li>• Ideas you have on ways WSBA can continue to strengthen/support your entity.</li> </ul>	
<p><b>Please quantify your section's 2023-2024 member benefits:</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>	
4	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity.
1	Receptions/forums hosted or co-hosted

Sections

15,000	\$ amount given through donations/scholarships/grants.	
	Newsletters/publications produced	
1	Mini-CLEs produced	
1	New Lawyer Outreach events/benefits	
3	Recognitions/Awards given	
	Other (please describe):	
<b>SECTION DATA</b> <i>To Be Completed by WSBA Sections Team</i>		
\$	791	<b>Membership Size:</b> <i>(As of September 30, 2024)</i>
	\$26,846	<b>FY24 Revenue (\$):</b> <b>For Sections Only:</b> <i>As of September 30, 2024</i>
	\$32,500	\$23,114 <b>Budgeted and Direct Expenses:</b> <i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
<b>Section Executive Committee Information:</b>	10	<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>
	3	<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	3	<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>

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# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT

**FY 2024: October 1, 2023 – September 30, 2024**

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	Juvenile Law Section
<b>Chair or Co-Chairs:</b>	James Richardson
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Kari Petrasek
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Section will provide a forum to discuss issues of concern and act as an agent of change to improve the law and practice related to civil and criminal matters involving children and youth in Washington State. This Section welcomes advocates from all interested disciplines and a variety of fields of law, including juvenile justice, child welfare and those who represent youth in civil legal practice. The Section is concerned with all aspects of juvenile law and policy: dependency, offender, civil legal needs of youth and status offenses (children in need of services, youth at risk, and truant).	
<b>Strategy to Fulfill Purpose:</b>	
The Juvenile Law Section provides an opportunity for legal professionals who work with juveniles and their families in child welfare and juvenile justice to meet together and work collaboratively on issues facing their clients. The Section provides benefits to members by sponsoring an annual CLE focusing on current developments in the area of juvenile law. The Section also acts as an agent of change to	

<p>improve the law and practice related to civil and criminal matters involving children and youth in Washington state.</p>	
<p><b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b></p>	
<p>The Juvenile Law Section is primarily concerned with providing community, education, collaboration, and support around areas of legal practice for indigent and underrepresented clients and families, including in practice areas such as child welfare, juvenile justice, status offenses, immigration as it relates to children and families, truancy, at-risk youth and children in need of services proceedings, as well as a variety of civil legal needs of youth.</p>	
<p><b>Top 2023 -2024 Section Accomplishments:</b></p>	
<p>SIJ CLE Series: in collaboration with Kids in Need of Defense (KIND), the JLS sponsored and produced three mini-CLEs focused on issues related to Special Immigrant Juveniles: (1) Introduction to Special Immigrant Status: Role of State Court, May 3, 2024; (2) Immigrant Children and SIJ Relief: Considerations for Families, June 28, 2024; and (3) Immigrant Children and SIJ Relief: Accessing Benefits and Resources; July 12, 2024.</p>	
<p>Children’s Justice Conference Scholarships: the JLS awarded two \$300 scholarships to section members to help fund their attendance at the Children’s Justice Conference, the largest child welfare conference in the Pacific Northwest.</p>	
<p>JLS Webpage Redesign: in collaboration with the WSBA, the JLS worked to redesign the JLS webpage, adding customized Executive Committee position descriptions, Executive Committee bios, and other additions to the webpage.</p>	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i>  <a href="#">Use this worksheet</a> (under ‘Leadership’) to develop your SMART goals and then summarize below in 1-2 sentences.</p>	
<b>1</b>	<p>The JLS will hold quarterly mini-CLEs or CLEs, free to JLS membership and open to other Sections and general WSBA members, on topics relevant to JLS (including juvenile law, dependency law, juvenile justice, civil legal needs, and race/equity/disproportionality in the juvenile justice legal space).</p>
<b>2</b>	<p>The JLS will increase scholarship opportunities, specifically for JLS members, to provide members specific opportunities and funding to attend trainings and CLEs relevant to JLS (including juvenile law, dependency law, juvenile justice, civil legal needs, and race/equity/disproportionality in the juvenile justice legal space).</p>
<b>3</b>	<p>The JLS will create content for a “Members Only” section of its webpage. Content for this section will include the Warm Hand-Off attorney list and a resource bank, accessible only by JLS members, which will serve as a centralized hub for tools and resources relevant to the work of JLS practitioners.</p>
<p><b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i></p>	

Sections

<b>1</b>	The JLS will plan and hold an Executive Committee Retreat (half-day or full-day), which will provide opportunities for building rapport and brainstorming goals for the section.
<b>2</b>	The JLS will reach out to, and collaborate with, other WSBA sections, in planning and producing mini-CLEs and CLEs, as well as other projects that are relevant to the JLS purpose.
<b>3</b>	The JLS will deepen its understanding of, and focus on, inclusivity, equity, and anti-racist legal practice. The JLS will actively recruit Black and brown practitioners, and the JLS will plan and produce mini-CLEs and CLEs that address the disproportionate treatment and outcomes for Black, brown, Native American, and other impacted populations in the juvenile legal system.
<p><b>Please describe how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i></p>	
<p>The section meetings include Diversity/Equity/Inclusion on every agenda and has moved discussion of these topics to the top of our monthly meeting agenda; in this way, we are working to ensure we are always keeping issues of disproportionality at the front and center of our practice. The section has connections with a minority bar association and with the Small Town and Rural Practice (STAR) Section, which has increased connections and allowed us to promote equity within our section.</p>	
<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>Quality of WSBA staff support/services, including technology solutions</i></li> <li>• <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> <li>• <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i></li> </ul>	
<p>Our BOG liaison attends every meeting and provides exceptional support. Our staff sections specialist has always been able to answer any question we have, and we have appreciated her support as well.</p>	
<p><b>Please quantify your section’s 2023-2024 member benefits:</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>\$3000 Scholarships, donations, grants awarded;</i></li> <li>• <i>4 mini-CLEs produced</i></li> </ul>	
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non-WSBA</i> entity.
	Receptions/forums hosted or co-hosted
\$600 in scholarships given to JLS members	\$ amount given through donations/scholarships/grants.
	Newsletters/publications produced
3 mini-CLEs produced	Mini-CLEs produced

Sections

	New Lawyer Outreach events/benefits		
	Recognitions/Awards given		
Warm hand-off list	Other (please describe): Warm hand-off list created and maintained by Young Lawyer Liaison		
<b>SECTION DATA</b> <i>To Be Completed by WSBA Sections Team</i>			
<b>Section Membership Information:</b>	142		<b>Membership Size:</b> <i>(As of September 30, 2024)</i>
	\$6,085		<b>FY24 Revenue (\$):</b> <b>For Sections Only:</b> <i>As of September 30, 2024</i>
	\$9,624	\$1,100	<b>Budgeted and Direct Expenses:</b> <i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
<b>Section Executive Committee Information:</b>	17		<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>
	13		<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	10		<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>

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# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT FY 2024: October 1, 2023 – September 30, 2024

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It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	LEGAL ASSISTANCE OF MILITARY PERSONNEL (LAMP)
<b>Chair or Co-Chairs:</b>	Chair: Stephen Carpenter, Past Chair: Paul Apple
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Todd Bloom
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
	LAMP addresses matters related to the rendition of appropriate and efficient legal service to members of the armed forces of the United States.
<b>Strategy to Fulfill Purpose:</b>	
	Promoting the objectives of the WSBA with respect to military affairs. Establishing liaison between the WSBA, the Armed Forces of the United States, and federal, state, and local government agencies involved in military and veteran affairs to better serve the legal needs of the servicemembers and their dependents. Providing information to licensed legal professionals, both active duty and reserve. Encouraging continuing legal education to foster the ability to provide legal representation to military personnel, veterans and their dependents within the state of Washington

<p><b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b></p>	
<p>Washington State is home to a large military community that is continually seeking legal guidance on significant assortment of legal issues. This community is composed of Veterans, Active Duty and Reserve Servicemembers and their dependents.</p>	
<p><b>Top 2023 -2024 Section Accomplishments:</b></p>	
<p>LAMP maintains a Facebook and LinkedIN social media presence; LAMP members presented CLE materials regarding: 1) the Military Discharge Upgrade Process for Gay Service Members discharged under Don’t Ask, Don’t Tell policy. And 2) The Current and Future Policy changes affecting current Military LGBTQ Service Members, as part of the WSBA LGBTQ Section’s CLE Defending Gay Service Members presentation. In addition LAMP presented its own CLE regarding The New Hybrid Military Justice Reforms in 2024.</p>	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i>  <a href="#">Use this worksheet</a> (under ‘Leadership’) to develop your SMART goals and then summarize below in 1-2 sentences.</p>	
<b>1</b>	<b>Increase our membership and CLE participation</b>
<b>2</b>	<b>Join resources with the WA AG’s Office of Military and Veteran Legal Assistance and the Washington Veterans Bar Association</b>
<b>3</b>	
<p><b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i></p>	
<b>1</b>	<b>Partner with the ATG Military Liaison office to connect other organizations to the community with Legal Help in the form of: Pro Bono Volunteers, Legal Aid Programs, Self-help Materials, Programs in Other States.</b>
<b>2</b>	
<b>3</b>	
<p><b>Please describe how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i></p>	
<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>Quality of WSBA staff support/services, including technology solutions</i></li> <li>• <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> </ul>	

Sections

<ul style="list-style-type: none"> <li>Ideas you have on ways WSBA can continue to strengthen/support your entity.</li> </ul>		
<p><b>Please quantify your section’s 2023-2024 member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>\$3000 Scholarships, donations, grants awarded;</li> <li>4 mini-CLEs produced</li> </ul>		
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA	
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity.	
	Receptions/forums hosted or co-hosted	
5000	\$ amount given through donations/scholarships/grants.	
	Newsletters/publications produced	
1	Mini-CLEs produced	
	New Lawyer Outreach events/benefits	
	Recognitions/Awards given	
	Other (please describe):	
<p><b>SECTION DATA</b>  <i>To Be Completed by WSBA Sections Team</i></p>		
<b>Section Membership Information:</b>	66	<b>Membership Size:</b> <i>(As of September 30, 2024)</i>
	\$3,752	<b>FY24 Revenue (\$):</b> <b>For Sections Only:</b> <i>As of September 30, 2024</i>
	\$390	\$5,612 <b>Budgeted and Direct Expenses:</b> <i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
<b>Section Executive Committee Information:</b>	10 members: Still need to fill Vice Chair Position, YLD, NWJP , Law Student Liaison Positions	<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>

Sections

	5	<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	2	<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>

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# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT

**FY 2024: October 1, 2023 – September 30, 2024**

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It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	Low Bono Section
<b>Chair or Co-Chairs:</b>	Lesli Ashley
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Kevin Fay
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
<p>The underlying purpose of “low bono” is to increase the availability of legal representation and legal services to clients of moderate means. Clients of moderate means are individuals who have a need or a want for legal representation or legal services, but who cannot qualify or pro bono legal assistance and who typically cannot afford the cost of traditional law firm representation or legal services. These individuals comprise the majority of those seeking resolution of, or planning for, legal issues and legal matters. The Low Bono Section is a community of lawyers, LLLTs, other legal professionals, and law students committed to identifying solutions, creating systems, and developing projects to increase the overall availability and affordability of legal representation and legal services.</p>	
<b>Strategy to Fulfill Purpose:</b>	

<p>See Bylaws 2.1 Developing and providing resources for members, regardless of field or area of practice, who are dedicated and committed to providing low bono legal services, defined as legal and law-related services provided with the intent to increase accessibility of legal services for people of moderate financial means. 2.2 Providing a forum and opportunity for education, training, and sharing of forms, practice tips, client counseling techniques, alternative forms of conflict resolution, and other resources to and among members of the Section. 2.3 Developing “best practices” and “alternative practices” for providing competent, current, efficient, and economical professional services while being mindful of the clients’ moderate means</p>	
<p><b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b></p>	
<p>The Low Bono Section provides a forum and opportunity for education, training, sharing of forms, practice tips, client counseling techniques, and alternative techniques for conflict resolution. The section provides its members with free mentorship opportunities, discounted admission to low-bono-oriented CLEs, networking and referral opportunities with other low bono professionals, leadership development opportunities, and more.</p>	
<p><b>Top 2023 -2024 Section Accomplishments:</b></p>	
<p>Developed and conducted 4 Mini-CLE</p>	
<p>Participated in review of 15 legislative bills effecting members or constituents of section</p>	
<p>Expanded social media sites and actively posted about the section and its events</p>	
<p>Increased membership levels</p>	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i>  <a href="#">Use this worksheet</a> (under ‘Leadership’) to develop your SMART goals and then summarize below in 1-2 sentences.</p>	
<b>1</b>	<p><b>Increase Membership by 15%: Specifically target legal professionals through focused outreach campaigns and partnership events. Track progress quarterly to ensure membership growth by the end of the fiscal year</b></p>
<b>2</b>	<p><b>Host 6 Mini-CLEs: Expand educational offerings by conducting six low-bono-oriented Mini-CLEs throughout the fiscal year. Measure success through attendance rates and post-event feedback surveys.</b></p>
<b>3</b>	<p><b>Expand Legislative Advocacy: Actively participate in the review of legislative bills affecting the low bono community. Ensure timely feedback and contributions to legislative discussions by setting quarterly review targets.</b></p>
<b>4</b>	<p><b>Increase Membership engagement and interaction for the purpose of developing a Low Bono community educated about available resources.</b></p>
<p><b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i></p>	

<b>1</b>	<b>Host an Annual Low Bono Summit: The Low Bono Section will organize and host an annual summit within the next 2-3 years. This event will bring together low bono practitioners, mediators, and other legal professionals for a full day conference that includes CLEs, networking opportunities, and collaborative workshops aimed at improving affordable legal services.</b>
<b>2</b>	<b>Launch a Scholarship Fund for students interested in Low Bono: To support legal professionals offering low bono services, the Low Bono Section will create a scholarship or grant fund within 5 years. This fund will provide financial assistance to students committed to serving moderate-income clients, with the goal of supporting at least 3 professionals annually.</b>
<b>3</b>	<b>Advocate for Legislative Change: Over the next 2-5 years, the Low Bono Section will actively engage in legislative advocacy, working to influence policy changes that benefit low bono practitioners and their clients. The section aims to participate in the review of at least 25 legislative bills impacting access to justice and affordable legal services.</b>

**Please describe how this entity is addressing diversity, equity, and inclusion:**

*How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?*

**Our Executive Committee remains committed to fostering participation from a diverse group of individuals. All meetings are accessible remotely, with meeting details published in advance to ensure broad participation. To accommodate members with varying schedules, including those with small children, Executive Committee meetings are held later in the day, typically on the second Wednesday of each month. We also continue to host virtual and in-person socials after these meetings, inviting all Section Members to attend both the meetings and the post-meeting gatherings. Additionally, the Executive Committee plans to hold more in-person meetings in 2025 to enhance face-to-face interactions and create stronger networking opportunities.**

**Please share feedback regarding the support and engagement provided by WSBA.**

*For example:*

- *Quality of WSBA staff support/services, including technology solutions*
- *Involvement with Board of Governors, including assigned BOG liaison*
- *Ideas you have on ways WSBA can continue to strengthen/support your entity.*

**The section receives excellent support from WSBA staff.**

**Please quantify your section’s 2023-2024 member benefits:**

*For example:*

- *\$3000 Scholarships, donations, grants awarded;*
- *4 mini-CLEs produced*

Sections

0	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
0	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity.
0	Receptions/forums hosted or co-hosted
0	\$ amount given through donations/scholarships/grants.
0	Newsletters/publications produced
4	Mini-CLEs produced
0	New Lawyer Outreach events/benefits
0	Recognitions/Awards given
8	Other (please describe): Social media carousel posts and engagement with section members

**SECTION DATA**  
*To Be Completed by WSBA Sections Team*

<b>Section Membership Information:</b>	90	<b>Membership Size:</b> <i>(As of September 30, 2024)</i>
	\$8,695	<b>FY24 Revenue (\$):</b> <b>For Sections Only:</b> <i>As of September 30, 2024</i>
	\$4,677	\$448 <b>Budgeted and Direct Expenses:</b> <i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
<b>Section Executive Committee Information:</b>	9	<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>
	8	<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	5	<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>



## Sections

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<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	Liquor, Cannabis & Psychedelics Law Section
<b>Chair or Co-Chairs:</b>	<a href="#">Alexis Hartwell-Gobeske</a>
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Allison Widney
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The purposes of the Section shall be to: A. provide continuing legal and other education for its members in areas of common interest to professionals interested in cannabis, psychedelics, and/or liquor law; B. provide opportunities for Section members to become better acquainted with other legal professionals with similar interests; C. provide services including education and networking for students interested in some of the fastest growing new practices of law and updates to the long established practice of liquor law; D. provide a forum for the exchange of ideas and discussion about issues of common interest to Section members; E. provide advice to the Bar, as requested, on proposed legislation, court rules, and other matters; F. provide resources and education to legislators and regulators; and G. undertake such other services that may be of benefit to the public and the Bar.	
<b>Strategy to Fulfill Purpose:</b>	

<p>Hold monthly meetings open to all members that include a discussion of industry updates and an opportunity to ask questions and learn from peers; hold an annual member meeting that includes a significant discussion about industry updates, questions, comments and provides a forum for learning and networking; develop relevant CLE programming; provide a resources section to members on our section page that provides basic information as a starting point for those interested in practicing in this area of law.</p>	
<p><b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b></p>	
<p>The section advances the board’s mission by organizing educational programs, networking events, and offering informational resources to its members. These efforts help cultivate well-informed, skilled, and highly competent legal professionals in the field of cannabis law, thereby enhancing the integrity of the legal profession and benefiting the public.</p>	
<p><b>Top 2023 -2024 Section Accomplishments:</b></p>	
<p>Quarterly Virtual Mini CLEs: Successfully organized and offered quarterly virtual mini Continuing Legal Education (CLE) sessions to members for free, enhancing their professional development</p>	
<p>In-Person Events: Held two successful in-person events, including a CLE at Gonzaga followed by a wine mixer, and a networking event at DeLille Cellars, fostering community and professional networking.</p>	
<p>Annual Virtual Meeting: Conducted an annual virtual meeting to gather member feedback, which led to the implementation of more virtual CLEs and non-CLE in-person events based on member preferences.</p>	
<p>Monthly Open Meetings: Maintained monthly open meetings to discuss industry updates and encourage member participation, ensuring ongoing engagement and communication within the section.</p>	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i>  <a href="#">Use this worksheet</a> (under ‘Leadership’) to develop your SMART goals and then summarize below in 1-2 sentences.</p>	
<b>1</b>	<b>Continue to hold quarterly CLEs.</b>
<b>2</b>	<b>Increase membership by 20% by the end of the fiscal year</b>
<b>3</b>	<b>Increase member participation in both CLEs and open meetings by 20%</b>
<p><b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i></p>	
<b>1</b>	Make the resources page a more valuable tool for members
<b>2</b>	Foster diversity, equity, and inclusion within the section
<b>3</b>	<b>Create a newsletter/blog for the membership regarding industry updates</b>

<p><b>Please describe how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i></p>	
<p>The section encourages diversity among its executive committee and membership – the executive committee is currently comprised of diverse individuals - those new to the practice of law, practitioners located in diverse areas of the state whose practice might vary from those in the greater Seattle area, and various age groups. The diverse makeup of the executive committee fosters a wide breadth of perspectives and opinions that help the section develop valuable and inclusive programming for its members. We have provided in-person CLE programming outside of the greater Seattle area to provide valuable networking opportunities to practitioners in diverse areas of the state. The section continues to make diversity and inclusion a priority at the executive committee level and within the membership as a whole and encourages the bar to provide suggestions as to how we can take further action to promote equitable conditions for members from historically underrepresented backgrounds.</p>	
<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>Quality of WSBA staff support/services, including technology solutions</i></li> <li>• <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> <li>• <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i></li> </ul>	
<p>Carolyn MacGregor has been an invaluable asset to our section, providing support with bylaw amendments, creating new committee positions, generating ideas to boost membership, and addressing general administrative queries. While the board of governors liaisons have not been heavily involved, they have occasionally attended our meetings. Our section meets monthly, and we encourage the section liaison to take a more active role by attending these meetings regularly</p>	
<p><b>Please quantify your section’s 2023-2024 member benefits:</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>\$3000 Scholarships, donations, grants awarded;</i></li> <li>• <i>4 mini-CLEs produced</i></li> </ul>	
0	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity.
1	Receptions/forums hosted or co-hosted
	\$ amount given through donations/scholarships/grants.
	Newsletters/publications produced
4	Mini-CLEs produced

Sections

12	New Lawyer Outreach events/benefits	
	Recognitions/Awards given	
	Other (please describe):	
<b>SECTION DATA</b> <i>To Be Completed by WSBA Sections Team</i>		
<b>Section Membership Information:</b>	66	<b>Membership Size:</b> <i>(As of September 30, 2024)</i>
	\$3,049	<b>FY24 Revenue (\$):</b> <b>For Sections Only:</b> <i>As of September 30, 2024</i>
	\$2,100	\$1,239 <b>Budgeted and Direct Expenses:</b> <i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
<b>Section Executive Committee Information:</b>	10	<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>
	9	<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	7	<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>

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# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT

**FY 2024: October 1, 2023 – September 30, 2024**

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	Labor & Employment Law
<b>Chair or Co-Chairs:</b>	Cassandra Lenning
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Mary Rathbone
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The purpose of the Section shall be to seek the participation of all members of the Bar interested in labor and employment law, including plaintiff’s and defense counsel from both the public and private sectors, to benefit such members, their clients, and the general public.	
<b>Strategy to Fulfill Purpose:</b>	
(A) By providing a forum for members to exchange ideas in all areas of labor and employment law. (B) By establishing an annual CLE conference and multiple smaller CLEs. (C) By providing grants to law students interested in labor and employment law. (D) By undertaking such other services as may be of benefit to the members, the legal profession, and the public.	

<b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	
The Section coordinates events that keep practitioners informed on the latest developments in labor and employment law, which promotes competency and ethical practice in the Bar.	
<b>Top 2023 -2024 Section Accomplishments:</b>	
We hosted a widely attended mini-CLE on <a href="#">The Latest in Washington Non-Compete Agreements in October 2023</a> . We hosted another mini-CLE on <a href="#">Reasonable Accommodations followed by a Reception in June 2024</a> .	
We hosted our 23rd Annual Conference, a full day CLE event, in November 2023.	
We hosted a <a href="#">Law School Connection Mixer at Seattle University</a> for law students interested in L&E law in April 2024.	
We provided summer grants to two local law students, one from University of Washington and one from Gonzaga University, who spent their summers working in otherwise unpaid L&E positions.	
<b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b> <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i> <a href="#">Use this worksheet</a> (under ‘Leadership’) to develop your SMART goals and then summarize below in 1-2 sentences.	
<b>1</b>	Host 3-4 mini-CLEs, and 1 large CLE conference.
<b>2</b>	Host an event for law students interested in labor & employment law, and continue to provide summer grants to local law students spending their summer working in Labor and Employment law.
<b>3</b>	Get summer grantee students and other young lawyers more involved in the Section.
<b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i>	
<b>1</b>	<b>Host informal “spotlight” lunches for Section members.</b>
<b>2</b>	<b>Increase activity on Section listserv, maybe seek dedicated social media volunteer.</b>
<b>3</b>	<b>Increase diversity of Executive Committee, particularly with respect to attorneys outside the Seattle area.</b>
<b>Please describe how this entity is addressing diversity, equity, and inclusion:</b> <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i>	

<p>One of the Section’s primary focuses, in all of our activities, is to increase diversity of membership and CLE speakers. We strive to provide speaking and other leadership and development opportunities to those from historically underrepresented backgrounds. The Section also continues to strive to increase access to member benefits and programs for lawyers of moderate means and in the central and eastern parts of the State.</p>		
<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>Quality of WSBA staff support/services, including technology solutions</i></li> <li>• <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> <li>• <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i></li> </ul>		
<p>Click or tap here to enter text.</p>		
<p><b>Please quantify your section’s 2023-2024 member benefits:</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>\$3000 Scholarships, donations, grants awarded;</i></li> <li>• <i>4 mini-CLEs produced</i></li> </ul>		
1	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA	
0	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity.	
3	Receptions/forums hosted or co-hosted	
\$15,000	\$ amount given through donations/scholarships/grants.	
0	Newsletters/publications produced	
3	Mini-CLEs produced	
Law School Connection Mixer	New Lawyer Outreach events/benefits	
2 Summer grants	Recognitions/Awards given	
N/A	Other (please describe):	
<p><b>SECTION DATA</b>  <i>To Be Completed by WSBA Sections Team</i></p>		
<b>Section Membership Information:</b>	990	<b>Membership Size:</b> <i>(As of September 30, 2024)</i>
	\$50,467	<b>FY24 Revenue (\$):</b> <b>For Sections Only:</b> <i>As of September 30, 2024</i>



Sections

	\$54,870	\$31,537	<b>Budgeted and Direct Expenses:</b> <i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
<b>Section Executive Committee Information:</b>	14		<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>
	8		<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	8		<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>

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# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	LGBTQ+ Law Section
<b>Chair or Co-Chairs:</b>	Adriena Clifton
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Brent Williams-Ruth
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The Lesbian, Gay, Bisexual, and Transgender Law Section strives to support understanding among WSBA members of the legal needs of lesbian, gay, bisexual, and transgender residents of Washington, assist LGBT residents and those who represent them, better understand how their legal needs can be met, support research, education and collaboration by section members on issues of sexual orientation and gender identification. Promote the study of LGBT law and report on changing law and regulations as they affect LGBT people and communities, assist in legislative work and act as a liaison between the WSBA its Board of Governors, LGBT Organizations, and the public.	
<b>Strategy to Fulfill Purpose:</b>	
The Section fulfills this purpose through direct community engagement opportunities, including social and networking opportunities for members. The Section also provides at least	

<p>one CLE for WSBA members each year. The Section has also worked with other community-focused organizations to promote collaboration on social and networking events, as well as mentorship programs and events.</p>	
<p><b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b></p>	
<p>The Section’s involvement in research and presentation on changing areas of LGBTQ+-specific law promotes continuing knowledge development/sharing and community-specific competence within the legal community – thereby promoting ethical and professional practice, which has an immediate effect on justice for the community and community members as litigants, educators, counsel, judges, and members of the profession generally. The Section further promotes respect and civility within the legal community and between judges, lawyers, staff, and clients. The Section’s educational programming includes discussions of best practices to ensure we are meeting the needs of all LGBTQ+ Washingtonians, including addressing implicit and explicit bias and homophobic and transphobic behavior and language in the courtroom. In addition, at our annual meeting each year we strive to discuss issues of professionalism that members may have come in contact with over the past year, ensuring that we are consistently serving our members’ needs and addressing membership concerns. We also devote a significant portion of our educational programming to address respectful and inclusive language that further promotes the overall integrity and inclusivity of the profession.</p>	
<p><b>Top 2023 -2024 Section Accomplishments:</b></p>	
<p> </p>	
<p> </p>	
<p> </p>	
<p> </p>	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i>  <a href="#">Use this worksheet</a> (under ‘Leadership’) to develop your SMART goals and then summarize below in 1-2 sentences.</p>	
<b>1</b>	<b>Host one half-day CLE and two lunch-hour/mini CLEs.</b>
<b>2</b>	<b>Co-host either a CLE or social event with another Section and/or community organization.</b>
<b>3</b>	<b>Develop a collaborative mentorship program for law students and/or new attorneys.</b>
<p><b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i></p>	
<b>1</b>	<b>Continue to establish relationships with colleges and universities throughout Washington State.</b>

<b>2</b>	<b>Continue to focus on engaging and serving members in all parts of Washington State.</b>
<b>3</b>	<b>Forge connections with QLaw.</b>
<p><b>Please describe how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i></p>	
<p>The Section is focused on serving lawyers and legal professionals who serve the LGBTQ+ community, which in itself is a very diverse community comprising individuals and families from various racial, ethnic, religious, national origin, gender, and socioeconomic backgrounds. Our efforts over the past year continued to focus on better serving Section members outside the Seattle area, as well as those in Seattle. We continue to encourage members of the WSBA of all backgrounds to consider joining our section, as well as our section’s Executive Committee!</p>	
<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>Quality of WSBA staff support/services, including technology solutions</i></li> <li>• <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> <li>• <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i></li> </ul>	
<p>The Section appreciates the ongoing, strong relationship with the WSBA staff and Staff Liaison and Board of Governors/BOG Liaison as well as their helpful guidance. The monthly Section meetings have included informative updates on broader issues facing the WSBA, as well as the potential impact of these issues on the Section membership, as well as the legal profession within Washington and have helped to ensure that Section members are aware of opportunities to get involved. We look forward to further working with both of our BOG Liaisons and the WSBA staff and Staff Liaison over the coming year.</p>	
<p><b>Please quantify your section’s 2023-2024 member benefits:</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>\$3000 Scholarships, donations, grants awarded;</i></li> <li>• <i>4 mini-CLEs produced</i></li> </ul>	
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity.
	Receptions/forums hosted or co-hosted
	\$ amount given through donations/scholarships/grants.
	Newsletters/publications produced

Sections

	Mini-CLEs produced	
	New Lawyer Outreach events/benefits	
	Recognitions/Awards given	
	Other (please describe):	
<b>SECTION DATA</b> <i>To Be Completed by WSBA Sections Team</i>		
<b>Section Membership Information:</b>	113	<b>Membership Size:</b> <i>(As of September 30, 2024)</i>
	\$4,102	<b>FY24 Revenue (\$):</b> <b>For Sections Only:</b> <i>As of September 30, 2024</i>
	\$6,050	\$0 <b>Budgeted and Direct Expenses:</b> <i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
<b>Section Executive Committee Information:</b>	10	<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>
	10	<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	5	<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT FY 2024: October 1, 2023 – September 30, 2024

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It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	Litigation Section
<b>Chair or Co-Chairs:</b>	Tiffany Wilke
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Allison Widney
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
<p>The purpose of the Section shall be to seek the participation of all interested members of the Bar, and of state and local bar associations, in order to benefit such members, their clients and the general public: a. b. c. d. e. 1.3 Limitations By providing the opportunity and forum for the interchange of ideas in the areas at trial advocacy, practice and procedure; By initiating and implementing common projects within said areas; By review of pending legislation and development of proposed statutory enactments to improve and facilitate the administration of justice; By assisting the courts in establishing rules and methods for the more certain and expeditious administration of justice; and By undertaking such other services as may be of benefit to the members, the legal profession and the public.</p>	
<b>Strategy to Fulfill Purpose:</b>	

By conducting CLEs, encouraging mentor/mentee relationships, and hosting “litigation events” to encourage member participation.	
<b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	
The Litigation Section is focused on providing access to the justice system by way of education through CLEs, and access through mentor/mentee relationships.	
<b>Top 2023 -2024 Section Accomplishments:</b>	
Scholarships to all three WA law schools - \$6,000 total	
Resumed the yearly judicial dinner with the WA Supreme Court	
Resumed presenting CLEs	
<b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b> <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i> <a href="#">Use this worksheet</a> (under ‘Leadership’) to develop your SMART goals and then summarize below in 1-2 sentences.	
<b>1</b>	Plans for a winter 2025 event with a judicial speaker – goal is to host a networking event with Judge Peterson to further engagement amongst our section. Ideally, we hope to have this occur by February 2025.
<b>2</b>	An October 2024 CLE re: “local rule tips and tricks” for members and non-members alike – this is currently planned to take place virtually on October 15, 2024.
<b>3</b>	More CLEs next year (tentative plan is two of them) which will generate revenue. We would like to plan half-day CLEs and have a goal to start planning these at the start of 2025.
<b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i>	
<b>1</b>	More engagement with our members and beyond by way of LinkedIn updates and social media.
<b>2</b>	We would like to increase and boost knowledge of our mentorship program, by way of “blasts” through WSBA and social media.
<b>3</b>	
<b>Please describe how this entity is addressing diversity, equity, and inclusion:</b> <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i>	

<p>Our section is comprised of a wide variety of demographics in the legal profession (gender, race, practice areas, ages) and we encourage active participation amongst all groups to host, engage, and otherwise lead section-related events.</p>			
<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>Quality of WSBA staff support/services, including technology solutions</i></li> <li>• <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> <li>• <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i></li> </ul>			
<p>We benefit greatly from having WSBA staff attend our meetings and help us with the logistics in meeting our goals (i.e., aiding in scheduling CLEs, marketing of the same, etc.).</p>			
<p><b>Please quantify your section’s 2023-2024 member benefits:</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>\$3000 Scholarships, donations, grants awarded;</i></li> <li>• <i>4 mini-CLEs produced</i></li> </ul>			
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA		
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity.		
Judicial Dinner (summer 2024)	Receptions/forums hosted or co-hosted		
Law school scholarships totaling \$6,000	\$ amount given through donations/scholarships/grants.		
	Newsletters/publications produced		
	Mini-CLEs produced		
Facilitated the mentor/mentee program	New Lawyer Outreach events/benefits		
	Recognitions/Awards given		
	Other (please describe):		
<p><b>SECTION DATA</b>  <i>To Be Completed by WSBA Sections Team</i></p>			
<b>Section Membership Information:</b>	972		<b>Membership Size:</b> <i>(As of September 30, 2024)</i>
	\$37,489		<b>FY24 Revenue (\$):</b> <b>For Sections Only:</b> <i>As of September 30, 2024</i>
	\$30,290	\$14,126	<b>Budgeted and Direct Expenses:</b>



Sections

			<i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
<b>Section Executive Committee Information:</b>	11		<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>
	9		<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	6		<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>

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<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	Real Property, Probate and Trust
<b>Chair or Co-Chairs:</b>	Nathan G. Smith
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Matthew Dresden
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The purpose of the Section is to: (a) Assist our members in achieving the highest standards of competence, professionalism, and ethics in their practices, (b) Assist the Legislature in the enactment and improvement of the laws affecting real property, probate, trusts, and estates and to assist the Judiciary in the just administration of those laws, (c) Support the WSBA with regard to those matters which concern the practice of law in the areas of real property, probate, trusts and estates, and (d) Otherwise serve our members by helping them realize their professional goals.	
<b>Strategy to Fulfill Purpose:</b>	
For FY 2024-2025, the RPPT Section will continue to work with the WSBA to engage and educate members and lawyers in general with high quality online CLEs and an in-person Mid-Year meeting, continue to prepare timely newsletters and provide a listserv and other opportunities for members and lawyers in the community to get involved with education and the general improvement of the	

<p>practice of our areas of law. The Section will further engage with newer members of the Section to advance their practices and encourage their participation in Section activities. The Section will continue to work closely with legislative leaders, the Section’s legislative subcommittee and executive committee to ensure that the laws affecting real property, probate, trusts and estate continue to evolve with the practice and provide a good framework for practitioners and meet the needs of the state’s general population.</p>	
<p><b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b></p>	
<p>Through member engagement and education the Section provides opportunities for education, mentoring and practical support for its members and Washington lawyers in general with an emphasis on providing timely resources for the ever-changing practice of law, responding to requests from legislators and otherwise reviewing pending legislation to address access to justice issues and developing the next generation of practitioners.</p>	
<p><b>Top 2023 -2024 Section Accomplishments:</b></p>	
<p>(1) The Section had a very successful Midyear meeting at The Davenport Hotel in Spokane and continued to provide for hybrid learning through seasonal CLE offerings.</p>	
<p>(2) Membership of the Section worked together with WSBA leaders and legislators on multiple subcommittees to review, comment and prepare additional bills for review by the legislature.</p>	
<p>(3) The Section engaged new and young lawyers through both its Fellow Program and its Young Lawyer Liaison to the Board of Governors.</p>	
<p>(4) The Section returned to the publication of its Newsletter by publishing 3 different issues.</p>	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i>  <a href="#">Use this worksheet</a> (under ‘Leadership’) to develop your SMART goals and then summarize below in 1-2 sentences.</p>	
<b>1</b>	<p>The Section has the goal of providing 4 Newsletters to its membership on a regular seasonal publication schedule.</p>
<b>2</b>	<p>The Section has the goal of simplifying its internet presence over the course of the year by using WSBA supported internet infrastructure and its own Section sponsored website.</p>
<b>3</b>	<p>The Section has the goal of providing two young lawyer events at diverse geographic locations in the State.</p>
<p><b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i></p>	
<b>1</b>	<p>The Section remains committed to growing its membership enrollment by providing for direct member benefits in education and networking.</p>

<b>2</b>	The Section is interested in developing young leadership in its ranks through the use of its Fellows program as a way to increase engagement and participation.
<b>3</b>	Continue to work closely with the legislature and WSBA leaders and staff to ensure a robust partnership for the benefit of Washington lawyers and the public on matters of real property, probate and trust.
<p><b>Please describe how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i></p>	
<p>The Section focuses on diversity, equity and inclusion by using its Listserv as a means of communicating initiatives from the Section. The Section provides scholarships to members to offset the costs of attending its co-sponsored Continuing Legal Education programs.</p>	
<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>Quality of WSBA staff support/services, including technology solutions</i></li> <li>• <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> <li>• <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i></li> </ul>	
<p>WSBA staff provides outstanding support to the Section for its activities, initiatives and CLE planning. The Section is participating in the pilot program for the WSBACommunity as a way to maintain Section documentation and enhance communication among the Executive Committee.</p>	
<p><b>Please quantify your section’s 2023-2024 member benefits:</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>\$3000 Scholarships, donations, grants awarded;</i></li> <li>• <i>4 mini-CLEs produced</i></li> </ul>	
Co-sponsored the RPPT Midyear Meeting at The Davenport Hotel in Spokane and 4 online full-day CLE seminars with WSBA.	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity.
1 reception at the Section Midyear meeting.	Receptions/forums hosted or co-hosted
\$5534.96	\$ amount given through donations/scholarships/grants.
3 Newsletters	Newsletters/publications produced
	Mini-CLEs produced

Sections

1 event at the Section Midyear meeting	New Lawyer Outreach events/benefits		
	Recognitions/Awards given		
<p>The Section actively participated in the legislative session. The Section reviewed the following bills on the Probate and Trust side: SSB 5787; SB 5825; HB 1867; ESSB 5589. The Section tracked the following Bills: 3SSB 5787 (UEEPDA; tracked and initially took a position in opposition); ESSB 5589 (changes to 11.54; tracked and took a position in favor); HB 1867 (estate tax return requirement; tracked only). The Section proposed comments on the following bills on the Probate and Trust side: SSB 5787 (The Section convened a practitioners workgroup to prepare suggested changes, which were incorporated in the bill.). The Section participated in the following bills as proposed or drafted on the Probate and Trust side: ESSB 5589 (The Section engaged in the drafting of earlier versions of this bill, and this work continued this year resulting in the bill’s passage.). In connection with the Section’s work on the Real Property side, it reviewed 148 bills. The Section tracked 10 bills on the Real Property side: HB 1890 (Tracked only); SB 5796 opposed (WUCIOA; Tracked and took a position in opposition); ESHB 1998 (tracked only); SB 5840 (Lease notarization; Tracked and took a position in favor); ESHB 2003 (Tracked only); SHB 2012 (Tracked only); 2SHB 2071 (Tracked only); HB 2375 (Tracked only); SSB 5840 (Tracked only); SB 6238 (Tracked only). The Section provided potential comments on SB 5796, but did not ultimately proposed alternative comments. The Section provide proposed legislation for SB 5840 on the Real Property side.</p>	Other (please describe):		
<b>SECTION DATA</b> <i>To Be Completed by WSBA Sections Team</i>			
Section Membership Information:	2202		<b>Membership Size:</b> <i>(As of September 30, 2024)</i>
	\$119,896		<b>FY24 Revenue (\$):</b> <b>For Sections Only:</b> <i>As of September 30, 2024</i>
	\$114,700	\$69,560	<b>Budgeted and Direct Expenses:</b>

Sections

			<i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
<b>Section Executive Committee Information:</b>	13 elected and 10 nonvoting members	<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>	
	5	<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>	
	5	<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>	

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# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT FY 2024: October 1, 2023 – September 30, 2024

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	Senior Lawyers
<b>Chair or Co-Chairs:</b>	Al Armstrong (Interim Chair)
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Lester Parvin Price Jr.
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
	To provide experienced lawyers a chance to reconnect & provide the larger legal community with news of legal developments of interest to older lawyers and others
<b>Strategy to Fulfill Purpose:</b>	
	Sponsoring Continuing Legal education courses
<b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	
	Dissemination of information of special interest to seniors and others
<b>Top 2023 -2024 Section Accomplishments:</b>	

Newsletter publication	
CLEs	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i>  <a href="#">Use this worksheet</a> (under 'Leadership') to develop your SMART goals and then summarize below in 1-2 sentences.</p>	
<b>1</b>	<b>Continuing to provide legal education along the lines outlined above</b>
<b>2</b>	
<b>3</b>	
<p><b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i></p>	
<b>1</b>	<b>To recruit a larger number of older lawyers and other to our Senior Lawyer Section</b>
<b>2</b>	
<b>3</b>	
<p><b>Please describe how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i></p>	
<p><b>Trying our best to recruit new members</b></p>	
<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>Quality of WSBA staff support/services, including technology solutions</i></li> <li>• <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> <li>• <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i></li> </ul>	
<p><b>The personnel at WSBA have been very courteous and helpful.</b></p>	
<p><b>Please quantify your section's 2023-2024 member benefits:</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>\$3000 Scholarships, donations, grants awarded;</i></li> <li>• <i>4 mini-CLEs produced</i></li> </ul>	
1 CLE seminar with reduced fees for section members	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity.



Sections

	Receptions/forums hosted or co-hosted	
	\$ amount given through donations/scholarships/grants.	
Publishes our “Life Begins” newsletter – 3 issues	Newsletters/publications produced	
	Mini-CLEs produced	
	New Lawyer Outreach events/benefits	
	Recognitions/Awards given	
	Other (please describe):	
<b>SECTION DATA</b> <i>To Be Completed by WSBA Sections Team</i>		
<b>Section Membership Information:</b>	264	<b>Membership Size:</b> <i>(As of September 30, 2024)</i>
	\$6,936	<b>FY24 Revenue (\$):</b> <b>For Sections Only:</b> <i>As of September 30, 2024</i>
	\$4,990	\$3,868 <b>Budgeted and Direct Expenses:</b> <i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
<b>Section Executive Committee Information:</b>	13	<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>
	12	<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	9	<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>

<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT

**FY 2024: October 1, 2023 – September 30, 2024**

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	Solo and Small Practice Section
<b>Chair or Co-Chairs:</b>	Darcel Lobo
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Kari Petrasek
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
	To help solo and small practice attorneys ethically conduct a profitable, satisfying business by acting as a clearing house for qualified law practice management and technology information.
<b>Strategy to Fulfill Purpose:</b>	
	Through online resources, educational materials, networking events and mentoring opportunities
<b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	
	Our CLEs help lawyers run the business end of their practices ethically and efficiently which in turn fosters better relations with other counsel and the courts. In particular, effective use of technology helps lawyers meet their obligations, manage trust accounts and manage communications with

<p>clients and opposing counsel. On our list-serve, members frequently solicit advice and share experiences regarding legal issues and how to deal with opposing counsel, courts and staff.</p>	
<p><b>Top 2023 -2024 Section Accomplishments:</b></p>	
<p>Hosted 9 mini-CLEs</p>	
<p>In Person multi-day conference</p>	
<p>Exceeded budget projections for our section</p>	
<p>Continued to develop section member resources in members-only website</p>	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i>  <a href="#">Use this worksheet</a> (under 'Leadership') to develop your SMART goals and then summarize below in 1-2 sentences.</p>	
<b>1</b>	<b>Increase membership to 1,000 by 12/31/25</b>
<b>2</b>	<b>9 mini CLEs per year</b>
<b>3</b>	<b>Increase attendance at annual conference to at least 100 by FY 2024-2025 conference</b>
<p><b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i></p>	
<b>1</b>	
<b>2</b>	
<b>3</b>	
<p><b>Please describe how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i></p>	
<p><b>Our membership is as diverse as WSBA membership. We recruit minorities to serve on the EC. We also plan to invite some minority bar associations to provide liaisons to our EC. Note: At least three of our existing EC members are also members of minority bar associations. Diversity is always one of our goals when selecting speakers for our CLE and webinars.</b></p>	
<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>Quality of WSBA staff support/services, including technology solutions</i></li> <li>• <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> <li>• <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i></li> </ul>	
<p></p>	

Sections

Please quantify your section’s 2023-2024 member benefits:		
<p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>		
1	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA	
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity.	
2	Receptions/forums hosted or co-hosted	
\$3,000	\$ amount given through donations/scholarships/grants.	
	Newsletters/publications produced	
6	Mini-CLEs produced	
	New Lawyer Outreach events/benefits	
	Recognitions/Awards given	
Numerous resources provided to members via our members-only website		Other (please describe):
SECTION DATA <i>To Be Completed by WSBA Sections Team</i>		
Section Membership Information:	876	Membership Size: <i>(As of September 30, 2024)</i>
	\$41,534	FY24 Revenue (\$): For Sections Only: <i>As of September 30, 2024</i>
	\$28,600	\$33,324 Budgeted and Direct Expenses: <i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
Section Executive Committee Information:	11	Size of Executive Committee: <i>(include and specify voting and non-voting positions)</i>
	4	Number of Vacancies for FY25: <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>

Sections

	3	<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>
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<sup>1</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT

**FY 2024: October 1, 2023 – September 30, 2024**

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	WSBA Taxation Section
<b>Chair or Co-Chairs:</b>	<a href="#">Megan Tahl</a>
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Nam Nguyen (District 10)
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The purposes of the Section are to further the knowledge of the members and the Bar in areas of the law involving federal, state, and local taxation, and to assist in the activities of WSBA and further the interests of the legal profession.	
<b>Strategy to Fulfill Purpose:</b>	
We strive to host events providing member benefit, whether for networking, for further continued legal education on a variety of tax topics. The section offers scholarships, and the ability to further relationships among private practitioners and government attorneys.	
<b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	

<p>We work to provide CLEs for all members on a variety of topics. We also support the tax clinics with donations which furthers representation for low-income taxpayers in WA and helps provide training for LLM students. We encourage member volunteer work with the federal tax clinics, and we continue to sponsor the Tax Section scholarship to promote opportunities for law students seeking to practice in the tax field in Washington. The structure of the Tax Section also encourages collaboration, with the co-chair model, and partnering government practitioners with private practitioners on both the state and federal side.</p>	
<p><b>Top 2023 -2024 Section Accomplishments:</b></p>	
<p>The Taxation Section has continued to build out the Diversity, Equity, and Inclusion Chair Committee and activities for the Executive Council. This increased investment in DEI has allowed our members to continue to learn and grow in their DEI knowledge. Part of this expansion is the PATH mentorship program which became a reality during the 2023/2024 fiscal year.</p>	
<p>We expanded the Taxation section website to include more information and opportunities for members;</p>	
<p>The Taxation Section awarded a \$5,000 scholarship to a student pursuing an LLM degree;</p>	
<p>Sub-committees held a variety of discussions and meetings on topics ranging from international tax updates to estate and gift planning legislation.</p>	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i>  <a href="#">Use this worksheet</a> (under 'Leadership') to develop your SMART goals and then summarize below in 1-2 sentences.</p>	
<b>1</b>	<b>Increase engagement with Section members by holding networking events</b>
<b>2</b>	<b>Sponsor DEI-focused CLE for Taxation Section members</b>
<b>3</b>	<b>Increase pro bono service and involvement in low-income taxpayer clinics and explore other avenues for similar service.</b>
<p><b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i></p>	
<b>1</b>	<b>Expand the PATH mentorship program for young tax professionals.</b>
<b>2</b>	<b>Reintroduce the half-day mini CLE for taxation section members. This CLE will cover emerging issues and practical topics</b>
<b>3</b>	
<p><b>Please describe how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i></p>	

<p>The Taxation Section expanded our DEI activities with the help of our DEI committee and chair. We have implemented the PATH mentorship program for young tax professionals. Our intention is to expand this program to college and high school individuals. We are also hosting additional events and CLE focused in the area of DEI and further expanding the website to provide resources in the area of DEI.</p>		
<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>Quality of WSBA staff support/services, including technology solutions</i></li> <li>• <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> <li>• <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i></li> </ul>		
<p>Carolyn MacGregor and Noah Baetge are extremely helpful as liaisons to the WSBA. As we further our DEI efforts, they have guided us regarding WSBA policies and practices. We would support any additional activities to promote the section via the overall WSBA and we are pleased with the expansion of the Taxation Section website.</p>		
<p><b>Please quantify your section’s 2023-2024 member benefits:</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>\$3000 Scholarships, donations, grants awarded;</i></li> <li>• <i>4 mini-CLEs produced</i></li> </ul>		
0	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA	
0	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity.	
2	Receptions/forums hosted or co-hosted	
\$9,000 (\$5,000 scholarship and \$2,000 to each of the tax clinics.)	\$ amount given through donations/scholarships/grants.	
0	Newsletters/publications produced	
1	Mini-CLEs produced	
	New Lawyer Outreach events/benefits	
1	Recognitions/Awards given	
	Other (please describe):	
<p><b>SECTION DATA</b>  <i>To Be Completed by WSBA Sections Team</i></p>		
<b>Section Membership Information:</b>	610	<b>Membership Size:</b> <i>(As of September 30, 2024)</i>
	\$18,030	<b>FY24 Revenue (\$):</b>



Sections

			<b>For Sections Only:</b> <i>As of September 30, 2024</i>
	\$38,500	\$16,453	<b>Budgeted and Direct Expenses:</b> <i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
<b>Section Executive Committee Information:</b>	25		<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>
	29		<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	22		<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>

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<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA SECTION ANNUAL REPORT

**FY 2024: October 1, 2023 – September 30, 2024**

*The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.*

**Instructions:** In accordance with the WSBA Bylaws, Committees, Other Bar Entities (excluding Regulatory Boards<sup>i</sup>), Councils, and Sections must submit an annual report to the Executive Director. The information below should reflect the activities and outcomes from the fiscal year October 1, 2023 – September 30, 2024. Information in the annual report will be provided to the Executive Director and Board of Governors, and may be published for other purposes, such as *Bar News*, volunteer recruitment messaging, and other WSBA activity-based reporting.

It is recommended that completion of the annual report be a collaborative effort with members of your entity, the BOG liaison, and staff liaison.

**Submission Deadline is Friday, October 11:** please submit by emailing to Carolyn MacGregor ([carolynm@wsba.org](mailto:carolynm@wsba.org)).

<b>Name of Section:</b>	World Peace Through Law
<b>Chair or Co-Chairs:</b>	Laura Eshbach
<b>Staff Liaison:</b> <i>(include name, job title, and department if known)</i>	Carolyn MacGregor, Sections Program Specialist, Advancement Department
<b>Board of Governors Liaison:</b>	Brent Williams-Ruth
<b>Purpose:</b> <i>May be stated in Bylaws, Charter, Court Rule, etc.</i>	
The World Peace Through Law Section of the Washington State Bar Association seeks to promote the rule of law and peaceful resolution of disputes among states and to foster education on public international law and human rights.	
<b>Strategy to Fulfill Purpose:</b>	
The Section provides a forum for ideas about law, peace and human rights; offers educational opportunities, such as continuing legal education and non-CLE programs; and supports other efforts to study and promote law, peace, and human rights.	
<b>How does the section’s purpose help further the mission of the WSBA “to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice”?</b>	

<p>Our purpose is to serve the public and members of the Bar by informing and reminding Bar members of the need and the means to protect human rights worldwide through the rule of law.</p>	
<p><b>Top 2023 -2024 Section Accomplishments:</b></p>	
<p>Produced CLEs free of charge for members</p>	
<p>Collaborated with other sections to produce and co-sponsor CLE content with broader appeal across sections</p>	
<p>Built connections with potential speakers and other sections for future content</p>	
<p><b>Next Fiscal Year: 2024-2025 Top SMART Goals &amp; Priorities:</b>  <i>Tip: SMART Goals are: Specific Measurable, Relevant and Time-Bound</i>  <a href="#">Use this worksheet</a> (under 'Leadership') to develop your SMART goals and then summarize below in 1-2 sentences.</p>	
<b>1</b>	<b>Continue to improve upon the number of programming initiatives from recent years</b>
<b>2</b>	<b>Sponsor and promote CLEs with WSBA’s MCLE Department and other sections</b>
<b>3</b>	<b>Actively recruit more members to participate in the Section</b>
<p><b>Looking Ahead:</b> <i>Please share any long-term goals and/or priorities that your entity aims to address.</i></p>	
<b>1</b>	<b>Recruit a Young Lawyer Liaison</b>
<b>2</b>	<b>Increase engagement with Section members by holding a networking event</b>
<b>3</b>	
<p><b>Please describe how this entity is addressing diversity, equity, and inclusion:</b>  <i>How have you elicited input from a variety of perspectives in decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive and eventually lead in the profession? Other?</i></p>	
<p><b>We seek input from our entire membership through our listserv. Our Executive Committee intentionally included CLEs and other programs that highlighted populations from, and attorneys serving, underrepresented backgrounds.</b></p>	
<p><b>Please share feedback regarding the support and engagement provided by WSBA.</b>  <i>For example:</i></p> <ul style="list-style-type: none"> <li>• <i>Quality of WSBA staff support/services, including technology solutions</i></li> <li>• <i>Involvement with Board of Governors, including assigned BOG liaison</i></li> <li>• <i>Ideas you have on ways WSBA can continue to strengthen/support your entity.</i></li> </ul>	
<p><b>We have a great working relationship with WSBA staff – they are responsive and professional, and we could not accomplish our goals without them. Our BOG liaisons have been engaged and supportive participants in our executive committee meetings. Based on</b></p>	

<p><b>experience, we have total confidence that this high level of staff support for sections will continue.</b></p>		
<p><b>Please quantify your section’s 2023-2024 member benefits:</b></p> <p><i>For example:</i></p> <ul style="list-style-type: none"> <li>• \$3000 Scholarships, donations, grants awarded;</li> <li>• 4 mini-CLEs produced</li> </ul>		
1	Co-sponsored half-day, full-day and/or multi-day CLE seminars with WSBA	
	Co-sponsored half-day, full-day and/or multi-day CLE seminars with <i>non</i> -WSBA entity.	
	Receptions/forums hosted or co-hosted	
	\$ amount given through donations/scholarships/grants.	
We regularly use our member listserv to advise our members of upcoming events and CLEs (ours and other relevant events). We do not publish a newsletter.		Newsletters/publications produced
2	Mini-CLEs produced	
	New Lawyer Outreach events/benefits	
	Recognitions/Awards given	
	Other (please describe):	
<p><b>SECTION DATA</b> <i>To Be Completed by WSBA Sections Team</i></p>		
<b>Section Membership Information:</b>	111	<b>Membership Size:</b> <i>(As of September 30, 2024)</i>
	\$7,405	<b>FY24 Revenue (\$):</b> <b>For Sections Only:</b> <i>As of September 30, 2024</i>
	\$9,350	\$726 <b>Budgeted and Direct Expenses:</b> <i>Does not include the Per-Member-Charge. For Direct Expenses, draft estimate as of December 3, 2024.</i>
<b>Section Executive Committee Information:</b>	7	<b>Size of Executive Committee:</b> <i>(include and specify voting and non-voting positions)</i>

Sections

	5	<b>Number of Vacancies for FY25:</b> <i>The number of positions with terms beginning October 1, 2024 (FY25).</i>
	5	<b>Number of Applicants for FY25:</b> <i>Applications submitted in the Spring-Summer of 2024 for terms beginning October 1, 2024 (FY25)</i>

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<sup>i</sup> Supreme Court Boards (Access to Justice Board, Disciplinary Board, LLLT Board, Limited Practice Board, MCLE Board and Practice of Law Board) provide annual reports to WSBA to support its responsibility under [GR 12.3](#), to provide oversight and monitor compliance with applicable rules and orders. Boards have the option to use the WSBA template or to share their annual reports to the Washington Supreme Court.

MEMO

To: Terra Nevitt, WSBA Executive Director  
From: Douglas J. Ende, WSBA Chief Disciplinary Counsel & Director of the Office of Disciplinary Counsel  
Date: December 10, 2024  
Re: Quarterly Discipline Report, 3<sup>rd</sup> Quarter (July – September) 2024

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**A. Introduction**

The Washington Supreme Court’s exclusive responsibility to administer the systems for discipline of licensed legal professionals (including disability systems) is delegated by court rule to WSBA. See GR 12.2(b)(6). Staff and volunteers carrying out the functions delegated by the Rules for Enforcement of Lawyer Conduct (ELC) act under the Supreme Court’s authority. The investigative and prosecutorial function is discharged by the employees in the Office of Disciplinary Counsel (ODC), which is responsible for investigating allegations and evidence of professional misconduct and incapacity and prosecuting violations of the Washington Supreme Court’s Rules of Professional Conduct.

The Quarterly Discipline Report provides a periodic, high-level overview of the functioning of the Office of Disciplinary Counsel. The report graphically depicts key discipline-system indicators for the 3<sup>rd</sup> Quarter 2024. Note that all numbers and statistics herein are considered tentative/approximate. Final figures will be issued in the 2024 Discipline System Annual Report.

**B. 2024 Public Dispositions & Other Information<sup>1</sup>**

• **Public Dispositions**

**Disbarments (7):**

Olga V. Efimova, #52498 (*Stipulation*)

Michael Graham, #37391 (*Stipulation*)

John O’Neill Green, #33827 (*Stipulation*)

**Thi Anh Huynh, #34947**

**Troy Xavier Kelly, #30998**

Kristi Pimpleton, #34419

Robert Jess Taylor-Manning, #21890

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<sup>1</sup> Names in red font denote discipline occurring in the current reporting quarter.

**Suspensions (10):**

Leah Rachel Altaras, #39266 , 45-day suspension (*Stipulation*)  
Leslie R. Bottimore, #29957, 14-month suspension (*Stipulation*)  
Gregg Eugene Bradshaw, #21299, 60-day suspension, (*Stipulation*)  
Matthew W. Butler, #27993, 3-years (*Stipulation*)  
Michael Olufemi Ewetuga, #37596, 6-month suspension  
Kevin Thomas Helenius, #11064 , 90-day suspension (*Stipulation*)  
Neil Edward Humphries, #2737, 60-day suspension (*Stipulation*)  
F. Dana Kelley, #17460, 30-day suspension (*Stipulation*)  
James Dewitt McBride II, #1603, one-year suspension  
Mike Mocerri, #47787, 18-month suspension

**Reprimands (7):**

Ryan M. Best, #33672 (*Stipulation*)  
Lavette Nadine Holman, #41588 (*Stipulation*)  
Justin C. Osemene, #28082 (*Stipulation*)  
Gerald T. Osborn, #13712 (*Stipulation*)  
Matthew Thomas Macklin, #57867 (*Stipulation*)  
Ajibola Oluyemisi Oladapo, #41461 (*Stipulation*)  
Steven Turner, #33840 (*Stipulation*)

**Resignations in Lieu of Discipline (8):**

Nicholas George, #20490  
Ajili Hodari, #37251  
Robert Scott Huff, #20507  
Hugo Cornelius Johnson, #45342  
Robert Kovacevich, #2723  
Ralph Howard Palumbo, #4751  
Steven Tanijo, #40060  
Julie A. Vance, #32189

**Reciprocal Discipline (11):**

**Samantha Marie Benton, #56376, Disbarment (Oregon)**

Faiyaz A. Dean, #34322, Disbarment (British Columbia)

Marc A. Eckardt, #30690, Disbarment (British Columbia)

John O'Neill Green, #33827, Disbarment (Texas)

**Gina Marie Guiley, #54521, Reprimand (California)**

**James Mills, #53561, Disbarment (Oregon)**

**Jean Ann Abrahamson Pirzadeh, # 31080, 1-year Suspension (Colorado)**

Renee Elizabeth Rothauge, #20661, Reprimand (Oregon)

Nicholas Smith, #46386, 3-year Suspension (Arizona)

Adam Michale Starr, #45762, Reprimand (Oregon)

Glenn E. Von Tersch, #29154, Disbarment (USPTO)

- **Interim Suspensions (6):**

**ELC 7.1: Interim Suspension for Conviction of a Crime**

Lavette Nadine Holman, #41588

Lee Howard Rousso, #33340

**ELC 7.2: Interim Suspension in Other Circumstances**

Christina Elaine King, #39431

Nathan L. McAllister, #37964

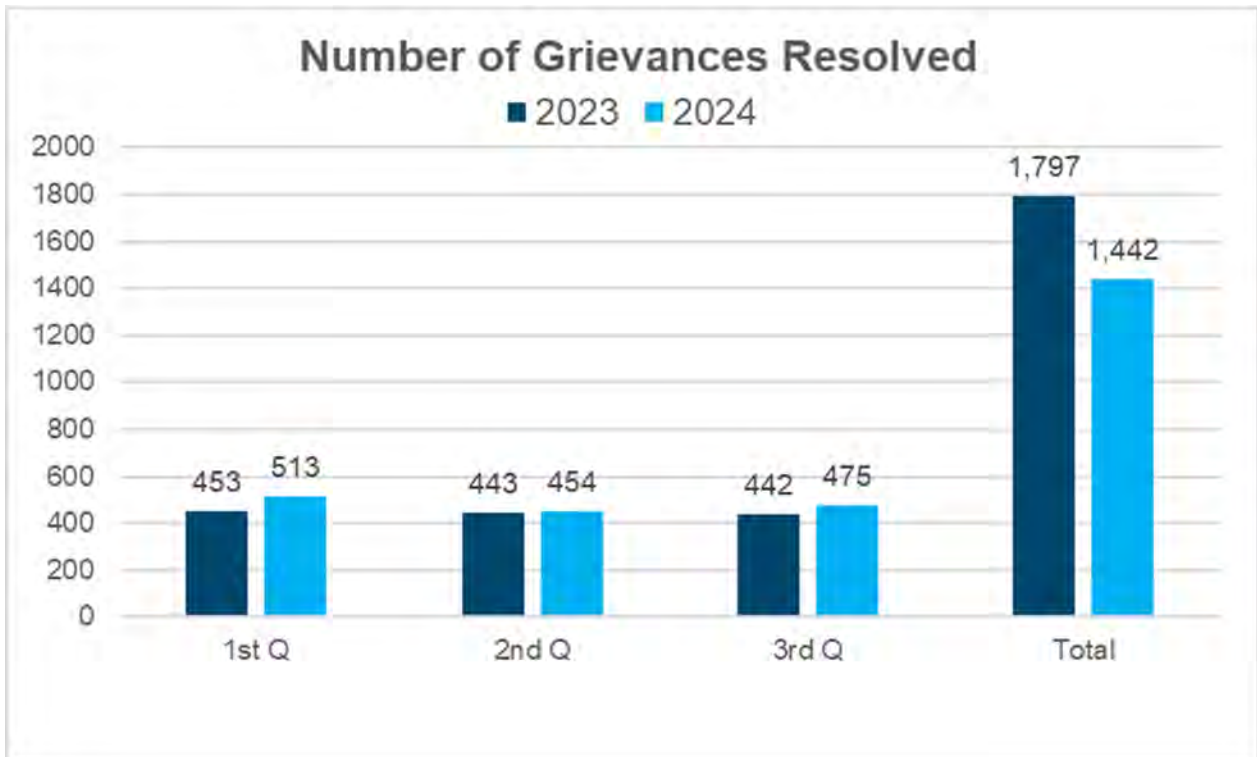
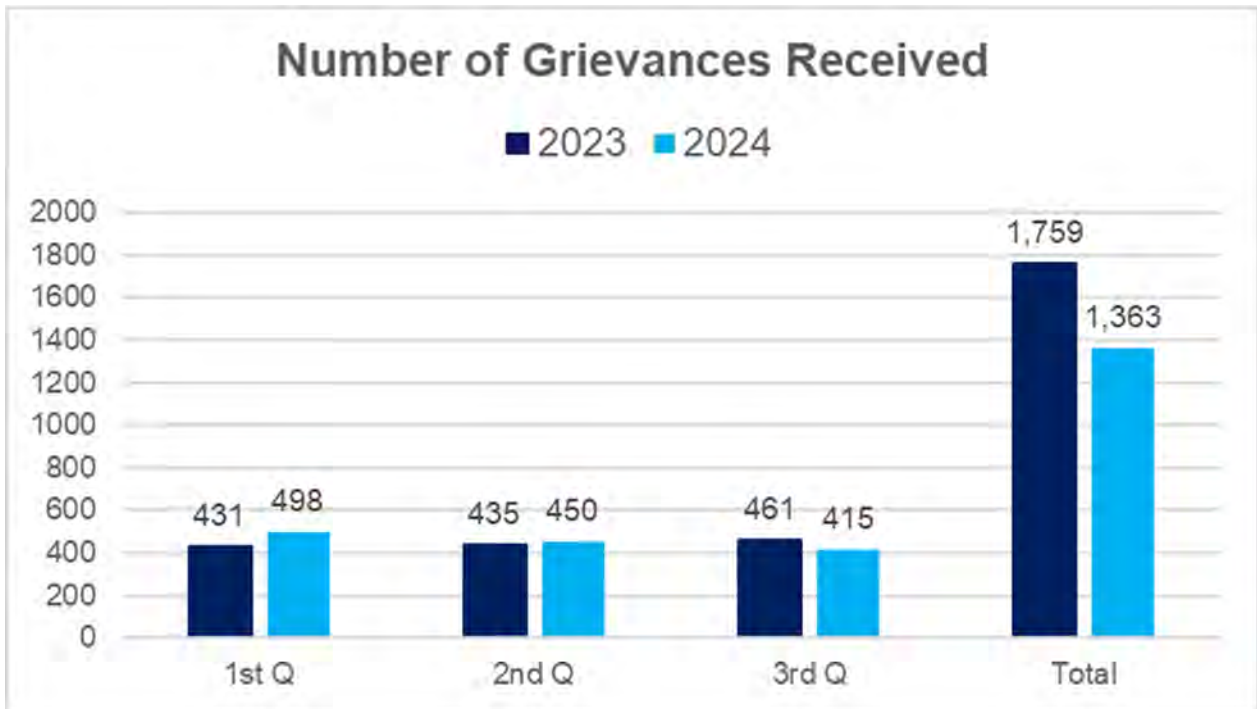
**ELC 7.3: Automatic Suspension When Respondent Asserting Incapacity**

Linda Beryl Lee, #10762

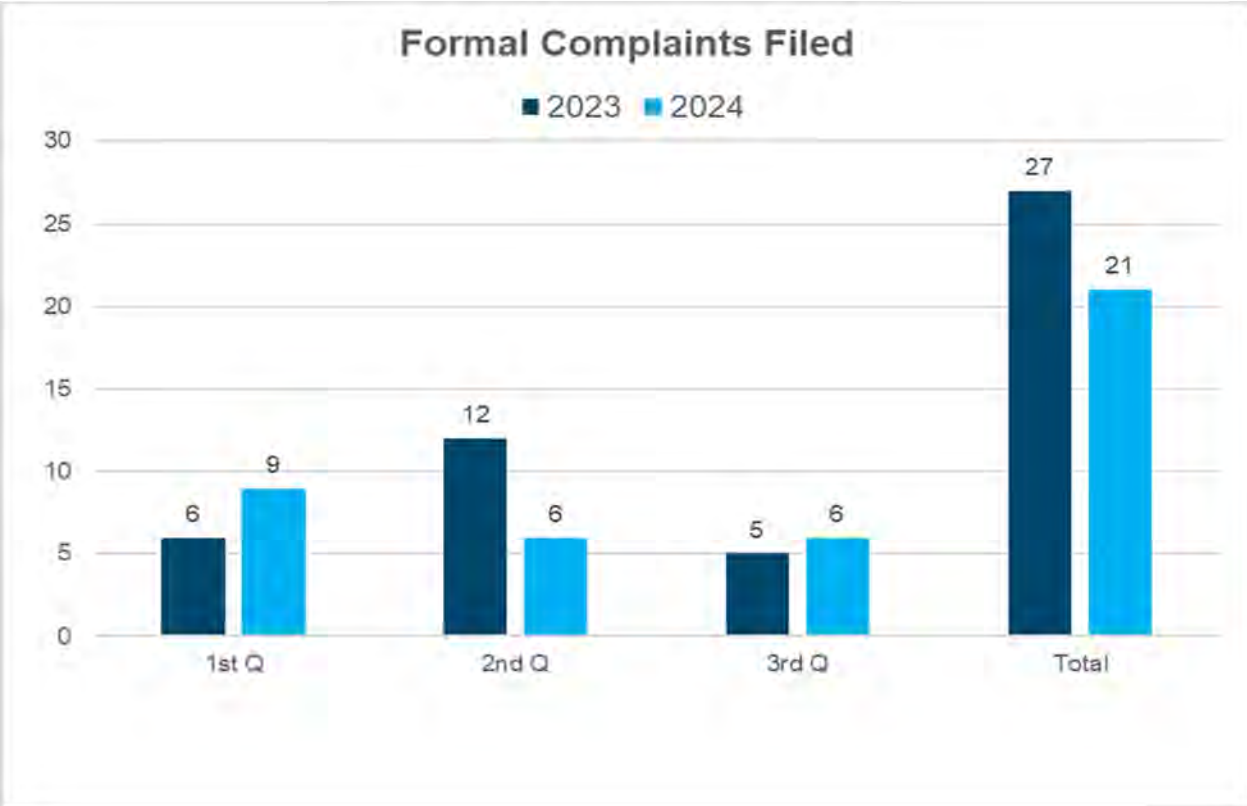
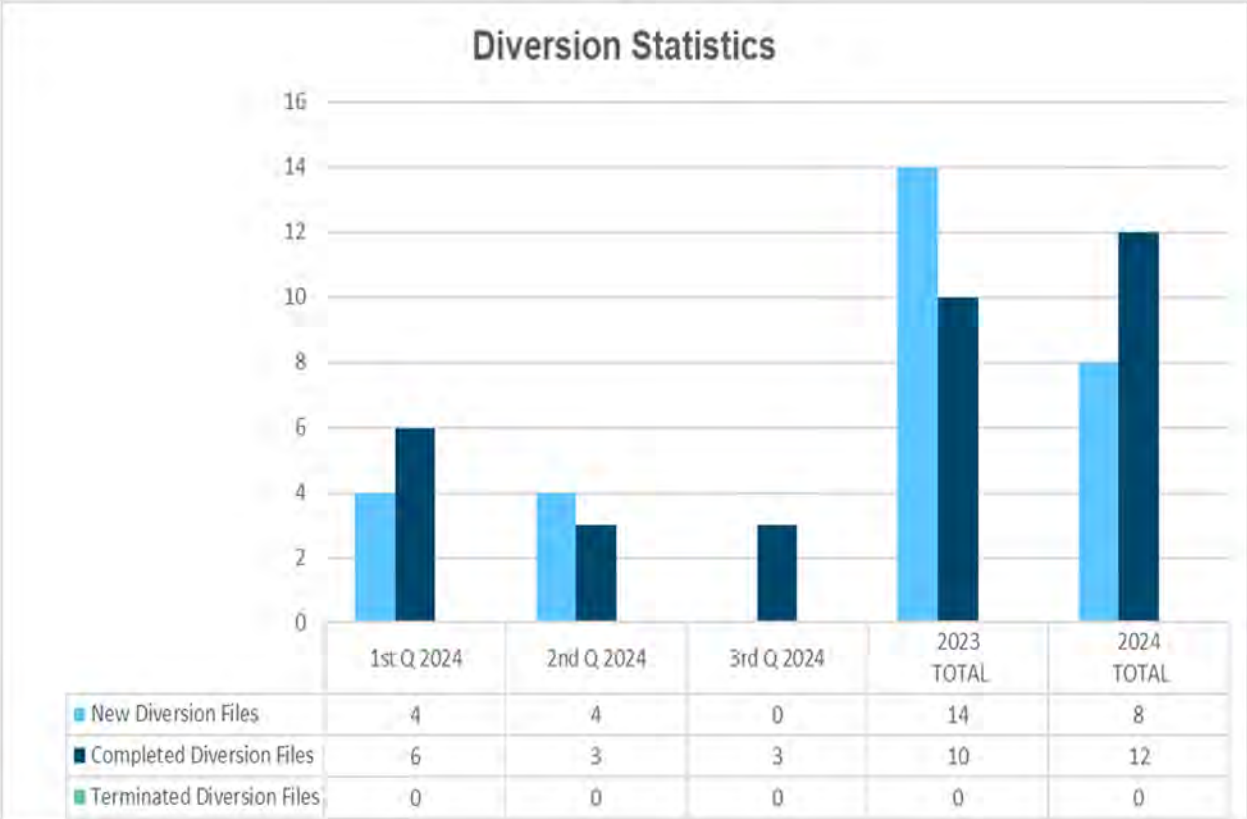
**Matthew John Ley, #46074**

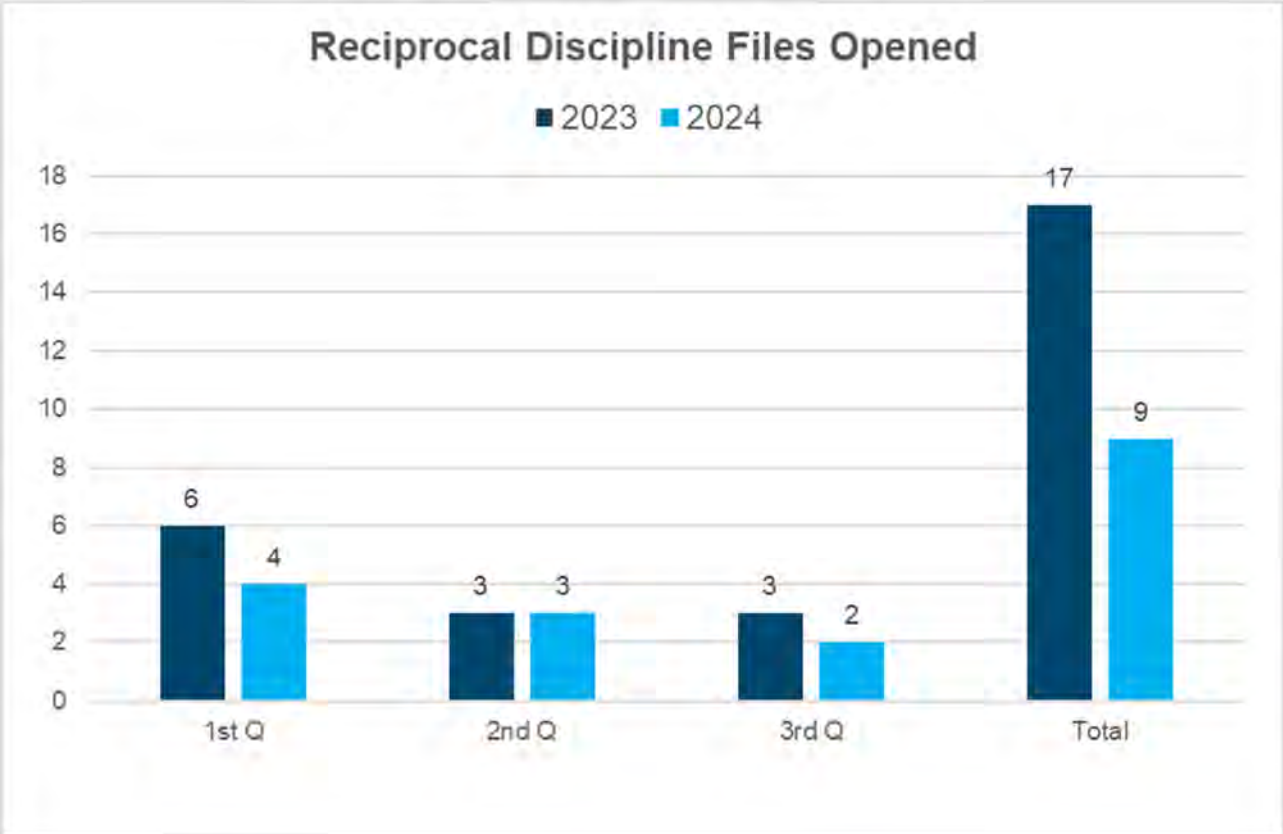


**C. Grievances and Dispositions<sup>2</sup>**



<sup>2</sup> These figures may vary from subsequent quarterly reports and statistical summaries owing to limitations on data availability at the time of issuance of these quarterly reports.





Hearings Held <sup>3</sup>	Quarter Total
1 <sup>st</sup> Quarter	2
2 <sup>nd</sup> Quarter	1
3 <sup>rd</sup> Quarter	3
4 <sup>th</sup> Quarter	TBD
2024 Total	5
2023 Total	5

**D. Pending Proceedings<sup>4</sup>**

Open Proceedings	2023	2024
Ending 1 <sup>st</sup> Quarter	44	35
Ending 2 <sup>nd</sup> Quarter	42	40
Ending 3 <sup>rd</sup> Quarter	43	35
Ending 4 <sup>th</sup> Quarter	49	TBD

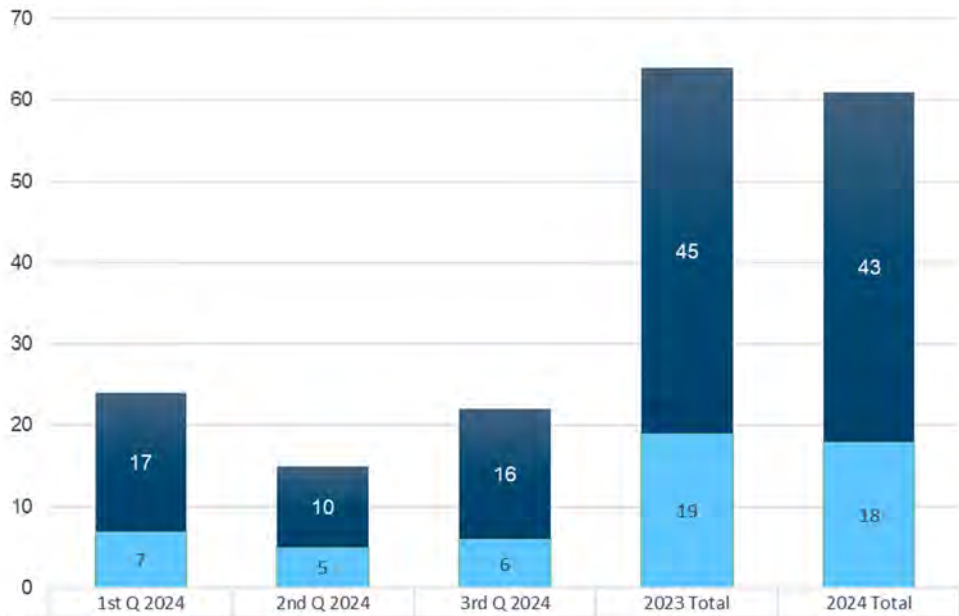
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<sup>3</sup> Includes default hearings.

<sup>4</sup> In the second table in this section, the Disciplinary Board numbers reflect Board orders on stipulations and following review after an appeal of a hearing officer's findings.

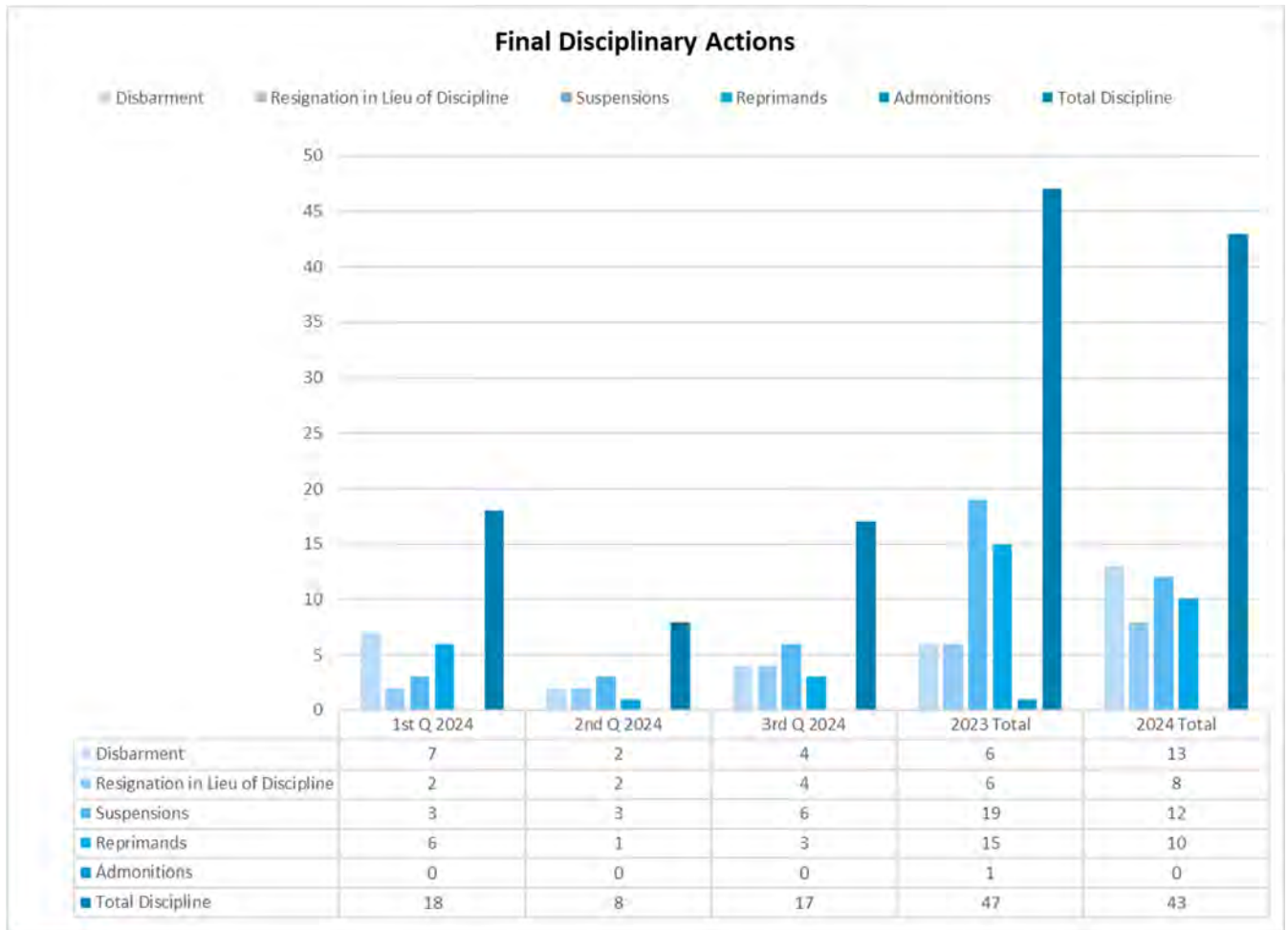
### Matters Acted on by Reviewing Bodies

■ Disciplinary Board Matters Acted on
 ■ Supreme Court Matters Acted On



<span style="color: #003366;">■</span> Supreme Court Matters Acted On	17	10	16	45	43
<span style="color: #00AEEF;">■</span> Disciplinary Board Matters Acted on	7	5	6	19	18

**E. Final Disciplinary Actions**



**F. Disability Found**

Disability Found	Quarter Total
<b>1<sup>st</sup> Quarter</b>	<b>3</b>
<b>2<sup>nd</sup> Quarter</b>	<b>1</b>
<b>3<sup>rd</sup> Quarter</b>	<b>1</b>
<b>4<sup>th</sup> Quarter</b>	<b>TBD</b>
<b>2024 Total</b>	<b>5</b>
<b>2023 Total</b>	<b>3</b>

**G. Discipline Costs<sup>5</sup>**

<b>Quarterly Discipline Costs Collected</b>	<b>Total</b>
<b>1<sup>st</sup> Quarter</b>	<b>\$7,317.50</b>
<b>2<sup>nd</sup> Quarter</b>	<b>\$15,779.10</b>
<b>3<sup>rd</sup> Quarter</b>	<b>\$16,745.36</b>
<b>4<sup>th</sup> Quarter</b>	<b>TBD</b>
<b>2024 Total</b>	<b>\$39,841.96</b>
<b>2023 Total</b>	<b>\$52,998.35</b>

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<sup>5</sup> The cost figures may vary from amounts indicated in previous quarterly reports, statistical summaries, and annual reports, owing to limitations on the data available at the time of issuance of these quarterly reports and the final cost figures available after WSBA Finance staff closes the monthly books.

# WASHINGTON STATE BAR ASSOCIATION

## BOARD OF GOVERNORS MEETING MINUTES

Seattle, WA

November 7-8, 2024

### Call to Order and Welcome ([link](#))

The meeting of the Board of Governors of the Washington State Bar Association (WSBA) was called to order by President Sunitha Anjilvel on Thursday, November 7, at 9:03 a.m. Governors in attendance were:

Brent Williams-Ruth  
Mary Rathbone  
Matthew Dresden  
Tom Ahearne  
Kevin Fay  
Kristina Larry  
Todd Bloom  
Nam Nguyen  
Allison Widney  
Jordan Couch  
Kari Petrasek  
Emily Arneson  
Parvin Price  
Alain Villeneuve

Officers and Executive Staff in attendance were President Sunitha Anjilvel, President-Elect Francis Adewale, Immediate-Past President Dan Clark, Executive Director Terra Nevitt, Chief Communications and Outreach Officer Sara Niegowski, Director of Finance Tiffany Lynch, Chief Regulatory Counsel Renata Garcia, Director of Advancement Kevin Plachy, Chief Equity & Justice Officer Diana Singleton, General Counsel Laurie Powers, Deputy Director Dua Abudiab and HR Director & Chief Culture Officer Glynnis Klinefelter Sio.

Also in attendance were Alec Stephens, Aziza Ozgoren, Betsylew Miale-Gix, Bobby Henry, Catherine Schur, Cathy Biestek, Chris Newbold, Dean Anthony Varona, Dean Tamara Lawson, Emily Rose, Hugh Spitzer, Dean Jacob Rooksby, Jennifer Olegario, Jeremy Wood, Joe Gouge, John Seannel, Katherine Skinner, Lisa Amatangel, Matthew Lemaster, Michael Hutchins, Monte Jewell, Nancy Hawkins, Paris Eriksen, Rex Nolte, Sandra Ferguson, Sanjay Walvekar, Shelly Bynum and Steve Crossland.

### Member & Public Comments ([link](#))



President Anjilvel opened the session for public comments. There were none.

#### Executive Director's Report ([link](#))

Executive Director Terra Nevitt referred to her written report and invited questions. There were none.

#### Consent Calendar ([link](#))

Gov. Tom Ahearne requested to remove the Judicial Recommendation Committee Recommendations from the consent calendar for discussion during executive session. Gov. Brent Williams-Ruth moved to approve the remaining items on the consent calendar. Motion passed unanimously.

#### 2026 License Fees ([link](#))

Treas. Kari Petrasek and Director of Finance Tiffany Lynch presented the Budget and Audit Committee recommendation to increase the full active membership fee by \$10, raising it to \$468, effective 2026. This recommendation is based on a 5.6% cost of living adjustment, offset by using \$17 from reserves per member. The Board debated the merits of incremental fee increases versus maintaining the current rate, considering past commitments to keep fees flat and the potential impact on members. Gov. Jordan Couch moved to approve recommendation. Motion passed 10 to 4.

#### Member Status Workgroup Final Report & Second Read on Proposed Bylaw Amendments ([link](#))

Chair Petrasek and Chief Regulatory Counsel Renata Garcia presented the final report and proposed bylaw amendments from the Member Status Work Group. A key recommendation is to rename "honorary status" to "emeritus status," which is supported by 79% of surveyed honorary members. Gov. Kevin Fay moved to adopt the Member Status Workgroup's recommendations and proposed amendments to the WSBA bylaws with the additional technical amendments submitted by Chief Garcia and Chair Petrasek. As requested by the workgroup, recommendations 1 and 4 should be effective upon approval by the Supreme Court and all others should be adopted with an effective date of October 1, 2025 to ensure sufficient time for implementation and to align with the beginning of the fiscal year. Motion passed unanimously. Gov. Alain Villeneuve was not present for the vote.

#### Second Read on Volunteer Lived Experience Stipend Policy ([link](#))

Executive Director Nevitt and Chief Equity and Justice Officer Diana Singleton presented a proposed policy on lived experience expert (LEE) stipends for second read. The policy aims to provide stipends to low-income volunteers contributing their expertise to the Washington State Bar Association (WSBA) initiatives by removing financial barriers and aligning with state efforts to foster equitable decision-making. The Board discussed the potential financial impact on WSBA's budget, alternative funding sources, and the broader implications of compensating volunteers. Gov. Couch moved to approve the proposed policy on lived experience stipend. The motion failed 9 to 3 with two abstentions.

#### Annual Anti-Harassment Training ([link](#))

Employment attorney Jeremy Wood of Fisher Phillips provided a comprehensive training session on workplace harassment, discrimination, and retaliation.

#### Kick-off for FY26-FY29 Strategic Plan Development ([link](#))

President-Elect Francis Adewale emphasized the importance of long-term thinking beyond individual tenures. Executive Director Nevitt outlined the strategic planning process, highlighting the formation of a

steering committee co-chaired by herself and President-Elect Adewale, with members from the Long Range Strategic Planning Council and the Executive Leadership Team. Chris Newbold from ALPS was introduced as the facilitator for the strategic planning process. During the session, board members and senior staff participated in an exercise to identify two major goals for the Bar Association to achieve by 2029. Key themes included enhancing access to justice, integrating technology, promoting diversity and inclusion, and revising bylaws.

#### Executive Session ([link](#))

President Anjilvel moved the Board to executive session at 3:32 p.m. to discuss legislative activities and recommendations from the Judicial Recommendation Committee, which had been removed from the consent calendar. The session concluded at 4:45 p.m. and the Board resumed the public session.

Gov. Williams-Ruth moved to approve the Judicial Recommendation Committee's recommendations. Motion passed unanimously. Gov. Villeneuve and Gov. Widney were not present for the vote.

#### Day Two ([link](#))

President Anjilvel called Day Two of the Board meeting to order at 9:04 a.m.

#### Committee on Professional Ethics Recommendation Re Suggested Amendments to Comment [6] to RPC 1.5 Re Contingent Fees ([link](#))

Chair Monte Jewell and Subcommittee Chair Professor Hugh Spitzer presented the proposal, which aims to extend the prohibition of contingent fees to include the dissolution of domestic partnerships and committed intimate relationships (CIRs), as well as related child custody and guardianship issues. The proposal was developed in consultation with various stakeholders, including the Family Law Section and law professors, and faced no opposition. Discussion highlighted the evolving terminology of CIRs and the importance of aligning legal language with current practices. Gov. Couch moved to approve the proposal as submitted by the Committee on Professional Ethics. Motion passed unanimously.

#### Next Steps for Upcoming Vacancy in At-Large Seat ([link](#))

The Board discussed the vacancy for the At-Large seat following Governor Williams-Ruth's resignation. The Board expressed gratitude for his significant contributions. The discussion focused on whether to fill the vacancy, with the consensus being to proceed with an appointment. Executive Director Nevitt emphasized that the bylaws do not specify a process for filling a vacancy with less than a year remaining. She recommended to follow the process used for longer vacancies, involving an appointment by the Board. Executive Director Nevitt also presented the option of having the DEI Council vet candidates, as it would for an At-Large election in the ordinary course. Discussion followed about expediting the process to have candidates ready by January. Gov. Petrasek moved to fill the At-Large seat by appointment, with DEI Council vetting, aiming for a January decision. Motion passed unanimously with one abstention.

#### 2025 WSBA Legislative Priorities ([link](#))

Chair Kevin Fay, and Sanjay Walvekar presented the 2025 WSBA legislative priorities and a proclamation in support of studying the effects of a non-unified court system. The priorities remain largely unchanged, with notable additions including support for public defense funding and support for study of the non-unified court system. Gov. Fay moved to approve the legislative priorities as presented. The Board discussed the feasibility and potential impact of a unified court system, acknowledging the challenges

posed by existing local rules and disparate technologies. Executive Director Nevitt emphasized that WSBA would not be leading the effort but be supporting legislative efforts led by Representative Jamila Taylor. Gov. Arneson moved to amend the proclamation to ensure that stakeholders from rural counties are meaningfully engaged. Motion to amend passed unanimously. The Board voted to approve the underlying motion as amended. The underline motion as amended passed unanimously. Gov. Rathbone was not present for the vote.

#### Governor Roundtable ([link](#))

Parliamentarian Alec Stevens outlined procedural guidance for amendments and emphasized the importance of a clear process for motions. Gov. Nguyen raised the issue of fee waivers for active military personnel, suggesting collaboration with Regulatory Chief Garcia to explore potential changes. The Board discussed the need for a structured approach to evaluating new ideas, with a consensus to direct the military fee waiver issue to the Member Engagement Council for further exploration.

#### Legislative Review Committee Recommendations ([link](#))

The Legislative Review Committee Chair Matt Master and Corporate Act Revision Committee Co-Chair Michael Hutchings presented a proposal for amendments to the Washington Business Corporation Act. The proposed changes aim to provide more flexibility in corporate board committee structures and address previous voting threshold inconsistencies. The Board discussed clarification on specific language changes, such as the Oxford comma issue, and broader concerns about the impact of such legislation on consumer protection and the public interest. Gov. Fay moved to approve the proposal. Motion passed 10 to 3. Gov. Villeneuve was not present for the vote.

#### Discussion with Law School Deans and Law Clerk Board Leadership ([link](#))

The Deans of Washington's three law schools and the Law Clerk Board Chair joined the board meeting to discuss current initiatives and challenges in legal education. Dean Lawson highlighted the University of Washington's 125th anniversary and a transformative \$45 million gift aimed at enhancing leadership in law and global development. Dean Varona from Seattle University emphasized the success of their hybrid hubs addressing legal deserts and the diversity of their entering class. Dean Rooksby of Gonzaga Law School shared curricular reforms and the success of their LGBTQ rights clinic. Chair Rose discussed the growth and accessibility of the law clerk program. Key points included the rising cost of legal education, the importance of diversity, and the integration of tribal law into curricula. The Board expressed interest in supporting initiatives to alleviate student debt and enhance access to legal education, particularly in underserved areas. The meeting concluded with a commitment to ongoing collaboration between the Board and educational institutions.

#### Meeting Feedback ([link](#))

The Board acknowledged outgoing Governor Williams-Ruth, highlighting his focus on team building and collegiality among board members. President Anjilvel extended an invitation to the Board to attend the National Asian Pacific American Bar Association reception, emphasizing its significance as a valuable networking opportunity.

#### **Adjournment**

There being no further business, President Anjilvel adjourned the meeting at 3:05 p.m. on Friday, November 8, 2024.

Respectfully submitted,

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Terra Nevitt  
WSBA Executive Director & Secretary

# WASHINGTON STATE BAR ASSOCIATION

Office of General Counsel

Nicole Gustine, Assistant General Counsel

**TO:** WSBA Board of Governors  
**FROM:** Nicole Gustine, Assistant General Counsel  
**DATE:** November 15, 2024  
**RE:** Confidentiality of Client Protection Board Recommendations

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The Board of Governors (BOG) is responsible for approving gifts from the Client Protection Board. Per Court Rule, all of the materials, reports, and deliberations shall not be public. (APR 15 Procedural Regulations, Regulation 13(b)). As such, the recommendations are placed on the Consent Calendar. If discussion is requested by any Governor, it shall be taken up in Executive Session.

## **APR 15**

### **CLIENT PROTECTION FUND PROCEDURAL REGULATIONS REGULATION 13. CONFIDENTIALITY**

(a) Matters Which Are Public. On approved applications, the facts and circumstances which generated the loss, the Client Protection Board's recommendations to the Trustees with respect to payment of a claim, the amount of claim, the amount of loss as determined by the Client Protection Board, the name of the lawyer, LLLT, or LPO causing the loss, and the amount of payment authorized and made, shall be public.

(b) Matters Which Are Not Public. The Client Protection Board's file, including the application and response, supporting documentation, and staff investigative report, and deliberations of any application; the name of the applicant, unless the applicant consents; and the name of the lawyer, LLLT, or LPO unless the lawyer, LLLT, or LPO consents or unless the lawyer's, LLLT's, or LPO's name is made public pursuant to these rules and regulations, shall not be public.

The following report of CPB recommendations contains only pre-approved applications, and is therefore provided to you as a Trustee, confidentially. The report will not appear in the BOG meeting's public session materials. Please take the time to review the materials thoroughly prior to the BOG public session meeting.

Pursuant to ELC 3.4(l), the Chief Disciplinary Counsel has authorized the release of otherwise confidential disciplinary information to the Board of Governors for the purpose of reviewing and deciding on Client Protection Fund Board recommendations. The Board of Governors is advised of its obligation to maintain the confidentiality of these materials.

**Please do not discuss any details regarding the matters, including the names or amounts related to the matter, at the public session meeting.**



# WASHINGTON STATE BAR ASSOCIATION

TO: WSBA Board of Governors  
FROM: Sunitha Anjilvel, WSBA Acting President  
CC: Terra Nevitt, Executive Director  
Paris Eriksen, Volunteer Engagement Advisor  
RE: Nominate Governors to the Disciplinary Selection Panel and the Pathways to  
Licensure Implementation Steering Committee  
DATE: December 10, 2024

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**Consent:** Approve nomination of Governor Jordan Couch as Chair of the Disciplinary Selection Panel and Governor Tom Ahearne as a member of the Pathways to Licensure Implementation Steering Committee.

Following the resignation of Brent Williams-Ruth, I am nominating the following individuals for the positions below. These nominations are subject to the final approval of State Supreme Court.

- Governor Jordan Couch, Chair of the Disciplinary Selection Panel with term beginning upon appointment and ending September 30, 2025.
- Governor Tom Ahearne, BOG member of the Pathways to Licensure Implementation Steering Committee with a term beginning upon appointment through to the conclusion of the Steering Committees work.

**TO:** Washington State Bar Association Board of Governors

**CC:** Terra Nevitt, Executive Director

**FROM:** Jenny Durkan, Chair, WSBA Legal Technology Task Force  
Kevin Plachy, Advancement Department Director and Staff Liaison to the WSBA Legal Technology Task Force  
Margeaux Green, Practice Management Advisor and Staff Liaison to the WSBA Legal Technology Task Force

**DATE:** December 13, 2024

**RE:** Interim Update from the WSBA Legal Technology Task Force to the Board of Governors

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Interim update on the WSBA Legal Technology Task Force

## **BACKGROUND**

In November 2023, the WSBA Board of Governor’s (BOG) adopted four strategic priorities for FY24. One of those priorities was to assess technology-related opportunities and threats and determine WSBA’s role with respect to regulation, consumer protection, and support to legal professionals. As part of the “member focus” track of this organizational priority, the WSBA Legal Technology Task Force (Task Force) was formed, with an interim update to the Board of Governors (BOG) in its charter. The Task Force will run for 15-months and ends in August 2025, when the final report with the Task Force’s recommendations will be delivered to the BOG.

The Task Force consists of 11 members, with 13 additional ad hoc members recruited to support the workgroups.

The charter requires the Task Force provide an interim update to the BOG in January 2025 and quarterly updates to the Member Engagement Council (MEC). The Task Force provided quarterly updates to the MEC in July and November 2024.

This interim update details the Task Force’s accomplishments to date, including details on monthly meetings, the member survey, Microsoft campus tour, a CLE presentation, and significant work of the four workgroups.

## **ACCOMPLISHMENTS**

### **MONTHLY MEETINGS**

The Task Force began meeting in May 2024 and holds monthly meetings on the second Thursday of each month. Members use these meetings to set priorities, coordinate efforts, review workgroup progress, and discuss and plan the report writing process. The Task Force also planned outreach activities, including the member survey,

Microsoft campus tour, and CLE presentation, and explored emerging legal technology trends. The attached meeting minutes provide a detailed record of these discussions and decisions.

## MICROSOFT TOUR

On September 19, Task Force members took a field trip to the Microsoft campus. The purpose of the trip was to meet with a team of CELA attorneys, investigators, data scientists, engineers, analysts, and business professionals, tour their DCU facility and explore how the DCU takes a cross-disciplinary approach in transforming the fight against cybercrime. The Task Force members meet with some of the CELA legal operations folks that have been focused on upskilling CELA for the Artificial Intelligence world, including training on Microsoft Copilot – Microsoft’s AI tool designed to assist users across applications with tasks like writing, summarizing information, and managing data.

## CLE PRESENTATION

On October 2, 2024, the Task Force hosted a CLE to the Task Force members on legal technology and AI, featuring a panel of experts including Bob Ambrogio, Natalie Knowlton, Damien Riehl, and Colin Levy, moderated by Margeaux Green. The CLE focused on legal technology trends, the impacts on practice, access to justice, and ethics. The presentation was recorded and offered to WSBA members OnDemand as the December 2024 Legal Lunchbox.

## MEMBER SURVEY

In late September, the WSBA deployed a survey to 10,000 WSBA members to gather insights into technology adoption and its impact on legal practice. The Task Force received the final survey results on October 25, 2024. On November 11, 2024, the National Business Research Institute (NBRI) provided the Task Force with its final report and analysis. The Task Force is now conducting further analysis of the results to inform the final recommendations and identify areas requiring additional research. This section summarizes the survey results, including the survey methodology, respondent demographics, key findings, and other takeaways.

### Survey Methodology

- Conducted by NBRI for WSBA,
- Survey period: September 30 - October 23, 2024,
- Total responses: 516 members (5% response rate),
- 98% confidence level with a 5% margin of error,
- Contains 62 survey questions across 3 topics, with these types of questions:
  - 9 scaled benchmarked,
  - 2 scaled,
  - 40 multiple choice,
  - 4 Yes/No,
  - 7 Open-ended.

### Practice Size of Those Who Responded

- The vast majority of respondents came from practices with fewer than 50 professionals.
- AI adoption rates were higher in large firms and in-house counsel (70%) than small firms (22%).



## Key Findings

- Current AI Usage Among WSBA Members
  - 75% of members do not currently use Generative AI applications.
  - Of the 25% of those who do, 63% use free public versions for tasks like:
    - Legal research and analysis,
    - Drafting and summarizing documents.
  - Of those who do not use Generative AI, the top concerns were:
    - Reliability and accuracy of information,
    - Violation of ethical and professional standards,
    - Confidentiality and security issues,
    - Lack of trust, familiarity, or need,
    - Organizational restrictions and policies.
  
- Ethics, Knowledge, and Training Needs
  - Self-assessed AI knowledge:
    - 36% rate their knowledge as 'fair', 28% as 'poor',
    - Only 9% rate themselves as 'good' or better.
  - Training
    - 69% believe AI will require additional training and skills for effective use.
    - Members strongly support a high preference for technology training via:
      - CLE programs,
      - Tutorials,
      - Access to repository of tech tools and resources,
      - Tech due diligence guidelines and checklists.
    - Top three areas members would prioritize to improve if they had access to better/more appropriate technology (including generative AI for the task):
      - Legal research,
      - Forms/pleading creation,
      - Case management.
  - Ethics Issues
    - Only 23% of members believe ethical rules adequately cover the use of Generative AI.
    - Top concerns about the use of Generative AI in the practice of law (by member or others):
      - Generation of incomplete or incorrect data,
      - Violation of the Rules of Professional Conduct,
      - Concerns over how AI systems process and store data,
      - Not understanding how to use it.
  
- Organizational Practices and AI
  - Common security measures in use:
    - Multi-factor authentication (MFA), encryption, firewalls,
    - Regular software updates and secure communication channels.
  - 79% express confidence in their organization's cybersecurity. But an important note:
    - Usage rates may not be what they should be given the responsibilities the profession has about information security),
    - Fewer than 79% said they were even using the most rudimentary tools like MFA

- Top concerns include data privacy, confidentiality, and ethical issues.
- Courts, Court Rules, and Procedures
  - AI In Court:
    - 95% have not encountered AI-related issues in their cases,
    - 97% are not practicing in courts with specific AI rules.
  - Member feedback:
    - Members are interested in clearer guidelines for AI use in legal proceedings.
- Concerns About AI in Legal Practice
  - Top concerns:
    - Generation of incomplete or inaccurate data,
    - Potential violations of ethical and professional standards,
    - Lack of understanding of how AI processes and stores data,
    - AI diminishing the value of legal expertise.
- Outlook on AI, Practice of Law, and Access to Justice
  - Mixed views on AI's impact on access to justice:
    - Support for AI to bridge access to justice, especially for underserved communities, but low support for "self-serve" to pro se,
    - 63% of respondents indicate that they are not supportive of the public using Generative AI to meet their own legal needs,
    - Concerns about AI reducing the quality of legal services, consumer protection, and the role of lawyers.
  - Efficiency and skills:
    - 56% believe AI will improve efficiency, while 69% foresee the need for additional skills.
- Themes in Open Ended Responses:
  - Technology Integration
    - Cautious support for technology integration,
    - Need for human oversight and ethical judgment,
    - Concerns about accuracy and reliability,
    - Data privacy and confidentiality concerns.
  - Access and Quality of Justice
    - Access to justices vs. quality of justice themes,
    - Skills gaps and training needs,
    - Long-term implications for the profession.
  - WSBA Support Suggestions
    - Members seek support from WSBA for:
      - Education and training,
      - Ethical guidelines,
      - Transparency in decision making,
      - Evaluation of AI tools,
      - Support for small and rural firms,
      - Suggestions for AI policy and standards.
- Other Takeaways
  - Training and tools were the biggest request by a wide margin. Members strongly supported a MCLE requirement. Members show a strong demand for education and support for technology training led by WSBA.

- While overall usage rates of AI remain low, very high usage rates in-house and large firms (approaching 70% usage) and low in smaller firms (22%).
- AI understanding is generally low and limits use of potentially helpful tools. Comments cite lack of time and resources as a barrier.
- Comments show fears of AI as an all-up replacement for lawyers rather than an element that can serve as a tool. Effective use cases are poorly understood.
- Strong data protection practices are critical for the profession in Washington. Significant gaps in basic protections highlight a pressing need to enhance organizational security and ensure member confidence aligns with the actual safeguards in place.
- Next steps for survey
  - Workgroups are conducting a deeper analysis of survey data to inform Task Force recommendations,
  - Engage stakeholders to address specific needs highlighted in the survey,
  - Share the survey with WSBA members.

## WORKGROUP PROGRESS

The Task Force is organized into four workgroups, each led by a chair and includes the following members:

- 1) Key Emerging Technologies:
  - Chair: Judge Sean O’Donnell,
  - Members: Kirk Arthur, Nicholas Pleasants, Craig Shank, Faisal Akhter, Jacob Wall, Matt Dyor,
- 2) Impacts on Courts, Rules, and Procedures:
  - Chair: Judge Christon Skinner,
  - Members: Kari Petrasek, Judge Sean O’Donnell, Jacqueline Schaefer, Rebecca Garland, Kenneth Zigler,
- 3) Education and Ethics:
  - Chair: Jonathan Franklin,
  - Members: Margaret Chon, Michele Carney, Drew Simshaw, Nicholas Pleasants, Leslie Volez, Joshua Hawkins, Leslie English, Joshua Field,
- 4) Impacts on the Practice of Law, Access to Justice, and Consumer Protection:
  - Chair: Patrick Palace
  - Members: Drew Simshaw, Craig Shank, Dan Lear, LeighAnne Thompson, Carol Mullins-Hayes, Denise Farr.

A charter was developed for each workgroup along with a timeline along with a timeline for completion of assignments. The workgroups have engaged in their own regular meetings, conducted research, and are currently reviewing survey data to analyze the opportunities and threats posed by technology on WSBA members. Each workgroup has taken a collaborative and methodical approach, leveraging expertise from diverse members and external resources to ensure comprehensive and actionable recommendations. This section details the workgroup’s progress, activities, and next steps to complete the Task Force’s final report.

### Key Emerging Technologies Workgroup

The Key Emerging Technologies Workgroup is identifying and evaluating the most significant technologies advancements and their implications for the legal profession and access to justice. The purpose of this “sprint”

workgroup is to identify and narrow the technologies for the workgroups to narrow the research and Task Force recommendations. Their efforts have centered on three key areas: generative AI, predictive analytics and machine learning (PA/ML), and cybersecurity.

To date, the group has:

- Conducted a comprehensive analysis of generative AI, emphasizing its transformative potential in document drafting, legal research, and case analysis. Ethical challenges, such as “ghost citations” and transparency issues, have been identified as critical areas for further exploration.
- Examined predictive analytics and machine learning (PA/ML) tools for their ability to enhance decision-making and litigation strategies while noting the risks of algorithmic bias and reliance on historical data.
- Highlighted cybersecurity as an essential consideration, focusing on the risks of data breaches and privacy violations as AI and other technology tools are adopted.
- Created a detailed appendix with:
  - A glossary of key technological terms for consistency across workgroups.
  - Case studies of AI applications in legal contexts, detailing their advantages and limitations.
  - A categorized matrix of AI providers and their applications in the legal field.

### **Impacts on Courts, Rules, and Procedures Workgroup**

The Impact on Courts Workgroup has been exploring how technology can modernize court processes and improve access to justice. Their findings have focused on several key areas of opportunity and innovation.

Progress to date includes:

- Analysis of AI-driven language access tools to address interpreter shortages, particularly for non-critical proceedings and administrative tasks.
- Exploration of self-help tools, such as chatbots, to assist self-represented litigants in completing standardized forms, thereby reducing barriers to justice.
- Preliminary recommendations on balancing transparency and privacy in court records access.
- Examination of the evidentiary challenges posed by AI-generated content like deepfakes and the potential need for updates to evidentiary rules.
- Exploration of potential pilot programs for case management systems (CMS) and virtual courtroom technologies to streamline processes and expand hybrid participation.

### **Education and Ethics Workgroup**

The Education and Ethics Workgroup has focused on the ethical implications of technology adoption and the development of educational resources to support WSBA members in adapting to emerging technologies.

Their work to date includes:

- Creation of a resource database containing ethics opinions, bar association guidance, and educational tools from other jurisdictions.
- Collaboration with the Committee on Professional Ethics (CPE) to align efforts, identify gaps not currently addressed in existing guidance, and avoid duplicative recommendations.

A draft framework for writing the education and ethics portion of the final report has been submitted. For education, the framework proposes an analysis of existing educational resources offered by state bar associations, other non-profit and for-profit entities, law schools, along with recommendations for technology competence support provided by law schools and the WSBA. For ethics, the workgroup's framework includes coordinating efforts with WSBA's Committee on Professional Ethics and other organizations to avoid duplication, analyzing other state bar association ethics opinions regarding technology and AI, and drafting ethics recommendations to address challenges posed by emerging technologies, such as confidentiality, competency, and the ethical use of AI. This workgroup will share its findings with the CPE to determine whether the current draft Advisory Opinion that the CPE has on hold should include additional analysis of the applicable RPCs as they relate to AI or related legal technology.

### **Impacts on the Practice of Law, Access to Justice, and Consumer Protection Workgroup**

This workgroup has been assessing how technology can enhance access to justice and improve the efficiency of legal services. A significant milestone for this group has been the development of a detailed outline to structure its findings and recommendations. This Task Force has adopted this workgroup's approach to guide the report writing Focus Group.

The outline includes specific areas for the workgroup to focus their research and final recommendations:

- **Direct-to-Consumer Legal Services:** Assessment of AI tools for underserved populations and identification of risks like unauthorized practice of law.
- **Technology in Legal Organizations:** Analysis of how automated workflows and AI-assisted research can improve efficiency for firms, legal aid organizations, and government agencies.
- **Regulatory Reform and Ethical Safeguards:** Exploration of updates to Rule 5.4 and frameworks to ensure responsible technology adoption.

### **Survey and Research Integration**

The survey is a critical tool for gathering insights into the use, perceptions, and challenges of legal technology. Workgroups are analyzing this data to identify trends, address member concerns, and prioritize actionable recommendations. Additionally, the workgroups are researching additional methods to supplement survey findings.

### **Next Steps**

Each workgroup will continue its efforts to refine findings and draft recommendations, with a focus on:

- Integrating survey insights into workgroup deliverables.
- Conducting further research and outreach to fill gaps in current understanding.
- Collaborating with the report-writing Focus Group to develop the comprehensive outline for the final report and to draft the final report.

## **CONCLUSION**

The Task Force remains on track according to the charter and "Timeline of Deliverables". The Task Force will continue meeting monthly, analyzing the results of the member survey to guide recommendations and future workgroup activities, and preparing the final report, due to the BOG in August 2025. The Task Force extends its thanks to the BOG for the opportunity to take the lead on this critical WSBA strategic priority.

## ATTACHMENTS

- WSBA Legal Technology Taskforce Charter
- Workgroup Charters
- Timeline of Deliverables (updated)
- Meeting Agendas – May, June, July, August, September, October, November
- Meeting Minutes – May, June, July, August, September, October
- CLE Written Materials Cover Sheet
- Workgroup Reports
- Member Survey Results Survey

# WASHINGTON STATE BAR ASSOCIATION

## Legal Technology Task Force CHARTER

Approved by WSBA Board of Governors March 7, 2024

### Background

In November 2023, the Board of Governors recognized the transformative impact of technology, particularly artificial intelligence (“AI”), on the legal profession, and adopted the following statement as one of four strategic priorities for the 2023-24 fiscal year: “Assess technology-related opportunities and threats and determine WSBA’s role vis-a-vis regulation, consumer protection, and support to legal professionals.” Creating the Legal Technology Task Force is one step in acting on that priority.

The Task Force aims to (1) assess the legal technology landscape, identifying threats and opportunities across various legal sectors, and (2) make recommendations that support and strengthen the understanding and use of technology in members’ practice, emphasizing effective, efficient, and ethical use of technology that enhances equitable access to justice.

Using the Washington State Supreme Court’s Access to Justice Tech Principles as a guide in its works and recommendations, the Task Force will make recommendations to the Board of Governors on tangible steps the WSBA can take to support and strengthen the use of technology within the legal profession in Washington state.

### Task Force Objectives

#### ***Assess the Legal Technology Landscape Across the Various Sectors of the Legal Profession in Washington and the U.S.***

As an initial step, the Task Force will develop a comprehensive plan to evaluate the legal technology environment, identifying threats and opportunities throughout the legal profession via specialized workgroups. The Chair of the Task Force, with the consent of a majority of Task Force members, will establish the workgroups. Workgroups will be comprised of Task Force members and additional non-voting members where appropriate to provide additional expertise or experience.

Workgroups shall examine diverse sectors of the legal profession, aiming to deliver recommendations on how to prioritize and integrate technology solutions within those sectors. Examples of sectors include private practice, the courts and judiciary, public/government practice, civil legal aid organizations, law schools/APR6 law clerk program participants, WSBA Practice Management Program, WSBA Ethics Program, legal technology vendors and service providers, legal research providers, bar associations (including local, specialty, and minority bar associations), professional liability insurance carriers, and

professional regulatory systems.<sup>1</sup> Workgroup focus areas may include cybersecurity, AI, business management, legal research, education and training, access to justice, ethics, emerging technologies, client communication, and diversity and inclusion including bias in technology. These examples of sectors and focus areas are not exhaustive, and “sectors” and “focus areas” should be defined broadly. Workgroups will take steps including the following:

- Recruit relevant contributors, both inside and outside of the profession, to ensure diverse perspectives in each workgroup’s research.
- Conduct outreach and receive feedback from sectors of the profession relevant to the workgroup.
- Review existing resources, data, and information and gather additional information as needed while ensuring technology design aligns with principles of fairness and access to justice.
- Evaluate technology recommendations nationwide, identifying those most relevant to legal practice in Washington, with a focus on equitable access, participation, opportunities, and transparency.
- Understand the state of research regarding technology impacting the legal field.
- Develop collaborative relationships with other WSBA and outside entities, including but not limited to the ATJ Board’s Technology Committee and the Practice of Law Board, as well as similarly situated non-WSBA entities (e.g., the JISC, technology committees/workgroups for other bar associations), with the intent of sharing information and working collectively towards common goals in addressing technology issues/projects within the legal profession.
- Provide a final report to the full Task Force, containing its findings and recommendations.
- After delivering a final report, work collaboratively with the full Task Force to provide recommendations to the BOG that emphasize fairness, equity, and advancement of technology to enhance access to justice for all.

### ***Seek to Understand WSBA Members’ Use and Awareness of Technology***

The Task Force will survey the membership to help guide its priorities. Areas of inquiry in the survey may include technology adoption, challenges faced, proficiency levels, as well as suggestions for the Task Force. The survey should be deployed within three months of the first meeting of the task force or as soon as practical thereafter. The development of the survey may require the formation of its own workgroup. Upon completion, the Task Force will share the results of its member survey and its analysis to the Board of Governors and Executive Director, whom will be responsible for sharing the results with the membership and the Washington legal community. The Task Force may also solicit feedback through other channels, such as focus groups, listening sessions, and other forms of interactions with members. The results from the survey and other feedback will inform the final recommendations of the Task Force.

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<sup>1</sup> In adopting this Charter, the Board of Governors recognizes that Washington State’s professional regulatory systems for legal practitioners are created by and answerable to the Washington Supreme Court exclusively. To the extent the Taskforce has ideas or recommendations that would implicate regulatory processes, procedures, policies, or rules, the Taskforce should work collaboratively with the pertinent stakeholder(s) and direct any recommendations to the appropriate regulatory staff or Board, the Disciplinary Advisory Round Table, and/or the Supreme Court.



### ***Issuance of Final Report and Recommendations***

Each Task Force workgroup will provide a final report to the full Task Force. The Task Force will then produce a final, comprehensive report regarding the Task Force's observations and recommendations, including proposed rule changes, best practice information, resources, and educational material for the legal profession.

### **Timeline**

The Task Force will have a duration of 15 months from the date of its first meeting and will meet monthly or at other intervals as determined to be appropriate by the Chair. The Task Force will provide quarterly reports to the Member Engagement Council, an interim written report to the Board after its eighth month of operation, and a final report at the conclusion of its 15-month duration. The Task Force may also report to the Member Engagement Council or the Board on an interlocutory basis if urgent issues arise.

### **Composition**

The Task Force shall consist of nine voting members and two non-voting judicial members, as follows:

- Chair, (voting)
- 1 Current or Former BOG Member (voting)
- 4 WSBA Members (voting)
- 2 Adjudicative Officers in Washington State (non-voting)
- 1 Law School Representative (student or employee; voting)
- 2 Public Members (voting)

Further membership criteria is detailed in the appendix below.

### **Nominations and Appointment**

The WSBA President will appoint Task Force members in accordance with WSBA Bylaws Art. IX(B)(2), taking into account the recommendation of the Co-Chairs of the Member Engagement Council. The President shall appoint the Chair, taking into account the recommendation of the Co-Chairs of the Member Engagement Council. The WSBA Executive Director will designate a WSBA staff liaison(s).

### **Terms**

Technology Task Force members will serve for the entire duration of the Task Force. The President will appoint any replacement members (if necessary), taking into account the recommendation of the Co-Chairs of the Member Engagement Council.

### **Final Report**

At the end of its duration, the Technology Task Force will issue a final report to the Board of Governors. The report will (1) evaluate the scope and efficacy of the Task Force's achievements, and (2) provide feasible recommendations to support and strengthen the use of technology within the legal profession in Washington State.

## APPENDIX

The following non-exclusive criteria shall be prioritized for membership on the Task Force:

### *Practice Types and Venues*

The Task Force seeks participation from legal professionals from various practice types and venues. Legal professionals practicing in solo settings face unique challenges, including limited resources for technology implementation and pressure to balance cost-effectiveness. Legal professionals in mid-size or large firm settings face different challenges in engaging with legal technology and sometimes have less control over the types of technology they employ. Civil legal aid legal professionals and public defenders face challenges bridging the technology gap to ensure equitable access to legal services for vulnerable communities. Government legal professionals face challenges with integrating and updating technology within bureaucratic structures to enhance efficiency and service delivery.

### *Years of Bar Licensure*

The Task Force seeks participation from legal professionals at all stages of their careers. Early career legal professionals could offer perspectives on technology trends. Mid-career legal professionals may provide insights into balancing established practices with new technologies. Late career legal professionals bring historical context.

### *Experience or Interest in Legal Technology*

The Task Force seeks participation from legal professionals with an interest in enhancing their practices and access to justice through technology. Those who have demonstrated experience in leveraging legal technology within their practice and a comfort level in adopting technological solutions will be prioritized.

### *IT Legal Industry Professionals*

The Task Force seeks participation from experienced information technology (IT) professionals who are not lawyers but have familiarity with implementing and supporting technological solutions within the legal profession. Their expertise will inform the Task Force's recommendations and decision-making.

### *Diversity, Equity, and Inclusion*

The Task Force seeks participation from people from marginalized communities (e.g., people of color, people from the LGBTQ2S+ community, people with disabilities). Having a diverse group of members is vital to promote diversity, equity and inclusion goals, ensure that all perspectives are considered and contribute to the development of inclusive technological strategies.

### *Geography*

The Task Force seeks participation from legal professionals and others throughout Washington to ensure consideration of technology issues in all parts of the state, with particular attention to the different issues in rural and urban areas. To obtain geographic diversity, at least two Task Force members must reside east of the Cascades and at least one other member must reside outside of King, Pierce, and Snohomish Counties.

Legal Technology Taskforce – Key Emerging Technologies Workgroup

Chair: Judge O’Donnell  
Members: Kirk Arthur, Craig Shank, Laura Lemire, Nicholas Pleasants (recommend identification of at least three ad-hoc members to join the workgroup – to be appointed by Chair Durkan).  
Duration: June 13, 2024, through September 12, 2024

Workgroup Focus/Deliverables:

- a. Objective is to identify key emerging technologies that will have the greatest impact on the practice of law, access to justice and ethical and educational interests and should be considered by each of the workgroups in determining the scope of their work. Draft scopes of work for those workgroups are attached.
- b. The workgroup should develop a schedule for meetings throughout the duration of the workgroup with the following in mind:
  - Draft Survey Questions for Review by Entire TF Due to Chair by July 22<sup>nd</sup>.
  - Recommendations for any ad-hoc members shall be forwarded to the TF chair no later than July 19, 2024, and then as support is identified in light of timeline for reports below.
  - Written update to entire TF due to Chair by August 5<sup>th</sup>.
  - Written Final Report outlining scope of review due to Chair by September 9<sup>th</sup>.
- c. Working documents should be placed in the Key Emerging Technology Workgroup folder within SharePoint.
- d. During this phase the workgroup should focus on outreach and research including:
  - Review research and reports from other states to assist in orientation to the work (contained in Resources spreadsheet in SharePoint).
  - Research surveys from other states and discuss information the taskforce should glean from the survey that would help inform final recommendations. Develop a set of recommended questions based on the identified information. Recommend a set of questions specific to key emerging technologies.
  - Focus areas of research should include artificial intelligence, forensics, legal research, and others as deemed appropriate by the workgroup.
- e. The workgroup should examine emerging technology within diverse sectors of the legal profession, aiming to deliver recommendations on how to prioritize and integrate technology solutions within those sectors. Examples of sectors include private practice, the courts and judiciary, public/government practice, civil legal aid organizations, and law schools/APR6 law clerk program participants.



Legal Technology Taskforce – Education and Ethics Workgroup

Chair: Maggie Chon

Members: Michele Carney, Drew Simshaw, Nicholas Pleasants (recommend identification of at least three ad-hoc members to join the workgroup – to be appointed by Chair Durkan)

Duration: June 13, 2024, to August 2025

Workgroup Focus/Deliverables:

- a. Assess the educational and ethical impacts of current and emerging technologies, and the current level of technology education and training available to law students and legal professionals. Assess and recommend what changes might be considered to ensure adequate education so that technology may be deployed in an intentional and ethical manner that protects clients and the public and advances access to justice and the purposes of the bar. . Explore MCLE requirements around technology and any ethical guidance/rule changes implicated by technological advancements.
- b. The workgroup Chair should develop a schedule for meetings throughout the duration of the workgroup, with the following in mind:
  - i. Recommended survey questions relating to the workgroup scope of inquiry should be forwarded to the Chair by July 22, 2024. Outreach, research, and review to formulate these questions can be conducted as discussed below.
  - ii. Recommendations for any ad-hoc members shall be forwarded to the TF chair no later than September 16, 2024.
  - iii. Draft final scope of work/charter should be completed for Taskforce review by October 2, 2024.
  - iv. Regular reports on the work of the workgroup shall be forwarded to the Chair for distribution to the TF on the following dates:
    1. July 31, 2024
    2. September 4, 2024
    3. October 2, 2024
    4. January 6, 2025
    5. March 4, 2025
    6. April 4, 2025.
  - v. Preliminary reports for the Board of Governors shall be forwarded to the Chair for distribution to the entire TF on November 7, 2024. The TF will review the preliminary reports at the November meeting.
  - vi. Draft Final Reports for the Board of Governors shall be forwarded to the Chair for distribution to the full TF on May 1, 2025.



- c. Working documents should be placed in the Education and Ethics folder within SharePoint.
- d. During this phase the workgroup should focus on outreach and research including:
  - i. Review research and reports from other states to assist in orientation to the work (contained in Resources spreadsheet in SharePoint).
  - ii. Research surveys from other states and discuss information the taskforce should glean from the survey that would help inform final recommendations. Develop a set of recommended questions based on the identified information. Recommend a set of questions specific to the workgroup's focus area(s). A recommended set of draft questions should be forwarded to the Chair by July 8, 2024.
  - iii. Propose initiatives to enhance technology literacy through educational programs, development of training resources, and ensure that legal professionals are equipped with the necessary skills to navigate technological advancements. Propose strategies for leveraging technology to enhance operational efficiency, client management, and overall business processes in the legal profession. Identify potential threats and vulnerabilities, propose best practices for data protection, ethical obligations, and recommend strategies for raising awareness about cybersecurity risks. Explore MCLE requirements surrounding technology.
- e. The workgroup should examine diverse sectors of the legal profession, aiming to deliver recommendations on how to provide effective and relevant educational resources and ethical guidance within those sectors. Examples of sectors include private practice, the courts and judiciary, public/government practice, civil legal aid organizations, and law schools/APR6 law clerk program participants.

Legal Technology Taskforce – Impacts on the Practice of Law, Access to Justice,  
and Consumer Protection Concerns Workgroup

Chair: Patrick Palace

Members: Craig Shank, LeighAnne Thompson, Drew Simshaw (recommend identification of at least three ad-hoc members to join the workgroup – to be appointed by Chair Durkan)

Duration: June 13, 2024, to August 2025

Workgroup Focus/Deliverables:

- a. Evaluate current and emerging technologies, and their adoption and utilization by law firms and legal departments for their work and operations, including technology relating to legal research and writing, court and other deadlines, financial management (including billing, trust fund management) and preparing demonstrative exhibits or other presentations.
- b. Evaluate the current state of cybersecurity awareness and practices within the legal profession.
- c. Evaluate how such technology can create disparities in access to justice and how those disparities should be addressed, and technology be leveraged to improve access to justice and legal service.
- d. Assess the impacts of the current and emerging technologies on consumers and what safeguards are necessary for consumer protection.
- e. The workgroup Chair should develop a schedule for meetings throughout the duration of the workgroup with the following in mind:
  - i. Recommended survey questions relating to the workgroup scope of inquiry should be forwarded to the Chair by July 22, 2024. Outreach, research, and review to formulate these questions can be conducted as discussed below.
  - ii. Recommendations for any ad-hoc members shall be forwarded to the TF chair no later than September 16, 2024.
  - iii. Draft final scope of work/charter should be completed for Taskforce review by October 2, 2024.
  - iv. Regular reports on the work of the workgroup shall be forwarded to the Chair for distribution to the TF on the following dates:
    1. July 31, 2024
    2. September 4, 2024
    3. October 2, 2024
    4. January 6, 2025
    5. March 4, 2025



6. April 4, 2025.
  - v. Preliminary reports for the Board of Governors shall be forwarded to the Chair for distribution to the entire TF on November 7, 2024. The TF will review the preliminary reports at the November meeting.
  - vi. Draft Final Reports for the Board of Governors shall be forwarded to the Chair for distribution to the full TF on May 1, 2025.
- f. Working documents should be placed in the Impacts to Practice of Law folder within SharePoint.
- g. During this phase the workgroup should focus on outreach and research including:
  - i. Review research and reports from other states to assist in orientation to the work (contained in Resources spreadsheet in SharePoint).
  - ii. Research surveys from other states and discuss information the taskforce should glean from the survey that would help inform final recommendations. Develop a set of recommended questions based on the identified information. Recommend a set of questions specific to the workgroup's focus area(s). A recommended set of draft questions should be delivered to the Chair by July 8, 2024.
  - iii. Recommend technological solutions for bridging the access to justice gap. Assess the impact of technology on the practice of law within private firms, government legal organizations, and legal aid services and any consumer protection concerns.
- h. The workgroup should examine impacts to the practice of law, access to justice, and consumer protection concerns within diverse sectors of the legal profession, aiming to deliver recommendations on how to most effectively leverage technology while mitigating risks to legal professionals and the public within those sectors. Examples of sectors include private practice, the courts and judiciary, public/government practice, civil legal aid organizations, and law schools/APR6 law clerk program participants.

Legal Technology Taskforce – Impact on Courts, Court Rules, and Procedures  
Workgroup

Chair: Judge Skinner  
Members: Kari Petrasek (de facto co-chair), Judge O’Donnell, Kenneth Zigler (recommend identification of at least three ad-hoc members to join the workgroup – to be recommended by Taskforce or BOG members and appointed by Chair Durkan)  
Duration: June 13, 2024, to August 2025

Workgroup Focus/Deliverables:

- a. The workgroup shall finalize its scope of work as noted below. Broadly it should:

Assess technology available for court operations (including but not limited to scheduling, demonstrative technology and public access to proceedings and court filings) and potential benefits and costs. Examine issues including the impacts on causes of action arising out of AI/technology, local rule disparities, discovery requests aimed at underlying AI infrastructure, such as what data was used or omitted in training the AI and what algorithms return results to inquiries, assessing challenges to technology based on bias, Daubert or other theories, and how technology can increase access to justice to the court system.

- b. The workgroup Chair should develop a schedule for meetings throughout the duration of the workgroup, with the following in mind:
- i. Recommended survey questions relating to the workgroup scope of inquiry should be forwarded to the Chair by July 22, 2024. Outreach, research, and review to formulate these questions can be conducted as discussed below.
  - ii. Recommendations for any ad-hoc members shall be forwarded to the TF chair no later than September 16, 2024.
  - iii. Draft final scope of work/charter should be completed for Taskforce review by October 2, 2024.
  - iv. Regular reports on the work of the workgroup shall be forwarded to the Chair for distribution to the TF on the following dates:
    1. July 31, 2024
    2. September 4, 2024
    3. October 2, 2024
    4. January 6, 2025
    5. March 4, 2025
    6. April 4, 2025.





- v. Preliminary reports for the Board of Governors shall be forwarded to the Chair for distribution to the entire TF on November 7, 2024. The TF will review the preliminary reports at the November meeting.
- vi. Draft Final Reports for the Board of Governors shall be forwarded to the Chair for distribution to the full TF on May 1, 2025.
- c. Working documents should be placed in the Impact on Courts folder within SharePoint.
- d. During this phase the workgroup should focus on outreach and research including:
  - i. Review research and reports from other states to assist in orientation to the work (contained in Resources spreadsheet in SharePoint).
  - ii. Research surveys from other states and discuss information the taskforce should glean from the survey that would help inform final recommendations. Develop a set of recommended questions based on the identified information. Recommend a set of questions specific to the workgroup's focus area(s). Again, recommended set of draft questions should be delivered to the Chair by July 8, 2024.
  - iii. Develop recommendations on potential court rule and procedural changes driven by technology. Examine ways in which technology can increase access to the courts and narrow the justice gap.

Legal Technology Taskforce – Report Writing Workgroup

Chair: Patrick Palace (Interim Chair: Drew Simshaw; Deputy Chair: Dan

Lear)

Members: Jackie Schafer (Impacts on the Courts), Dan Lear (Impacts on Practice),  
Jonathan Franklin (Education and Ethics), Craig Shank (POLB Liaison)

Duration: December 2024 to August 2025

Workgroup Focus/Deliverables:

- **Purpose:**
  1. This Report Writing Workgroup is tasked with developing the final outline and formal report for the Legal Technology Task Force.
  2. This workgroup will collaborate with the Task Force’s workgroups to ensure that the outline and report reflect the comprehensive findings and recommendations of the Task Force.
- **Objectives:**
  1. Draft a cohesive and thorough outline and formal final report. Determine which writing style to utilize and communicate the choice to the task force Chair.
  2. Coordinate input from all workgroups through their nominated representatives.
  3. Ensure timely delivery of drafts and the final report to the chair for review and distribution.
- **Composition:**
  1. One Chair.
  2. One nominated representative from the Impacts on Practice Workgroup, Education and Ethics Workgroup, and Impacts on the Courts Workgroup, who will also serve as liaisons to said workgroups.
  3. One POLB liaison.
- **Deliverables and Timeline:**
  1. The workgroup Chair should develop a schedule for meetings throughout the duration of the workgroup, with the following deliverables and timeline in mind:
    - First meeting: By the week of January 6, 2025

# WASHINGTON STATE BAR ASSOCIATION

- Determine writing style: Communicate to the chair by January 10, 2025
  - Draft outline: Due to the chair by January 22, 2025
  - Final outline: Due to the chair by February 3, 2025
  - Report draft 1: Due to the chair by April 1, 2025
  - Report draft 2: Due to the chair by May 1, 2025
  - Final report: Due to the chair by June 1, 2025
2. After each deliverable is submitted to the chair, the document will be distributed to the full Task Force as part of the monthly meeting materials. The Task Force will discuss the document revisions during its regularly scheduled meetings on the second Thursday of each month.

**Emerging Technology Workgroup Timeline for Deliverables:**

- **Draft Survey Questions** for Review by Entire TF Due to Chair by **July 8<sup>th</sup>**.
- **Recommendations for any ad-hoc** members shall be forwarded to the TF chair no later than July 19, 2024
- **Written update** to entire TF due to Chair by **August 5<sup>th</sup>**.
- **Written Final Report** outlining scope of review due to Chair by **September 1<sup>st</sup>**.

**Timeline for Other Workgroups:**

- **Recommended survey questions** relating to the workgroup's scope of inquiry should be forwarded to the Chair by **July 8<sup>th</sup>**. Recommended survey questions will be reviewed by the entire TF at the **July meeting**.
- **Recommendations for any ad-hoc** members shall be forwarded to the TF chair no later than **September 4, 2024**
- **Draft final scope** of work/charter should be completed and forwarded to the Chair for Taskforce review by **TBD**.
- **Regular reports** on the work of the workgroup shall be forwarded to the Chair for distribution to the TF on the following dates:
  - **July 31, 2024**
  - **September 4, 2024**
  - **October 15, 2024**
  - **January 3, 2025**
  - **March 4, 2025**
  - **April 4, 2025**.
- **Preliminary reports** for the Board of Governors shall be forwarded to the Chair for distribution to the entire TF by **November 7, 2024**. The TF will review the preliminary reports at the **November meeting**.
- **Full preliminary TF Report** to the Board of Governors is due to the Chair by **December 4, 2024**, with a delivery date to the Board of Governors in **January 2025**. Preliminary report will be reviewed by the entire TF at the **December meeting**.
- **Report Writing Focus Group** – First meeting: By the week of January 6, 2025
- **Report Writing Focus Group** – Determine writing style and communicate to the chair: By January 10, 2025

- **Report Writing Focus Group** – Draft outline: Due to the chair January 22, 2025
- **Report Writing Focus Group** – Final outline: Due to the chair by February 3, 2025
- **Report Writing Focus Group** – Draft Report 1: Due to the chair by April 1, 2025
- **Draft Final Report 2** for the Board of Governors shall be forwarded to the Chair for distribution to the full TF on **May 1, 2025**.
- **Final Report** to the Board of Governors is due to the Chair by **June 2, 2025**, with a delivery date to the Board of Governors in **August 2025**. Final report will be reviewed by the entire TF at the **June meeting**.

[SharePoint](#) || [Website](#)

**WSBA Legal Technology Task Force Agenda**

**Friday, May 17, 2024**

**4:30 to 5:30pm**

**Zoom - Remote Meeting**

Link to access the Zoom meeting:

<https://wsba.zoom.us/j/89371059355?pwd=PbETHSsEs59tDqDzPcX6MHbvZDv3mw.1>

Zoom Conference Call Lines: **LOCAL OPTION:** (253) 215-8782 || **TOLL-FREE OPTION:** (888) 788-0099

Meeting ID: 893 7105 9355 || Passcode: 773557

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**Quorum Bylaw** "Quorum" means the presence of a majority of the voting membership (i.e., more than half the voting members). A quorum must be present when votes are taken.

Quorum: 5 members

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**Governing Document**

- The [WSBA Legal Technology Task Force Charter](#) approved by the Board of Governors on March 7, 2024.
- Task force members are appointed by the WSBA President and confirmed by the Board of Governors.

**Membership:** Jenny Durkan, Michele Carney, Laura Lemire, Nicholas Pleasants, Kenneth Zigler, Patrick Palace, Kirk Arthur, Drew Simshaw, Judge Sean O'Donnell, Judge Christon Skinner, Margaret Chon, Kari Petrasek (BOG Liaison), Professor LeighAnne Thompson (Ex Officio), Craig Shank (POLB Liaison)

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**Quorum Bylaw** "Quorum" means the presence of a majority of the voting membership (i.e.,

- Welcome. Summary of meeting Agenda. (Jenny, 5 min)
- Introductions. What motivated you to apply for the task force and what do you hope the task force will accomplish over the next 15 months (what does success look like to you)? (25 min)
- Volunteer Roles and Responsibilities (Kevin, 10 min)
  - [Bylaws](#) (Sections VII and XI)
    - Open Meetings and Public Records Requests
    - Committees and Boards Policies

- [Roles of liaisons](#). Framework for communicating.
  - Staff Liaisons
  - BOG Liaison
- Collaboration Tools and Meeting Materials/Resources (Margeaux, 5 min)
- Reviewing the charter. Framework for meetings. (Jenny, 15 min)
  - Scheduling, frequency
  - Timeline for Deliverables
  - Defining workgroups and the survey
  - Next Steps
- Adjourn

[SharePoint](#) || [Website](#)

**WSBA Legal Technology Task Force Agenda**

**Monday, June 17, 2024**

**12:00 to 1:00pm**

**Zoom - Remote Meeting**

Link to access the Zoom meeting:

<https://wsba.zoom.us/j/81586610881?pwd=b6XbtpBXl8gUefcUceXXI5JPJANwaT.1>

Zoom Conference Call Lines: **LOCAL OPTION:** (253) 215-8782 || **TOLL-FREE OPTION:** (888) 788-0099

Meeting ID: 815 8661 0881 || Passcode: 055704

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**Quorum Bylaw** "Quorum" means the presence of a majority of the voting membership (i.e., more than half the voting members). A quorum must be present when votes are taken.

Quorum: 5 members

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**Governing Document**

1. The WSBA Legal Technology Task Force Charter approved by the Board of Governors on March 7, 2024.
2. Task force members are appointed by the WSBA President and confirmed by the Board of Governors.

**Membership:** Jenny Durkan, Michele Carney, Laura Lemire, Nicholas Pleasants, Kenneth Zigler, Patrick Palace, Kirk Arthur, Drew Simshaw, Judge Sean O'Donnell, Judge Criston Skinner, Margaret Chon, Kari Petrsek (BOG Liaison), Professor LeighAnne Thompson (Ex Officio), Craig Shank (POLB Liaison), Kevin Plachy (Staff Co-Liaison), Margeaux Green (Staff Co-Liaison)

- 
- Welcome. Summary of meeting agenda. (Jenny, 5 min)
  - Workgroups (Jenny, Margeaux 30 min)
    - Member assignments
    - Expectations
      - Roles/Chair Assignments
      - Notetaker
      - Upload notes and resources to SharePoint
      - Margeaux review resources in SharePoint – Workgroups feel free to use and add to resources (Margeaux, 5 minutes)
      - Meeting frequency
      - Report outs at monthly meetings



# WASHINGTON STATE BAR ASSOCIATION

- Survey (Jenny, 15 min)
  - Draft survey questions from North Carolina Bar Association
  - Workgroups drafting survey questions
  - Timing of Survey
- Microsoft Cybersecurity Field Trip (Jenny, 10 min)
- Adjourn

[SharePoint](#) || [Website](#)

**WSBA Legal Technology Task Force Agenda**

**Thursday, July 11, 2024**

**4:30 to 5:30pm**

**Zoom - Remote Meeting**

Link to access the Zoom meeting:

<https://wsba.zoom.us/j/86198237487?pwd=aecNRm9qDnnZlCut2LXdrkimilvHYa.1>

Zoom Conference Call Lines: **LOCAL OPTION:** (253) 215-8782 || **TOLL-FREE OPTION:** (888) 788-0099

Meeting ID: 861 9823 7487 || Passcode: 725935

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**Quorum Bylaw** "Quorum" means the presence of a majority of the voting membership (i.e., more than half the voting members). A quorum must be present when votes are taken.

Quorum: 5 members

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**Governing Document**

1. The WSBA Legal Technology Task Force Charter approved by the Board of Governors on March 7, 2024.
2. Task force members are appointed by the WSBA President and confirmed by the Board of Governors.

**Membership:** Jenny Durkan, Michele Carney, Laura Lemire, Nicholas Pleasants, Kenneth Zigler, Patrick Palace, Kirk Arthur, Drew Simshaw, Judge Sean O'Donnell, Judge Criston Skinner, Margaret Chon, Kari Petrasek (BOG Liaison), Professor LeighAnne Thompson (Ex Officio), Craig Shank (POLB Liaison), Kevin Plachy (Staff Co-Liaison), Margeaux Green (Staff Co-Liaison)

- 
- Approve June 17 Meeting Minutes (Jenny, 5 min)
  - Deadlines and calendar (Jenny, 10 min)
  - Workgroups (Jenny, 35 min)
    - Emerging Technology Workgroup update
    - Survey questions
    - Need to determine meeting dates
  - Visit to Microsoft Cybersecurity Center and Conversation with their Legal Department on positives and challenges from including AI in their legal practices (Jenny, 10 minutes)
  - Adjourn

[SharePoint](#) || [Website](#)

**WSBA Legal Technology Task Force Agenda**

**Thursday, August 8, 2024**

**4:30 to 5:30pm**

**Zoom - Remote Meeting**

Link to access the Zoom meeting:

<https://wsba.zoom.us/j/86082039698?pwd=bKVWMNCNif5fRjhCu6rbPF72G3Da0j.1>

Zoom Conference Call Lines: **LOCAL OPTION:** (253) 215-8782 || **TOLL-FREE OPTION:** (888) 788-0099

Meeting ID: 860 8203 9698 || Passcode: 821171

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**Quorum Bylaw** "Quorum" means the presence of a majority of the voting membership (i.e., more than half the voting members). A quorum must be present when votes are taken.

Quorum: 5 members

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**Governing Document**

1. The WSBA Legal Technology Task Force Charter approved by the Board of Governors on March 7, 2024.
2. Task force members are appointed by the WSBA President and confirmed by the Board of Governors.

**Membership:** Jenny Durkan, Michele Carney, Laura Lemire, Nicholas Pleasants, Kenneth Zigler, Patrick Palace, Kirk Arthur, Drew Simshaw, Judge Sean O'Donnell, Judge Criston Skinner, Margaret Chon, Kari Petrasek (BOG Liaison), Professor LeighAnne Thompson (Ex Officio), Craig Shank (POLB Liaison), Kevin Plachy (Staff Co-Liaison), Margeaux Green (Staff Co-Liaison)

- 
- Approve July 11 Meeting Minutes (Jenny, 5 min)
  - Calendar and Upcoming Deadlines (Jenny/Margeaux, 5 min)
  - Survey (Craig, 20 min)
  - Key Emerging Technology Report (Judge O'Donnell, 15 min)
  - Workgroup Expectations (Jenny, 5 min)
  - Appointing Ad Hoc Members (Jenny, 5 min)
  - Visit to Microsoft Cybersecurity Center (Kevin, 10 minutes)
  - Adjourn

[SharePoint](#) || [Website](#)

**WSBA Legal Technology Task Force Agenda**

**Thursday, September 12, 2024**

**4:30 to 5:30pm**

**Zoom - Remote Meeting**

Link to access the Zoom meeting:

<https://wsba.zoom.us/j/84844817818?pwd=wyunYamjKMSarCVvUYawra3x3t8PM2.1>

Zoom Conference Call Lines: **LOCAL OPTION:** (253) 215-8782 || **TOLL-FREE OPTION:** (888) 788-0099

Meeting ID: 848 4481 7818 || Passcode: 806852

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**Quorum Bylaw** "Quorum" means the presence of a majority of the voting membership (i.e., more than half the voting members). A quorum must be present when votes are taken.

Quorum: 5 members

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**Governing Document**

1. The WSBA Legal Technology Task Force Charter approved by the Board of Governors on March 7, 2024.
2. Task force members are appointed by the WSBA President and confirmed by the Board of Governors.

**Membership:**

Voting: Jenny Durkan, Michele Carney, Laura Lemire, Nicholas Pleasants, Kenneth Zigler, Patrick Palace, Kirk Arthur, Drew Simshaw, Judge Sean O'Donnell, Judge Christon Skinner, Margaret Chon

Non-Voting: Kari Petrasek (BOG Liaison), Professor LeighAnne Thompson (Ex Officio), Craig Shank (POLB Liaison), Kevin Plachy (Staff Co-Liaison), Margeaux Green (Staff Co-Liaison), Ad Hoc: Faisal Akhter, Jacob Wall, Dan Lear, Carol Mullins-Hayes, Leslie Volez, Joshua Hawkins, Leslie English, Joshua Field, Rebecca Garland, Jacqueline Schaefer, John Bender, Denise Farr, Matt Dyor

- 
- Approve August 8 Meeting Minutes (Jenny Durkan, 5 min)
  - Welcome Ad Hoc Members (Jenny Durkan, 5 min)
  - Calendar and Upcoming Deadlines (Jenny Durkan, 5 min)
    - Regular workgroup reports: September 4, October 2
    - Preliminary reports: November 7
    - Full preliminary report: December 4

# WASHINGTON STATE BAR ASSOCIATION

- Survey (Craig Shank, 10 min)
- Workgroup Reports (Judge Sean O'Donnell, Patrick Palace, Judge Christon Skinner, Maggie Chon, 20 min)
- CPE Draft Rule (Michele Carney, 5 minutes)
- Virtual Legal Technology CLE Panel – October 2 (Margeaux Green, 5 minutes)
- In Person Visit to Microsoft Cybersecurity Center – September 19 (Margeaux Green, 5 minutes)
- Adjourn

[SharePoint](#) || [Website](#)

**WSBA Legal Technology Task Force Agenda**

**Wednesday, October 16, 2024**

**4:30 to 5:30pm**

**Zoom - Remote Meeting**

Link to access the Zoom meeting:

<https://wsba.zoom.us/j/86459254398?pwd=RcR0NRG5qJo0vmyzxXGFOeABiaVeBR.1>

Zoom Conference Call Lines: **LOCAL OPTION:** (253) 215-8782 || **TOLL-FREE OPTION:** (888) 788-0099

Meeting ID: 864 5925 4398 || Passcode: 771062

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**Quorum Bylaw** "Quorum" means the presence of a majority of the voting membership (i.e., more than half the voting members). A quorum must be present when votes are taken.

Quorum: 5 members

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**Governing Document**

1. The WSBA Legal Technology Task Force Charter approved by the Board of Governors on March 7, 2024.
2. Task force members are appointed by the WSBA President and confirmed by the Board of Governors.

**Membership:**

Voting: Jenny Durkan, Michele Carney, Laura Lemire, Nicholas Pleasants, Kenneth Zigler, Patrick Palace, Kirk Arthur, Drew Simshaw, Judge Sean O'Donnell, Judge Christon Skinner, Margaret Chon

Non-Voting: Kari Petrasek (BOG Liaison), Professor LeighAnne Thompson (Ex Officio), Craig Shank (POLB Liaison), Kevin Plachy (Staff Co-Liaison), Margeaux Green (Staff Co-Liaison), Ad Hoc: Faisal Akhter, Jacob Wall, Dan Lear, Carol Mullins-Hayes, Leslie Volez, Joshua Hawkins, Leslie English, Joshua Field, Rebecca Garland, Jacqueline Schaefer, John Bender, Denise Farr, Matt Dyor, Jonathan Franklin

- 
- Approve September 12 Meeting Minutes (All, 5 min)
  - Calendar and Upcoming Deadlines (Jenny Durkan, 5 min)
    - Regular workgroup report: October 15
    - Preliminary report draft: November 7
    - Final preliminary report: December 4
  - Workgroup Reports (Judge Sean O'Donnell, Patrick Palace, Judge Christon Skinner, Maggie Chon, 20 min)

# WASHINGTON STATE BAR ASSOCIATION

- Final Report Process (Jenny Durkan, Patrick Palace 30 min)
  - Volunteers for workgroup to coordinate master outline and to draft final report
  - Role of Workgroups to coordinate master outline and to draft final report (Jenny 5-7 minutes)
  - Description of process for creating Impacts on Practice Workgroup (Patrick Palace, 5 - 7 mins)
  - Questions/Comments (15 minutes)
- Adjourn

**WSBA Legal Technology Task Force Minutes (Final)**

**Friday, May 17, 2024**

**4:30 to 5:30pm**

- Start: 4:30 pm, Adjourn: 5:27 PM
- Attendees
  - Voting: Jenny Durkan, Michele Carney, Drew Simshaw, Margaret Chon, Patrick Palace, Laura Lemire, Nicholas Pleasants, Kenneth Zigler
  - Non voting: Judge Sean O'Donnell, Judge Criston Skinner, Craig Shank
  - Co-Liaisons: Kevin Plachy, Margeaux Green
- Welcome. Jenny summarized the meeting agenda.
- Introductions. What motivated you to apply for the task force and what do you hope the task force will accomplish over the next 15 months.
  - Jenny Durkan:
    - Career interest in legal technology.
    - Motivated by ethics, legal technology, and innovation with access to justice issues.
  - Michele Carney:
    - Immigration attorney in Seattle.
    - Active in AILA committee for technology and WSBA CPE.
    - Interested in ethics, legal tech, and access to justice.
  - Drew Simshaw:
    - Professor at Gonzaga Law School.
    - Research focus: legal technology, ethics, and access to justice.
    - Believes AI can bridge gaps if designed correctly.
  - Craig Shank:
    - Formerly at Perkins Coie and Microsoft.
    - Now a solo practitioner working on policy, legal matters, and technology.
    - POLB liaison participant.
  - Margaret Chon:
    - Seattle U School of Law professor.
    - Teaches technology and IP, with an emphasis on ethics and social justice.
    - Working on ethical legal tech prototypes.
  - Nicholas Pleasants:
    - Chair-elect of SSPS and Elder Law sections.
    - Advocates for technology adoption in practice.
    - Aims to demonstrate value and encourage tech use for those without attorneys.
  - Laura Lemire:



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- Attorney at Shwabe.
- Fascinated by legal practice.
- Previously worked at Microsoft and Twitter.
- Encourages lawyers to embrace AI and technology.
- Kenneth Zigler:
  - Patent attorney. Currently family law.
  - Interested in technologies roll in a law practice.
- Volunteer Roles and Responsibilities – Kevin Plachy
  - [Bylaws](#) (Sections VII and XI)
    - Section VII: Open Meetings and Public Records Requests. Bylaws govern these. Need quorum – majority of voting members (5 members for TF). Judges are non-voting members. WSBA work is subject to public records.
    - Section XI: Committees and Boards Policies
  - [Roles of liaisons](#). Framework for communicating.
    - Ran through the responsibilities of the chair, task force members, staff liaisons, and BOG liaison.
- Collaboration Tools and Meeting Materials/Resources – Margeaux Green
  - Walked through the SharePoint site with members – identified site contents.
- Reviewing the charter. Framework for meetings. –Jenny Durkan
  - Timeline for Deliverables. Reviewed our deadlines for the survey, quarterly reports, interim reports, and final report.
  - Defining workgroups and the survey. Asked group to look at the proposed workgroups documents we sent. Requested members send workgroup preferences before next meeting
- Adjourn

**WSBA Legal Technology Task Force Minutes (Final)**

**Monday, June 17, 2024**

**12:00 to 1:00pm**

**Meeting Minutes**

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- Start: 12:01 pm, End: 12:30 pm
- Attendees: Jenny Durkan, Kari Petrasek, Drew Simshaw, Craig Shank, Laura Lemire, Christon Skinner, Michele Carney, LeighAnne Thompson, Nicholas Pleasants, Sean O'Donnell, Patrick Palace, Kirk Arthur, Kevin Plachy, Margeaux Green

**Time:** 12:01 pm to 12:30 pm

**Attendees:**

- Jenny Durkan, Kari Petrasek, Drew Simshaw, Craig Shank, Laura Lemire, Christon Skinner, Michele Carney, LeighAnne Thompson, Nicholas Pleasants, Sean O'Donnell, Patrick Palace, Kirk Arthur, Kevin Plachy, Margeaux Green

**1. Welcome and Approval of Minutes**

- Minutes from the previous meeting were approved.

**2. Workgroups Discussion**

- Sprint workgroup formation – Emerging Technology Workgroup – to set the direction of the task force
- First assignment: Workgroups to consider survey questions for their focus areas.
- Member assignments.
- Inviting applicants not selected for the TF to serve in ad hoc workgroup positions
- Identifying additional possible workgroup contributors (e.g., legal tech leaders)
- **Workgroup Assignments:**
  - **Emerging Technologies**
    1. Leader: Judge Sean O'Donnell
    2. Members: Kirk Arthur, Craig Shank, Laura Lemire, Nicholas Pleasants
  - **Impacts on Practice of Law**
    1. Leader: Patrick Palace
    2. Members: Craig Shank, Leanne Thompson, Drew Simshaw
  - **Impacts on Courts**
    1. Leader: Judge Skinner
    2. Co-chair: Kari Petrasek
    3. Members: Sean O'Donnell, Ken Zigler
  - **Education and Ethics**
    1. Leader: Maggie Chon
    2. Members: Michelle Carney, Drew Simshaw, Nicholas Pleasants

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- **Workgroup Charters:**
  - Draft charters to be developed by workgroups and adopted by the committee.
  - Periodic report backs to address overlap and collaboration.
- **Expectations:**
  - Roles and chair assignments.
  - Workgroup responsibilities.
- 3. Resources**
  - Margeaux reviewed SharePoint resources
  - Resources will be regularly sent by Margeaux to group
  - Invite members to email Margeaux resources
  - Will create a list of other in-state legal technology and AI efforts (e.g. AG, Supreme Court)
- 4. Meeting Frequency and Deliverables:**
  - Calendar with all deliverables to be sent out. Meeting 2<sup>nd</sup> Thursday/month at 4:30 pm
- 5. Survey Discussion**
  - Workgroups drafting survey questions
  - Timing of Survey
  - Invited members to volunteer to work on the survey outside of workgroup
- 6. Microsoft Cybersecurity Field Trip**
  - September or October
  - Date TBD

[SharePoint](#) || [Website](#)

**WSBA Legal Technology Task Force Minutes (Final)**

**Thursday, July 11, 2024**

**4:30 to 5:30pm**

**Zoom - Remote Meeting**

Link to access the Zoom meeting:

<https://wsba.zoom.us/j/86198237487?pwd=aecNRm9qDnnZlCut2LXdRkimiVHYa.1>

Zoom Conference Call Lines: **LOCAL OPTION:** (253) 215-8782 || **TOLL-FREE OPTION:** (888) 788-0099

Meeting ID: 861 9823 7487 || Passcode: 725935

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**Quorum Bylaw** "Quorum" means the presence of a majority of the voting membership (i.e., more than half the voting members). A quorum must be present when votes are taken.

Quorum: 5 members

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**Governing Document**

1. The WSBA Legal Technology Task Force Charter approved by the Board of Governors on March 7, 2024.
2. Task force members are appointed by the WSBA President and confirmed by the Board of Governors.

**Membership:** Jenny Durkan, Michele Carney, Laura Lemire, Nicholas Pleasants, Kenneth Zigler, Patrick Palace, Kirk Arthur, Drew Simshaw, Judge Sean O'Donnell, Judge Christon Skinner, Margaret Chon, Kari Petrsek (BOG Liaison), Professor LeighAnne Thompson (Ex Officio), Craig Shank (POLB Liaison), Kevin Plachy (Staff Co-Liaison), Margeaux Green (Staff Co-Liaison)

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In attendance: Michele Carney, Jenny Durkan, Margaret Chon, Rick Griffith, Drew Simshaw, LeighAnne Thompson, Nicholas Pleasants, Rick Griffith, Shauna Vernal, Judge Christon Skinner

- Approve June 17 Meeting Minutes (Jenny, 5 min)  
Motion to approve minutes – Michele moved, Rick second  
Unanimous approval.
- Deadlines and calendar (Jenny, 10 min)  
Jenny went over deliverables for each of the workgroups.  
She pointed out that a workgroup charter for each of the workgroups was included in materials.
- Workgroups (Jenny, 35 min)

- Emerging Technology Workgroup update
  - Jenny explained that the Emerging Technology Workgroup would be the sprint workgroup and help delineate which technologies we will be focusing on.
- Survey questions
  - Jenny went over the survey work as well and said that each of the workgroups is responsible for coming up with questions. Craig shared some information about his idea around the process for developing the survey. Craig would like to meet with NBRI before developing the questions.
  - The key of the survey is to find out what is important to members and what do we need to learn from members. Thinks that are actionable and keep us narrow enough in our approach.
  - Margaret Chon – survey should be short and confidential. How long will the survey be open.
  - Kevin will reach out to Craig to set an appointment with Craig and NBRI to discuss the survey.
  - Michele Carney asked how many survey questions from each workgroup should we develop. Jenny said to think about what would make the most difference to your work and what do you want to know.
- Need to determine meeting dates
  - Jenny urged that keeping to the dates for the deliverables on the timeline and try to stay on track with the schedule as much as possible.

- Visit to Microsoft Cybersecurity Center and Conversation with their Legal Department on positives and challenges from including AI in their legal practices (Jenny, 10 minutes) Tentatively set for September 19<sup>th</sup>. More details to follow once logistics are confirmed.

Rick Griffith, the CTO for the attorney general’s office was introduced to the members and Jenny let him know that he was welcomed to join any of the workgroups as an ad hoc member.

- Adjourn

Jenny asked the group to look at the deliverable calendar again and emerging technologies is a critical area and urged taskforce member to reach out and help that workgroup if they have a desire. Jenny thanked the taskforce members for their work and we adjourned at 5pm.

[SharePoint](#) || [Website](#)

**WSBA Legal Technology Task Force Meeting Minutes**

**Thursday, August 8, 2024**

**4:30 to 5:30pm**

**Zoom - Remote Meeting**

Link to access the Zoom meeting:

<https://wsba.zoom.us/j/86082039698?pwd=bKVWMNCNif5fRjhCu6rbPF72G3Da0j.1>

Zoom Conference Call Lines: **LOCAL OPTION:** (253) 215-8782 || **TOLL-FREE OPTION:** (888) 788-0099

Meeting ID: 860 8203 9698 || Passcode: 821171

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Quorum: 5 members

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- 
- Start: 4:32, End: 5:23
  - Attendees
    - Jenny Durkan, Patrick Palace, Drew Simshaw, Margaret Chon, Laura Lemire, Craig Shank, Sean O'Donnell, Christon Skinner, Kari Petrasek
  - Approve July 11 Meeting Minutes (Jenny, 5 min)
  - Calendar and Upcoming Deadlines (Jenny/Margeaux, 5 min)
    - Discussion on potentially narrowing the task force's focus or accelerating timelines; calendar may change accordingly.

- Reminder for workgroups to send their meeting dates to Margeaux
- Survey (Craig, 20 min)
  - Ongoing work on survey; questions compiled from workgroup submissions.
  - Plan to send the survey to 10,000 members, which is higher than usual for WSBA surveys.
  - Survey to be sent to NBRI next week, followed by a review by the entire task force.
  - NBRI may need a week to review questions. Aiming to circulate to the task force around August 22, with a short turnaround time for review.
  - Goal: Distribute survey to members by September 16.
  - NBRI requires a lead time of two weeks.
- Key Emerging Technology Report (Judge O'Donnell, 15 min)
  - Workgroup has identified two focus areas:
    - 1. Emerging Technology Impacting the Practice of Law:
      - AI for document management, scanning, and research
      - Predictive case analysis
      - Advertising and marketing
      - Case management
      - Deepfakes
    - 2. Emerging Technology Impacting Access to Justice (ATJ):
      - Court technology
      - Video conferencing
      - Legal bots
  - Other workgroups can suggest additional areas of focus, but this list provides a starting point.
- Workgroup Expectations (Jenny, 5 min)
  - Ad hoc members will be appointed to the task force by Monday.
  - Emphasis on adherence to deadlines.
  - Initial report format: "Where are you, what have you discussed, what are you

focusing on."

- Going forward, each workgroup chair will present updates at each meeting.
- Preliminary workgroup reports are due by December 4.
- Appointing Ad Hoc Members (Jenny, 5 min)
  - We will have ad hoc members sent to the TF by Monday
- POLB Pilot Regulatory Test (additional item)
  - Update on significant progress for the entity regulation trial proposal being submitted to the court.
  - Open for comments currently.
  - More information: <https://www.wsba.org/about-wsba/entity-regulation-pilot>
- Visit to Microsoft Cybersecurity Center (Kevin, 10 minutes)
  - Scheduled for September 19; logistics are still being finalized.
  - Meeting with Microsoft on August 13 to discuss how to integrate cybersecurity technology with existing systems.
  - Presentations with cybersecurity experts are planned.
- Presentations with experts
  - Considering a 90-minute session with Continuing Legal Education (CLE) credit.
- CPE Update
  - Currently working on an advisory opinion.
  - Meeting scheduled for August 23 to report on the advisory opinion progress.
  - CPE and the task force will have an opportunity to discuss the advisory opinion.
- Adjourn (5:23 pm)



[SharePoint](#) || [Website](#)

**WSBA Legal Technology Task Force Minutes**

**Thursday, September 12, 2024**

**4:30 to 5:30pm**

**Zoom - Remote Meeting**

Link to access the Zoom meeting:

<https://wsba.zoom.us/j/84844817818?pwd=wyunYamjKMSarCVvUYawra3x3t8PM2.1>

Zoom Conference Call Lines: **LOCAL OPTION:** (253) 215-8782 || **TOLL-FREE OPTION:** (888) 788-0099

Meeting ID: 848 4481 7818 || Passcode: 806852

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Quorum: 5 members

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Non-Voting: Kari Petrasek (BOG Liaison), Professor LeighAnne Thompson (Ex Officio), Craig Shank (POLB Liaison), Kevin Plachy (Staff Co-Liaison), Margeaux Green (Staff Co-Liaison), Ad Hoc: Faisal Akhter, Jacob Wall, Dan Lear, Carol Mullins-Hayes, Leslie Volez, Joshua Hawkins, Leslie English, Joshua Field, Rebecca Garland, Jacqueline Schaefer, John Bender, Denise Farr, Matt Dyor, Jonathan Franklin

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**Agenda**

- Attendees
  - Denise Farr, Jacob Wall, Michele Carney, Carol Mullins-Hayes, Jonathan Franklin, Leslie Veloz, Faisal Akhter, Patrick Palace, Drew Simshaw, Laure Lemire, Joshua Hawkins, LeighAnne Thompson, Josh Field, Nicholas Pleasants, Judge Christon Skinner, John Bender, Dan Lear, Jacob Wall, Judge Sean O'Donnell, Leslie English,

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Zen Zigler, Margaret Chon

- Approve August 8 Meeting Minutes (Jenny Durkan, 5 min)
- Welcome Ad Hoc Members (Jenny Durkan, 5 min)
- Calendar and Upcoming Deadlines (Jenny Durkan, 5 min)
  - Regular workgroup reports: September 4, October 2
  - Preliminary reports: November 7
  - Full preliminary report: December 4
- Survey (Craig Shank, 10 min)
- Workgroup Reports (Judge Sean O'Donnell, Patrick Palace, Judge Criston Skinner, Maggie Chon, 20 min)
- CPE Draft Rule (Michele Carney, 5 minutes)
- Virtual Legal Technology CLE Panel – October 2 (Margeaux Green, 5 minutes)
- In Person Visit to Microsoft Cybersecurity Center – September 19 (Margeaux Green, 5 minutes)
- Adjourn

## Notes

- Approve August 8 Meeting Minutes (Jenny Durkan, 5 min)
  - Approved
- Welcome Ad Hoc Members (Jenny Durkan, 5 min)
  - New members introduced themselves
- Calendar and Upcoming Deadlines (Jenny Durkan, 5 min)
  - Regular workgroup reports: September 4, October 2
    - October 2 deadline is changed to October 15
  - Preliminary reports: November 7
  - Full preliminary report: December 4
- **Survey (Margeaux, 10 min)**
  - Members informed they will have the opportunity to take the survey next week

to test the questions.

- **Workgroup Reports (Judge Sean O’Donnell, Patrick Palace, Judge Christon Skinner, Maggie Chon, 20 min)**
  - All workgroups submitted initial report. Rep from each workgroup presented on their work thus far.
  - Sean O’Donnell (Emerging Tech) – presented last time. Task force appreciated the report. Found it comprehensive
  - Patrick Palace (Impacts on Practice) – Set dates. Created outline for research. Other members like this approach and suggested we outline the entire final report for clarity and flow.
  - Judge Christon Skinner (Impacts on Court) – Created four areas for the focus of this workgroup. Michele Carney shared that the CPE is working on an opinion re language access.
  - Maggie Chon (Education and Ethics)—Waiting on survey results to pinpoint the scope. Saw overlap with other workgroups reports.
  - Leslie English proposed that the entire final report is written as a fully integrated document (as opposed to separate sections by workgroups) – Jenny Durkan agreed with this approach. Desire is for the final report to be very useful for the user.
  - Each workgroup should start thinking about what can be called out and prioritized for the final recommendations.
- **CPE Draft Rule (Michele Carney, 5 minutes)**
  - Michele spoke about the draft Advisory Opinion on AI
  - Advisory Opinion drafted in CPE subcommittee led by Mark Fucile
  - Specified for the tools in law practice
  - Reviewed ABA 512 and other states opinions, FAQs, memos on ai
  - Latest draft is from April
  - Draft is on hold until CPE learns about what the two WSBA BOG task force’s
  - Areas also explored: closed and open AI systems, emerging technology

- Addressed four areas: Competence, confidentiality, supervision of non-lawyers including AI nonlawyer assistants, and fees
- Also looking at other states - Named Minnesota standing committee creating a sandbox on AI
- Michele is a beta tester for tech companies as well
- **Virtual Legal Technology CLE Panel – October 2 (Margeaux Green, 5 minutes)**
  - Provided information regarding the October 2 CLE for task force - This CLE will be a panel discussion with four legal technology experts: Bob Ambrogi, Colin Levy, Natalie Knowlton, Damien Riehl
  - Currently narrowing down the topics for questions. Offered members to send requested questions to Margeaux
- **In Person Visit to Microsoft Cybersecurity Center – September 19 (Margeaux Green, 5 minutes)**
  - Next week, on Thursday, September 19, Microsoft is hosting TF for a half day event at their Redmond campus.
  - Our afternoon will kickoff with a lunch, followed by a
    - Welcome and Responsible AI Privacy visit, followed by a
    - Presentation on the day in the life of CELA and AI
    - We will then have a Co-Pilot AI Demo brief, and then
    - Close out the afternoon with a tour of the Digital Crimes Unit Tour
- Adjourn

[SharePoint](#) || [Website](#)

**WSBA Legal Technology Task Force Meeting Minutes (Final)**

**Wednesday, October 16, 2024**

**4:30 to 5:30pm**

**Zoom - Remote Meeting**

Link to access the Zoom meeting:

<https://wsba.zoom.us/j/86459254398?pwd=RcR0NRG5qJo0vmyzxXGFOeABiaVeBR.1>

Zoom Conference Call Lines: **LOCAL OPTION:** (253) 215-8782 || **TOLL-FREE OPTION:** (888) 788-0099

Meeting ID: 864 5925 4398 || Passcode: 771062

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▪ **Attendance:**

- Voting Members: Jenny Durkan, Patrick Palace, Drew Simshaw, Margaret Chon, Laura Lemire, Judge Christon Skinner, Judge Sean O'Donnell
- Non-Voting Members: Craig Shank, Faisal Akhter, Jonathan Franklin, LeighAnne Thompson, Jackie Schafer, Joshua Hawkins, Leslie English, Jordan Couch, Denise, Leslie Veloz
- Rick Griffith (AG office)

- Approve September 12 Meeting Minutes (All, 5 min)
  - Patrick made motion, Maggie Chon second. Approved
- Calendar and Upcoming Deadlines (Jenny Durkan, 5 min)
  - Regular workgroup report: October 15, Preliminary report draft: November 7, Final preliminary report: December 4
  - Jenny reviewed the upcoming deadlines. The next deadline is an update to the Member Engagement Council
- Workgroup Reports (Judge Sean O'Donnell, Patrick Palace, Judge Christon Skinner, Maggie Chon, 20 min)
  - Emerging Technology - Judge O'Donnell: This workgroup reported narrowing down the categories to: Generative AI, Data Analysis, Access to Justice. Jenny stated we will utilize this information and report to narrow down the scope of the final report. Discussed issues with court budgets and resources for training court staff.
  - Impact on Courts – Judge O'Donnell: This workgroup reported an interest in technology for self-help for self-represented litigants, language access, and new authentication (ER 904).
  - Education and Ethics – Maggie Chon: This workgroup is collecting resources on trainings and education resources from across the US from law schools, bar associations, and for-profit companies. Also, figuring out how this workgroup can work together with CPE – in the interim, have identified areas the CPE is not working on that this workgroup can research and explore possible recommendations.
- Final Report Process (Jenny Durkan, Patrick Palace 30 min)
  - Description of process for creating Impacts on Practice Workgroup (Patrick Palace, 5 - 7 mins)
    - The workgroup he chairs (impacts on practice) has worked to create an outline, scope the work, and fill in the report. Then Jenny asked Patrick to report to the entire Task Force re the workgroup's process. Patrick

- created a ChatGPT chatbot for the report writing.
- Uploaded about 60 documents to the chatbot and then asked it to create the outline. Patrick then used the chatbot to create a draft outline for the Task Force’s final report, for exemplary purposes for this meeting. This gives the Task Force a place to start. Proposes that the Task Force create a comprehensive outline.
- Volunteers for workgroup to coordinate master outline and to draft final report (Jenny 5-7 minutes)
  - Group discussed the approach re creating a comprehensive outline to build the final report.
  - The goal is to have a strong working outline by mid-December (okay to finish in January).
  - Need a Report Writing Workgroup – One designee from each workgroup and this person will update the master outline.
  - May consider working backwards – start with recommendations and then fill in the report.
  - Task Force agreed to this approach.
  - Action items:
    - Update Deliverable Timeline with outline due dates.
    - Create a folder in SharePoint for report writing. Members will collaborate in this shared folder.
    - Create Report Writing Workgroup. Need chair and designee from each workgroup.
- Questions/Comments (15 minutes)
  - The group refined the process for drafting the master outline and report. Decided on a workgroup and designee from each workgroup to facilitate this process – this group will figure out how to divide the work and what to add/
- Adjourn: 5:17 pm

**Legal Technology Panel CLE: Ethics, Practice, Courts, and Emerging Trends**

**WSBA Legal Technology Task Force**

**Wednesday, October 2, 2024**

**12:00 to 1:30pm**

**Zoom - Remote Presentation**

Link to access the Zoom meeting:

<https://wsba.zoom.us/j/83857415412?pwd=teKRvjvNDsV8t0y0fwWizAmH69zfla.1>

Zoom Conference Call Lines: **LOCAL OPTION:** (253) 215-8782 || **TOLL-FREE OPTION:** (888) 788-0099

Meeting ID: 838 5741 5412 || Passcode: 659564

In this 90-minute panel, legal technology experts Natalie Knowlton, Bob Ambrogi, Colin Levy, and Damien Riehl will examine the transformative role of technology across several critical areas:

- **Ethics:** The panel will delve into the ethical challenges legal professionals face as legal technology becomes more integrated into everyday practice, including diligence, communication, confidentiality, and supervising attorneys and non-attorneys.
- **Legal Practice:** The panel will address how the integration of technology into legal workflows is reshaping client service, case management, and billing practices.
- **Access to Justice:** The discussion will focus on how technologies are expanding access to legal services, enabling self-representation and streamlining processes within legal systems.
- **Court Innovations:** Panelists will discuss the adoption of technology by courts, including e-filing, remote hearings, and new ways to manage evidence.
- **Emerging Technologies:** Looking ahead, the discussion will cover the potential of advanced technologies like AI, blockchain, and legal data analytics to further disrupt the legal profession.

This panel is moderated by Margeaux Green, the Practice Management Advisor at the Washington State Bar Association.

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## **Presenter Biographies**

**Natalie Knowlton.** Natalie Anne Knowlton is a Director of Special Projects at the Deborah L. Rhode Center on the Legal Profession at Stanford Law School and Founder of Access to Justice Ventures, empowering entrepreneurs who are developing scalable access to justice solutions. Knowlton spent many years prior at IAALS, the Institute for the Advancement of the American Legal System at the University of Denver. She is a 2023 ABA Journal Legal Rebel and is listed among the ABA Legal Technology



# WASHINGTON STATE BAR ASSOCIATION

Resource Center's 2022 Women of Legal Tech. She sits on the Justice Technology Association Advisory Board and the Legal Aid of North Carolina Innovation Lab Advisory Board.

**Damien Riehl.** Damien Riehl (pronounced REEL) is a technology lawyer who clerked for state and federal judges, litigated for 15 years, and helped companies with cybersecurity.

At vLex, Damien currently uses Generative AI to extract and generate valuable insights from a dataset of one billion legal documents — worldwide.

At SALI, the legal-data standard, Damien built and expanded an ontology of over 18,000 legal tags — effectively standardizing legal data.

In August 2023, Elon Musk posted about Damien: "This guy rocks!"

**Colin Levy.** Colin S. Levy is a legal technology expert and educator who bridges traditional legal practice with technological innovation. He has authored several books on legal tech, including "The Legal Tech Ecosystem" and "CLM for Dummies," and served as editor for the "Handbook of Legal Tech." His contributions extend to numerous articles, podcast appearances, and webinar hosting, establishing him as a knowledgeable voice in the field.

Currently serving as Director of Legal and Evangelist at Malbek, a contract lifecycle management company, Levy remains actively engaged in the legal tech industry. He advises startups, serves as a judge for numerous legal tech award competitions, and has contributed to pioneering projects such as developing guides for legal document creation and testing new contract analysis tools. Through his website, [colinslevy.com](http://colinslevy.com), Levy shares insights from industry leaders and offers guidance to both newcomers and established professionals in the legal tech space.

**Bob Ambrogi.** Bob Ambrogi is a lawyer and journalist who has been writing and speaking about legal technology and innovation for more than two decades. He writes the award-winning blog [LawSites](http://LawSites), is a columnist for [Above the Law](http://Above the Law), hosts the podcast about legal innovation, [LawNext](http://LawNext), and hosts the weekly legal tech journalists' roundtable, [Legaltech Week](http://Legaltech Week).

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## **Interim Report to the Washington State Bar Association (WSBA) on the Activities of the Education and Ethics Working Group**

The Education and Ethics Working Group (“Group”) has met several times since its inception. The Group consists of four core members—Michele Carney, Maggie Chon (chair), Nick Pleasants, and Drew Simshaw. In August, Task Force Chair Jenny Durkan then appointed several *ad hoc* members: Leslie English, Josh Fields, Jonathan Franklin, Joshua Hawkins, LeighAnne Thompson, and Leslie Veloz.

### **Activities and Progress**

#### **1. Meetings and Work to Date:**

- **Meetings:** While the core Group members met only occasionally during the summer, the fully assembled Group now plans to meet once every two weeks, beginning Thursday, September 5, 2024. The Group has established a regular meeting schedule to ensure consistent progress.
- **Summer Work:** During the summer months and before the entire Group was assembled, the core Group analyzed the draft survey questions and submitted its editing suggestions and recommendations (with the help of *ad hoc* members LeighAnne Thompson and Jonathan Franklin).

#### **2. Resource Development**

- **Database:** The Group is in the process of putting together a database of resources relevant to the taskforce's work has been developed, leveraging AI to organize and categorize the materials. This database consists of ethics opinions and reports from other jurisdictions published to date.
- **Identification of Key Topics:** Two or three members of the group will use technology tools such as generative AI to summarize the database and assist the Group to come up with five different areas of focus for its scope of work.

#### **3. Immediate Next Steps**

- **Scope of Work:** The Group is beginning to outline its scope of work and plans to finalize it before the October 2 deadline established by the Task Force.
- **Planned Focus:** Mindful of potential overlap with other working groups, the Group plans to analyze and assess the impact of technologies on legal practice (relying on the data to be provided by the survey), the ethical implications of using AI in legal services, and potential educational delivery methods. The Group would like to discuss the overlap in focus with other working groups when feasible, hopefully during our regularly scheduled Task Force meetings.
- **Report Submission:** Further progress reports will be submitted as scheduled to the WSBA.

Respectfully submitted on September 6, 2024 by Margaret Chon (chair)

**To:** BOG Legal Technology Task Force

**From:** Technology Impact on Courts, Court Rules, and Procedures Workgroup

**Date:** September 5, 2024

**Subject:** September Report

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## **1. Overview**

The Technology Impact on Courts Workgroup convened on August 28, 2024, at 4:30 PM via Zoom. Attendees included Rebecca Garland, Judge Sean O'Donnell, Kari Petrusek, Ken Zigler, Dan Lear, and Jacqueline Shafer. The meeting focused on discussing objectives, key areas for technological improvements in courts, and initial planning for the next workgroup report due on September 4, 2024.

## **2. Key Areas for Technological Improvement**

During the meeting, the following key areas were identified where technology could enhance the operations of Washington State courts:

### **a. Language Access and Translation Services:**

- Due to a statewide shortage of qualified interpreters, there is a significant need for translation services. AI-assisted translation platforms could provide support for non-critical court proceedings, such as notifying individuals about upcoming court appearances or directing them to legal assistance.

### **b. Self-Help Tools and Chatbots:**

- Chatbots could be employed to assist self-represented litigants in completing standardized court documents, such as protection orders, family law forms, and other petitions, further improving access to the courts for persons of limited means.

### **c. Utilization of Court Records and Databases:**

- There is a wealth of information in county court records that could be better utilized for legal research. Implementing current research technology could make these records more accessible while maintaining privacy protections.

### **d. Technological Foundations for Evidence Admission:**

- The group discussed the evidentiary foundations required for the admission of evidence developed or enhanced by AI. Consideration

must be given to who bears the burden of proof concerning such evidence — the proponent or the party opposing its admission.

e. **Challenges Related to Rules of Evidence:**

- o The rapid advancement of technology, including deepfakes and voice imitation software, presents new challenges in ensuring the integrity of evidence. There is a need to reexamine existing rules of evidence to address these emerging concerns.

### 3. General Conclusions on Technology Utilization in Washington State Courts

In addition to the technology improvements noted above, there are several essential technologies that could significantly improve court operations in Washington State. Concurrent with the adoption and use of courtroom technologies, particularly those relying on AI technology. Washington courts must adopt policies and evidence rules designed to protect the integrity of the judicial process.

- a. **Case Management Systems (CMS):** To streamline case processing, scheduling, and document management, reducing errors and administrative burdens.
- b. **Electronic Filing Systems (E-Filing):** To facilitate electronic document submission, speeding up case processing and enhancing remote access to court documents. (Many Washington courts have already implemented e-filing systems, however the methods for doing so vary from county to county.)
- c. **Virtual Courtroom Technology:** To support remote hearings and hybrid court sessions, accommodating both in-person and virtual participation. This technology has already been implemented in most Washington courts primarily in response to challenges that were presented by the COVID 19 pandemic. Presumably, the Task Force survey results will provide additional information regarding implementation and current use of this technology.
- d. **AI Tools:** For assisting self-represented litigants, enhancing legal research capabilities for both lawyers and self-represented parties, and automating document review processes. With every technology, it seems there are related problems and potential for abuse. For example, “ghost cites” (case citations that appear to support a proposition but have no relation to the issue) have been observed in AI generated briefs and legal memoranda. Rules will need to be developed to provide some level of accountability when a party or lawyer submits legal briefing generated with an AI tool.
- e. **Public Access Portals:** To provide online access to case information, court calendars, and filings, thereby improving transparency and accessibility.

- f. **Data Security and Privacy Solutions:** To protect sensitive information through encryption, access control, and compliance with data protection regulations.

#### **4. Next Steps and Action Items**

The following next steps were agreed upon:

- Each member will identify additional four areas where technology could improve court processes. Those subjects and a brief description of how the technology could be implemented, will be submitted to the workgroup via the SharePoint site prior to the next meeting (September 18, 2024).
- Regular meetings of the workgroup have been scheduled to occur twice a month on the first and third Wednesday, starting on September 18, 2024, to continue discussions and monitor progress.

#### **5. Conclusion**

The workgroup will focus on identifying technology to modernize and enhance the effectiveness of and accessibility to the judicial process in Washington. At the same time, the workgroup will work on recommendations for evidence rules, including foundation requirements, as well as procedures needed to reduce the potential for AI generated evidence to mislead judges and juries.

# Report to the Washington State Bar Association (WSBA) on the Activities of the Subgroup "Impacts on the Practice of Law and Access to Justice"

## Introduction

The "Impacts on the Practice of Law and Access to Justice" subgroup, a part of the broader WSBA Technology Taskforce, has been actively engaged in exploring how technology can be leveraged to improve access to justice and legal services. Our efforts are focused on identifying and recommending technological solutions that can bridge the access to justice gap and assessing the impact of these technologies on various legal sectors, including private law firms, government legal organizations, and legal aid services.

## Activities and Progress

### 1. Objective and Focus Areas:

- The subgroup has centered its discussions around the key objective of leveraging technology to enhance access to justice. We have outlined specific focus areas that include:
  - Recommending technological solutions to bridge the access to justice gap.
  - Assessing the impact of technology on private law firms, government legal organizations, and legal aid services.
  - Proposing strategies for making legal services more accessible through technology, particularly through the use of artificial intelligence (AI).

### 2. Meetings and Collaboration:

- The subgroup has established a regular meeting schedule, with meetings held once a month to ensure consistent progress. Meetings are scheduled for the third or fourth Thursday of each month, allowing flexibility to accommodate members' schedules.
- To facilitate communication and collaboration between meetings, the subgroup has adopted the use of Slack, and has created a channel for communication. This platform has enabled more efficient communication and the sharing of resources.
- An initial draft outline for the final report has been created, and the subgroup plans to finalize the report section by section over the next seven months. This structured approach ensures that the final deliverable will be comprehensive and ready ahead of the final meeting.

### 3. Key Discussions and Findings:

- **Technology's Role in Expanding Access:** The subgroup will be looking at the potential of technology, particularly AI, to expand access to legal services. Generative AI tools, such as ChatGPT, to enhance the accessibility, efficiency, and affordability of legal aid services. These tools could be particularly impactful in providing direct-to-consumer legal services for certain legal matters.
- **Impact on Legal Services:** The subgroup is assessing how technology is disrupting the traditional market for legal services. While technology increases productivity within private firms, potentially lowering costs, the impact is expected to be even more profound in the context of access to justice. Discussions

may include discussion on the need for regulatory reforms to support these tech-driven efforts.

- **Ethics and Regulatory Considerations:** The subgroup will also discuss the ethical implications of using AI in legal services and the potential need for reforming existing regulations, such as Rule 5.4. This aligns with broader discussions in the legal community about the necessity of adapting regulations to accommodate new technologies.
4. **Resource Development and Final Report Preparation:**
- A database of resources relevant to the taskforce's work has been developed, leveraging AI to organize and categorize the materials. This database serves as a foundational resource for the subgroup as it prepares each month's report for the purpose of assembling a final report.
  - An initial draft outline for the final report has been created, and the subgroup plans to finalize the report section by section over the next seven months.

### Next Steps

- **Report Submission:** A progress report will be submitted as scheduled to the WSBA, outlining our plans and process, given that the subgroup has recently initiated its meetings.
- **Continued Collaboration:** The subgroup will continue to collaborate via Slack and in monthly meetings to refine our findings and develop actionable recommendations.
- **Final Report Completion:** The subgroup aims to complete its final report by the end of our scheduled meetings, ensuring that it reflects the insights and recommendations gathered through our discussions and research.

### Conclusion

The "Impacts on the Practice of Law and Access to Justice" subgroup is committed to identifying and recommending effective technological solutions to improve access to justice. Our work thus far has laid a solid foundation for continued exploration and collaboration, and we will endeavor to create a final report that will provide valuable insights to the WSBA on how technology can be leveraged to enhance legal services and access to justice in Washington State.

# Outline for Article: Leveraging Technology to Improve Access to Justice and Legal Services

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## I. Introduction

- **A. Importance of Access to Justice**
  - Definition and current challenges in accessing legal services.
  - Overview of how technology can address these challenges.
- **B. Purpose of the Article**
  - Explore various technological solutions and strategies to enhance access to justice.

## II. The Current Landscape of Access to Justice

- **A. Barriers to Access**
  - High costs of legal services
  - Complexity of legal processes
  - Geographic and resource limitations (rural and underserved areas)
- **B. The Justice Gap**
  - Statistics and examples illustrating the justice gap both in the U.S. and globally

## III. Role of Technology in Bridging the Justice Gap

- **A. Artificial Intelligence (AI) in Legal Services**
  - **1. Cost Reduction**
    - Automation of routine legal tasks (e.g., document review, legal research)
    - AI-driven legal advice platforms that offer affordable or free services
  - **2. Simplification of Legal Processes**
    - Use of natural language processing to translate legal jargon into plain language
    - AI-guided pathways for navigating common legal issues
  - **3. Increasing Availability**
    - Virtual legal assistants and 24/7 online platforms
    - Tele-legal services and virtual legal clinics
- **B. Other Technological Solutions**
  - **1. Legal Tech Tools**
    - E-discovery tools, contract management software, and online dispute resolution platforms.
  - **2. Blockchain for Legal Transparency**
    - Ensuring the integrity and security of legal transactions.
  - **3. Cloud Computing**
    - Remote access to legal resources and case management systems.

## IV. Proposed Strategies for Enhancing Access to Justice Through Technology



- **A. Adoption of AI and Automation by Law Firms**
  - Integrating AI tools into legal practice to enhance efficiency and reduce costs
- **B. Support for Legal Tech Startups**
  - Encouraging innovation through funding and regulatory support.
- **C. Regulatory Reforms**
  - Revisiting regulations like Model Rule 5.4 to allow nonlawyer ownership and investment in law firms to enable more innovative service delivery models
- **D. Collaboration Between Legal and Tech Professionals**
  - Fostering partnerships to develop AI tools that meet the specific needs of the legal industry
- **E. Educational Initiatives**
  - Training legal professionals in the use of emerging technologies.
  - Public awareness campaigns to inform the public about new AI-driven legal services

## V. Addressing Challenges and Ethical Considerations

- **A. Ensuring AI Fairness and Accuracy**
  - Mitigating bias in AI algorithms
  - Regular audits and transparency in AI decision-making processes
- **B. Protecting Privacy and Confidentiality**
  - Implementing robust data protection measures
- **C. Building Trust in AI Legal Services**
  - Transparency and communication with clients
- **D. Risk Management**
  - Balancing the risks and benefits of AI in legal services
- **E. Avoiding the Unauthorized Practice of Law**
  - Regulatory frameworks to ensure AI tools do not cross legal boundaries

## VI. The Future of Technology in Legal Services

- **A. Predictions and Trends**
  - Growing role of AI in legal aid platforms and virtual courtrooms
- **B. The Role of Bar Associations and Legal Institutions**
  - Certification of AI tools and development of ethical guidelines
- **C. Global Perspectives**
  - Comparison of how different jurisdictions are integrating technology into their legal systems

## VII. Conclusion

- **A. Recap of Key Points**
- **B. Call to Action**
  - Encouraging legal professionals and policymakers to embrace technology for greater access to justice.
- **C. Future Outlook**

- The potential for technology to democratize access to legal services worldwide.

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This outline provides a comprehensive structure for discussing how technology, particularly AI, can be leveraged to improve access to justice and legal services. It integrates insights from the documents you provided to ensure the discussion is both informed and forward-looking.

# Emerging Technologies in the practice of law, access to justice, judiciary, and ethical and educational interests

*Initial Draft – from Key Emerging Technologies Workgroup – August XX, 2024*

## Executive Summary

This draft presents our Working Group’s assessment of the most critical emerging technologies impacting the legal profession, focusing on the practice of law, access to justice, and ethical concerns. The complexity and diversity of both the legal landscape and related technologies mean identifying a specific product or type of software tool is neither practical nor desirable. We have, instead, focused on identifying overall areas of technology that present the most important opportunities and threats to the delivery of legal services to Washingtonians, and the outcomes from those services. We have identified key characteristics of those technology areas that make them important to consider and that are intended to give other Technology Task Force Working Groups a foundation for their considerations.

### Three Prioritized Areas:

1. **Generative AI:** Generative AI represents the most significant disruption in legal technology, offering both profound benefits and potential risks. Its complexity, opacity, and the potential for autonomous actions require a rethinking of how legal professionals approach their practice, particularly in terms of ethics, privacy, and potential disruption.
2. **Predictive Analytics and Machine Learning (PA/ML):** These tools are indispensable for data-driven decision-making, especially in high-stakes environments like large-scale litigation. However, they bring challenges related to bias, transparency, and the ethical use of historical data, making their careful integration into legal practice essential.
3. **Cybersecurity:** As AI tools increasingly manage sensitive legal information, the risks of data breaches and privacy violations escalate. Strengthening cybersecurity measures is critical to maintaining public trust and upholding the ethical standards of the legal profession.

The legal profession is not just about knowledge but continuous learning and adaptation. As we integrate advanced technologies into legal services, we must be intentional and forward-looking to ensure that these innovations improve access to justice and legal outcomes for all Washingtonians. By fostering a culture of innovation, ethics, and cybersecurity, WSBA can lead the nation in delivering top-tier legal services through the proficient use of AI and other emerging tools.

## Background

We are guided in our Charter to “Assess the Legal Tech Landscape” to give other working groups a foundation for their analysis and work in their subject areas, specifically identifying key emerging technologies that will have the greatest impact on the practice of law, access to justice and ethical

and educational interests that should be considered by each of the workgroups in determining their scope of work.

A few preliminaries based on our initial round of study.

First, technology involved in legal services is tremendously diverse – at least as diverse as the ways those services are developed, delivered, and consumed. They span a broad spectrum of technologies and use cases – thousands of applications, hundreds of well developed suppliers, and a thriving startup community that is even graced with a few tech unicorns – companies valued at over \$1 billion. And yet the tech ecosystem that matters probably isn't best characterized by a broad ecosystem map or even a long spreadsheet, database, or catalogue. The technology ecosystem that matters most to any given practitioner is highly scenario dependent. It is, in fact, built on the intersection of the needs of clients, their legal services needs, and the needs of the legal services providers they engage (along with critical needs of other stakeholders like the judiciary, legal services organizations, and regulators).

Second, we are not examining a new phenomenon. Legal services and technology have long been intertwined. From the development of word processing to e-filing, e-discovery, through the Blackberry era and on to today's rich system of tools, technology and digitization are deeply embedded in the legal system, and the products of the legal system – words, documents, analysis, outcomes, financial systems, practice management processes, corporate structures, entity-wide governance data – are all foundational building blocks that give us the legal ecosystem we have today. With that richness and history it is no wonder different legal practitioners may each look the legal tech ecosystem in very different ways.

Finally, all things digital are increasingly impacted by AI of some type – or by its building blocks of predictive analytics and machine learning. Those technologies drive the spell check that corrected our memo to a colleague (whether we wanted it to or not), got us to the meeting through traffic in our navigation app, and that increasingly help ensure that e-discovery is as reliable as it needs to be.

Which brings us to where we are today. AI is here – we can't make it go away. Our clients are already using it. Some may show up for representation very fully informed and equipped with AI research. Our opposing counsel may be using it – and it might make them a much stronger adversary. Legal services aren't disappearing in the foreseeable future, but we need to understand AI and related technologies as a fundamental part of our jobs, or risk being very uncomfortable with developments around us.

## Technology building blocks for the Tech Task Force

For all this diversity, complexity, and “specialness,” there are some common themes. The explicit driver for the Tech Task Force to examine opportunities and threats begins with generative AI and the potential for disruption, which has become much more visible with advancing tools that have reached the public discourse since 2022.

As a consequence, the Emerging Technologies Working Group has chosen to prioritize **Generative AI** as a broad category representing the most critical emerging technology for the practice of law, access to justice, education, ethics, and the judiciary. Generative AI fundamentally differs from the

isolated, task-specific tools we've relied on until now. Unlike traditional software that operates within predictable, limited commands, Generative AI introduces a new level of complexity, flexibility, speed, and opacity that challenges our ability to fully understand or control its outputs. This technology's potential for both significant benefit and harm—depending on its application—makes it neither inherently good nor bad, but always impactful. Its autonomy, heavy reliance on data, and probabilistic outcomes require us to rethink how we approach legal practice, ethical considerations, and privacy. As we navigate this rapidly evolving landscape, Generative AI's pervasive influence across all aspects of law makes it the top priority for our Task Force and the key area of focus for our working groups' analyses. More specific information about the key characteristics of Generative AI and some specific examples are in Appendix A.1, below.

**Predictive analytics and machine learning tools** are an increasingly integral part of the legal tech ecosystem, especially over the last decade, where they have become vital to the practice of law for large corporate clients, firms, and in large-scale litigation. These tools offer powerful capabilities for forecasting case outcomes, optimizing e-discovery, and providing insights into complex legal patterns, making them indispensable for data-driven decision-making in high-stakes environments. However, their reliance on historical data, potential for perpetuating biases, and the probabilistic nature of their predictions introduce new challenges that must be carefully managed. As these technologies continue to evolve, understanding and integrating predictive analytics and machine learning within the legal framework is crucial for ensuring their effective and ethical application. Their role in enhancing efficiency, accuracy, and strategic foresight makes them a key area of focus alongside generative AI in the ongoing transformation of legal services. More specific information about the key characteristics of predictive analytics and machine learning tools and some specific examples are in Appendix A.2, below.

**Cybersecurity, information security, and privacy** are essential companion areas of study for the use of generative AI, predictive analytics, and machine learning in the legal setting because of the profound implications AI has for data use and confidentiality. As AI tools increasingly handle sensitive legal information, the risks of data breaches, unauthorized access, and privacy violations escalate. These tools are often cloud-based, meaning that critical data is stored offsite, which offers the power of large technology platform tools to protect data but also raises concerns about control and security. Additionally, the vast quantities of data required by AI for training and operation introduce vulnerabilities, including the perpetuation of historical biases and the potential misuse of personal information. Ensuring robust cybersecurity measures and rigorous privacy protocols is crucial to safeguarding the legal profession's ethical standards and maintaining public trust. As we embrace the transformative potential of generative AI, we must simultaneously strengthen our defenses against the inherent risks to protect the integrity of the legal services ecosystem. More specific information about the key characteristics of cybersecurity, information security, and privacy as they relate to AI and the practice of law, as well as some specific examples, are in Appendix A.3, below. [note this issue shows up in ABA Formal Opinion 512, Washington opinion 2115, as well as Florida, NY and CA guidance – also upcoming Bar Journal article and checklist from Greg Wrenn]

We also need to distinguish between technologies that aid legal practitioners in the practice of law and those that are designed to provide legal or “legal-like” services directly to consumers or businesses. **Direct-to-consumer (DTC) legal tools** have rapidly emerged as a significant force in

the legal landscape, offering individuals and businesses access to services like contract drafting, legal advice, and dispute resolution without the need for traditional legal representation. These technologies democratize access to legal resources, making them more accessible and affordable for the public. However, they also raise important questions about the accuracy, quality, and accountability of the services provided, as well as the potential for consumers to misinterpret or misuse these tools without professional guidance. As these DTC tools become more sophisticated and widespread, it is essential to critically evaluate their impact on the legal profession, access to justice, and the overall quality of legal outcomes. Their development and integration into the broader legal ecosystem represent both an opportunity and a challenge that must be addressed alongside practitioner-focused technologies. We have identified this group along with some examples in Appendix A.4.

Finally, we have also identified a set of more **traditional technologies** in Appendix B. While these are not the core focus of the Task Force to examine threats and opportunities, they have been in place for years and in some cases for decades, and the underlying data, files, and analysis they have created are the building blocks for AI systems that serve specific legal areas. These will be the subject of an optional portion of the upcoming member survey to help identify overall capabilities within WSBA membership.

## Next Steps for the Emerging Technologies Working Group

In the coming months, this Working Group will examine emerging technology within diverse sectors of the legal profession, aiming to deliver recommendations on how to prioritize and integrate technology solutions within those sectors. We anticipate that will include the following steps:

- Investigate specific technologies used by WSBA members through the upcoming survey
- Validate uses and the overall legal tech ecosystem through expert interviews and potentially focus groups
- Building recommendations based on that analysis and the learning from within our Working Group and from other Working Groups – this will be iterative, with the technology building blocks informing other Working Groups, and vice versa. We look forward to working with other Task Force members across all of the Working Group topics:
  - o Impacts on the Practice of Law, Access to Justice, and Consumer Protection Concerns
  - o Education and Ethics
  - o Impact on Courts, Court Rules, and Procedures

## Coda: A Developing Point of View

Lawyering is not just a learned profession, but a learning profession. We will find ways to learn, adapt, and excel in this changing environment. But doing so demands we are informed, intentional, and forward-looking about how technologies and the profession will dovetail to create improved results for Washingtonians. In doing so, we can ensure that our developing use of advanced technologies to deliver legal services earns trust of consumers, legal professionals, and other stakeholders – and that we leave no one behind.

Washington benefits as the home of excellent law schools, dedicated legal professionals, and some of the most exciting technology companies (both established and startup) on the planet. With intentional programs, guidance, and education, Washington’s legal community can lead in the innovative use of technology, ensuring that legal services in Washington offer the best of what can be delivered through the pairing of highly competent legal professionals with proficient use of AI and other emerging tools. These emerging technologies can help practitioners broaden the delivery of legal services, enhancing access to justice and fostering an effective, equitable legal system. By cultivating a strong culture of innovation within the legal community – including practitioners, the judiciary, and consumers – WSBA can help improve the availability, quality, and outcomes of legal services.

A strong innovation culture paired with a strong ethics culture will demand a strong cybersecurity culture. Joining these

## Appendix A – Key Emerging Technologies

### A.1 Applications of Generative AI

This category includes generative AI tools specifically designed for legal professionals. These tools can draft documents, conduct legal research, and even provide specialized legal advice. Examples include AI-powered contract analysis tools and legal research assistants.

#### Key Characteristics:

**Target Audience:** Legal professionals and law firms.

**Functionality:** Focuses on enhancing the efficiency and accuracy of legal work.

#### Complexity and Opacity

- **Inherent Complexity:** Operates with advanced algorithms that are often difficult to fully understand or explain.
- **Opacity in Functioning:** Outcomes are generated through processes that may be opaque, even to the developers, creating challenges in accountability and transparency.

#### Speed and Scale

- **Rapid Processing:** Capable of analyzing and generating vast amounts of information quickly, far exceeding human capabilities.
- **Scalability:** Easily scales to handle large volumes of data and tasks, which can be both a strength and a risk depending on the application.

#### Probabilistic vs. Deterministic Outcomes

- **Non-Deterministic Results:** Outputs may vary with the same input, leading to different results on different occasions.
- **Implications for Accuracy:** Raises concerns about the consistency and reliability of AI-generated legal documents or advice, which is critical in legal contexts.

#### Potential for Misuse or Harm

- **Ethical Concerns:** Capable of both beneficial and harmful uses, such as assisting in legal research or potentially being used for unethical surveillance or biased decision-making.
- **Dual-Use Technology:** The same tools that can streamline legal processes can also be misused, raising the need for strong ethical guidelines.

#### Autonomy

- **Self-Propelling Capabilities:** AI systems can operate with a level of autonomy that reduces human oversight, posing risks in decision-making and accountability.



- **Impact on Professional Judgment:** May lead to over-reliance on AI, diminishing the critical role of human judgment in legal practice.

#### Dependency on Data

- **Data-Driven:** Requires large datasets for training and operation, which may include sensitive or confidential client information.
- **Risk of Bias:** Existing data can perpetuate historical biases, impacting the fairness and impartiality of AI-generated outcomes.
- **Privacy Concerns:** Extensive data use necessitates robust privacy protections to safeguard client information.

#### Cloud-Based Operations

- **Data Security Risks:** Often operates on cloud platforms, meaning data is stored offsite, which can raise concerns about data security and jurisdiction.
- **Varied Business Models:** Differences between free and premium services may affect data ownership and usage rights, influencing client confidentiality and trust.

#### Disruptive Potential

- **Transformational Impact:** Capable of fundamentally altering how legal services are delivered, with potential to improve efficiency but also to disrupt traditional legal roles.
- **Client Expectations:** Clients may demand AI-driven efficiencies, pressuring legal professionals to adapt quickly to maintain competitiveness.

**Reference:** [Formal Opinion 512](#)

#### Example Areas:

##### 1. Document Management and Analysis

Automate the extraction of key details from contracts and legal documents to expedite review processes, especially in M&A cases, reducing the need for extensive attorney or paralegal involvement and managing the contract lifecycle efficiently.

#### Examples:

- [Luminance | Home Page](#)
- [Generative AI for Professional Services | Harvey](#)
- [Ironclad: The Global Leader in Contract Management Software](#)

#### Additional Reading:

- CaseText - [Legal AI Knows What It Doesn't Know Which Makes It Most Intelligent Artificial Intelligence Of All - Above The Law's Legal Tech Non-Event](#)

## 2. Marketing and Advertising

Leverage AI tools to enhance legal marketing efforts, from content creation to lead generation, and improve strategic approaches for small law firms.

### Examples:

- [Say yes to robots: AI in legal marketing \(americanbar.org\)](#)
- [AI for content for small law firms: How GenAI can elevate content marketing \(findlaw.com\)](#)
- [AI Tools for Law Firm Lead Generation | Martindale-Avvo](#)
- [Revolutionizing Law Firm Strategies With AI And SEO - Above the Law](#)

## 3. DeepFake Technology and Detection

Utilize tools and techniques to detect and address legal issues related to deepfake technology, while considering the importance of authentication measures.

### Examples:

- [5 Best Deepfake Detector Tools & Techniques \(August 2024\) \(unite.ai\)](#)
- [Legal Issues with Deep Fakes | Martindale-Avvo](#)

## 4. Document Creation and Collaboration Tools

AI tools like ChatGPT (Free and Enterprise versions) and Law ChatGPT can assist in drafting documents, including patents and immigration forms, while specific tools cater to personal injury and medical malpractice cases.

### Examples:

#### For Patent Drafting:

- [DeepIP](#)
- [PatentPal](#)

#### For Immigration Forms:

- [Visalaw.ai](#)
- [visa.ai](#)

#### Personal Injury & Medical Malpractice Resources:

- [EvenUp Law - MedMal Summarizing Medical Records, Creating Demand Packages](#)

## 5. Analysis of Audio Content (e.g., Summarizing Depositions, Transcription)

AI tools can streamline the processing of audio content, such as summarizing depositions and note-taking.

### Examples:

- [Scribe.ai](#)
- [Parrot.us](#)

## 6. Client Engagement and Management Assistance

AI tools can enhance client engagement by handling reception, lead screening, conflict checks, and scheduling tasks.

### Examples

- [Smith.AI](#)

## A.2 Uses of Machine Learning and Predictive Analytics

This category encompasses machine learning and predictive analytics tools integrated into legal services applications. These tools can predict case outcomes, assist in e-discovery, and provide insights into jury behavior.

### Key Characteristics:

- **Target Audience:** Legal professionals, law firms, and legal departments.
- **Functionality:** Utilizes data analysis to predict outcomes and streamline legal processes.
- **Applications:** Includes tools for e-discovery, jury predictions, and case outcome forecasting.

### Data-Driven Decision Making

- **Reliance on Historical Data:** ML and predictive analytics tools require large datasets to identify patterns and make predictions, heavily relying on the quality and comprehensiveness of historical data.
- **Pattern Recognition:** Capable of uncovering trends and correlations that may not be immediately apparent to human analysts, providing valuable insights for legal strategy.

### Predictive Capabilities

- **Outcome Forecasting:** These tools can predict the likelihood of various legal outcomes, such as case success rates or settlement amounts, aiding in decision-making and risk assessment.
- **Strategic Planning:** Helps legal professionals anticipate the behavior of opposing parties, judges, or juries, enabling more informed strategic decisions.

### Efficiency in Processing

- **Automated Analysis:** Speeds up the analysis of large volumes of data, such as in e-discovery or document review, reducing the time and resources required for these tasks.
- **Scalability:** Like generative AI, these tools can scale to handle vast datasets, but they are more focused on analysis rather than content generation.

### Bias and Fairness Concerns

- **Risk of Perpetuating Bias:** If the underlying data is biased, ML tools can reinforce existing prejudices, leading to biased outcomes that may affect fairness in legal proceedings.

- **Transparency Challenges:** Although typically more transparent than generative AI, the decision-making process in ML can still be complex and difficult to fully explain, leading to concerns about accountability.

#### **Deterministic vs. Probabilistic Outcomes**

- **Probabilistic Predictions:** ML tools provide outcomes based on probability, not certainty, which means predictions may not always align with actual results.
- **Confidence Levels:** The tools often provide predictions with confidence levels, which can guide but not dictate legal decisions.

#### **Focus on Optimization**

- **Process Optimization:** These tools are geared towards optimizing legal processes, such as improving case management efficiency, optimizing billing practices, or enhancing client intake procedures.
- **Resource Allocation:** Helps law firms allocate resources more effectively by predicting case value or the likelihood of success.

#### **Application-Specific Tools**

- **Task-Specific:** ML tools are often developed for specific tasks, such as e-discovery, fraud detection, or predictive coding, making them highly specialized and tailored to particular legal needs.
- **Integration with Existing Systems:** These tools are typically designed to integrate seamlessly with existing legal software, enhancing but not replacing traditional practices.

#### **Dependency on Quality Data**

- **Data Quality and Availability:** The accuracy and usefulness of predictions are directly tied to the quality and availability of data; poor data leads to poor predictions.
- **Data Security and Privacy:** Given the sensitivity of legal data, ML tools must ensure that data is protected against breaches and used in compliance with privacy laws.

#### **Client Expectations and Transparency**

- **Predictive Insights:** Clients may increasingly expect their legal representatives to use predictive insights to inform their strategies, demanding transparency in how these predictions are made.
- **Ethical Considerations:** The use of ML tools must be balanced with ethical considerations, ensuring that predictions do not unduly influence legal decisions or violate client rights.

#### **Regulatory Compliance**

- **Compliance Monitoring:** ML tools can assist in monitoring regulatory compliance, flagging potential issues before they become legal problems.
- **Adapting to Changing Regulations:** These tools must continuously adapt to evolving legal standards and regulations, requiring ongoing updates and refinements.

#### Example Areas:

##### 1. Predictive Legal Case Analysis

Leverage predictive analytics to assess legal cases and enhance strategic decision-making.

#### Examples:

- [Legal Analytics by Lex Machina](#)

##### 2. Jury Selection Tools and Concerns

Explore the role of AI in jury selection, considering both its benefits and potential biases.

#### Examples:

- [How AI is helping with jury selection and why some people are concerned - InfoTrack](#)
- [Voltaire Uses AI and Big Data to Help Pick Your Jury – Artificial Lawyer](#)
- [This Company Is Using Racially-Biased Algorithms to Select Jurors \(vice.com\)](#)
- [AI in Jury Selection - Jury Analyst](#)

## A.3 Cybersecurity fundamentals

This category encompasses cybersecurity tools designed to protect sensitive legal information and ensure compliance with data protection regulations. These tools help prevent data breaches, secure client communications, and manage risk in legal practices.

#### Key Characteristics:

- **Target Audience:** Legal professionals, law firms, legal departments, and IT security teams.
- **Functionality:** Provides protection against cyber threats, ensures data integrity, and maintains confidentiality of legal communications.
- **Applications:** Includes tools for encryption, threat detection, incident response, and compliance monitoring

#### Example Areas:

##### Technologies

- Endpoint protection, encryption, firewalls, mobile device management, password managers
- Endpoint threat detection, protection, and response
- Encryption

- Firewalls
- Mobile device management
- Password managers
- Policies
  - deletion policies
  - websites are blocked on work networks
  - personal use policy
  - vendor reviews
  - AI policy
  - travel policies
  - limited access to communication tools
  - training requirements
- Practices
  - Multi-factor authentication
  - Lock Device when stepping away
  - Back-up
  - Regular security audits
  - Secure communication channels
  - Vendor contract and standards diligence, including review of terms of service
  - Regular software updates and patches

#### A.4 Direct to Consumer uses

This category includes AI-based tools, primarily generative AI, aimed at the direct-to-consumer market. These tools provide legal services directly to individuals, such as generating forms and even custom documents, offering legal information, and assisting with queries about legal issues. These can be targeted tools, and of course consumers may also use more general tools (like ChatGPT) to develop some of the same types of support that may include legal information.

##### Key Characteristics:

- **Target Audience:** General public and small businesses.
- **Functionality:** Provides accessible and affordable legal services without the need for a lawyer.
- **User Experience:** Designed to be user-friendly and intuitive for non-professionals.

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1. Draft documents: <https://www.docdraft.ai/>

##### 1. *LegalBots*

DO NOT PAY: [DoNotPay - Your AI Consumer Champion](#)

FAQs: [Britannic | Customer Service Chatbot - BiziBot \(btlnet.co.uk\)](#)

Generative AI (GhatGPT): drafting trial briefs, analyzing case law,

2. *Video Conferencing*
3. Language Translation
4. Data analysis
5. Digital public infrastructure for all stakeholders to access

#### Resources

[The Future of Tech-Enabled Law Practice: Balancing AI's Precision with Human Insight | Legaltech News](#)

[Generative AI and the small law firm: Leveling the playing field - Thomson Reuters Institute](#)

## Appendix B – Practice Management Fundamentals – current technologies

The legal industry relies on a variety of technologies to enhance efficiency, ensure compliance, and improve client service. Though these technologies have been available for many years, the data they generate and the use cases they are designed to serve are building blocks for the disruptions that will come with advancing Generative AI and PA/ML applications. We have included these as background to help flesh out the state of technology use and needs in the bar in Washington.

The following lists key uses and some of the most common technologies serving practitioners in those areas. The survey includes an optional section that will help WSBA understand the patterns of technology use among its members.

### Email

- MS Outlook 2016/19
- Microsoft 365 Outlook
- Gmail
- Yahoo!
- Apple Mail
- AOL

### Word Processor

- MS Word 2016/19
- Microsoft 365 Word
- WordPerfect
- Google Docs

### Office Suite

- Microsoft Office 2016/19
- Microsoft 365
- Open Office
- iWork
- WordPerfect Office
- Zoho Suite
- Google Workspace

### PDF Creation/Manipulation

- Adobe Acrobat DC
- Nuance PowerPDF
- Abbyy Fine Reader
- Foxit

### Practice Management

- Clio
- MyCase
- Rocketmatter
- Cosmolex
- PracticePanther
- Carat (fka Zola Suite)



- ActionStep
- Centerbase
- TimeMatters
- Amicus Attorney

#### **Customer Relationship Management**

- MS Outlook 2016/19
- Microsoft 365 Outlook
- Google Contacts
- Clio Grow
- Lawmatics
- Practice management application
- Hubspot

#### **Notes/Phone Notes**

- Clio
- TimeMatters
- PCLaw
- MS OneNote

#### **Conflicts Checks**

- RTG Conflicts
- MS Excel
- Clio
- TimeMatters

#### **Document Management**

- NetDocuments
- Worldox
- iManage
- DOCS Open

#### **File Access/Storage**

- Windows file server/Windows Explorer
- Dropbox for Business
- OneDrive for Business
- Citrix Sharefile
- Box
- Practice management application

#### **Time Tracking**

- Timeslips
- MS Excel
- Clio
- QuickBooks

#### **Trust Accounting**

- TrustBooks
- QuickBooks
- Clio
- Cosmolex

- PCLaw

**Billing/Invoicing**

- QuickBooks
- MS Word
- Clio
- Billing Matters
- TabsIII

**Accounting (General Ledger/Accounts Receivable/Accounts Payable)**

- QuickBooks
- Xero
- Cosmolex
- TabsIII General Ledger

**Task/Project Management**

- Clio
- PracticePanther
- PracticeMaster
- MS Outlook
- Monday.com
- MS Planner

**Docket/Calendar**

- MS Outlook
- LawToolBox
- Clio Court Rules
- Compulaw

**Document Assembly**

- HotDocs
- Smokeball
- RocketMatter
- The Form Tool
- Lawyaw
- Gavel (f/k/a Documate)

**Client Portal**

- MyCase
- Clio
- Citrix ShareFile

**Practice Area Specific Software/Service**

- Best Case
- Cowles
- SoftPro
- INSZoom
- Qualia

**Litigation Support/eDiscovery**

- Summation
- Concordance

- Lexbe
- CaseMap

## **Report #2 to the Washington State Bar Association (WSBA) on the Activities of the Subgroup "Impacts on the Practice of Law and Access to Justice"**

### **Introduction**

Our subgroups efforts are focused on identifying and recommending technological solutions that can bridge the access to justice gap and assessing the impact of these technologies on various legal sectors, including private law firms, government legal organizations, and legal aid services.

### **Activities and Progress**

1. **Objective and Focus Areas:**
2. **Meetings and Collaboration:**
  - Meetings are scheduled for the third or fourth Thursday of each month, allowing flexibility to accommodate members' schedules.
  - To facilitate communication and collaboration between meetings, the subgroup has adopted the use of Slack, and has created a channel for communication and resources.
  - An initial draft outline for the final report was created at our first meeting. We discussed the scope of the first 3 chapters and collected ideas during our discussion. As a result we agreed to review the draft of the first 3 chapters at our next meeting. See attached updated draft.
3. **Key Discussions and Findings:**
  - **Overlapping of Key topics:** We discussed the issue with writing our portion of the report where other subgroups may also write about the same topics. It was agreed that we should set a master outline that all the subgroups can work from before we write or outline more chapters.
  - **Creation of a Master outline:** The subgroup recommended that we meet with the other subgroups and develop a master outline and then once established then our subgroup could continue writing our portion fo the master outline.
4. **Resource Development and Final Report Preparation:**
  - A database of resources relevant to the taskforce's work has been developed. Members of the subgroup added additional resources to our Slack “resources” section.
  - An initial draft outline for the final report has been created, and shared with the “Focus Group” See attached Outline and Outline recommendations.

### **Next Steps**

- **Report Submission:** A progress report will be submitted as scheduled to the WSBA, outlining our plans and process, given that the subgroup has recently initiated its meetings.
- **Continued Collaboration:** The subgroup will continue to collaborate via Slack and in monthly meetings to refine our findings and develop actionable recommendations.

- **Final Report Completion:** The subgroup aims to complete its final report by the end of our scheduled meetings, ensuring that it reflects the insights and recommendations gathered through our discussions and research.

## **Conclusion**

The "Impacts on the Practice of Law and Access to Justice" subgroup is committed to identifying and recommending effective technological solutions to improve access to justice. Our work thus far has laid a solid foundation for continued exploration and collaboration, and we will endeavor to create a final report that will provide valuable insights to the WSBA on how technology can be leveraged to enhance legal services and access to justice in Washington State.

-October 15, 2024

Patrick Palace

## **Interim Report to the Washington State Bar Association (WSBA) on the Activities of the Education and Ethics Working Group**

The Education and Ethics Working Group (“Group”) has met several times since its inception. The Group consists of four core members—Michele Carney, Maggie Chon (chair), Nick Pleasants, and Drew Simshaw. In August, Task Force Chair Jenny Durkan then appointed several *ad hoc* members: Leslie English, Josh Fields, Jonathan Franklin, Joshua Hawkins, LeighAnne Thompson, and Leslie Veloz. All Group members have contributed to the efforts reported below.

### **Activities and Progress**

#### **1. Meetings and Work to Date:**

- **Meetings:** The fully assembled Group has met once every two weeks, beginning Thursday, September 5, 2024. Meetings were recorded for absent participants and transcripts were summarized (with the assistance of Co-Pilot) and distributed to all Group members.
- **Scope of Work:** Meetings since September 5 have focused on refining the Group’s Scope of Work Outline to be submitted to the Task Force Chair (due date: October 15).
- **Visit to Microsoft and CLE Expert Panel:** Several Group Members joined the Task Force Visit to Microsoft and several attended the CLE Expert Panel Discussion on October 2.

#### **2. Resource Development**

- **Databases:** The Group is in the process of putting together resources relevant to the taskforce's work, occasionally leveraging AI to organize and categorize the materials. The information being gathered consists of ethics opinions and reports from other jurisdictions published to date; existing educational resources/delivery methods, such as Florida’s “LegalFuel” program; as well as other educational services currently offered by bar associations, law school centers, and for-profit companies.
- **Identification of Key Topics:** Much of the work this month has consisted of deconflicting the Group’s charge with that of the WSBA Committee on Professional Ethics (CPE), in order to define clearly our Group’s scope of work. The Group has determined that topics related to education are squarely within our remit and have begun work on these topics. However, topics related to ethics are subject to further discussion and coordination with the CPE at the CPE meeting on 10/25. In the meantime, the Group has identified some areas that will not conflict with the CPE and where work can begin right away.

#### **3. Immediate Next Steps**

- **Scope of Work:** The Group will submit its Scope of Work outline on October 15. Maggie Chon plans to attend the CPE meeting on October 25 to finalize respective jurisdictions and scopes.

- **Run-up to November 7 Report/Recommendations Deadline:** Each member of the Group has been assigned specific sections of the report to draft, and the Group Chair has established an interim deadline of November 4 for submission of draft sections.
- **Planned Focus:** Mindful of potential overlap with other working groups, the Group will coordinate with other groups, per the TF Chair Durkan's 10/11 e-mail that identifies processes moving forward.
- **Report Submission:** Further progress reports will be submitted as scheduled to the WSBA.

Respectfully submitted on October 15, 2024 by Margaret Chon (chair)

**To:** Washington State Bar Assoc. - BOG Legal Technology Task Force  
**From:** Technology Impact on Courts, Court Rules, and Procedures Workgroup  
**Date:** October 23, 2024  
**Subject:** October Report

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## 1. Overview

The Technology Impact on Courts Workgroup met September 11, 2024 and October 2, 2024 at 4:30 PM via Zoom. Attendance at the September 11 meeting was minimal so those who were in attendance (Kari, Dan, Judge O' Donnell and Judge Skinner discussed some recent developments in AI. No specific action was taken.

The October 2 meeting was attended by Kari Petrasek, Rebecca Garland, Jackie Shafer, and Dan Lear. Judge Skinner had surgery that day so co-chair, Kari presided over the meeting. The October 2 meeting focused on narrowing issues related the Workgroup's focus area, i.e., technology and its impact on the Courts.

## 2. Key Areas of Concern

Although identifying technology tools that will improve both access to justice and the day to day work of trial courts in this state is important and will be addressed, this Workgroup is currently focused on issues which appear to be of greatest concern to judges and trial lawyers. Specifically, the rise of AI-generated content, including deep fakes and voice replication. These developments pose significant challenges for the legal system, particularly in terms of evaluating digital evidence. The following are some suggested changes and additions to rules of evidence that the Task Force should consider:

### 1. Authentication Standards:

- **Enhanced Burden of Proof:** Require a higher standard for authenticating digital evidence, particularly for audio and video. This could involve not just proving the source, but also demonstrating the integrity of the content.
- **Chain of Custody Documentation:** Mandate detailed documentation of how digital evidence was collected, stored, and transferred to ensure its integrity and authenticity.

### 2. Expert Testimony:

- **Requirement for Experts:** Introduce rules that require expert testimony to evaluate the authenticity of contested digital evidence,



especially in cases where AI manipulation is suspected. Experts should be trained in the latest technology and techniques for detecting deep fakes.

- Disclosure of Techniques: Experts should disclose the methods used to analyze evidence, allowing for scrutiny of their reliability and validity.

### 3. Admissibility Criteria:

- Presumptive Exclusion: Establish a presumption against the admissibility of digital evidence that lacks robust authentication or shows signs of manipulation, unless sufficient corroborating evidence is presented.
- Contextual Considerations: Encourage courts to consider the context in which the digital evidence was created, including potential motivations for manipulation and the circumstances surrounding its production.

### 4. Jury Instructions:

- Specific Instructions on Digital Evidence: Provide juries with clear instructions on how to evaluate digital evidence, including the potential for manipulation and the importance of corroborating evidence.

### 5. Ongoing Training and Guidelines:

- Regular Updates on Technology: Encourage stakeholders to stay updated on advancements in AI and digital evidence through regular training for judges, attorneys, and court staff.
- Guidelines for Digital Evidence: Develop comprehensive guidelines for handling and evaluating digital evidence that incorporate best practices in the face of evolving technology.

### 6. Transparency in AI Tools:

- Disclosure of AI Tools Used: Parties presenting digital evidence should disclose any AI tools or algorithms used to create or modify that evidence, along with their methodologies and limitations.

### 7. Legislative Framework:

- Legal Framework for Deep Fakes: Consider enacting specific laws addressing the use of deep fakes in legal proceedings and establish penalties for malicious use.

These changes could enhance the reliability and credibility of digital evidence in court, safeguarding the integrity of the judicial process and maintain the public's confidence in the court process and systems.

#### **4. Next Steps and Action Items**

At the October 2 meeting, Kari provided a copy of the ABA Formal Opinion 512, which is dated July 29, 2024. The opinion addresses a variety of issues related to a lawyer's ethical obligations when using generative artificial intelligence tools both in their practice and in court. Members agreed to review the opinion and discuss its content at the October 23, 2024 meeting of the workgroup. The opinion is set forth as an attachment to this report.

#### **5. Conclusion**

The workgroup will continue to focus on identifying technology to modernize and enhance the effectiveness of and accessibility to the judicial process in Washington. However, the primary emphasis of the workgroup at this time is recommendations for evidence rules, including foundation requirements, as well as procedures needed to reduce the potential for AI generated evidence to mislead judges and juries. Additionally, ethical factors will be addressed and incorporated into the workgroup's recommendations.

# AMERICAN BAR ASSOCIATION

STANDING COMMITTEE ON ETHICS AND PROFESSIONAL RESPONSIBILITY

Formal Opinion 512

July 29, 2024

## Generative Artificial Intelligence Tools

*To ensure clients are protected, lawyers using generative artificial intelligence tools must fully consider their applicable ethical obligations, including their duties to provide competent legal representation, to protect client information, to communicate with clients, to supervise their employees and agents, to advance only meritorious claims and contentions, to ensure candor toward the tribunal, and to charge reasonable fees.*

### I. Introduction

Many lawyers use artificial intelligence (AI) based technologies in their practices to improve the efficiency and quality of legal services to clients.<sup>1</sup> A well-known use is electronic discovery in litigation, in which lawyers use technology-assisted review to categorize vast quantities of documents as responsive or non-responsive and to segregate privileged documents. Another common use is contract analytics, which lawyers use to conduct due diligence in connection with mergers and acquisitions and large corporate transactions. In the realm of analytics, AI also can help lawyers predict how judges might rule on a legal question based on data about the judge's rulings; discover the summary judgment grant rate for every federal district judge; or evaluate how parties and lawyers may behave in current litigation based on their past conduct in similar litigation. And for basic legal research, AI may enhance lawyers' search results.

This opinion discusses a subset of AI technology that has more recently drawn the attention of the legal profession and the world at large – generative AI (GAI), which can create various types of new content, including text, images, audio, video, and software code in response to a user's prompts and questions.<sup>2</sup> GAI tools that produce new text are prediction tools that generate a statistically probable output when prompted. To accomplish this, these tools analyze large amounts of digital text culled from the internet or proprietary data sources. Some GAI tools are described as “self-learning,” meaning they will learn from themselves as they cull more data. GAI tools may assist lawyers in tasks such as legal research, contract review, due diligence, document review, regulatory compliance, and drafting letters, contracts, briefs, and other legal documents.

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<sup>1</sup> There is no single definition of artificial intelligence. At its essence, AI involves computer technology, software, and systems that perform tasks traditionally requiring human intelligence. The ability of a computer or computer-controlled robot to perform tasks commonly associated with intelligent beings is one definition. The term is frequently applied to the project of developing systems that appear to employ or replicate intellectual processes characteristic of humans, such as the ability to reason, discover meaning, generalize, or learn from past experience. BRITANICA, <https://www.britannica.com/technology/artificial-intelligence> (last visited July 12, 2024).

<sup>2</sup> George Lawton, *What is Generative AI? Everything You Need to Know*, TECHTARGET (July 12, 2024), <https://www.techtargget.com/searchenterpriseai/definition/generative-AI>.

GAI tools—whether general purpose or designed specifically for the practice of law—raise important questions under the ABA Model Rules of Professional Conduct.<sup>3</sup> What level of competency should lawyers acquire regarding a GAI tool? How can lawyers satisfy their duty of confidentiality when using a GAI tool that requires input of information relating to a representation? When must lawyers disclose their use of a GAI tool to clients? What level of review of a GAI tool’s process or output is necessary? What constitutes a reasonable fee or expense when lawyers use a GAI tool to provide legal services to clients?

At the same time, as with many new technologies, GAI tools are a moving target—indeed, a *rapidly* moving target—in the sense that their precise features and utility to law practice are quickly changing and will continue to change in ways that may be difficult or impossible to anticipate. This Opinion identifies some ethical issues involving the use of GAI tools and offers general guidance for lawyers attempting to navigate this emerging landscape.<sup>4</sup> It is anticipated that this Committee and state and local bar association ethics committees will likely offer updated guidance on professional conduct issues relevant to specific GAI tools as they develop.

## II. Discussion

### A. Competence

Model Rule 1.1 obligates lawyers to provide competent representation to clients.<sup>5</sup> This duty requires lawyers to exercise the “legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation,” as well as to understand “the benefits and risks associated” with the technologies used to deliver legal services to clients.<sup>6</sup> Lawyers may ordinarily achieve the requisite level of competency by engaging in self-study, associating with another competent lawyer, or consulting with an individual who has sufficient expertise in the relevant field.<sup>7</sup>

To competently use a GAI tool in a client representation, lawyers need not become GAI experts. Rather, lawyers must have a reasonable understanding of the capabilities and limitations

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<sup>3</sup> Many of the professional responsibility concerns that arise with GAI tools are similar to the issues that exist with other AI tools and should be considered by lawyers using such technology.

<sup>4</sup> This opinion is based on the ABA Model Rules of Professional Conduct as amended by the ABA House of Delegates through August 2023. The Opinion addresses several imminent ethics issues associated with the use of GAI, but additional issues may surface, including those found in Model Rule 7.1 (“Communications Concerning a Lawyer’s Services”), Model Rule 1.7 (“Conflict of Interest: Current Clients”), and Model Rule 1.9 (“Duties to Former Clients”). See, e.g., Fla. State Bar Ass’n, Prof’l Ethics Comm. Op. 24-1, at 7 (2024) (discussing the use of GAI chatbots under Florida Rule 4-7.13, which prohibits misleading content and unduly manipulative or intrusive advertisements); Pa. State Bar Ass’n Comm. on Legal Ethics & Prof’l Resp. & Philadelphia Bar Ass’n Prof’l Guidance Comm. Joint Formal Op. 2024-200 [hereinafter Pa. & Philadelphia Joint Formal Opinion 2024-200], at 10 (2024) (“Because the large language models used in generative AI continue to develop, some without safeguards similar to those already in use in law offices, such as ethical walls, they may run afoul of Rules 1.7 and 1.9 by using the information developed from one representation to inform another.”). Accordingly, lawyers should consider all rules before using GAI tools.

<sup>5</sup> MODEL RULES OF PROF’L CONDUCT R. 1.1 (2023) [hereinafter MODEL RULES].

<sup>6</sup> MODEL RULES R. 1.1 & cmt. [8]. See also ABA Comm. on Ethics & Prof’l Responsibility, Formal Op. 477R, at 2–3 (2017) [hereinafter ABA Formal Op. 477R] (discussing the ABA’s “technology amendments” made to the Model Rules in 2012).

<sup>7</sup> MODEL RULES R. 1.1 cmts. [1], [2] & [4]; Cal. St. Bar, Comm. Prof’l Resp. Op. 2015-193, 2015 WL 4152025, at \*2–3 (2015).

of the specific GAI technology that the lawyer might use. This means that lawyers should either acquire a reasonable understanding of the benefits and risks of the GAI tools that they employ in their practices or draw on the expertise of others who can provide guidance about the relevant GAI tool's capabilities and limitations.<sup>8</sup> This is not a static undertaking. Given the fast-paced evolution of GAI tools, technological competence presupposes that lawyers remain vigilant about the tools' benefits and risks.<sup>9</sup> Although there is no single right way to keep up with GAI developments, lawyers should consider reading about GAI tools targeted at the legal profession, attending relevant continuing legal education programs, and, as noted above, consulting others who are proficient in GAI technology.<sup>10</sup>

With the ability to quickly create new, seemingly human-crafted content in response to user prompts, GAI tools offer lawyers the potential to increase the efficiency and quality of their legal services to clients. Lawyers must recognize inherent risks, however.<sup>11</sup> One example is the risk of producing inaccurate output, which can occur in several ways. The large language models underlying GAI tools use complex algorithms to create fluent text, yet GAI tools are only as good as their data and related infrastructure. If the quality, breadth, and sources of the underlying data on which a GAI tool is trained are limited or outdated or reflect biased content, the tool might produce unreliable, incomplete, or discriminatory results. In addition, the GAI tools lack the ability to understand the meaning of the text they generate or evaluate its context.<sup>12</sup> Thus, they may combine otherwise accurate information in unexpected ways to yield false or inaccurate results.<sup>13</sup> Some GAI tools are also prone to “hallucinations,” providing ostensibly plausible responses that have no basis in fact or reality.<sup>14</sup>

Because GAI tools are subject to mistakes, lawyers' uncritical reliance on content created by a GAI tool can result in inaccurate legal advice to clients or misleading representations to courts and third parties. Therefore, a lawyer's reliance on, or submission of, a GAI tool's output—without

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<sup>8</sup> Pa. Bar Ass'n, Comm. on Legal Ethics & Prof'l Resp. Op. 2020-300, 2020 WL 2544268, at \*2–3 (2020). *See also* Cal. State Bar, Standing Comm. on Prof'l Resp. & Conduct Op. 2023-208, 2023 WL 4035467, at \*2 (2023) adopting a “reasonable efforts standard” and “fact-specific approach” to a lawyer's duty of technology competence, citing ABA Formal Opinion 477R, at 4).

<sup>9</sup> *See* New York County Lawyers Ass'n Prof'l Ethics Comm. Op. 749 (2017) (emphasizing that “[l]awyers must be responsive to technological developments as they become integrated into the practice of law”); Cal. St. Bar, Comm. Prof'l Resp. Op. 2015-193, 2015 WL 4152025, at \*1 (2015) (discussing the level of competence required for lawyers to handle e-discovery issues in litigation).

<sup>10</sup> MODEL RULES R. 1.1 cmt. [8]; *see* Melinda J. Bentley, *The Ethical Implications of Technology in Your Law Practice: Understanding the Rules of Professional Conduct Can Prevent Potential Problems*, 76 J. MO. BAR 1 (2020) (identifying ways for lawyers to acquire technology competence skills).

<sup>11</sup> As further detailed in this opinion, lawyers' use of GAI raises confidentiality concerns under Model Rule 1.6 due to the risk of disclosure of, or unauthorized access to, client information. GAI also poses complex issues relating to ownership and potential infringement of intellectual property rights and even potential data security threats.

<sup>12</sup> *See*, W. Bradley Wendel, *The Promise and Limitations of AI in the Practice of Law*, 72 OKLA. L. REV. 21, 26 (2019) (discussing the limitations of AI based on an essential function of lawyers, making normative judgments that are impossible for AI).

<sup>13</sup> *See, e.g.*, Karen Weise & Cade Metz, *When A.I. Chatbots Hallucinate*, N.Y. TIMES (May 1, 2023).

<sup>14</sup> Ivan Moreno, *AI Practices Law 'At the Speed of Machines.' Is it Worth It?*, LAW360 (June 7, 2023); *See* Varun Magesh, Faiz Surani, Matthew Dahl, Mirac Suzgun, Christopher D. Manning, & Daniel E. Ho, *Hallucination Free? Assessing the Reliability of Leading AI Legal Research Tools*, STANFORD UNIVERSITY (June 26, 2024), available at [https://dho.stanford.edu/wp-content/uploads/Legal\\_RAG\\_Hallucinations.pdf](https://dho.stanford.edu/wp-content/uploads/Legal_RAG_Hallucinations.pdf) (study finding leading legal research companies' GAI systems “hallucinate between 17% and 33% of the time”).

an appropriate degree of independent verification or review of its output—could violate the duty to provide competent representation as required by Model Rule 1.1.<sup>15</sup> While GAI tools may be able to significantly assist lawyers in serving clients, they cannot replace the judgment and experience necessary for lawyers to competently advise clients about their legal matters or to craft the legal documents or arguments required to carry out representations.

The appropriate amount of independent verification or review required to satisfy Rule 1.1 will necessarily depend on the GAI tool and the specific task that it performs as part of the lawyer's representation of a client. For example, if a lawyer relies on a GAI tool to review and summarize numerous, lengthy contracts, the lawyer would not necessarily have to manually review the entire set of documents to verify the results if the lawyer had previously tested the accuracy of the tool on a smaller subset of documents by manually reviewing those documents, comparing them to the summaries produced by the tool, and finding the summaries accurate. Moreover, a lawyer's use of a GAI tool designed specifically for the practice of law or to perform a discrete legal task, such as generating ideas, may require less independent verification or review, particularly where a lawyer's prior experience with the GAI tool provides a reasonable basis for relying on its results.

While GAI may be used as a springboard or foundation for legal work—for example, by generating an analysis on which a lawyer bases legal advice, or by generating a draft from which a lawyer produces a legal document—lawyers may not abdicate their responsibilities by relying solely on a GAI tool to perform tasks that call for the exercise of professional judgment. For example, lawyers may not leave it to GAI tools alone to offer legal advice to clients, negotiate clients' claims, or perform other functions that require a lawyer's personal judgment or participation.<sup>16</sup> Competent representation presupposes that lawyers will exercise the requisite level of skill and judgment regarding all legal work. In short, regardless of the level of review the lawyer selects, the lawyer is fully responsible for the work on behalf of the client.

Emerging technologies may provide an output that is of distinctively higher quality than current GAI tools produce, or may enable lawyers to perform work markedly faster and more economically, eventually becoming ubiquitous in legal practice and establishing conventional expectations regarding lawyers' duty of competence.<sup>17</sup> Over time, other new technologies have become integrated into conventional legal practice in this manner.<sup>18</sup> For example, "a lawyer would have difficulty providing competent legal services in today's environment without knowing how

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<sup>15</sup> See generally ABA Comm. on Ethics & Prof'l Responsibility, Formal Op. 08-451, at 1 (2008) [hereinafter ABA Formal Op. 08-451] (concluding that "[a] lawyer may outsource legal or nonlegal support services provided the lawyer remains ultimately responsible for rendering competent legal services to the client under Model Rule 1.1").

<sup>16</sup> See Fla. State Bar Ass'n, Prof'l Ethics Comm. Op. 24-1, *supra* note 4.

<sup>17</sup> See, e.g., Sharon Bradley, *Rule 1.1 Duty of Competency and Internet Research: Benefits and Risks Associated with Relevant Technology* at 7 (2019), available at <https://ssrn.com/abstract=3485055> ("View Model Rule 1.1 as elastic. It is expanding as legal technology solutions expand. The ever-changing shape of this rule makes clear that a lawyer cannot simply learn technology today and never again update their skills or knowledge.")

<sup>18</sup> See, e.g., *Smith v. Lewis*, 530 P.2d 589, 595 (Cal. 1975) (stating that a lawyer is expected "to possess knowledge of those plain and elementary principles of law which are commonly known by well-informed attorneys, and to discover those additional rules of law which, although not commonly known, may readily be found by *standard research techniques*") (emphasis added); *Hagopian v. Justice Admin. Comm'n*, 18 So. 3d 625, 642 (Fla. Dist. Ct. App. 2009) (observing that lawyers have "become expected to use computer-assisted legal research to ensure that their research is complete and up-to-date, but the costs of this service can be significant").

to use email or create an electronic document.”<sup>19</sup> Similar claims might be made about other tools such as computerized legal research or internet searches.<sup>20</sup> As GAI tools continue to develop and become more widely available, it is conceivable that lawyers will eventually have to use them to competently complete certain tasks for clients.<sup>21</sup> But even in the absence of an expectation for lawyers to use GAI tools as a matter of course,<sup>22</sup> lawyers should become aware of the GAI tools relevant to their work so that they can make an informed decision, as a matter of professional judgment, whether to avail themselves of these tools or to conduct their work by other means.<sup>23</sup> As previously noted regarding the possibility of outsourcing certain work, “[t]here is no unique blueprint for the provision of competent legal services. Different lawyers may perform the same tasks through different means, all with the necessary ‘legal knowledge, skill, thoroughness and preparation.’”<sup>24</sup> Ultimately, any informed decision about whether to employ a GAI tool must consider the client’s interests and objectives.<sup>25</sup>

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<sup>19</sup> ABA Formal Op. 477R, *supra* note 6, at 3 (quoting ABA COMMISSION ON ETHICS 20/20 REPORT 105A (Aug. 2012)).

<sup>20</sup> *See, e.g.,* Bradley, *supra* note 17, at 3 (“Today no competent lawyer would rely solely upon a typewriter to draft a contract, brief, or memo. Typewriters are no longer part of ‘methods and procedures’ used by competent lawyers.”); Lawrence Duncan MacLachlan, *Gandy Dancers on the Web: How the Internet Has Raised the Bar on Lawyers’ Professional Responsibility to Research and Know the Law*, 13 GEO. J. LEGAL ETHICS 607, 608 (2000) (“The lawyer in the twenty-first century who does not effectively use the Internet for legal research may fall short of the minimal standards of professional competence and be potentially liable for malpractice”); Ellie Margolis, *Surfin’ Safari—Why Competent Lawyers Should Research on the Web*, 10 YALE J.L. & TECH. 82, 110 (2007) (“While a lawyer’s research methods reveal a great deal about the competence of the research, the method of research is ultimately a secondary inquiry, only engaged in when the results of that research process is judged inadequate. A lawyer who provides the court with adequate controlling authority is not going to be judged incompetent whether she found that authority in print, electronically, or by any other means.”); Michael Thomas Murphy, *The Search for Clarity in an Attorney’s Duty to Google*, 18 LEGAL COMM. & RHETORIC: JALWD 133, 133 (2021) (“This Duty to Google contemplates that certain readily available information on the public Internet about a legal matter is so easily accessible that it must be discovered, collected, and examined by an attorney, or else that attorney is acting unethically, committing malpractice, or both”); Michael Whiteman, *The Impact of the Internet and Other Electronic Sources on an Attorney’s Duty of Competence Under the Rules of Professional Conduct*, 11 ALB. L.J. SCI. & TECH. 89, 91 (2000) (“Unless it can be shown that the use of electronic sources in legal research has become a standard technique, then lawyers who fail to use electronic sources will not be deemed unethical or negligent in his or her failure to use such tools.”).

<sup>21</sup> *See* MODEL RULES R. 1.1 cmt. [5] (stating that “[c]ompetent handling of a particular matter includes . . . [the] use of methods and procedures meeting the standards of competent practitioners”); New York County Lawyers Ass’n Prof’l Ethics Comm. Op. 749, 2017 WL 11659554, at \*3 (2017) (explaining that the duty of competence covers not only substantive knowledge in different areas of the law, but also the manner in which lawyers provide legal services to clients).

<sup>22</sup> The establishment of such an expectation would likely require an increased acceptance of GAI tools across the legal profession, a track record of reliable results from those platforms, the widespread availability of these technologies to lawyers from a cost or financial standpoint, and robust client demand for GAI tools as an efficiency or cost-cutting measure.

<sup>23</sup> Model Rule 1.5’s prohibition on unreasonable fees, as well as market forces, may influence lawyers to use new technology in favor of slower or less efficient methods.

<sup>24</sup> ABA Formal Op. 08-451, *supra* note 15, at 2. *See also id.* (“Rule 1.1 does not require that tasks be accomplished in any special way. The rule requires only that the lawyer who is responsible to the client satisfies her obligation to render legal services competently.”).

<sup>25</sup> MODEL RULES R. 1.2(a).

## B. Confidentiality

A lawyer using GAI must be cognizant of the duty under Model Rule 1.6 to keep confidential all information relating to the representation of a client, regardless of its source, unless the client gives informed consent, disclosure is impliedly authorized to carry out the representation, or disclosure is permitted by an exception.<sup>26</sup> Model Rules 1.9(c) and 1.18(b) require lawyers to extend similar protections to former and prospective clients' information. Lawyers also must make "reasonable efforts to prevent the inadvertent or unauthorized disclosure of, or unauthorized access to, information relating to the representation of the client."<sup>27</sup>

Generally, the nature and extent of the risk that information relating to a representation may be revealed depends on the facts. In considering whether information relating to any representation is adequately protected, lawyers must assess the likelihood of disclosure and unauthorized access, the sensitivity of the information,<sup>28</sup> the difficulty of implementing safeguards, and the extent to which safeguards negatively impact the lawyer's ability to represent the client.<sup>29</sup>

Before lawyers input information relating to the representation of a client into a GAI tool, they must evaluate the risks that the information will be disclosed to or accessed by others outside the firm. Lawyers must also evaluate the risk that the information will be disclosed to or accessed by others *inside* the firm who will not adequately protect the information from improper disclosure or use<sup>30</sup> because, for example, they are unaware of the source of the information and that it originated with a client of the firm. Because GAI tools now available differ in their ability to ensure that information relating to the representation is protected from impermissible disclosure and access, this risk analysis will be fact-driven and depend on the client, the matter, the task, and the GAI tool used to perform it.<sup>31</sup>

Self-learning GAI tools into which lawyers input information relating to the representation, by their very nature, raise the risk that information relating to one client's representation may be disclosed improperly,<sup>32</sup> even if the tool is used exclusively by lawyers at the same firm.<sup>33</sup> This can occur when information relating to one client's representation is input into the tool, then later revealed in response to prompts by lawyers working on other matters, who then share that output with other clients, file it with the court, or otherwise disclose it. In other words, the self-learning

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<sup>26</sup> MODEL RULES R. 1.6; MODEL RULES R. 1.6 cmt. [3].

<sup>27</sup> MODEL RULES R. 1.6(c).

<sup>28</sup> ABA Formal Op. 477R, *supra* note 6, at 1 (A lawyer "may be required to take special security precautions to protect against the inadvertent or unauthorized disclosure of client information when ... the nature of the information requires a higher degree of security.").

<sup>29</sup> MODEL RULES R. 1.6, cmt. [18].

<sup>30</sup> See MODEL RULES R. 1.8(b), which prohibits use of information relating to the representation of a client to the disadvantage of the client.

<sup>31</sup> See ABA Formal Op. 477R, *supra* note 6, at 4 (rejecting specific security measures to protect information relating to a client's representation and advising lawyers to adopt a fact-specific approach to data security).

<sup>32</sup> See *generally* State Bar of Cal. Standing Comm. on Prof'l Resp. & Conduct, PRACTICAL GUIDANCE FOR THE USE OF GENERATIVE ARTIFICIAL INTELLIGENCE IN THE PRACTICE OF LAW (2024), *available at* <https://www.calbar.ca.gov/Portals/0/documents/ethics/Generative-AI-Practical-Guidance.pdf>; Fla. State Bar Ass'n, Prof'l Ethics Comm. Op. 24-1, *supra* note 4.

<sup>33</sup> See Pa. & Philadelphia Joint Formal Opinion 2024-200, *supra* note 4, at 10 (noting risk that information relating to one representation may be used to inform work on another representation).



GAI tool may disclose information relating to the representation to persons outside the firm who are using the same GAI tool. Similarly, it may disclose information relating to the representation to persons in the firm (1) who either are prohibited from access to said information because of an ethical wall or (2) who could inadvertently use the information from one client to help another client, not understanding that the lawyer is revealing client confidences. Accordingly, because many of today's self-learning GAI tools are designed so that their output could lead directly or indirectly to the disclosure of information relating to the representation of a client, a client's informed consent is required prior to inputting information relating to the representation into such a GAI tool.<sup>34</sup>

When consent is required, it must be informed. For the consent to be informed, the client must have the lawyer's best judgment about why the GAI tool is being used, the extent of and specific information about the risk, including particulars about the kinds of client information that will be disclosed, the ways in which others might use the information against the client's interests, and a clear explanation of the GAI tool's benefits to the representation. Part of informed consent requires the lawyer to explain the extent of the risk that later users or beneficiaries of the GAI tool will have access to information relating to the representation. To obtain informed consent when using a GAI tool, merely adding general, boiler-plate provisions to engagement letters purporting to authorize the lawyer to use GAI is not sufficient.<sup>35</sup>

Because of the uncertainty surrounding GAI tools' ability to protect such information and the uncertainty about what happens to information both at input and output, it will be difficult to evaluate the risk that information relating to the representation will either be disclosed to or accessed by others inside the firm to whom it should not be disclosed as well as others outside the firm.<sup>36</sup> As a baseline, all lawyers should read and understand the Terms of Use, privacy policy, and related contractual terms and policies of any GAI tool they use to learn who has access to the information that the lawyer inputs into the tool or consult with a colleague or external expert who has read and analyzed those terms and policies.<sup>37</sup> Lawyers may need to consult with IT professionals or cyber security experts to fully understand these terms and policies as well as the manner in which GAI tools utilize information.

Today, there are uses of self-learning GAI tools in connection with a legal representation when client informed consent is not required because the lawyer will not be inputting information relating to the representation. As an example, if a lawyer is using the tool for idea generation in a manner that does not require inputting information relating to the representation, client informed consent would not be necessary.

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<sup>34</sup> This conclusion is based on the risks and capabilities of GAI tools as of the publication of this opinion. As the technology develops, the risks may change in ways that would alter our conclusion. See Fla. State Bar Ass'n, Prof'l Ethics Comm. Op. 24-1, *supra* note 4, at 2; W. Va. Lawyer Disciplinary Bd. Op. 24-01 (2024), available at <http://www.wvdc.org/pdf/AILEO24-01.pdf>.

<sup>35</sup> See W. Va. Lawyer Disciplinary Bd. Op. 24-01, *supra* note 34.

<sup>36</sup> Magesh et al. *supra* note 14, at 23 (describing some of the GAI tools available to lawyers as "difficult for lawyers to assess when it is safe to trust them. Official documentation does not clearly illustrate what they can do for lawyers and in which areas lawyers should exercise caution.")

<sup>37</sup> Stephanie Pacheco, *Three Considerations for Attorneys Using Generative AI*, BLOOMBERG LAW ANALYSIS (June 16, 2023, 4:00 pm), <https://news.bloomberglaw.com/bloomberg-law-analysis/analysis-three-considerations-for-attorneys-using-generative-ai?context=search&index=7>.

### C. Communication

Where Model Rule 1.6 does not require disclosure and informed consent, the lawyer must separately consider whether other Model Rules, particularly Model Rule 1.4, require disclosing the use of a GAI tool in the representation.

Model Rule 1.4, which addresses lawyers' duty to communicate with their clients, builds on lawyers' legal obligations as fiduciaries, which include "the duty of an attorney to advise the client promptly whenever he has any information to give which it is important the client should receive."<sup>38</sup> Of particular relevance, Model Rule 1.4(a)(2) states that a lawyer shall "reasonably consult with the client about the means by which the client's objectives are to be accomplished." Additionally, Model Rule 1.4(b) obligates lawyers to explain matters "to the extent reasonably necessary to permit a client to make an informed decision regarding the representation." Comment [5] to Rule 1.4 explains, "the lawyer should fulfill reasonable client expectations for information consistent with the duty to act in the client's best interests, and the client's overall requirements as to the character of representation." Considering these underlying principles, questions arise regarding whether and when lawyers might be required to disclose their use of GAI tools to clients pursuant to Rule 1.4.

The facts of each case will determine whether Model Rule 1.4 requires lawyers to disclose their GAI practices to clients or obtain their informed consent to use a particular GAI tool. Depending on the circumstances, client disclosure may be unnecessary.

Of course, lawyers must disclose their GAI practices if asked by a client how they conducted their work, or whether GAI technologies were employed in doing so, or if the client expressly requires disclosure under the terms of the engagement agreement or the client's outside counsel guidelines.<sup>39</sup> There are also situations where Model Rule 1.4 requires lawyers to discuss their use of GAI tools unprompted by the client.<sup>40</sup> For example, as discussed in the previous section, clients would need to be informed in advance, and to give informed consent, if the lawyer proposes to input information relating to the representation into the GAI tool.<sup>41</sup> Lawyers must also consult clients when the use of a GAI tool is relevant to the basis or reasonableness of a lawyer's fee.<sup>42</sup>

Client consultation about the use of a GAI tool is also necessary when its output will influence a significant decision in the representation,<sup>43</sup> such as when a lawyer relies on GAI

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<sup>38</sup> *Baker v. Humphrey*, 101 U.S. 494, 500 (1879).

<sup>39</sup> *See, e.g.*, MODEL RULES R. 1.4(a)(4) ("A lawyer shall . . . promptly comply with reasonable requests for information[.].").

<sup>40</sup> *See* MODEL RULES R. 1.4(a)(1) (requiring lawyers to "promptly inform the client of any decision or circumstance with respect to which the client's informed consent" is required by the rules of professional conduct).

<sup>41</sup> *See* section B for a discussion of confidentiality issues under Rule 1.6.

<sup>42</sup> *See* section F for a discussion of fee issues under Rule 1.5.

<sup>43</sup> Guidance may be found in ethics opinions requiring lawyers to disclose their use of temporary lawyers whose involvement is significant or otherwise material to the representation. *See, e.g.*, Va. State Bar Legal Ethics Op. 1850, 2010 WL 5545407, at \*5 (2010) (acknowledging that "[t]here is little purpose to informing a client every time a lawyer outsources legal support services that are truly tangential, clerical, or administrative in nature, or even when basic legal research or writing is outsourced without any client confidences being revealed"); Cal. State Bar, Standing Comm. on Prof'l Resp. & Conduct Op. 2004-165, 2004 WL 3079030, at \*2-3 (2004) (opining that a

technology to evaluate potential litigation outcomes or jury selection. A client would reasonably want to know whether, in providing advice or making important decisions about how to carry out the representation, the lawyer is exercising independent judgment or, in the alternative, is deferring to the output of a GAI tool. Or there may be situations where a client retains a lawyer based on the lawyer's particular skill and judgment, when the use of a GAI tool, without the client's knowledge, would violate the terms of the engagement agreement or the client's reasonable expectations regarding how the lawyer intends to accomplish the objectives of the representation.

It is not possible to catalogue every situation in which lawyers must inform clients about their use of GAI. Again, lawyers should consider whether the specific circumstances warrant client consultation about the use of a GAI tool, including the client's needs and expectations, the scope of the representation, and the sensitivity of the information involved. Potentially relevant considerations include the GAI tool's importance to a particular task, the significance of that task to the overall representation, how the GAI tool will process the client's information, and the extent to which knowledge of the lawyer's use of the GAI tool would affect the client's evaluation of or confidence in the lawyer's work.

Even when Rule 1.6 does not require informed consent and Rule 1.4 does not require a disclosure regarding the use of GAI, lawyers may tell clients how they employ GAI tools to assist in the delivery of legal services. Explaining this may serve the interest of effective client communication. The engagement agreement is a logical place to make such disclosures and to identify any client instructions on the use of GAI in the representation.<sup>44</sup>

#### **D. Meritorious Claims and Contentions and Candor Toward the Tribunal**

Lawyers using GAI in litigation have ethical responsibilities to the courts as well as to clients. Model Rules 3.1, 3.3, and 8.4(c) may be implicated by certain uses. Rule 3.1 states, in part, that "[a] lawyer shall not bring or defend a proceeding, or assert or controvert and issue therein, unless there is a basis in law or fact for doing so that is not frivolous." Rule 3.3 makes it clear that lawyers cannot knowingly make any false statement of law or fact to a tribunal or fail to correct a material false statement of law or fact previously made to a tribunal.<sup>45</sup> Rule 8.4(c) provides that a

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lawyer must disclose the use of a temporary lawyer to a client where the temporary lawyer's use constitutes a "significant development" in the matter and listing relevant considerations); N.Y. State Bar Ass'n, Comm on Prof'l Ethics 715, at 7 (1999) (opining that "whether a law firm needs to disclose to the client and obtain client consent for the participation of a Contract lawyer depends upon whether client confidences will be disclosed to the lawyer, the degree of involvement of the lawyer in the matter, and the significance of the work done by the lawyer"); D.C. Bar Op. 284, at 4 (1988) (recommending client disclosure "whenever the proposed use of a temporary lawyer to perform work on the client's matter appears reasonably likely to be material to the representation or to affect the client's reasonable expectations"); Fla. State Bar Ass'n, Comm. on Prof'l Ethics Op. 88-12, 1988 WL 281590, at \*2 (1988) (stating that disclosure of a temporary lawyer depends "on whether the client would likely consider the information material");.

<sup>44</sup> For a discussion of what client notice and informed consent under Rule 1.6 may require, see section B.

<sup>45</sup> MODEL RULES R. 3.3(a) reads: "A lawyer shall not knowingly: (1) make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer; (2) fail to disclose to the tribunal legal authority in the controlling jurisdiction known to the lawyer to be directly adverse to the position of the client and not disclosed by opposing counsel; or (3) offer evidence that the lawyer knows to be false. If a lawyer, the lawyer's client, or a witness called by the lawyer, has offered material evidence and the lawyer comes to know of its falsity, the lawyer shall take reasonable remedial measures, including, if

lawyer shall not engage in “conduct involving dishonesty, fraud, deceit or misrepresentation.” Even an unintentional misstatement to a court can involve a misrepresentation under Rule 8.4(c). Therefore, output from a GAI tool must be carefully reviewed to ensure that the assertions made to the court are not false.

Issues that have arisen to date with lawyers’ use of GAI outputs include citations to nonexistent opinions, inaccurate analysis of authority, and use of misleading arguments.<sup>46</sup>

Some courts have responded by requiring lawyers to disclose their use of GAI.<sup>47</sup> As a matter of competence, as previously discussed, lawyers should review for accuracy all GAI outputs. In judicial proceedings, duties to the tribunal likewise require lawyers, before submitting materials to a court, to review these outputs, including analysis and citations to authority, and to correct errors, including misstatements of law and fact, a failure to include controlling legal authority, and misleading arguments.

### E. Supervisory Responsibilities

Model Rules 5.1 and 5.3 address the ethical duties of lawyers charged with managerial and supervisory responsibilities and set forth those lawyers’ responsibilities with regard to the firm, subordinate lawyers, and nonlawyers. Managerial lawyers must create effective measures to ensure that all lawyers in the firm conform to the rules of professional conduct,<sup>48</sup> and supervisory lawyers must supervise subordinate lawyers and nonlawyer assistants to ensure that subordinate lawyers and nonlawyer assistants conform to the rules.<sup>49</sup> These responsibilities have implications for the use of GAI tools by lawyers and nonlawyers.

Managerial lawyers must establish clear policies regarding the law firm’s permissible use of GAI, and supervisory lawyers must make reasonable efforts to ensure that the firm’s lawyers and nonlawyers comply with their professional obligations when using GAI tools.<sup>50</sup> Supervisory obligations also include ensuring that subordinate lawyers and nonlawyers are trained,<sup>51</sup> including in the ethical and practical use of the GAI tools relevant to their work as well as on risks associated with relevant GAI use.<sup>52</sup> Training could include the basics of GAI technology, the capabilities and limitations of the tools, ethical issues in use of GAI and best practices for secure data handling, privacy, and confidentiality.

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necessary, disclosure to the tribunal. A lawyer may refuse to offer evidence, other than the testimony of a defendant in a criminal matter, that the lawyer reasonably believes is false.”

<sup>46</sup> See DC Bar Op. 388 (2024).

<sup>47</sup> Lawyers should consult with the applicable court’s local rules to ensure that they comply with those rules with respect to AI use. As noted in footnote 4, no one opinion could address every ethics issue presented when a lawyer uses GAI. For example, depending on the facts, issues relating to Model Rule 3.4(c) could be presented.

<sup>48</sup> See MODEL RULES R. 1.0(c) for the definition of firm.

<sup>49</sup> ABA Formal Op. 08-451, *supra* note 15.

<sup>50</sup> MODEL RULES R. 5.1.

<sup>51</sup> See ABA Comm. on Ethics & Prof’l Responsibility, Formal Op. 467 (2014).

<sup>52</sup> See *generally*, MODEL RULES R. 1.1, cmt. [8]. One training suggestion is that all materials produced by GAI tools be marked as such when stored in any client or firm file so future users understand potential fallibility of the work.

Lawyers have additional supervisory obligations insofar as they rely on others outside the law firm to employ GAI tools in connection with the legal representation. Model Rule 5.3(b) imposes a duty on lawyers with direct supervisory authority over a nonlawyer to make “reasonable efforts to ensure that” the nonlawyer’s conduct conforms with the professional obligations of the lawyer. Earlier opinions recognize that when outsourcing legal and nonlegal services to third-party providers, lawyers must ensure, for example, that the third party will do the work capably and protect the confidentiality of information relating to the representation.<sup>53</sup> These opinions note the importance of: reference checks and vendor credentials; understanding vendor’s security policies and protocols; familiarity with vendor’s hiring practices; using confidentiality agreements; understanding the vendor’s conflicts check system to screen for adversity among firm clients; and the availability and accessibility of a legal forum for legal relief for violations of the vendor agreement. These concepts also apply to GAI providers and tools.

Earlier opinions regarding technological innovations and other innovations in legal practice are instructive when considering a lawyer’s use of a GAI tool that requires the disclosure and storage of information relating to the representation.<sup>54</sup> In particular, opinions developed to address cloud computing and outsourcing of legal and nonlegal services suggest that lawyers should:

- ensure that the [GAI tool] is configured to preserve the confidentiality and security of information, that the obligation is enforceable, and that the lawyer will be notified in the event of a breach or service of process regarding production of client information;<sup>55</sup>
- investigate the [GAI tool’s] reliability, security measures, and policies, including limitations on the [the tool’s] liability;<sup>56</sup>
- determine whether the [GAI tool] retains information submitted by the lawyer before and after the discontinuation of services or asserts proprietary rights to the information;<sup>57</sup> and
- understand the risk that [GAI tool servers] are subject to their own failures and may be an attractive target of cyber-attacks.<sup>58</sup>

#### F. Fees

Model Rule 1.5, which governs lawyers’ fees and expenses, applies to representations in which a lawyer charges the client for the use of GAI. Rule 1.5(a) requires a lawyer’s fees and expenses to be reasonable and includes a non-exclusive list of criteria for evaluating whether a fee

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<sup>53</sup> ABA Formal Op. 08-451, *supra* note 15; ABA Formal. Op. 477R, *supra* note 6.

<sup>54</sup> See ABA Formal Op. 08-451, *supra* note 15.

<sup>55</sup> Fla. Bar Advisory Op. 12-3 (2013).

<sup>56</sup> *Id.* citing Iowa State Bar Ass’n Comm. on Ethics & Practice Guidelines Op. 11-01 (2011) [hereinafter Iowa Ethics Opinion 11-01].

<sup>57</sup> Fla. Bar Advisory Op. 24-1, *supra* note 4; Fla. Bar Advisory Op. 12-3, *supra* note 55; Iowa Ethics Opinion 11-01, *supra* note 56.

<sup>58</sup> Fla. Bar Advisory Op. 12-3, *supra* note 55; See generally Melissa Heikkila, *Three Ways AI Chatbots are a Security Disaster*, MIT TECHNOLOGY REVIEW (Apr. 3, 2023), [www.technologyreview.com/2023/04/03/1070893/three-ways-ai-chatbots-are-a-security-disaster/](http://www.technologyreview.com/2023/04/03/1070893/three-ways-ai-chatbots-are-a-security-disaster/).

or expense is reasonable.<sup>59</sup> Rule 1.5(b) requires a lawyer to communicate to a client the basis on which the lawyer will charge for fees and expenses unless the client is a regularly represented client and the terms are not changing. The required information must be communicated before or within a reasonable time of commencing the representation, preferably in writing. Therefore, before charging the client for the use of the GAI tools or services, the lawyer must explain the basis for the charge, preferably in writing.

GAI tools may provide lawyers with a faster and more efficient way to render legal services to their clients, but lawyers who bill clients an hourly rate for time spent on a matter must bill for their actual time. ABA Formal Ethics Opinion 93-379 explained, “the lawyer who has agreed to bill on the basis of hours expended does not fulfill her ethical duty if she bills the client for more time than she has actually expended on the client’s behalf.”<sup>60</sup> If a lawyer uses a GAI tool to draft a pleading and expends 15 minutes to input the relevant information into the GAI program, the lawyer may charge for the 15 minutes as well as for the time the lawyer expends to review the resulting draft for accuracy and completeness. As further explained in Opinion 93-379, “If a lawyer has agreed to charge the client on [an hourly] basis and it turns out that the lawyer is particularly efficient in accomplishing a given result, it nonetheless will not be permissible to charge the client for more hours than were actually expended on the matter,”<sup>61</sup> because “[t]he client should only be charged a reasonable fee for the legal services performed.”<sup>62</sup> The “goal should be solely to compensate the lawyer fully for time reasonably expended, an approach that if followed will not take advantage of the client.”<sup>63</sup>

The factors set forth in Rule 1.5(a) also apply when evaluating the reasonableness of charges for GAI tools when the lawyer and client agree on a flat or contingent fee.<sup>64</sup> For example, if using a GAI tool enables a lawyer to complete tasks much more quickly than without the tool, it may be unreasonable under Rule 1.5 for the lawyer to charge the same flat fee when using the GAI tool as when not using it. “A fee charged for which little or no work was performed is an unreasonable fee.”<sup>65</sup>

The principles set forth in ABA Formal Opinion 93-379 also apply when a lawyer charges GAI work as an expense. Rule 1.5(a) requires that disbursements, out-of-pocket expenses, or additional charges be reasonable. Formal Opinion 93-379 explained that a lawyer may charge the

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<sup>59</sup> The listed considerations are (1) the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly; (2) the likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer; (3) the fee customarily charged in the locality for similar legal services; (4) the amount involved and the results obtained; (5) the time limitations imposed by the client or by the circumstances; (6) the nature and length of the professional relationship with the client; (7) the experience, reputation, and ability of the lawyer or lawyers performing the services; and (8) whether the fee is fixed or contingent.

<sup>60</sup> ABA Comm. on Ethics & Prof’l Responsibility, Formal Op. 93-379, at 6 (1993) [hereinafter ABA Formal Op. 93-379].

<sup>61</sup> *Id.*

<sup>62</sup> *Id.* at 5.

<sup>63</sup> *Id.*

<sup>64</sup> See, e.g., *Williams Cos. v. Energy Transfer LP*, 2022 Del. Ch. LEXIS 207, 2022 WL 3650176 (Del. Ch. Aug. 25, 2022) (applying same principles to contingency fee).

<sup>65</sup> Att’y Grievance Comm’n v. Monfried, 794 A.2d 92, 103 (Md. 2002) (finding that a lawyer violated Rule 1.5 by charging a flat fee of \$1,000 for which the lawyer did little or no work).

client for disbursements incurred in providing legal services to the client. For example, a lawyer typically may bill to the client the actual cost incurred in paying a court reporter to transcribe a deposition or the actual cost to travel to an out-of-town hearing.<sup>66</sup> Absent contrary disclosure to the client, the lawyer should not add a surcharge to the actual cost of such expenses and should pass along to the client any discounts the lawyer receives from a third-party provider.<sup>67</sup> At the same time, lawyers may not bill clients for general office overhead expenses including the routine costs of “maintaining a library, securing malpractice insurance, renting of office space, purchasing utilities, and the like.”<sup>68</sup> Formal Opinion 93-379 noted, “[i]n the absence of disclosure to a client in advance of the engagement to the contrary,” such overhead should be “subsumed within” the lawyer’s charges for professional services.<sup>69</sup>

In applying the principles set out in ABA Formal Ethics Opinion 93-379 to a lawyer’s use of a GAI tool, lawyers should analyze the characteristics and uses of each GAI tool, because the types, uses, and cost of GAI tools and services vary significantly. To the extent a particular tool or service functions similarly to equipping and maintaining a legal practice, a lawyer should consider its cost to be overhead and not charge the client for its cost absent a contrary disclosure to the client in advance. For example, when a lawyer uses a GAI tool embedded in or added to the lawyer’s word processing software to check grammar in documents the lawyer drafts, the cost of the tool should be considered to be overhead. In contrast, when a lawyer uses a third-party provider’s GAI service to review thousands of voluminous contracts for a particular client and the provider charges the lawyer for using the tool on a per-use basis, it would ordinarily be reasonable for the lawyer to bill the client as an expense for the actual out-of-pocket expense incurred for using that tool.

As acknowledged in ABA Formal Opinion 93-379, perhaps the most difficult issue is determining how to charge clients for providing in-house services that are not required to be included in general office overhead and for which the lawyer seeks reimbursement. The opinion concluded that lawyers may pass on reasonable charges for “photocopying, computer research, . . . and similar items” rather than absorbing these expenses as part of the lawyers’ overhead as many lawyers would do.<sup>70</sup> For example, a lawyer may agree with the client in advance on the specific rate for photocopying, such as \$0.15 per page. Absent an advance agreement, the lawyer “is obliged to charge the client no more than the direct cost associated with the service (i.e., the actual cost of making a copy on the photocopy machine) plus a reasonable allocation of overhead expenses directly associated with the provision of the service (e.g., the salary of the photocopy machine operator).”<sup>71</sup>

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<sup>66</sup> ABA Formal Op. 93-379 at 7.

<sup>67</sup> *Id.* at 8.

<sup>68</sup> *Id.* at 7.

<sup>69</sup> *Id.*

<sup>70</sup> *Id.* at 8.

<sup>71</sup> *Id.* Opinion 93-379 also explained, “It is not appropriate for the Committee, in addressing ethical standards, to opine on the various accounting issues as to how one calculates direct cost and what may or may not be included in allocated overhead. These are questions which properly should be reserved for our colleagues in the accounting profession. Rather, it is the responsibility of the Committee to explain the principles it draws from the mandate of Model Rule 1.5’s injunction that fees be reasonable. Any reasonable calculation of direct costs as well as any reasonable allocation of related overhead should pass ethical muster. On the other hand, in the absence of an agreement to the contrary, it is impermissible for a lawyer to create an additional source of profit for the law firm beyond that which is contained in the provision of professional services themselves. The lawyer’s stock in trade is the sale of legal services, not photocopy paper, tuna fish sandwiches, computer time or messenger services.” *Id.*

These same principles apply when a lawyer uses a proprietary, in-house GAI tool in rendering legal services to a client. A firm may have made a substantial investment in developing a GAI tool that is relatively unique and that enables the firm to perform certain work more quickly or effectively. The firm may agree in advance with the client about the specific rates to be charged for using a GAI tool, just as it would agree in advance on its legal fees. But not all in-house GAI tools are likely to be so special or costly to develop, and the firm may opt not to seek the client's agreement on expenses for using the technology. Absent an agreement, the firm may charge the client no more than the direct cost associated with the tool (if any) plus a reasonable allocation of expenses directly associated with providing the GAI tool, while providing appropriate disclosures to the client consistent with Formal Opinion 93-379. The lawyer must ensure that the amount charged is not duplicative of other charges to this or other clients.

Finally, on the issue of reasonable fees, in addition to the time lawyers spend using various GAI tools and services, lawyers also will expend time to gain knowledge about those tools and services. Rule 1.1 recognizes that “[c]ompetent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.” Comment [8] explains that “[t]o maintain the requisite knowledge and skill [to be competent], a lawyer should keep abreast of changes in the law and its practice, *including the benefits and risks associated with relevant technology*, engaging in continuing study and education and comply with all continuing legal education requirements to which the lawyer is subject.”<sup>72</sup> Lawyers must remember that they may not charge clients for time necessitated by their own inexperience.<sup>73</sup> Therefore, a lawyer may not charge a client to learn about how to use a GAI tool or service that the lawyer will regularly use for clients because lawyers must maintain competence in the tools they use, including but not limited to GAI technology. However, if a client explicitly requests that a specific GAI tool be used in furtherance of the matter and the lawyer is not knowledgeable in using that tool, it may be appropriate for the lawyer to bill the client to gain the knowledge to use the tool effectively. Before billing the client, the lawyer and the client should agree upon any new billing practices or billing terms relating to the GAI tool and, preferably, memorialize the new agreement.

### III. Conclusion

Lawyers using GAI tools have a duty of competence, including maintaining relevant technological competence, which requires an understanding of the evolving nature of GAI. In

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<sup>72</sup> MODEL RULES R. 1.1, cmt. [8] (emphasis added); *see also* ABA Comm. on Ethics & Prof'l Responsibility, Formal Op. 498 (2021).

<sup>73</sup> *Heavener v. Meyers*, 158 F. Supp. 2d 1278 (E.D. Okla. 2001) (five hundred hours for straightforward Fourth Amendment excessive-force claim and nineteen hours for research on Eleventh Amendment defense indicated excessive billing due to counsel's inexperience); *In re Poseidon Pools of Am., Inc.*, 180 B.R. 718 (Bankr. E.D.N.Y. 1995) (denying compensation for various document revisions; “we note that given the numerous times throughout the Final Application that Applicant requests fees for revising various documents, Applicant fails to negate the obvious possibility that such a plethora of revisions was necessitated by a level of competency less than that reflected by the Applicant's billing rates”); *Att'y Grievance Comm'n v. Manger*, 913 A.2d 1 (Md. 2006) (“While it may be appropriate to charge a client for case-specific research or familiarization with a unique issue involved in a case, general education or background research should not be charged to the client.”); *In re Hellerud*, 714 N.W.2d 38 (N.D. 2006) (reduction in hours, fee refund of \$5,651.24, and reprimand for lawyer unfamiliar with North Dakota probate work who charged too many hours at too high a rate for simple administration of cash estate; “it is counterintuitive to charge a higher hourly rate for knowing less about North Dakota law”).



using GAI tools, lawyers also have other relevant ethical duties, such as those relating to confidentiality, communication with a client, meritorious claims and contentions, candor toward the tribunal, supervisory responsibilities regarding others in the law office using the technology and those outside the law office providing GAI services, and charging reasonable fees. With the ever-evolving use of technology by lawyers and courts, lawyers must be vigilant in complying with the Rules of Professional Conduct to ensure that lawyers are adhering to their ethical responsibilities and that clients are protected.

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**AMERICAN BAR ASSOCIATION STANDING COMMITTEE ON  
ETHICS AND PROFESSIONAL RESPONSIBILITY**

321 N. Clark Street, Chicago, Illinois 60654-4714 Telephone (312) 988-5328  
CHAIR: Bruce Green, New York, NY ■ Mark A. Armitage, Detroit, MI ■ Matthew Corbin,  
Olathe, KS ■ Robinjit Kaur Eagleson, Lansing, MI ■ Brian Shannon Faughnan, Memphis,  
TN ■ Hilary P. Gerzhoy, Washington, D.C. ■ Wendy Muchman, Chicago, IL ■ Tim Pierce,  
Madison, WI ■ Hon. Jennifer A. Rymell, Fort Worth, TX ■ Charles Vigil, Albuquerque, NM

**CENTER FOR PROFESSIONAL RESPONSIBILITY:** Mary McDermott, Lead Senior  
Counsel

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# WSBA TECH TASK FORCE MEMBER SURVEY – RESULTS OVERVIEW

Thursday, November 14, 2024

Craig Shank  
Practice of Law Board Liaison to the  
Legal Technology Task Force





## RECOMMENDED APPROACH TO LEARNING FROM THE SURVEY

- Starting point after this overview – review the NBRI survey report.
- The appendix in this deck contains several areas that are broken out more specifically to identify key topics for Workgroups. Deck will be posted to Sharepoint.
- Verbatims in spreadsheet (circulated). For an easier view, see the filtered (and extra large) spreadsheet posted to Sharepoint.
- Margeaux, Kevin, and Craig are available to drill deeper into the data, verbatims, and filters for specific questions within the Workgroups, and to join Workgroup meetings.

# SURVEY METHODOLOGY

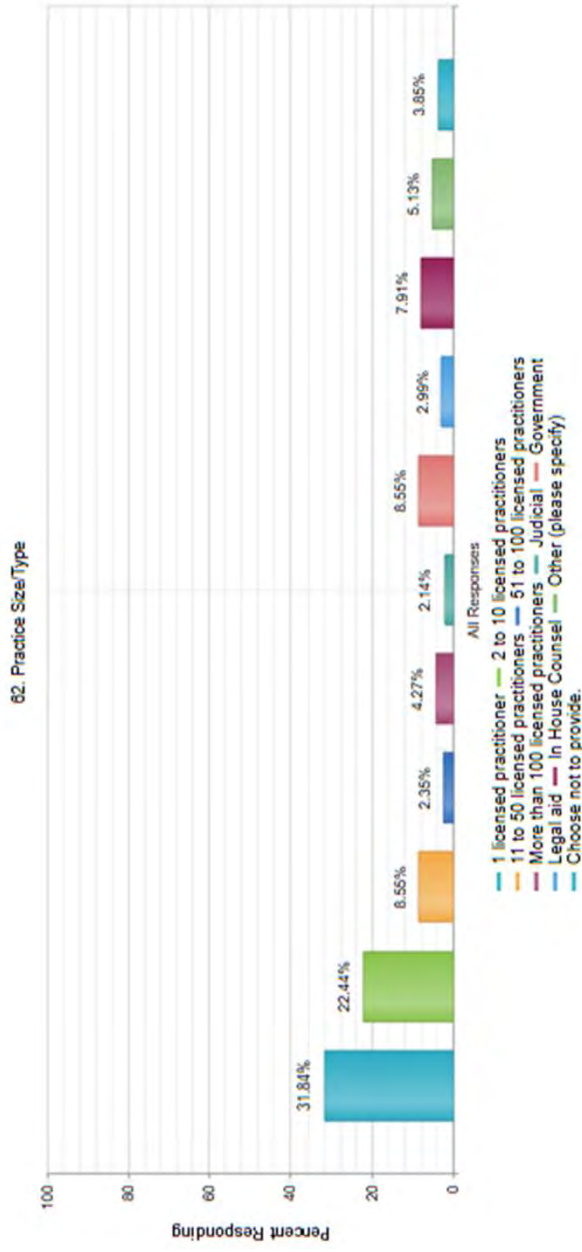
Conducted by the National Business Research  
Institute (NBRI) for WSBA.

Survey period: September 30 - October 23, 2024.

Total responses: 516 members (5% response rate).  
98% confidence level with a 5% margin of error.

**Who responded?**

Practice size. Vast majority of respondents came from practices <50 professionals



**NOTE: For the breakouts in this deck, I used the three small firm groups (<50) juxtaposed against the larger firm groups (100+ and in house)**

If Task Force Working Groups have specific questions, we can do a little more granular work in some specific practice groups (legal aid, judiciary, for example), but their response group was very small

## KEY FINDINGS: CURRENT AI USAGE AMONG WSBA MEMBERS

- 75% of members do not currently use Generative AI applications.
- Of those who do, 63% use free public versions for tasks like:
  - Legal research and analysis
  - Drafting and summarizing documents
- Members prioritize legal research for technology improvements.



# ETHICS, KNOWLEDGE AND TRAINING NEEDS



Self-assessed AI knowledge:

36% rate as 'Fair', 28% as 'Poor'.

Only 9% rate themselves as 'Good' or better.



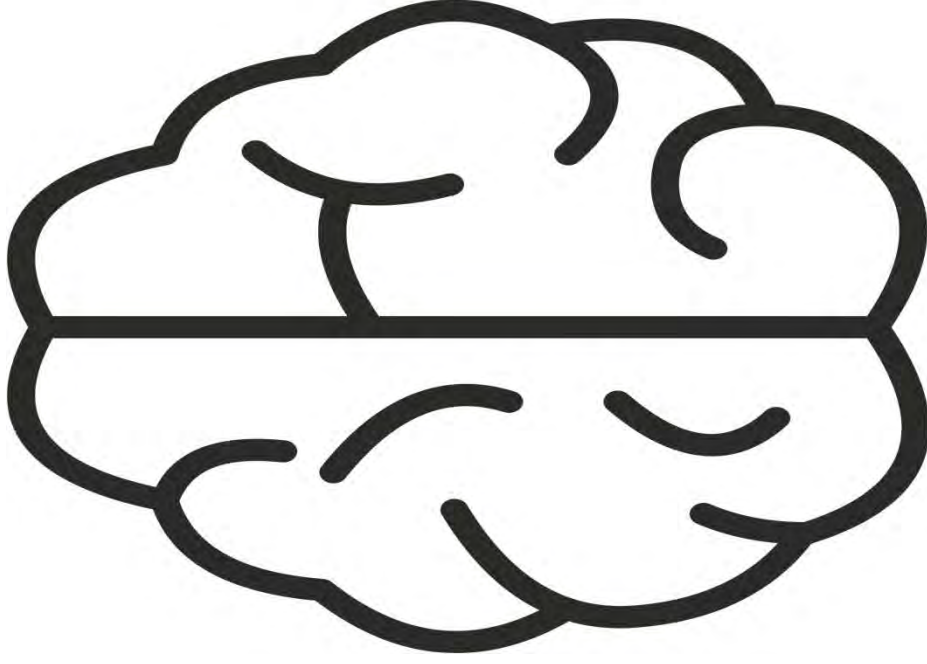
Majority (69%) believe AI will require additional training and skills.



Members prefer CLEs and hands-on workshops to learn new technologies. 72% support adding an MCLE requirement for technology

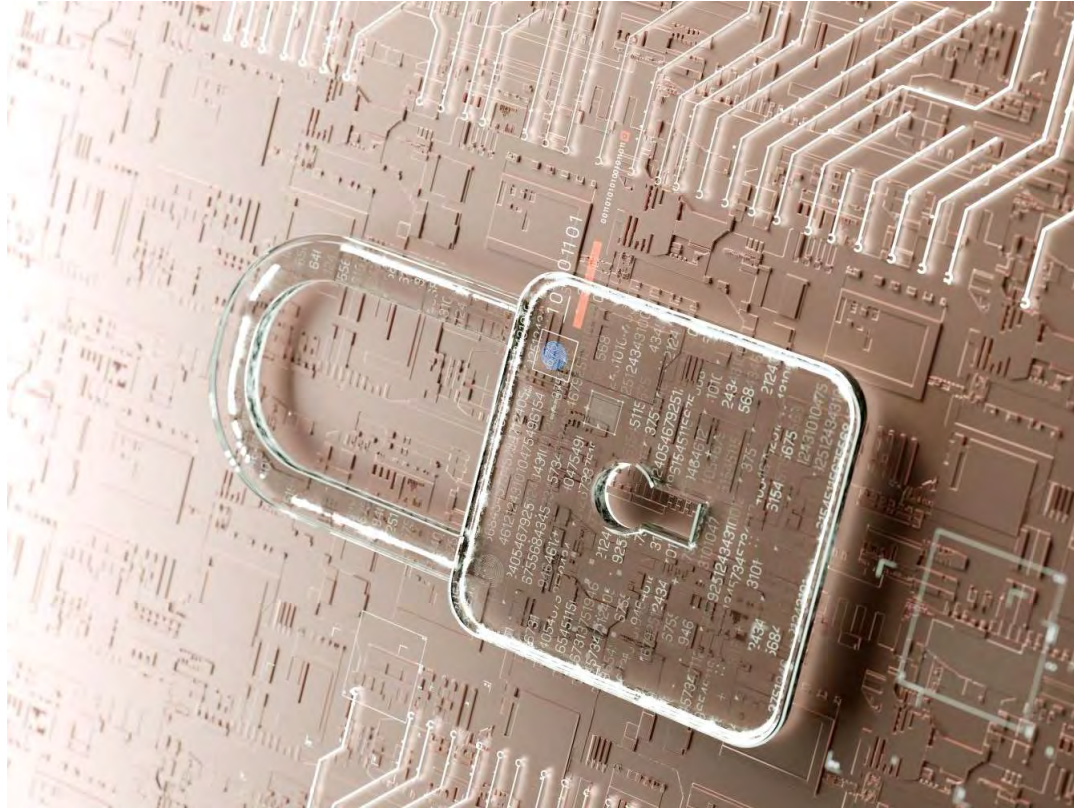


Only 23% of members believe ethical rules adequately cover the use of Generative AI



# ORGANIZATIONAL PRACTICES AND SECURITY

- Common security measures in use:
  - Multi-factor authentication, encryption, firewalls.
  - Regular software updates and secure communication channels.
- **BUT the usage rates may not be what they should be given the responsibilities the profession has about information security. See specific breakout in appendix.**
- 79% express confidence in their organization's cybersecurity.
- **NOTE: far fewer than 79% said they were even using the most rudimentary tools like MFA.**
- Top concerns include data privacy, confidentiality, and ethical issues.



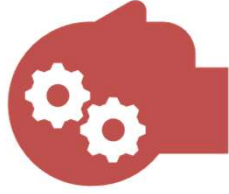




## COURTS, COURT RULES, AND PROCEDURES

- 95% have not encountered AI-related issues in their cases.
- 97% are not practicing in courts with specific AI rules.
- Members express interest in clearer guidelines for AI use in legal contexts.

# CONCERNS ABOUT AI IN LEGAL PRACTICE



- Top concerns include:**
  - Generation of incomplete or inaccurate data.
  - Potential violations of ethical and professional standards.
  - Lack of understanding of how AI processes and stores data.



- Members also worry about AI diminishing the value of legal expertise.**

# OUTLOOK ON AI, PRACTICE OF LAW, AND ACCESS TO JUSTICE

Mixed views on AI's impact:

- Support for AI to bridge access to justice, especially for underserved communities, but low support for “self-serve” to pro se.
- 63% of respondents indicate that they are **not** supportive of the public using Generative AI to meet their own legal needs.
- Concerns about AI reducing the quality of legal services, consumer protection, and the role of lawyers.

56% believe AI will improve efficiency, while 69% foresee the need for additional skills.

# SOME OTHER TAKEAWAYS BETWEEN THE LINES



- Though low usage rates broadly, very high usage rates in house and large firms (approaching 70% usage) and low in smaller firms (22%).
- AI understanding is generally low and limits use of potentially helpful tools. Comments indicate many are consumed in their practice and don't have time to figure it out.
- Comments show fears of AI as an all-up replacement for lawyers rather than an element that can serve as a tool. Effective use cases are **very poorly** understood.
- Training and tools were the biggest request by a wide margin. CLE strongly supported. More specifics in appendix.
- Data protection practices may be a very substantial vulnerability for the profession in Washington, regardless of AI.

# NEXT STEPS FOR SURVEY

- Report and Review Deck will be available on the Sharepoint
- Margeaux, Kevin, Craig are available to meet with Workgroups.
- Survey report will be part of WSBA BoG interim report in January.



## APPENDIX DECK – CONTENTS

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AI use by members – slide 14

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Education and Ethics – slide 23

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Consumer protection and A2J – slide 32

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Data protection and security – slide 35

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Hopes, Dreams, and Concerns – slide 45

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Demographics – slide 49

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Tech in our practices – slide 54

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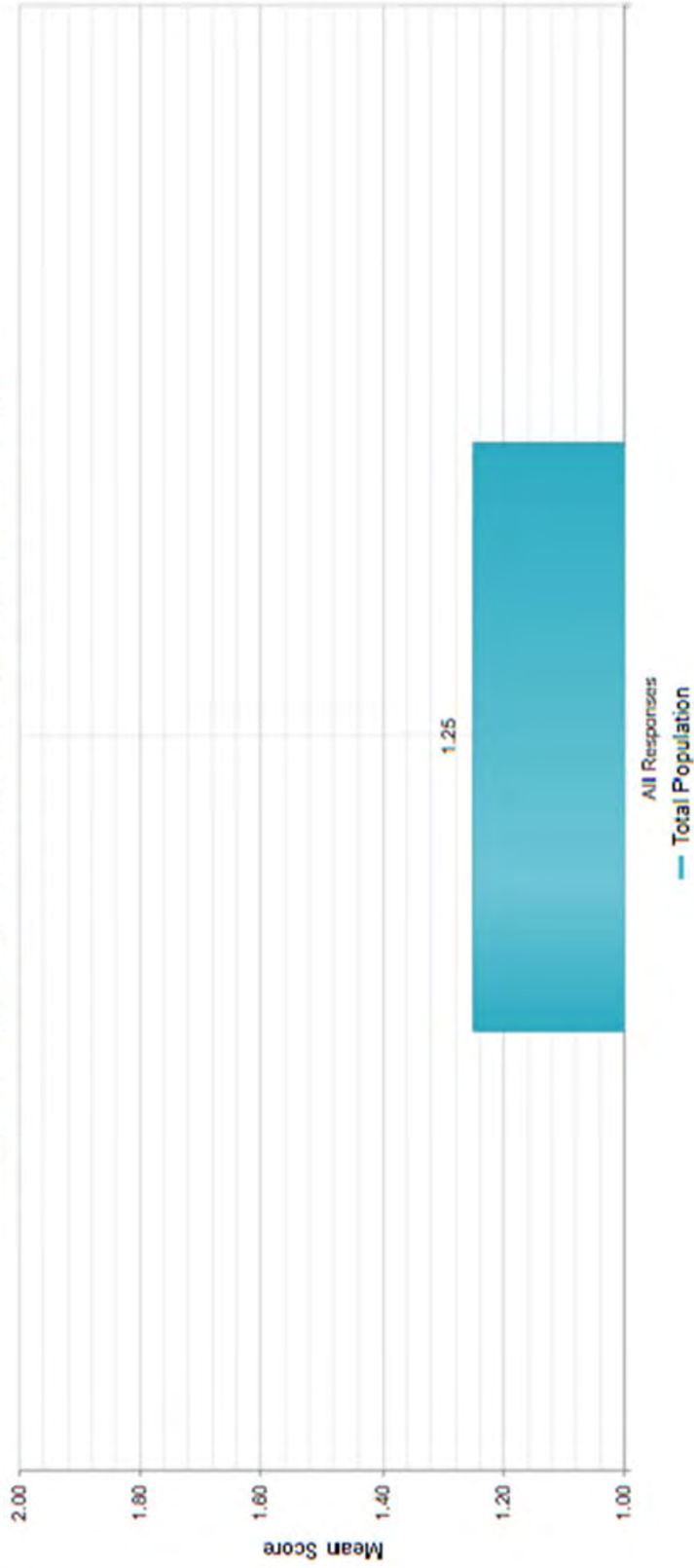
Sample Verbatim Comments – slide 56

An abstract graphic of the state of Washington, rendered as a complex wireframe of interconnected lines in various colors (white, light blue, pink, green) against a dark background. The lines form a mesh that outlines the state's geographical shape.

# SURVEY — AI USE BY MEMBERS

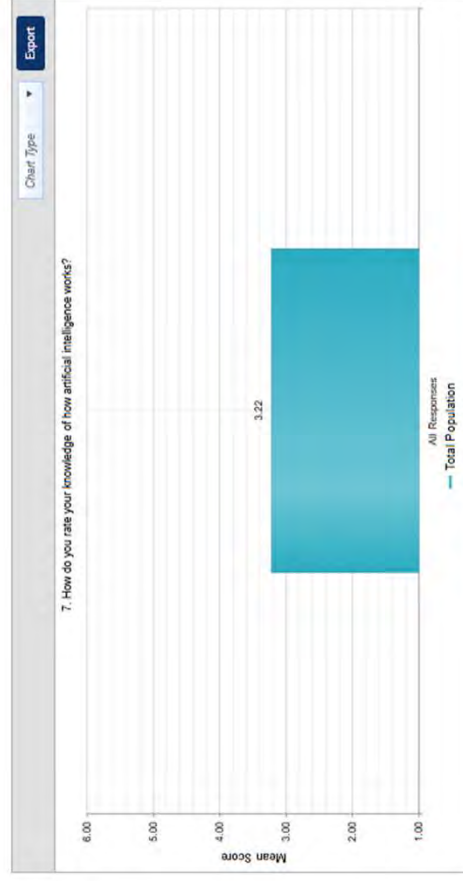
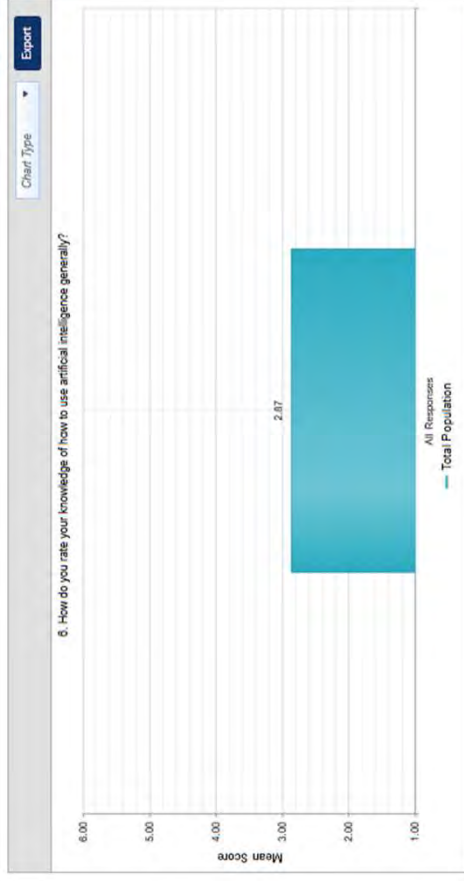
# ONLY 25% OF MEMBERS “CURRENTLY USE ANY GENERATIVE AI APPLICATIONS”

1. Do you currently use any generative AI applications? (e.g. ChatGPT, Gemini, AI Lawyer.)



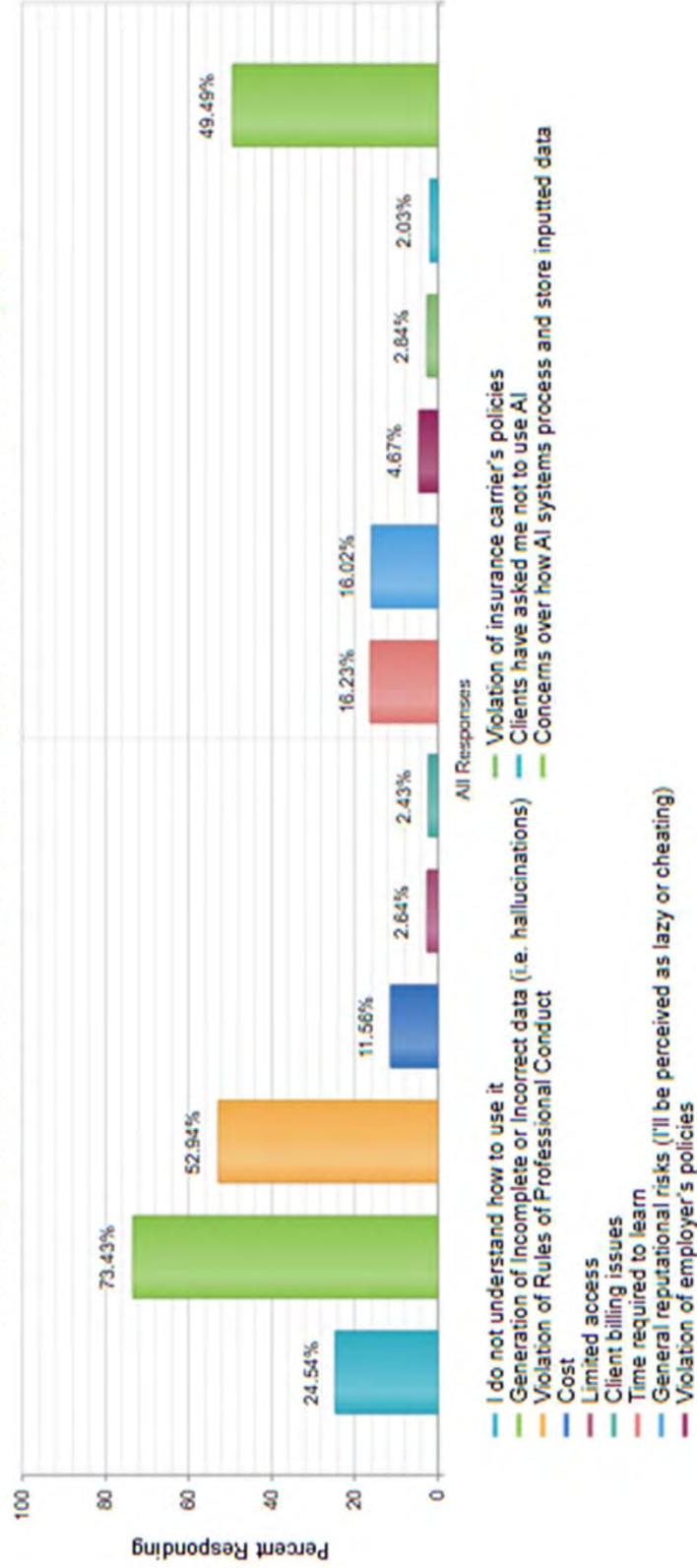


**MOST MEMBERS  
(WHETHER THEY USE AI  
OR NOT) DESCRIBED  
THEIR KNOWLEDGE AS  
“FAIR” (36%), “POOR”  
(28%) OR “NONE” (10%)**

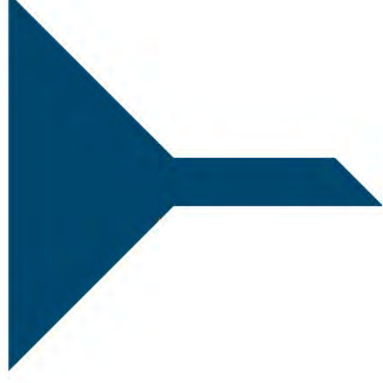


# TOP CONCERNS – GENERATION OF ERRORS, VIOLATION OF RPC, DATA STORAGE/PROCESSING, AND LACK OF KNOWLEDGE

13. What are your top concerns about the use of Generative AI in the practice of law (by you or others)? Check up to three.

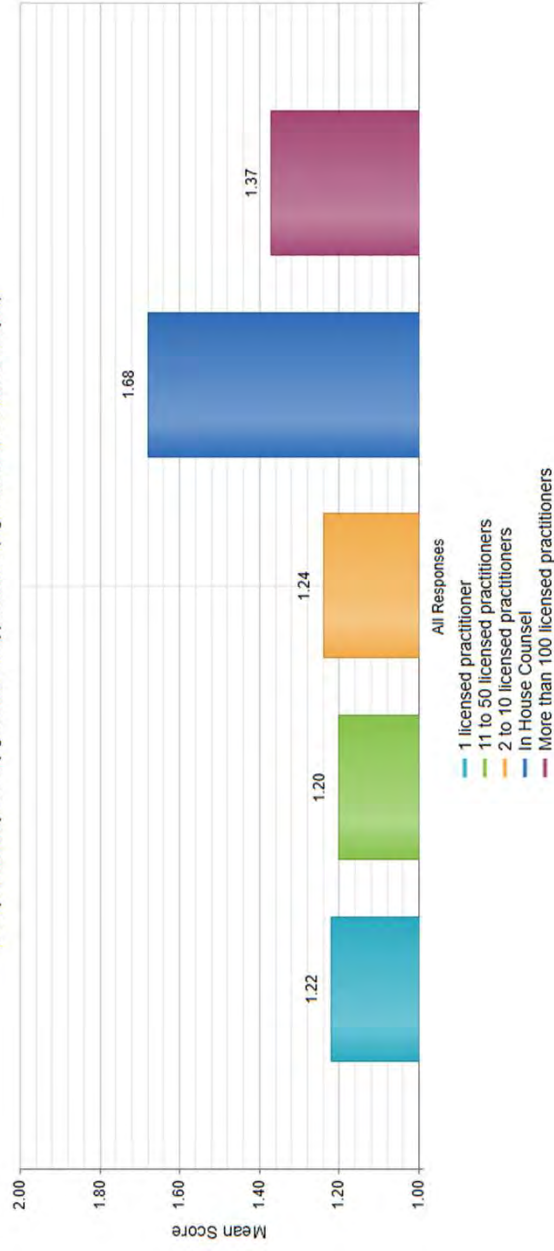


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ONLY SMALLEST  
(<50) AND LARGEST  
(>100+IN HOUSE)

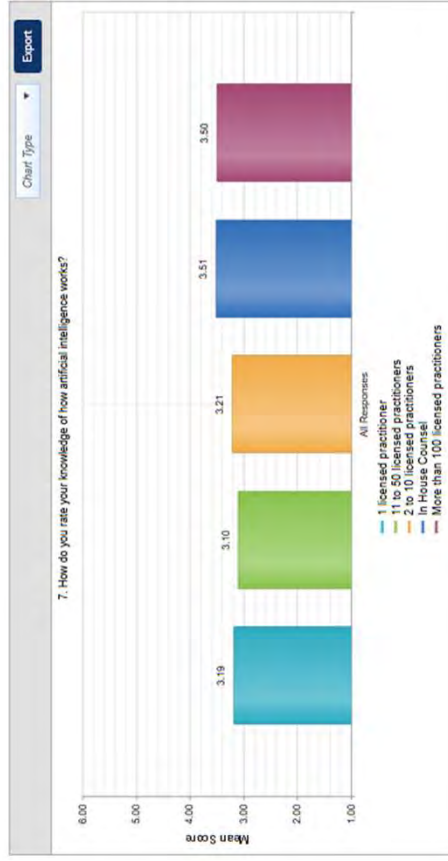
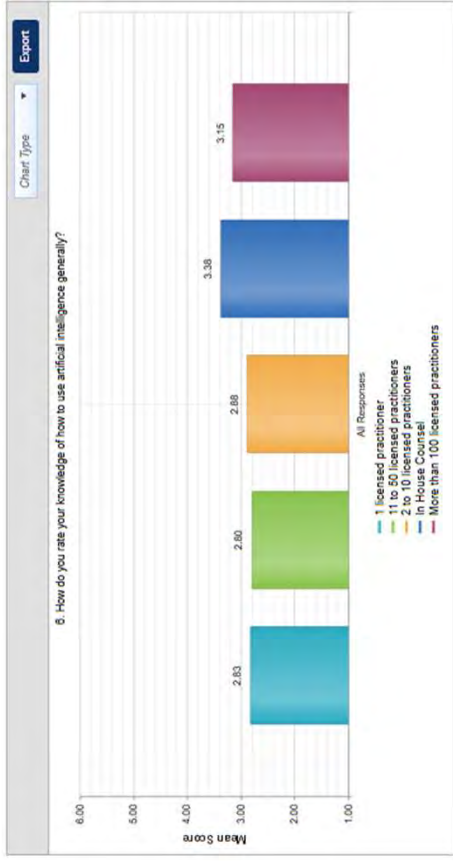


MEMBERS IN  
BIGGER ORGS  
ARE MORE LIKELY  
TO USE  
GENERATIVE AI.  
IN HOUSE, A LOT  
MORE LIKELY.

1. Do you currently use any generative AI applications? (e.g. ChatCPT, Gemini, AI Lawyer.)

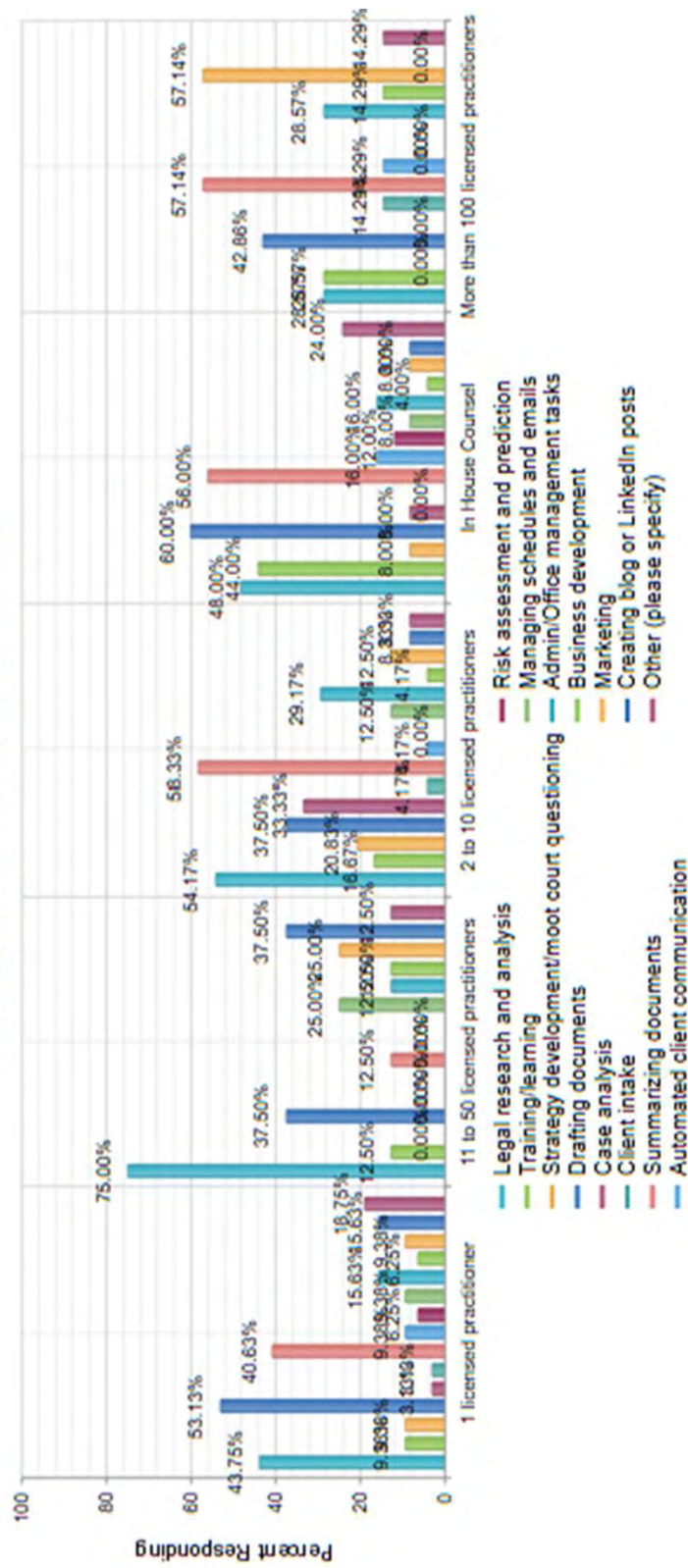


# MEMBERS IN BIGGER ORGS ARE MORE CONFIDENT IN THEIR KNOWLEDGE.

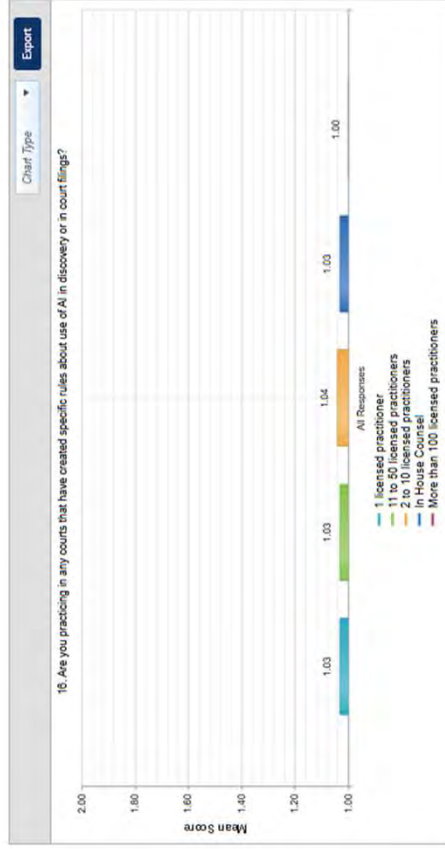
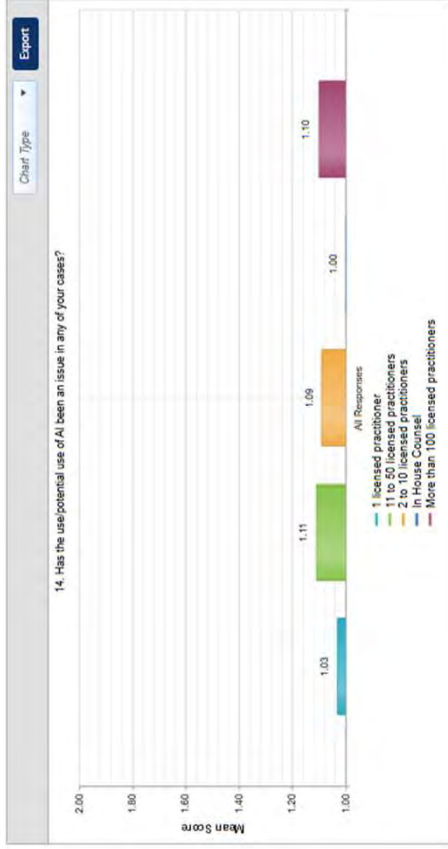


# RESEARCH AND DRAFTING TOPS THE USES OF AI FOR SMALL ORGS; DRAFTING AND SUMMARIZING TOPS THE LIST FOR LARGE ORGS

5. How are you using AI technologies? Check all that apply.



# VERY FEW MEMBERS ACROSS THE BOARD HAVE SEEN AI ISSUES IN CASES OR RULES IN COURTS

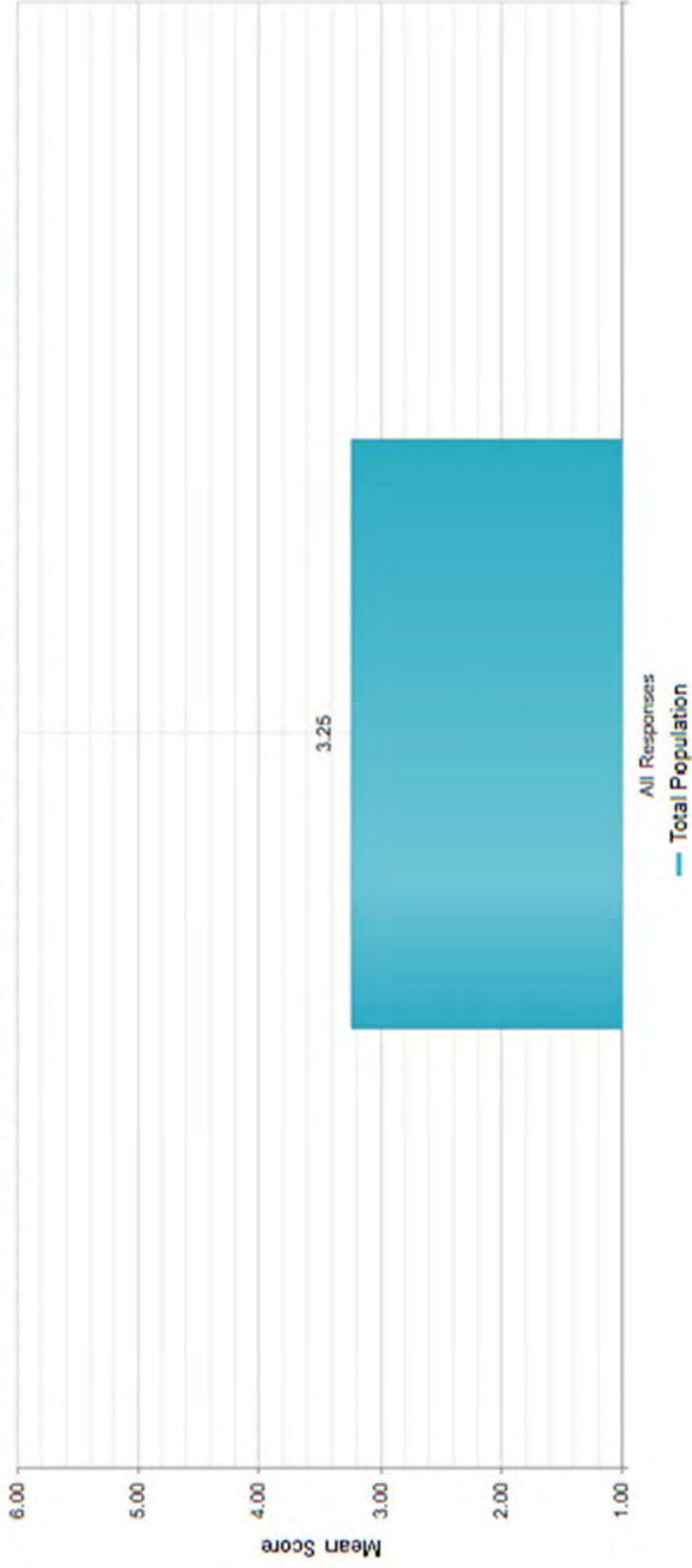




# EDUCATION AND ETHICS



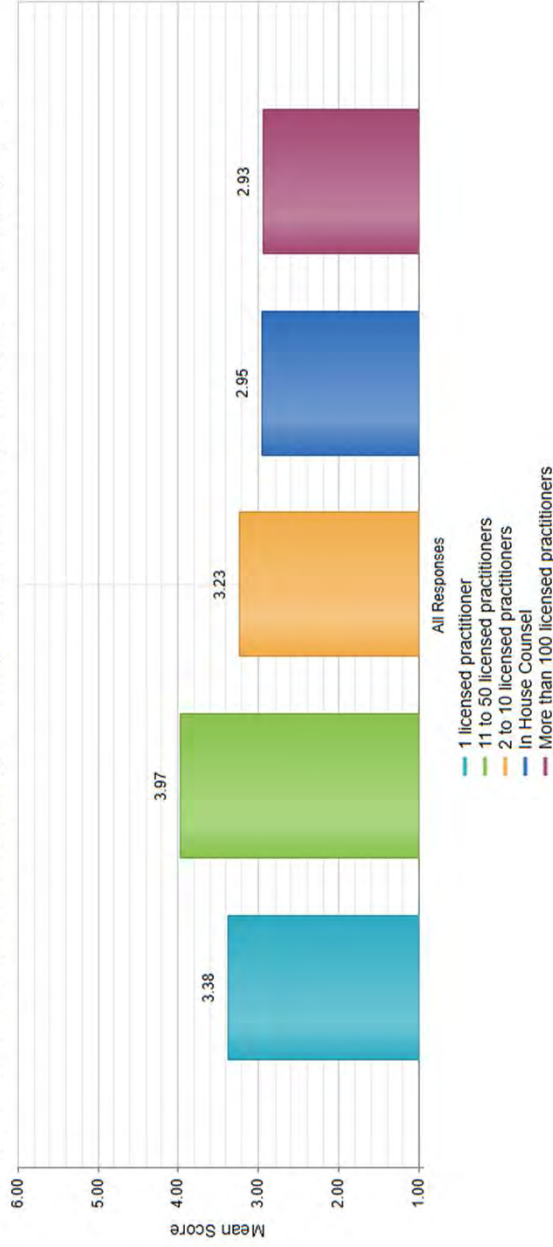
18. I am confident that as a profession we are providing the necessary tools in law school and early in career development to help young lawyers su...



**LESS THAN 1/3 HAVE CONFIDENCE (32%), THAT WE ARE PROVIDING NECESSARY TOOLS TO INCOMING PROFESSIONALS**

# THOSE WHO USE MOST ARE LEAST CONFIDENT IN LAW SCHOOL AND EARLY CAREER DEVELOPMENT

18. I am confident that as a profession we are providing the necessary tools in law school and early in career development to help young lawyers su...



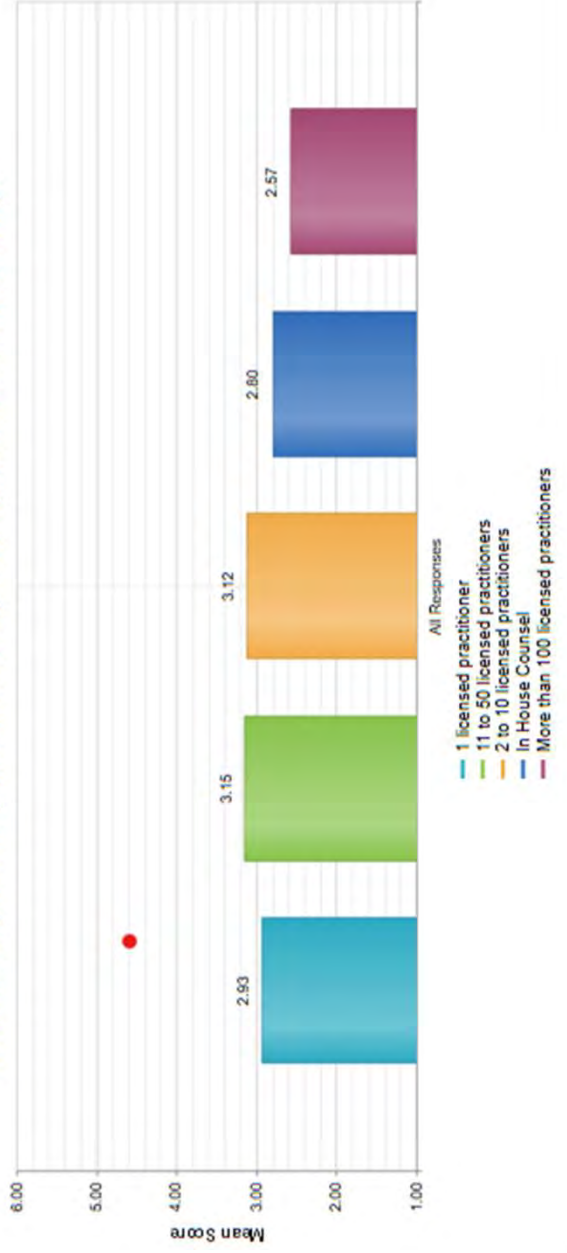
EVEN LESS  
CONFIDENCE  
(23% AGREE)  
THAT ETHICAL  
RULES  
ADEQUATELY  
COVER THE USE  
OF GENERATIVE  
AI

19. Ethical rules and guidelines for legal professionals in Washington adequately cover the use of Generative AI technologies.



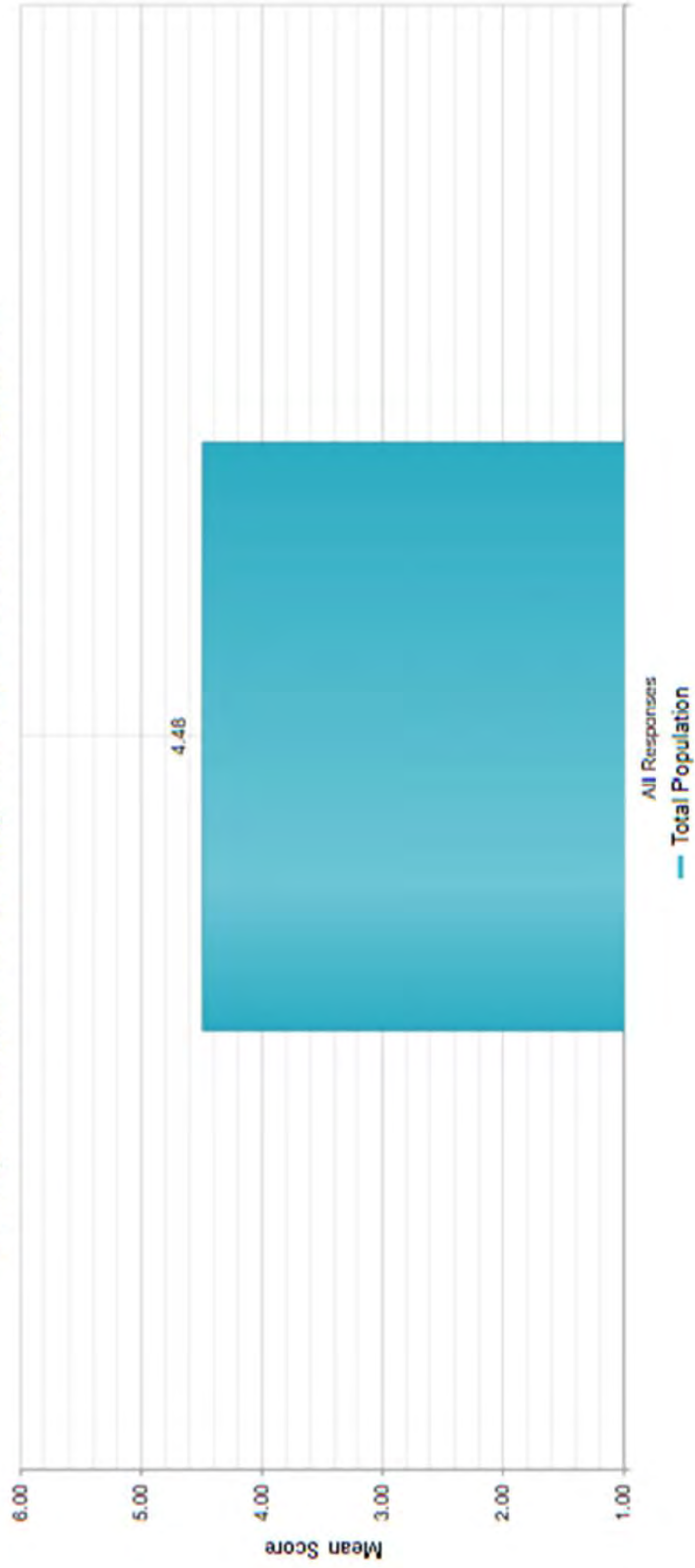
BY A MODEST MARGIN,  
THOSE WHO USE MOST  
ARE LEAST CONFIDENT  
IN CURRENT ETHICAL  
RULES AND GUIDELINES  
FOR LEGAL  
PROFESSIONALS

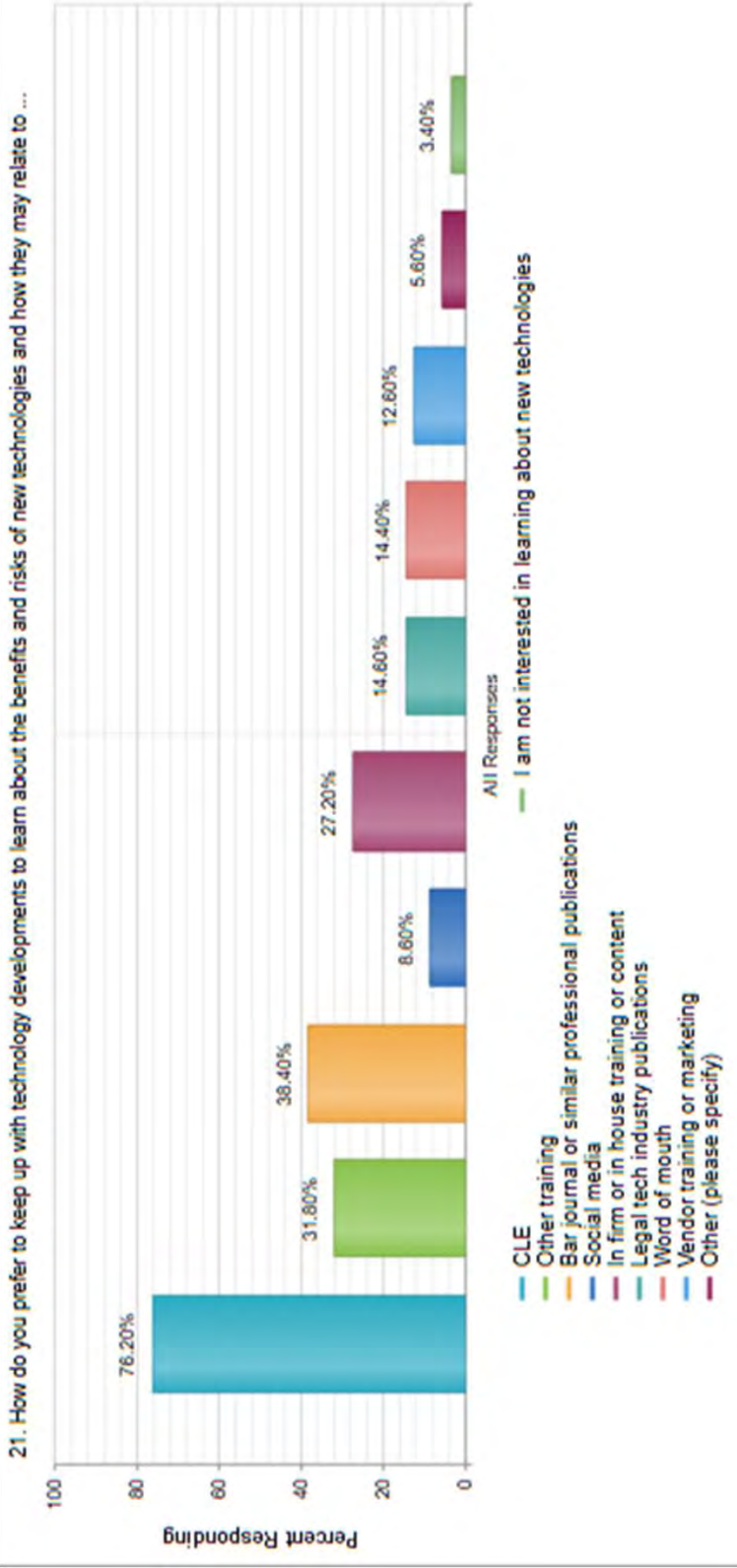
19. Ethical rules and guidelines for legal professionals in Washington adequately cover the use of Generative AI technologies.



# SIGNIFICANT SUPPORT (72% AGREE) FOR MCLE REQUIREMENT FOR TECHNOLOGY RELATED CLE

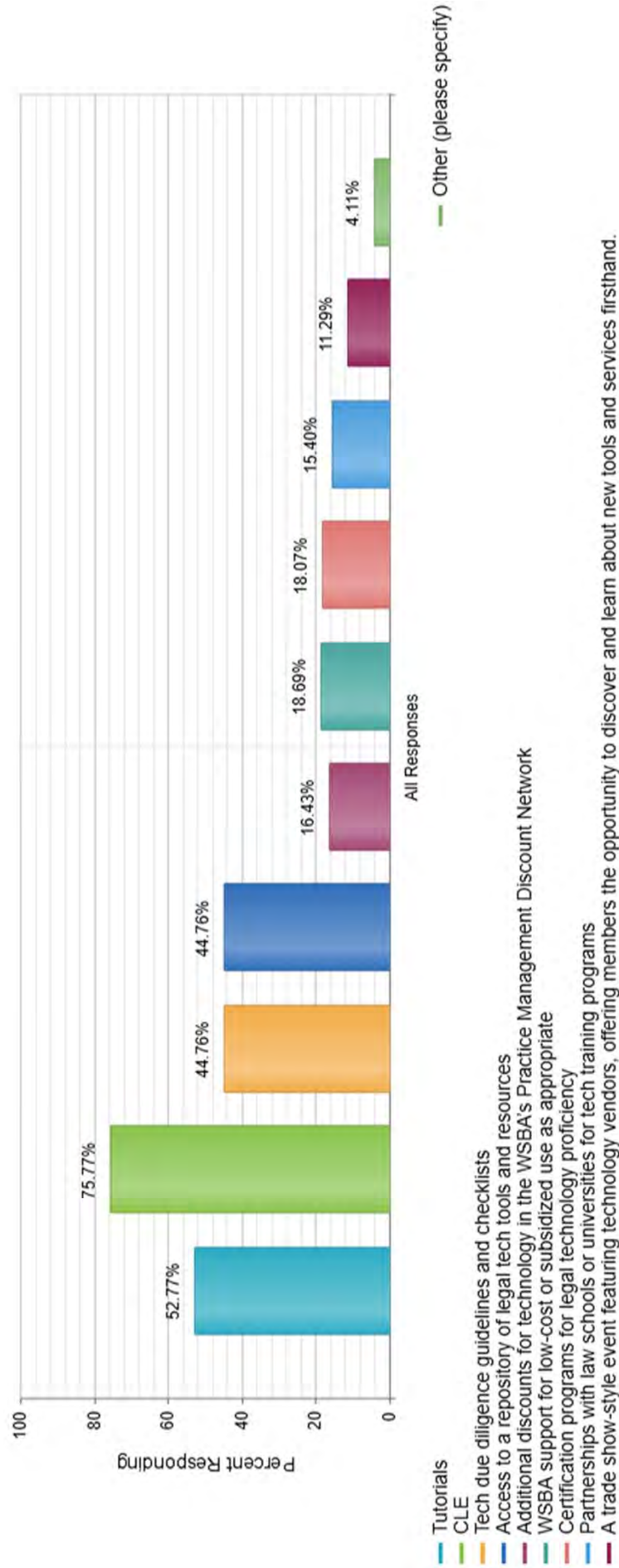
20. Adding a MCLE requirement for a technology related CLE would be beneficial to the legal profession.





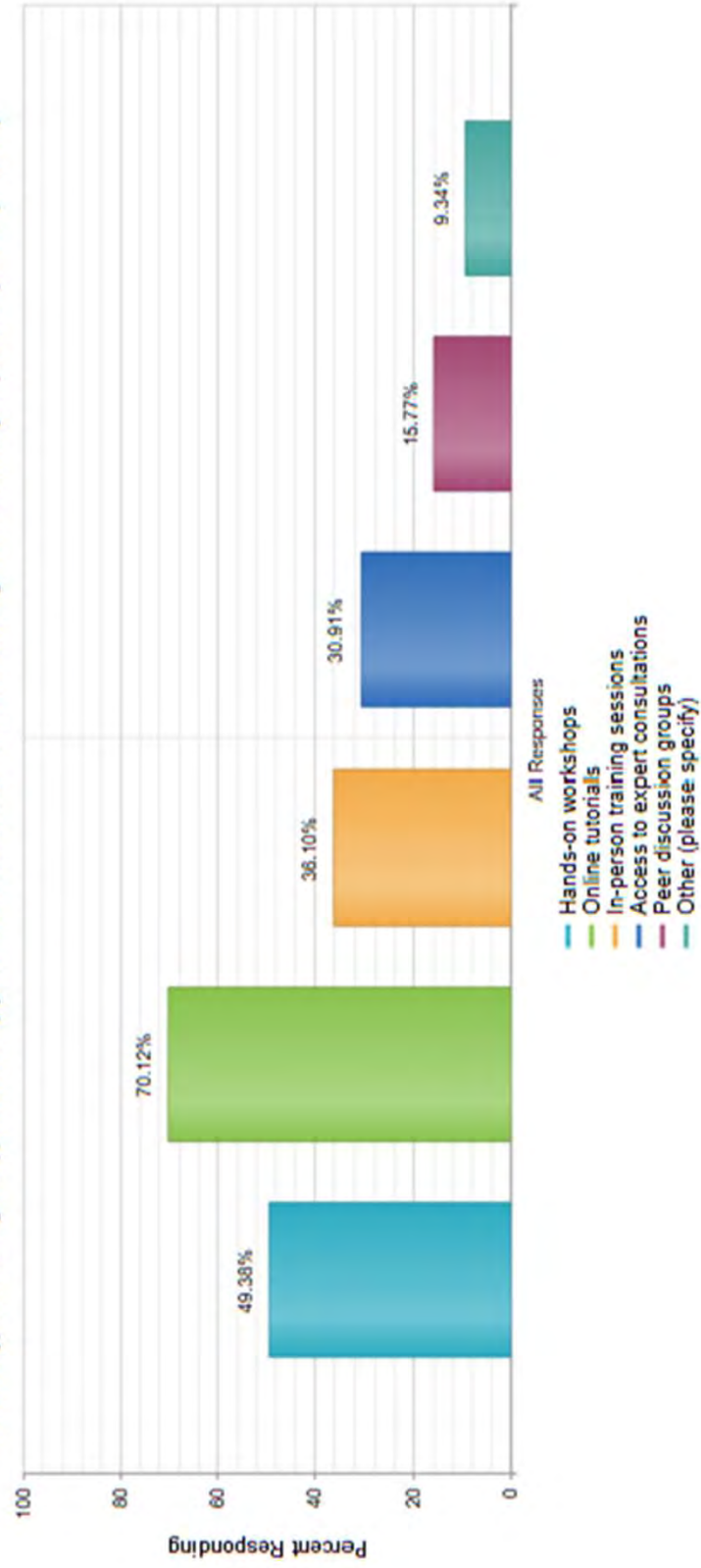
CLE DOMINATES AS THE PREFERRED MECHANISM TO KEEP UP WITH TECH DEVELOPMENTS, BUT THERE ARE OTHERS THAT HAVE SUPPORT

# TUTORIALS, CLE, DILIGENCE GUIDELINES, AND TOOLS REPOSITORY LEAD IN PREFERRED SUPPORT FROM WSBA



## ONLINE TUTORIALS LEAD FOR PREFERRED TRAINING TYPES, FOLLOWED BY WORKSHOPS, IN PERSON, AND CONSULTATION

23. What types of training or support would help you feel more comfortable and confident using Generative AI in your practice? (Check up to three)



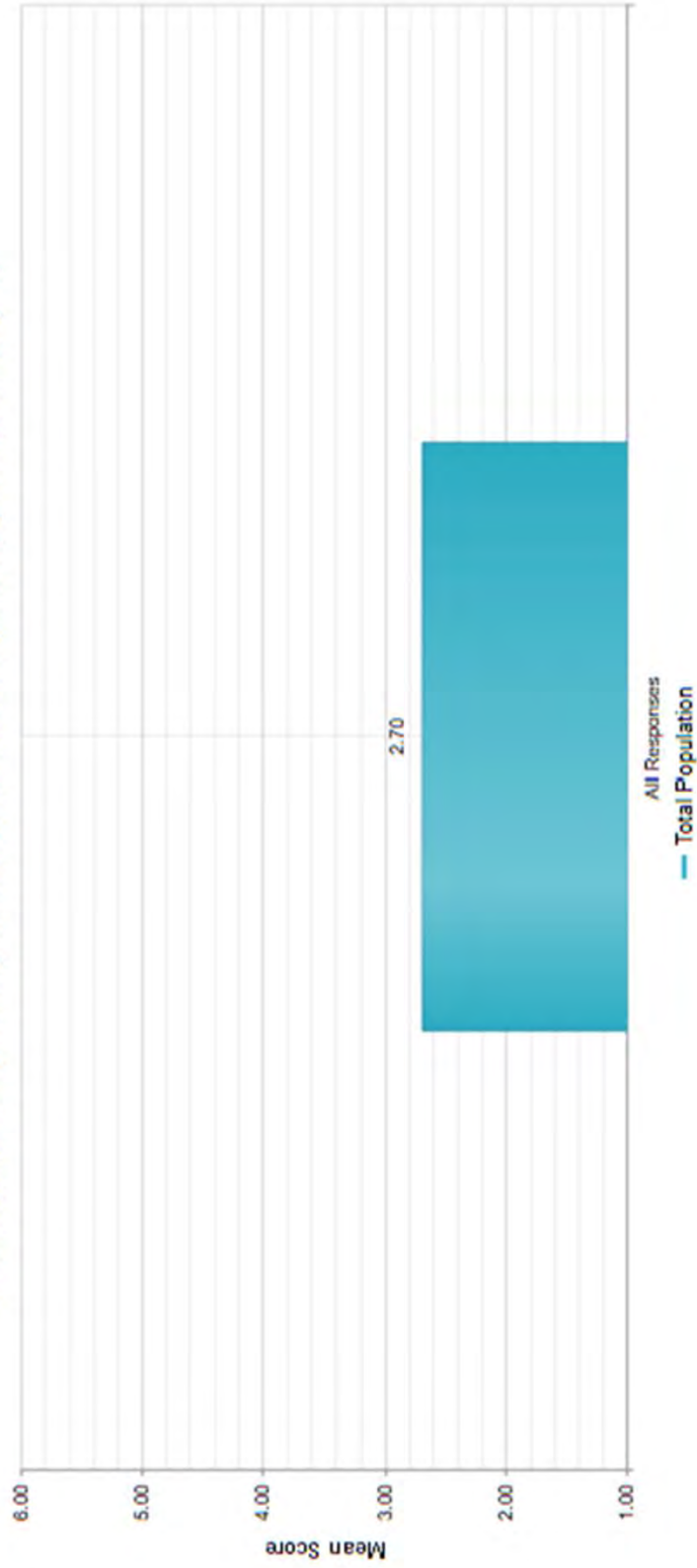




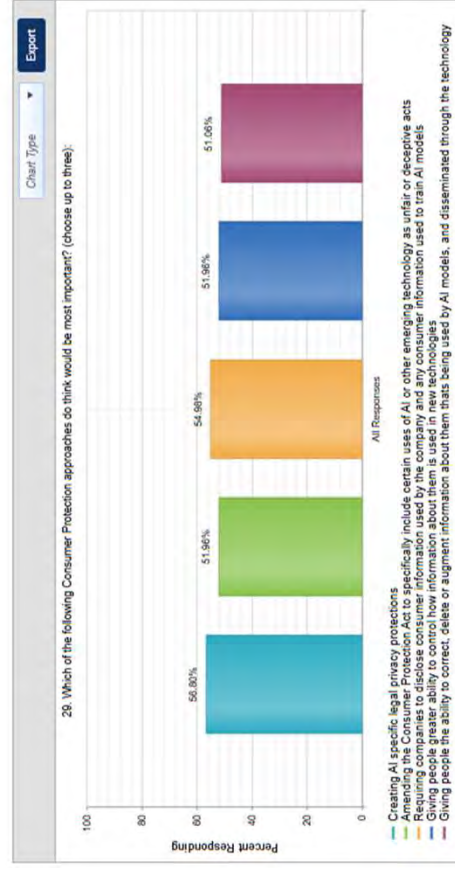
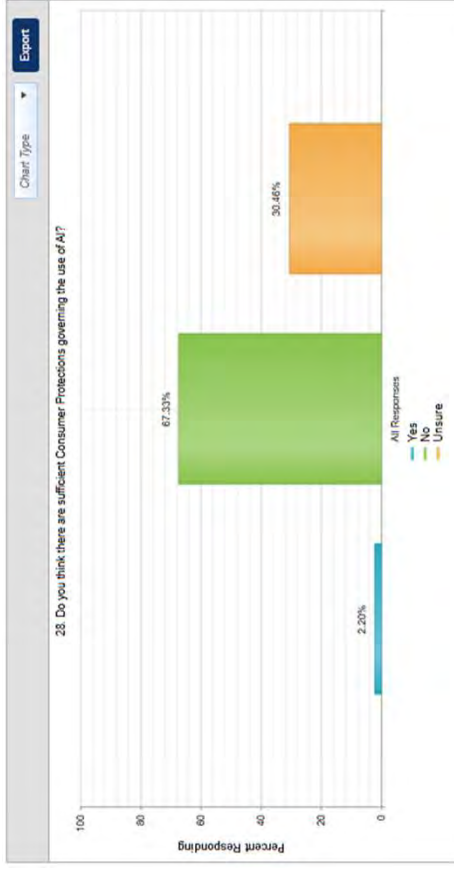
# CONSUMER PROTECTION AND A2J

LESS THAN FULL THROATED SUPPORT FOR PUBLIC USE OF GENERATIVE AI (63% NOT SUPPORTIVE). THIS Q LED TO THE LARGEST NUMBER OF SPECIFIC VERBATIM COMMENTS.

25. I am supportive of the public using Generative AI to meet their own legal needs (e.g., self-represented litigants).



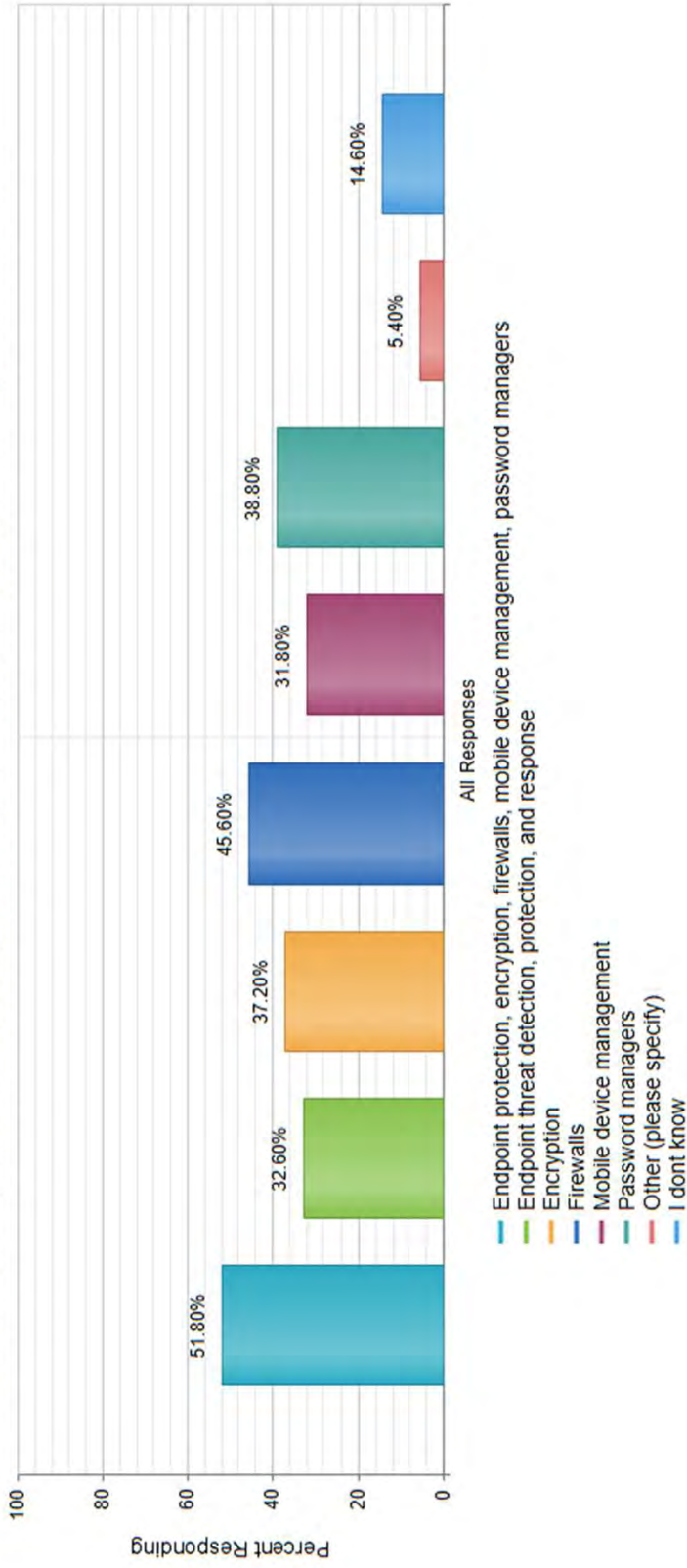
# SUPPORT FOR SPECIFIC AI CONSUMER PROTECTIONS





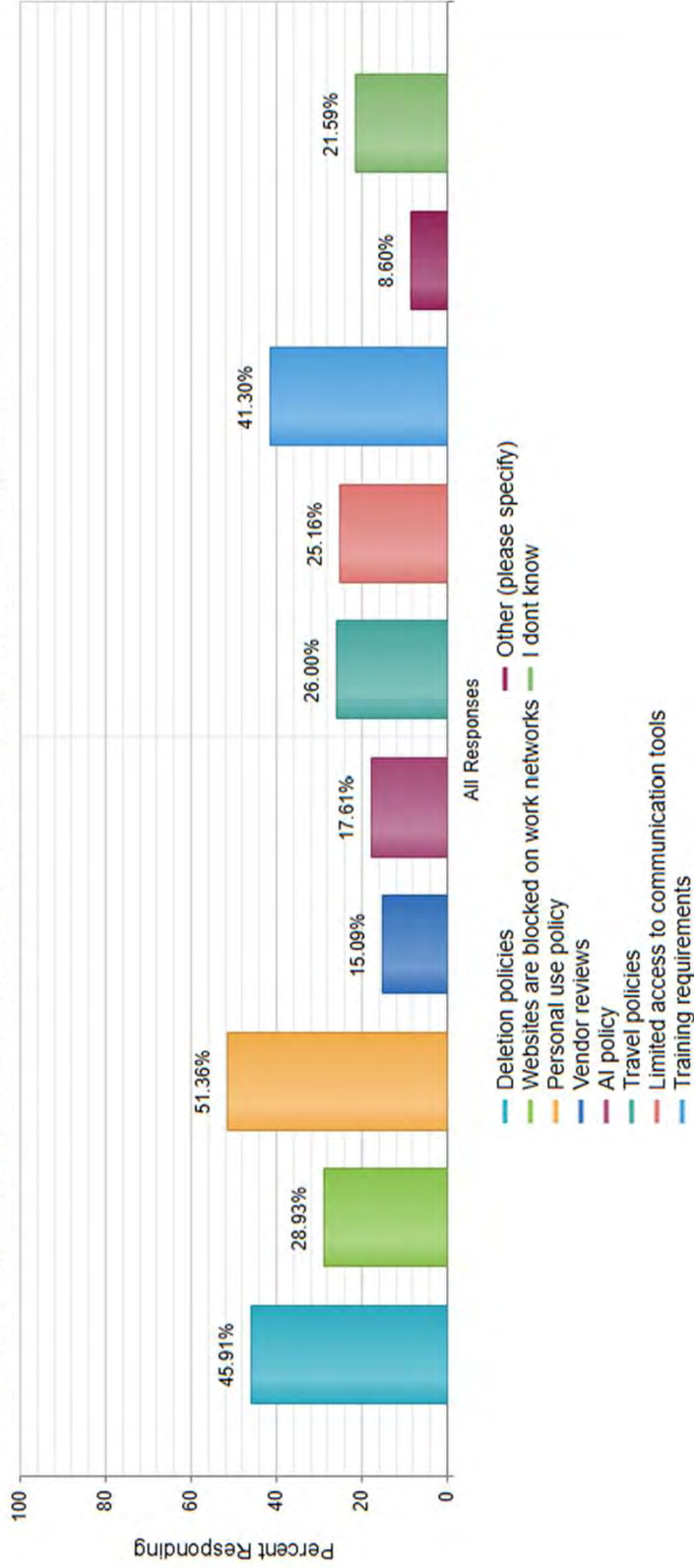
# SECURITY AND DATA PROTECTION

8. Which security or data protection technologies do you or your organization use to protect your organization and your client data? Check a...



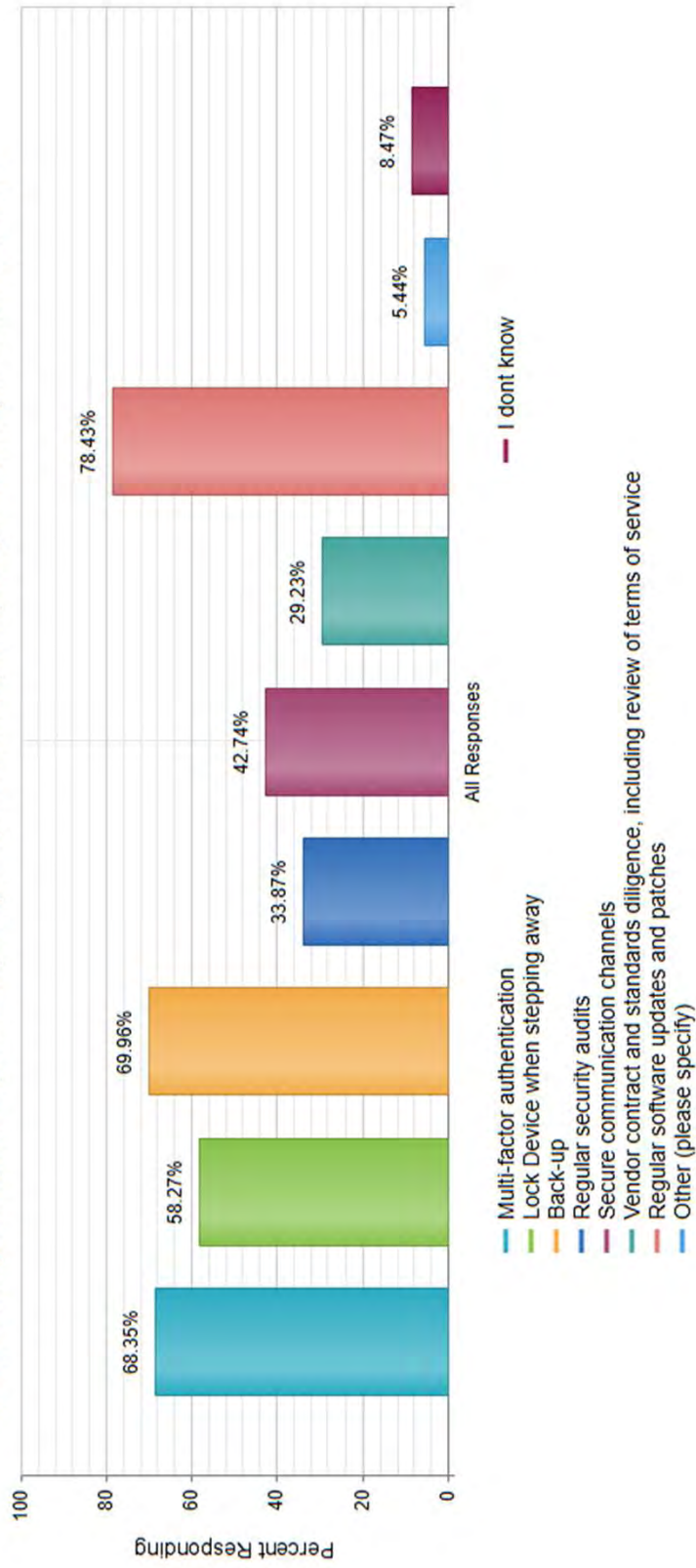
**MANY MEMBERS ARE IN ORGS USING SPECIFIC DATA PROTECTION TECHNOLOGIES. AND MANY ARE NOT.**

9. Which security or data protection policies do you or your organization use to protect your organization and your client data? Check all t...



# POLICIES ARE IN USE, BUT NOT FOR A MAJORITY OF MEMBERS

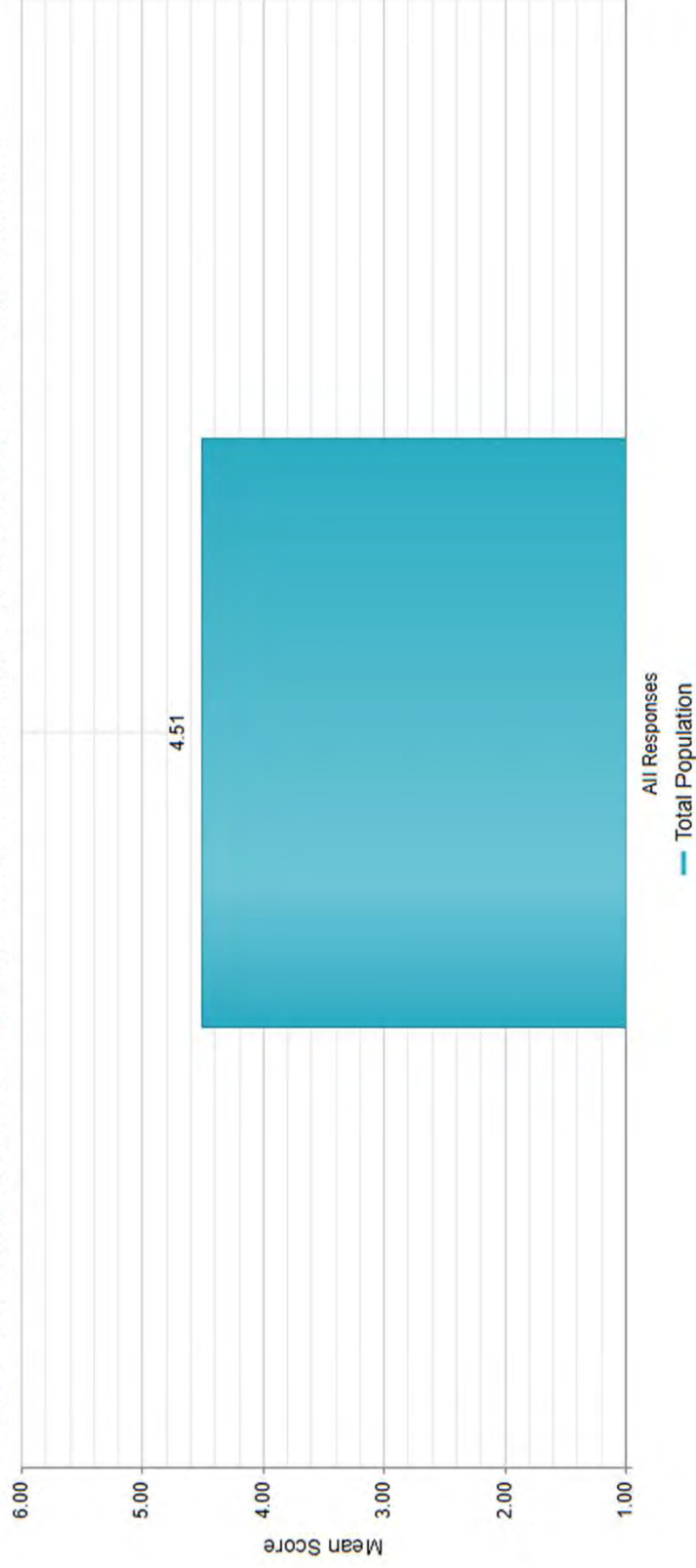
10. Which security or data protection practices do you or your organization use to protect your organization and your client data? Check all...



# FUNDAMENTAL PRACTICES ARE WIDESPREAD, BUT BY NO MEANS UNIVERSAL

**BUT CONFIDENCE IS HIGH . . . (74% AGREE SLIGHTLY, MODERATELY, OR STRONGLY)**

11. I am confident in my organization's ability to protect our organization and client data from cybersecurity threats, including, if in use, Gener...

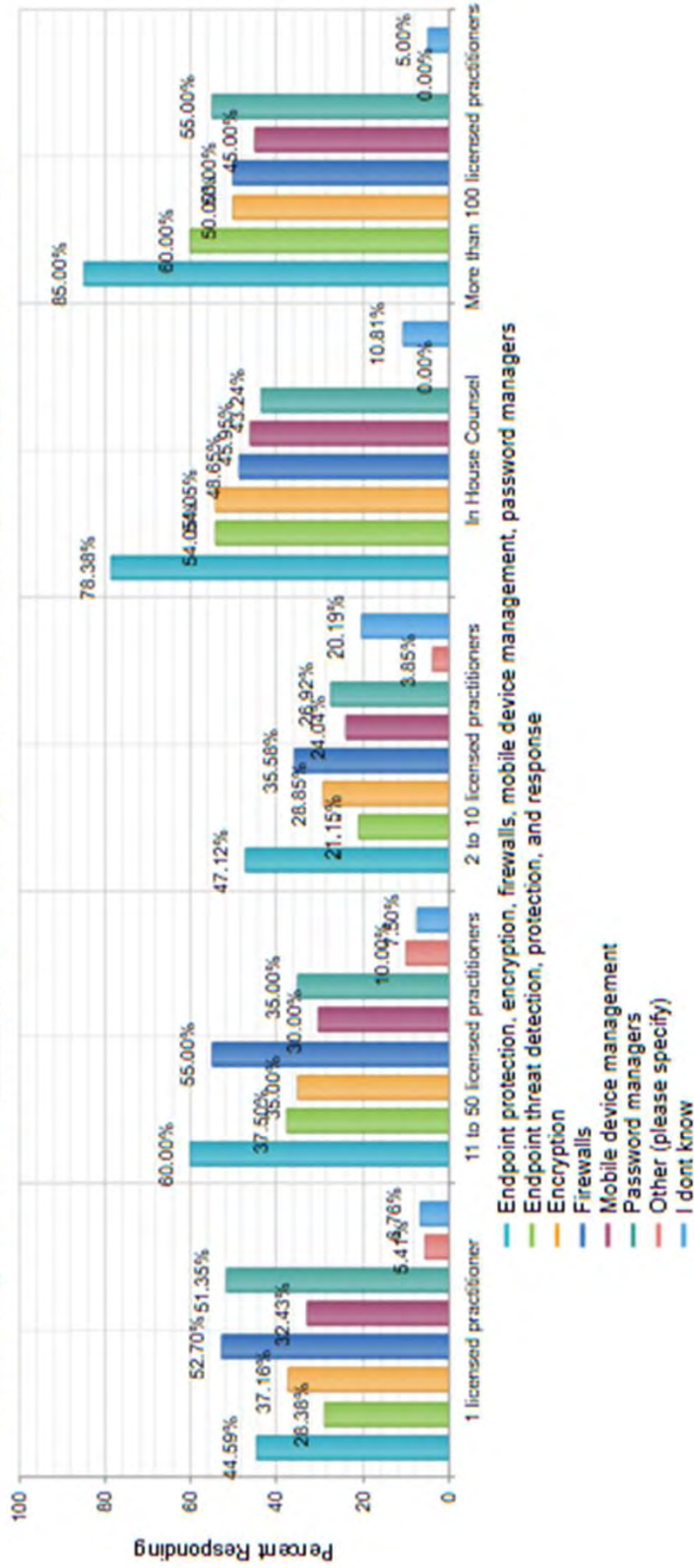




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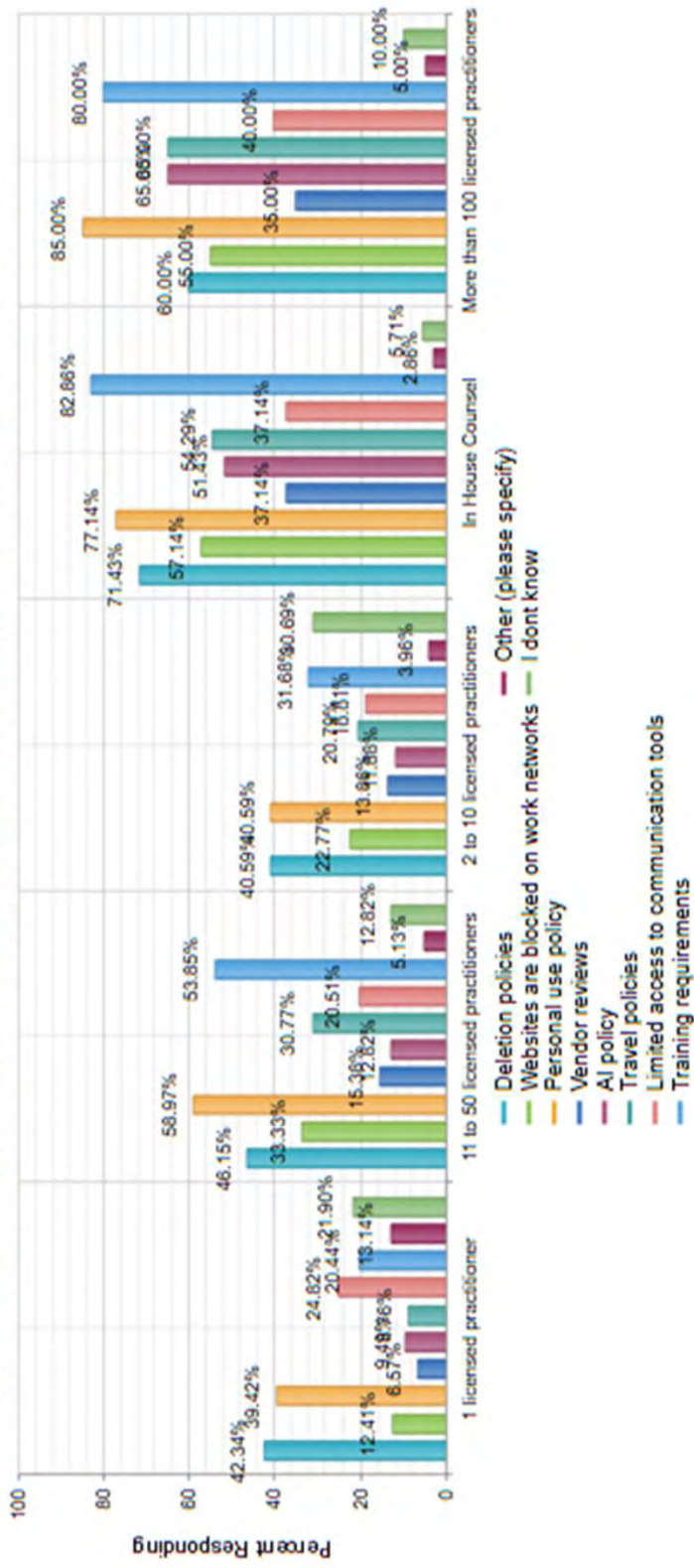


8. Which security or data protection technologies do you or your organization use to protect your organization and your client data? Check a...



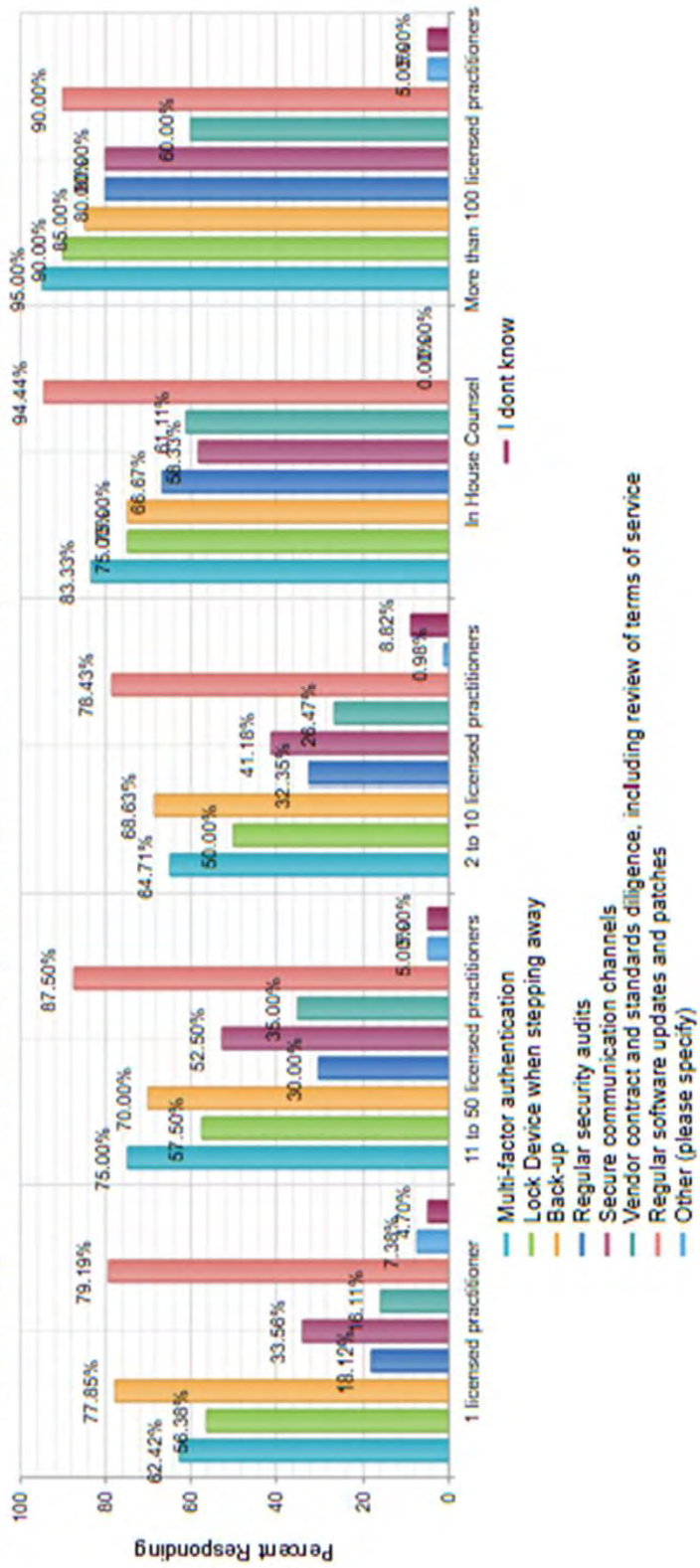
# LARGE ORGANIZATION MEMBERS IDENTIFY MORE DATA PROTECTION TECHNOLOGIES IN USE

9. Which security or data protection policies do you or your organization use to protect your organization and your client data? Check all t...



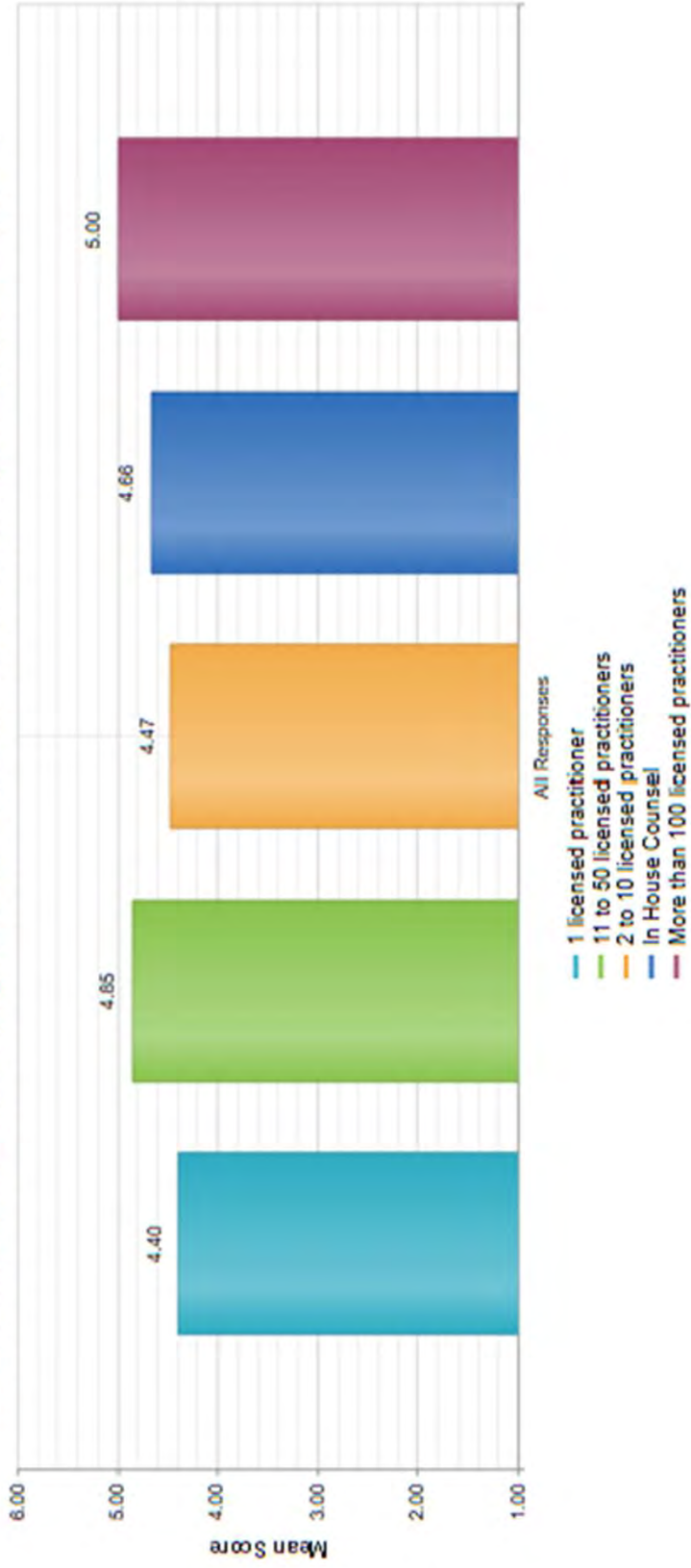
# SMALLER ORGS ARE LESS LIKELY TO HAVE SPECIFIC DATA PROTECTION POLICIES

10. Which security or data protection practices do you or your organization use to protect your organization and your client data? Check all...



PRACTICES VARY, WITH SIGNIFICANT CORRELATION TO ORG SIZE. BUT NO GROUP IS AT 100% USAGE, EVEN FOR MFA.

11. I am confident in my organization's ability to protect our organization and client data from cybersecurity threats, including, if in use, Gener...



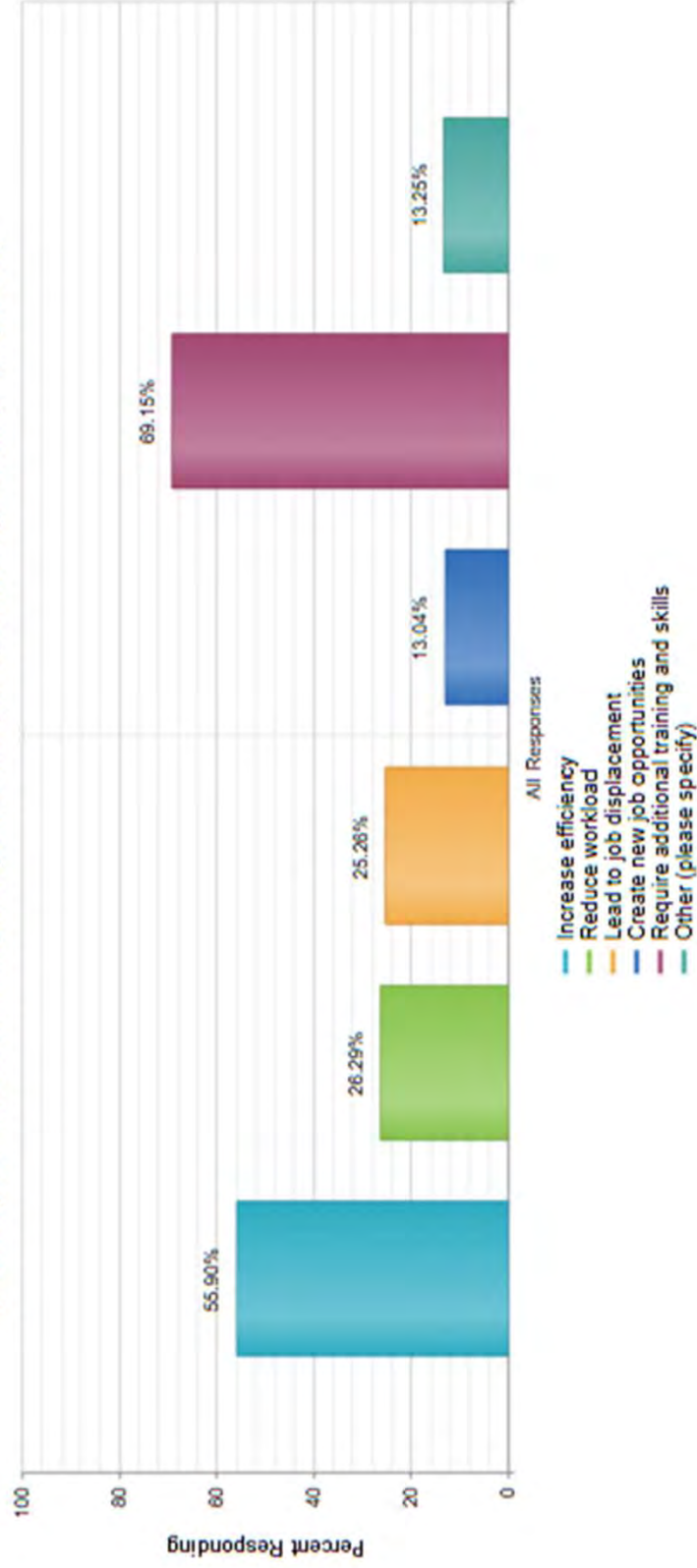
## YET ALL ARE PRETTY CONFIDENT IN THEIR ORGANIZATION'S CYBERSECURITY DEFENSES

# HOPE, DREAMS, AND CONCERNS

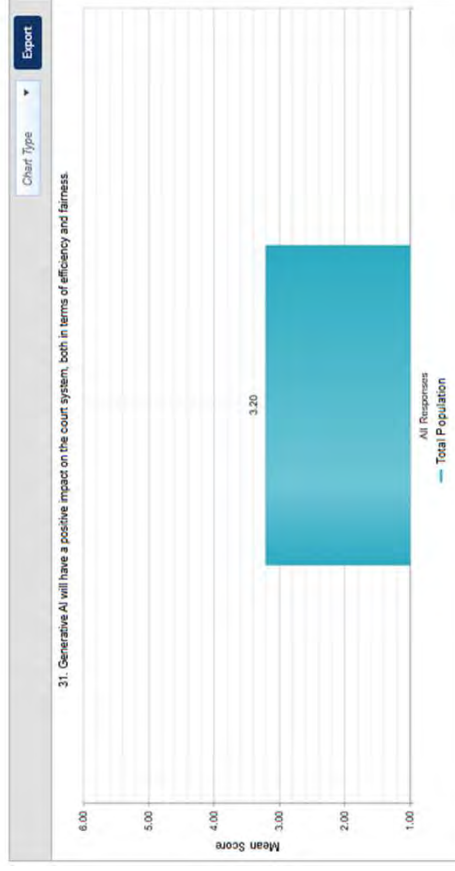
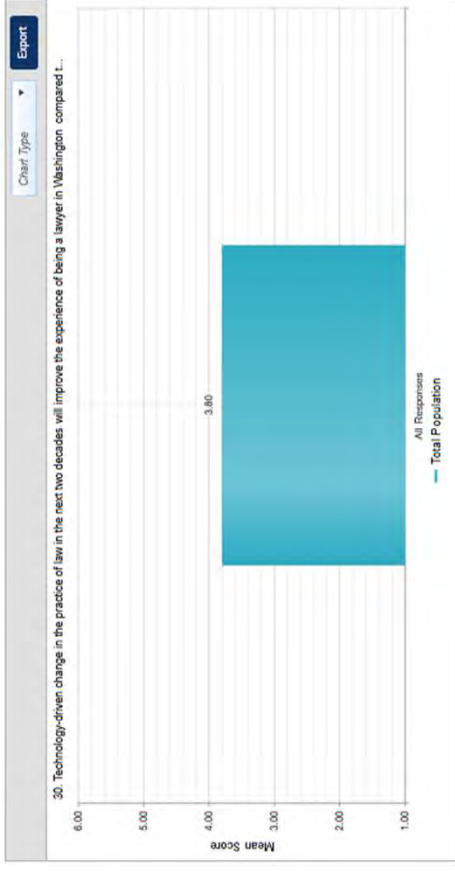


## AI IMPACT ON JOB ROLES: TRAINING AND SKILLS PLUS INCREASE EFFICIENCY LEAD REDUCED WORKLOAD AND JOB DISPLACEMENT

24. How do you think the use of AI will impact the job roles within your legal services organization? (Check up to three)

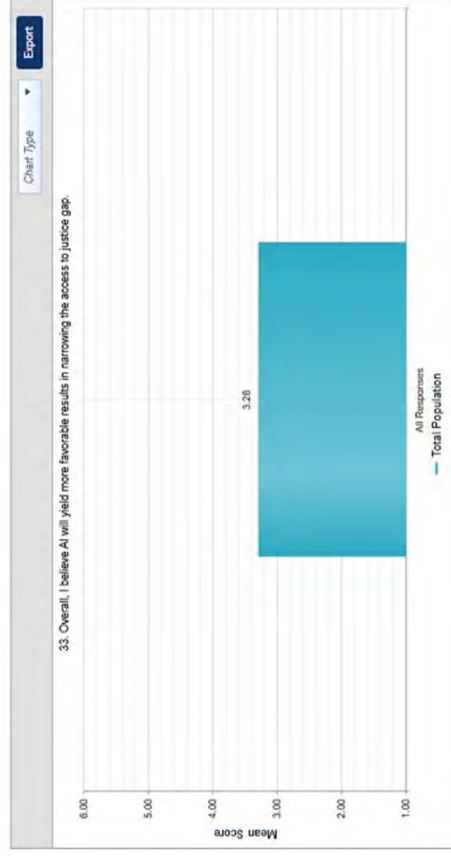
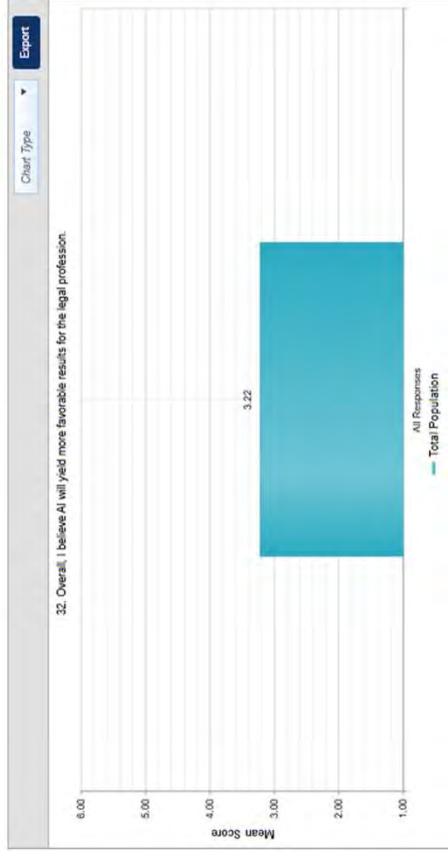


CAUTIOUS  
OPTIMISM ON  
OUTCOMES FOR  
LAWYER EXPERTS  
AND COURTS. VERY  
CAUTIOUS. (55%  
AGREE FOR LAWYER  
EXPERIENCE, 38%  
FOR COURTS)





# SAME FOR OVERALL RESULTS FOR LEGAL PROFESSION AND A2J (42% AGREE FOR PROFESSION, 41% FOR A2J)



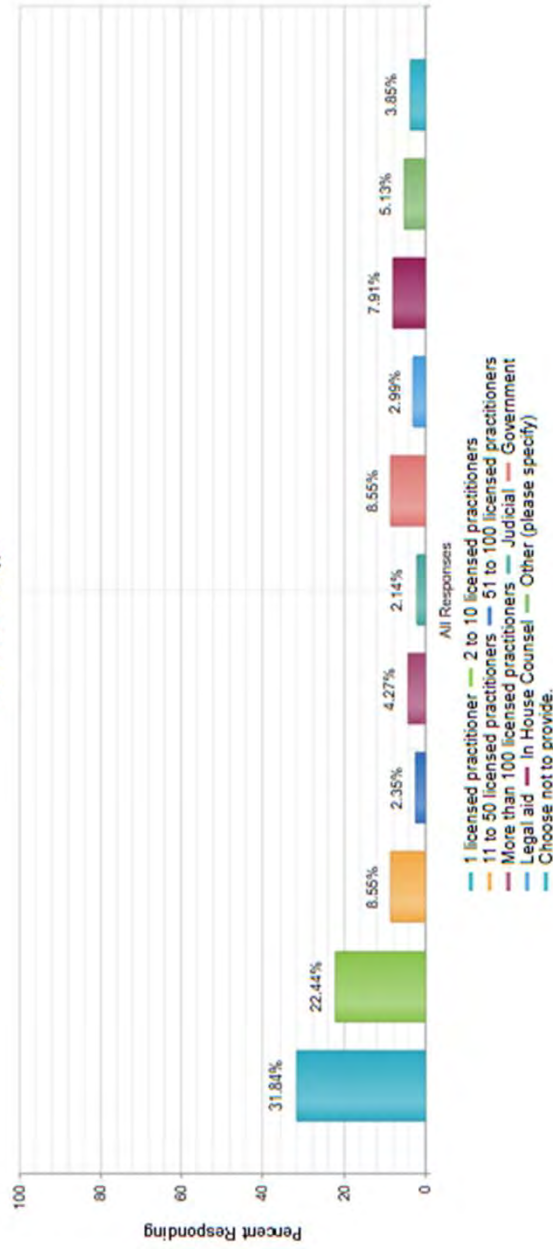


# DEMOGRAPHICS

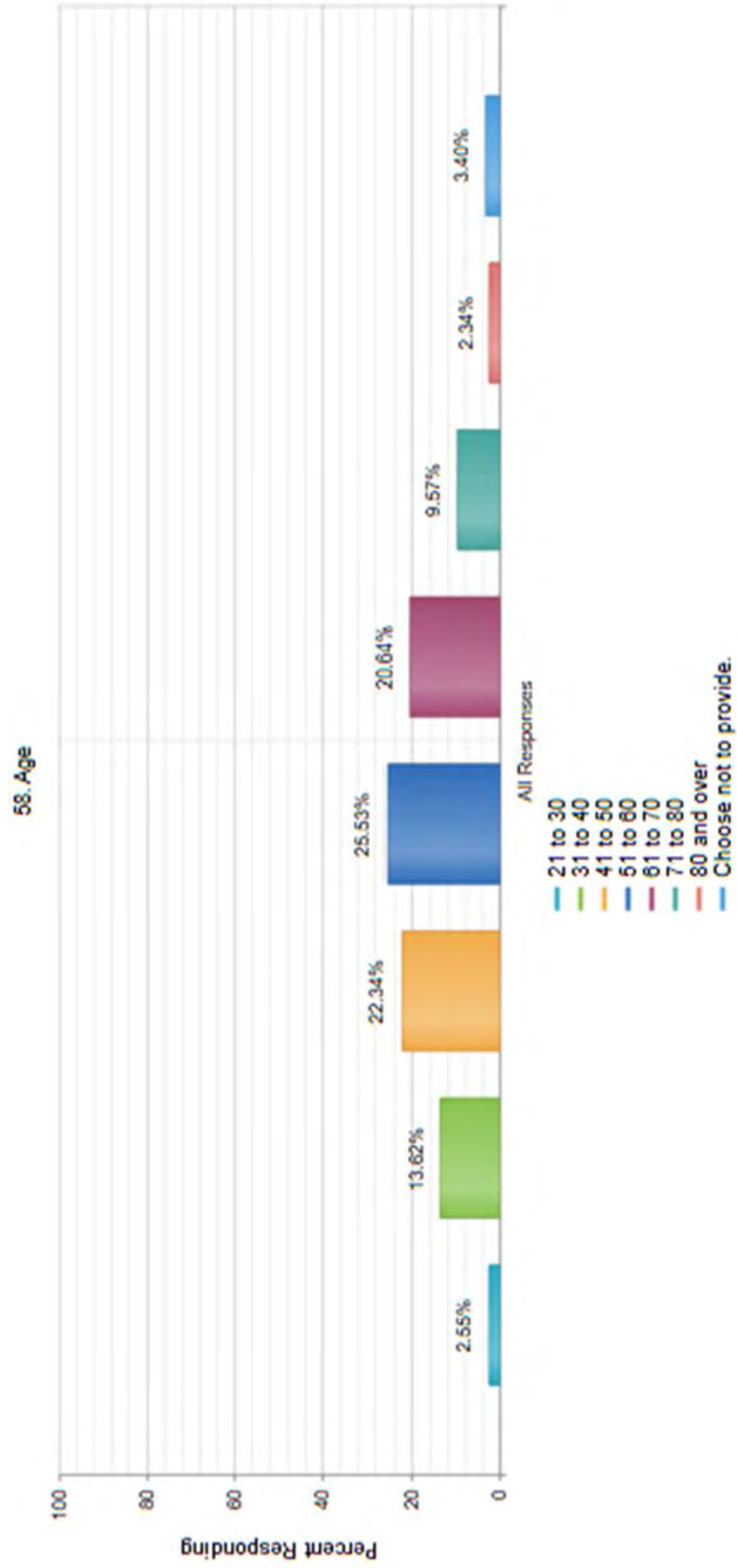
WASHINGTON STATE  
BAR ASSOCIATION

# PRACTICE SIZE. VAST MAJORITY OF RESPONDENTS CAME FROM PRACTICES <50 PROFESSIONALS

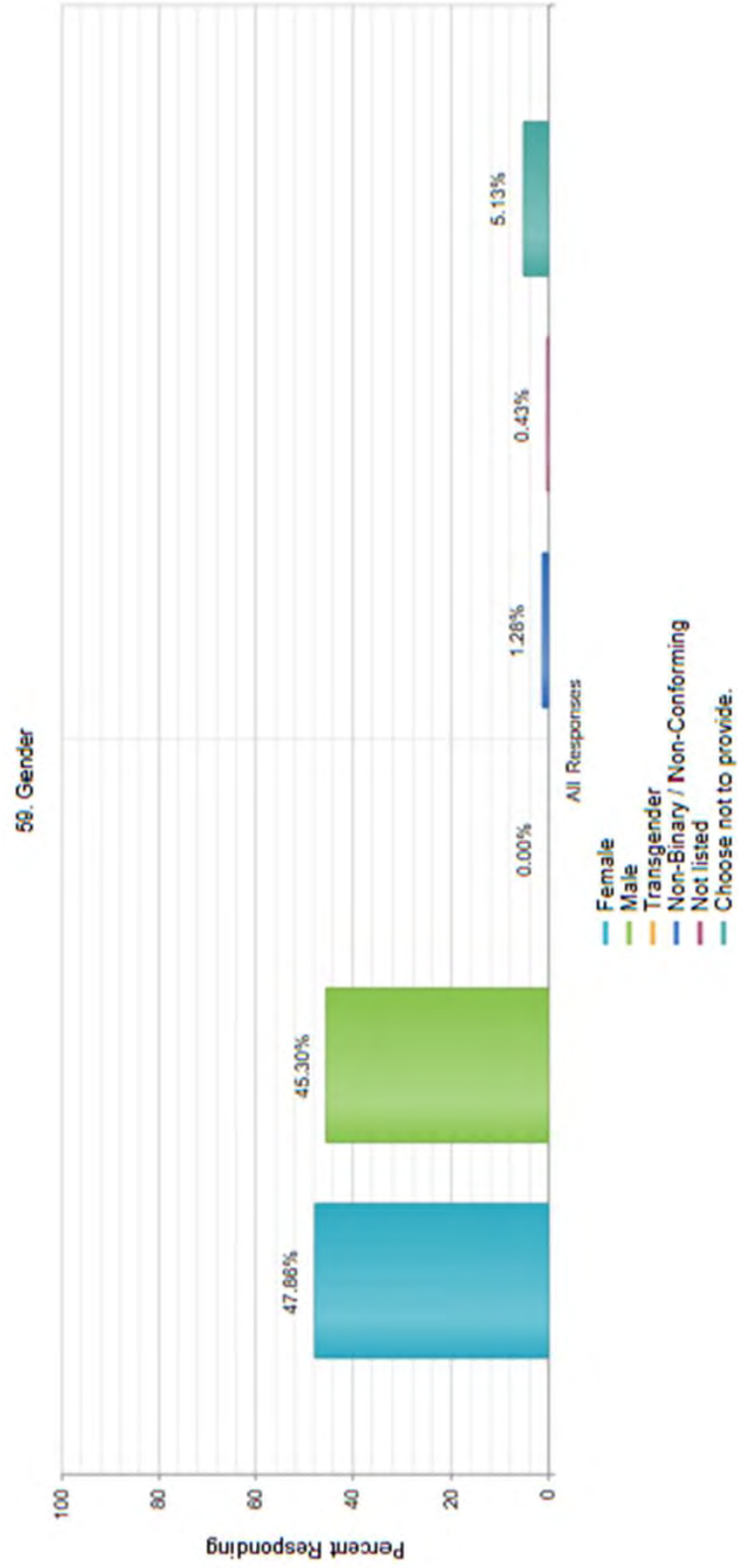
62. Practice Size Type



# AGE RANGES



# GENDER

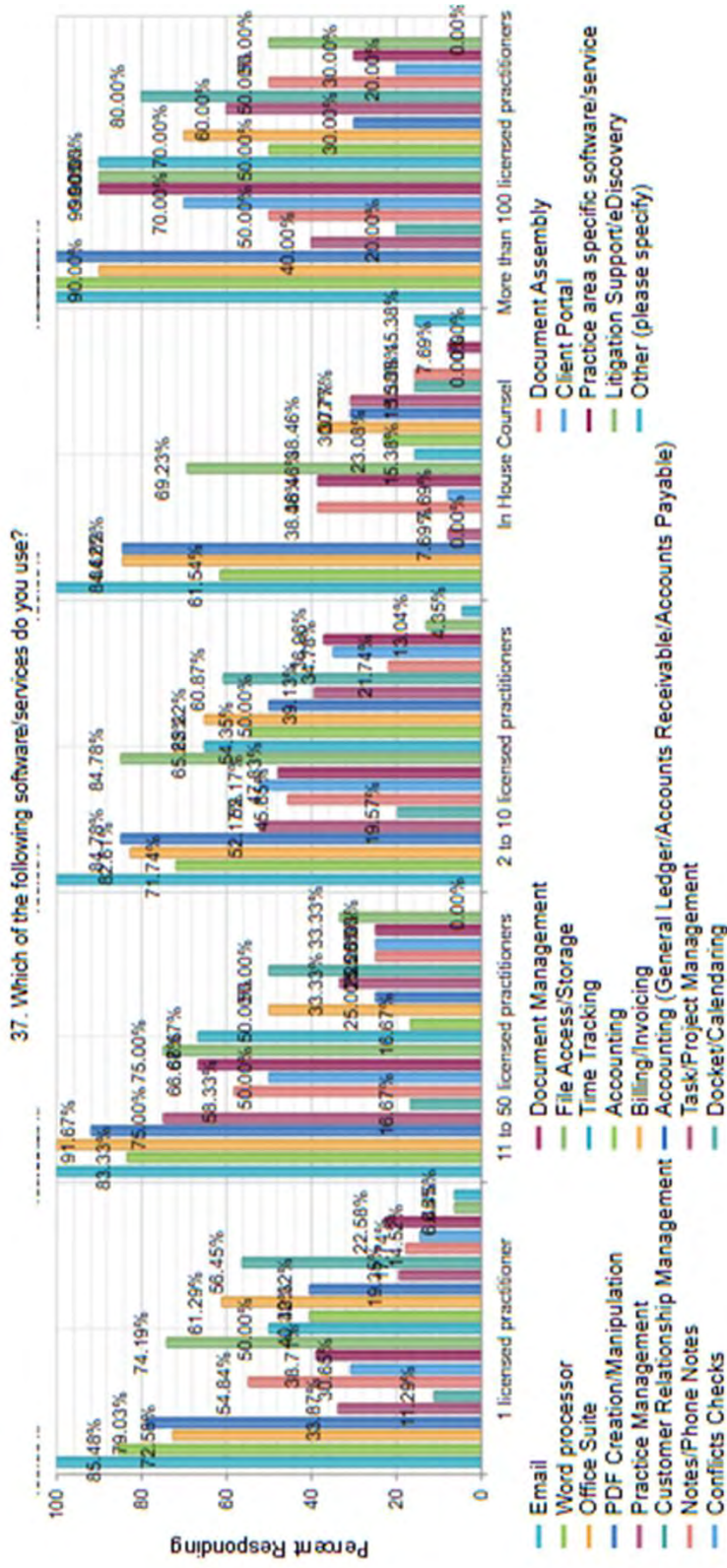


# ETHNICITY



# TECH IN OUR PRACTICES – WHAT TOOLS ARE IN DAY TO DAY USE.





OVERALL, MEMBERS ARE USING A RANGE OF DIFFERENT TECHNOLOGIES FOR WORK, COMMUNICATION, STORAGE, AND TASK COMPLETION



SAMPLE  
VERBATIM  
COMMENTS  
(DRAWN FROM  
SEVERAL  
HUNDRED)

55

## SAMPLE VERBATIMS: WHY DON'T YOU USE GENERATIVE AI IN YOUR PRACTICE?

- "I don't trust them."
- "So many reasons. To a certain extent I think it's unethical. I was hired for my legal competence and knowledge, and to rely on a tool that's been proven to be unreliable (inventing cites, etc.) rubs me the wrong way."
- "I don't trust AI."
- "No training. Don't trust results. Toy more than tool."
- "I like doing my own research and writing. I don't trust the accuracy of results."
- "AI is crappy, inaccurate, inconsistent, and unnecessary. For the legal writing my job requires, AI would be entirely inappropriate and irresponsible."
- "I don't think they provide any value. I don't trust anything to do work for me when I'm perfectly capable of doing it myself and finding ways to make the process more efficient if short on time. I have yet to be convinced AI applications can provide enough value to overcome the well-known risks and shortcomings of AI."
- "I don't trust them to generate accurate information."
- "Don't trust any of the creators or programmers of 'AI'. AI is just an excuse for them to put forth the Marxist, WOKE, and other anti-American agendas and claim 'it's not me/us, it's an 'impartial all-knowing computer.' All BS."
- "Don't trust them for accuracy or acceptable style."

## SUMMARY VERBATIMS: WHY ARE YOU SUPPORTIVE OF THE PUBLIC USING GENERATIVE AI FOR LEGAL SELF-HELP?

- "Learning the pros and cons of new technology only happens when it is encouraged. I remember when I wasn't permitted to use Lexis/Nexis and Westlaw products because it was untrustworthy. Learning to Shepardize was important for a foundation, but learning how to more efficiently search for case law was the real thing I needed to learn."
- "There is a vast need for legal resources and no way the nonprofits can keep up with demand. If this is another tool for pro se litigants to use, that could be very helpful."
- "I think the use of AI is unavoidable so we need to accept that and educate ourselves on the risks and benefits it provides."
- "I'm a relatively new attorney from a poorer background than many of my peers. Lack of access to the entire legal system (civil and criminal) for poorer communities and individuals is the primary reason I became a lawyer. In the brief time I've practiced (mostly in Idaho but currently in Washington), I observed that this lack of access is more ingrained than I thought and that there isn't a good reason for it other than the profession itself creating artificial scarcity for its services. Anything that allows ordinary people increased access to the legal system is morally good and may have a positive effect on the legal industry in the form of increased competition."
- "The public has very limited access to lawyers - the law seems to be only available to the wealthy. NOTE - this is only 1/2 of the problem. We also need way more lawyers, and a discussion of AI tools from the Judge's side."
- "We are seeing an increase in self-represented parties. Any technical support that would help them self-plead and research the appropriate law for self-education during their litigation would be greatly appreciated by other parties and especially the courts."
- "The public does not have sufficient access to affordable legal representation."
- "There are no lawyers. Legal services in understaffed and underfunded. There aren't even private attorneys left standing in rural areas. It's a desperate situation for courts and pro se parties. AI is better than nothing."
- "Access to justice for all and public education on what's available. They can engage an attorney if it becomes complicated."
- "I was a judge for 22+ years. Any tools that might help a self-represented litigant present their information to the judge in an understandable way helps the judge make a better decision. The concern, however, is that the litigant would have a hard time verifying the accuracy of the any AI generated briefing or citations provided to the court. The judge would need to be especially alert and cautious, as the work product might appear to be better and more accurate than it actually is."

## **SUMMARY VERBATIMS: WHY ARE YOU NOT SUPPORTIVE OF THE PUBLIC USING GENERATIVE AI FOR LEGAL SELF-HELP? [NOTE – THIS QUESTION HAD MORE VERBATIM RESPONSE THAN ANY OF THE OTHERS.]**

- "Without a basic understanding of the law, inaccurate conclusions may be drawn and a reluctance to accept correction."
- "A little knowledge is a dangerous thing."
- "It is inconsistent, inaccurate, unprofessional, irresponsible, vulnerable to bias, and unhelpful and unnecessary."
- "The risks of misinformation and incomplete information are simply too high. AI is only as good as the people that train it, and I am skeptical of the legal profession's ability or willingness to develop an adequate form of AI that will actually help people. It would be better to increase access to legal help for lower-income people than impose the known AI risks onto people who are much less likely than lawyers to have the education or support to use it appropriately. We cannot abandon our responsibilities as humans and lawyers and trust AI to do what we are apparently unwilling to do ourselves."
- "It is frustrating how much of my time you took out of the day to basically just ask how to market AI to the legal profession. AI Predictive Text/text generation has ZERO place in a law firm, or anywhere where the accuracy of what is 'generated' matters - which is honestly everywhere. AI is effectively one giant 'bullshit generator', creating false sentences that have no understanding or knowledge of what they convey, and cannot be relied on EVER. Stop trying to sell it. Ban its use in all legal professions. Sanction attorneys who attempt to use it - because again, it is making stuff up and cannot ever be relied on. If it is correct 60% of the time, it's because it guessed what words should follow from a pattern. This is not knowledge, it is not data, it is not reading, and it is not writing. Stop trying to sell AI. This is dangerous."
- "Computers cannot replace people. AI cannot perform the same type of logical analyses that a person can perform. I do not want more computers taking jobs away from real people. AI steals the work-product of real people and averages it to produce inaccurate garbage."
- "Generative AI is unreliable and will lull the general public into a false sense of security. Also, Generative AI trains its bots by wholesale taking of third parties' intellectual property."
- "AI is both a highly unreliable tool and a system designed to remove the skilled practice of those who use it. It exists solely to give power access to skill without needing access to the skilled. It is an abomination that any attorney would consider it. It is also trained on stolen information and allows no room for interpretation in the practice. Seriously, ban it. Anything else is a failure of policy, duty, and humanity."
- "I don't trust or like generative AI in any application or context."
- "Risks of inaccurate advice and misleading information, causing people to take the wrong actions or make mistakes in their cases."

# SAMPLE VERBATIMS: DO YOU HAVE ANY OTHER THOUGHTS ON HOW THE TECH TASK FORCE OR WSBA CAN HELP?

- "Yes. As a sole practitioner engaged in sporadic motion practice/litigation, the Fast Case free legal research has been immensely valuable."
- "For someone who has never accessed ChatGPT or similar applications, a basic guideline or beginner's tutorial would be helpful."
- "Tech training for lawyers, staff, court personnel, judges (maybe especially judges), needs to be a high priority."
- "Offering CLEs on this subject would be helpful."
- "AI technology may be able to research and write your legal argument in court but it cannot deliver that argument for you."
- "Focus on improving access to vetted technologies and appropriate training."
- "One of the big problems is lack of access to attorneys or even paralegals."
- "It would be good for the WSBA to take the lead on championing the value of human beings."
- "I think it's really important for us as attorneys to be investigating if there is actually any real benefit to new technologies."
- "There is tremendous potential here, but the systems that are being pushed out are focused on making money."
- "I think it's really important for us as attorneys and as bar associations to be investigating if there is actually any real benefit to new technologies and what drawbacks there might be (unnecessary increase in energy use; unnecessary or unacceptable data collection by private companies)."

# SAMPLE VERBATIMS: DO YOU HAVE ANY OTHER THOUGHTS ON TECHNOLOGY AND THE LAW?

- "I often interact with senior attorneys who are dangerously unskilled in technology. Their reliance on pen and paper systems and discomfort with simple tools like online calendar reminders and tracked changes is a huge issue. Until we require attorneys to demonstrate competency in basic communication tools, tenured attorneys will be doing a disservice to their colleagues and clients."
- "In theory, AI could be helpful to the legal profession. However, I am skeptical of how it will be used by the majority of lawyers in practice."
- "Look, I'm at the end of my legal career. This will outlive me. As stated before, I have already seen AI to be very harmful to many people as the use of it, not only politically, but socially has been very harmful. People don't know enough to protect themselves. I'm not foolish enough to feel it is going away, but I simply don't trust it."
- "There are inadequate protections for client confidentiality with the use of generative AI. The attorneys I have seen who have started using generative AI in their practices tend to resort to gimmicks in the place of thought; they appear to be adapting their practice to accommodate AI use, not using AI as a tool that fits within their case strategy. I don't trust their work product."
- "The WSBA already does not meaningfully enforce the RPCs about competence, diligence, or candor to the court, and from an appellate perspective a lot of trial court briefing is not acceptable. AI will exacerbate this problem."
- "Access by the public to AI for self-help might be great for consumers but could place a significant burden on the court system because it may open the floodgates to filing complaints. It may also require more review and scrutiny by the court to ensure accuracy of pleadings."
- "Technology, i.e., things like computers and ubiquitous internet access, is good for the residents of Washington and their legal needs."
- "I taught the Advanced Legal Writing class as an adjunct at Gonzaga Law for years. I once asked the class if they thought devoting a single class to technology would be useful. They uniformly wanted it. We spent the next session working on AI tools and tech to support legal writing. The students were excited about its potential."
- "There is tremendous potential here, but currently the systems that are being pushed out are being pushed out with a focus on making money (for the vendors). The WSBA and the bench/bar collaboration has to take significant steps to avoid abuses of the technologies."
- "Any permanent long-term changes (e.g., amending a statute) should not be too heavily geared toward the current state of the targeted technology and should instead capture the larger concerns; otherwise, the law will become obsolete or unhelpful as technology changes."
- "We were licensed after proving ourselves capable of getting through higher education, 3 years of law school, and passing a rigorous test called the Bar Exam. In theory, we have the intellect to reason, analyze, learn the law applicable to our field, research, and compose persuasive legal writings on the topics. The use of AI should be for discreet purposes only and not as a replacement for thinking and analyzing on our own."
- "Technology is very important if used to support diligence. However, it should not be relied on for analysis; it is one tool, that's all."
- "AI and technology tools have the potential to make our work more efficient and increase access to justice, especially in rural areas."
- "The public does not have sufficient access to affordable legal representation. AI could help bridge that gap."

# WASHINGTON STATE BAR ASSOCIATION

**TO:** WSBA Board of Governors

**CC:** Terra Nevitt, Executive Director

**FROM:** Monte Jewell, Chair, Committee on Professional Ethics  
Jeanne Marie Clavere, Senior Professional Responsibility Counsel

**DATE:** November 20, 2024

**RE:** CPE Recommendation to Adopt ABA Amendments to RPC 1.16 and Accompanying Comments 1 and 2

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<p><b>Committee on Professional Ethics Recommendation that the WSBA Board of Governors suggest to the Washington State Supreme Court an Amendment to RPC 1.16 and accompanying Comments 1 and 2</b></p>
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*Recommendation that the Board of Governors suggest, to the Washington State Supreme Court, an amendment to RPC 1.16(a) and accompanying Comments 1 and 2 mirroring similar amendments adopted by the ABA to Model Rule 1.16. The suggested amendments are attached.*

## **Background**

In August 2023, the American Bar Association adopted amendments to both the text and comments to ABA Model Rule 1.16 (Amendments<sup>1</sup>), which addresses declining or terminating representation. The Amendments focus largely on the duty to inquire about a prospective or current client’s objectives so that a lawyer will not inadvertently be drawn into a circumstance where the client is using the lawyer’s services to commit a crime or fraud. Later that month, the WSBA Executive Director asked the Committee on Professional Ethics (CPE) to review the Amendments and to make a recommendation to the Board of Governors (BOG) on “whether Washington RPC 1.16 should be amended to conform to Model Rule 1.16 as amended.”<sup>2</sup> A subcommittee was appointed at the CPE’s October 2023 meeting to review the

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<sup>1</sup> Our use of the term “Amendments” in this Memorandum refers to both the amendments to the text of the rule and the accompanying comments in both their ABA and potential Washington forms.

<sup>2</sup> Aug. 28, 2023, Letter from Terra Nevitt to Monte Jewell at 1.

Amendments. The Subcommittee recommended adoption of the Amendments, and the CPE approved that recommendation unanimously at its October 2024 meeting.

The CPE suggests that the BOG recommend verbatim adoption of the Amendments to the Supreme Court. In doing so, we acknowledge that the Amendments will not likely affect most practitioners significantly. Rather, the Amendments are intended to serve as a reminder of existing duties in the narrow circumstances addressed. Further, while not the focus of the ABA drafters, the Amendments support the practice of respectfully vetting client objectives to protect against internet scams, in which lawyers are targeted.

#### **A. ABA Model Rule 1.16 and Washington RPC 1.16**

The ABA adopted Model Rule 1.16 in 1983 as a part of the original set of ABA Model Rules.<sup>3</sup> Both the rule and the accompanying comments underwent comparatively minor amendments in 2002 as a part of the ABA Ethics 2000 Commission review.<sup>4</sup> Since its adoption, Model Rule 1.16 has always addressed both declining and terminating representation as reflected in its title: “Declining or Terminating Representation.”<sup>5</sup>

Washington RPC 1.16 has followed a similar arc. The text of the rule was adopted in 1985 when Washington moved from the former Code of Professional Responsibility to the Rules of Professional Conduct patterned on the ABA Model Rules.<sup>6</sup> Because Washington did not initially adopt Model Rule 1.13, Washington’s counterpart rule was numbered RPC 1.15.<sup>7</sup> The rule was then amended in 2006 as a part of the WSBA Ethics 2003 Committee’s review of the ABA Ethics 2000 amendments.<sup>8</sup> Official comments were also adopted during the Ethics 2003 process and the rule was renumbered to RPC 1.16.<sup>9</sup> Since the 2006 amendments, the rule has remained largely unchanged.<sup>10</sup> Like its ABA Model Rule counterpart, the Washington rule

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<sup>3</sup> ABA, *A Legislative History: The Development of the ABA Model Rules of Professional Conduct, 1982-2013* (2013) (ABA Legislative History) at 365-376.

<sup>4</sup> *Id.* at 376-79.

<sup>5</sup> For a general survey of ABA Model Rule 1.16 immediately preceding the 2023 Amendments, see ABA, *Annotated Model Rules of Professional Conduct* (2023) at 313-331.

<sup>6</sup> See generally Robert H. Aronson, *An Overview of the Law of Professional Responsibility: The Rules of Professional Conduct Annotated and Analyzed*, 61 Wash. L. Rev. 823, 856-59 (1986).

<sup>7</sup> *Id.*

<sup>8</sup> See generally WSBA, *Reporter’s Explanatory Memorandum to the Ethics 2003 Committee’s Proposed Rules of Professional Conduct* (2004) at 170-171 (discussing review of the then-recent ABA Ethics 2000 amendments to ABA Model Rule 1.16 and noting that the recommendation to adopt them was “uncontroversial”); Supreme Court Order 25700-A-851, July 10, 2006 (adopting the WSBA Ethics 2003 amendments).

<sup>9</sup> *Id.*

<sup>10</sup> The term “legal practitioner” was substituted for “lawyer” in RPC 1.16(d) in 2015 as part of a package of amendments addressing LLLT practice in Washington. See Supreme Court Order 25700-A-1096 at 41, Mar. 23, 2015. Comment 4 to Washington RPC 1.16 was also amended in 2021 to address in-house counsel practice in the wake of the Supreme Court’s decision in *Karstetter v. King County Corrections Guild*, 193 Wn.2d 672, 444 P.3d 1185



has always addressed both declining and terminating representation as reflected in its title: “Declining or Terminating Representation.”<sup>11</sup>

Prior to the 2023 Amendments to ABA Model Rule 1.16, therefore, Washington RPC 1.16 was essentially the ABA Model Rule (and comments) with very minor differences.<sup>12</sup>

### **B. The 2023 Amendments to ABA Model Rule 1.16**

The 2023 Amendments amended both the text and the comments to ABA Model Rule 1.16.

- **Text**

The Amendments added a new sentence at the beginning of Model Rule 1.16(a) and a new subpart “(4)” to that section:

- (a) [A lawyer shall inquire into and assess the facts and circumstances of each representation to determine whether the lawyer may accept or continue the representation.](#) Except as stated in paragraph (c), a lawyer shall not represent a client or, where the representation has commenced, shall withdraw from the representation if:

...

[\(4\) the client or prospective client seeks to use or persists in using the lawyer’s services to commit or further a crime or fraud, despite the lawyer’s discussion pursuant to Rules 1.2\(d\) and 1.4\(a\)\(5\) regarding the limitations on the lawyer assisting with the proposed conduct.](#)<sup>13</sup>

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(2019). See Supreme Court Order 25700-A-1346, June 4, 2021, at 4. Washington’s rule also contains a reference to RCW 2.44.040 on change of counsel in court proceedings in RPC 1.16(a).

<sup>11</sup> For a general survey of Washington RPC 1.16, see Thomas R. Andrews, *The Law of Lawyering in Washington* (2012), ch. 4, V.

<sup>12</sup> As a result of the insertion of Washington-specific Comment 4 in 2021 addressing the *Karstetter* decision in the context of in-house counsel, Washington now has 10 comments to RPC 1.16 rather than the nine in the ABA Model Rule. Numerically, Comments 5 through 10 in Washington RPC 1.16 now equate to Comments 4 through 9 in the ABA Model Rule.

<sup>13</sup> ABA Model Rules 1.2(d) and 1.4(a)(5) read, respectively:

1.2(d). A lawyer shall not counsel a client to engage, or assist a client, in conduct that the lawyer knows is criminal or fraudulent, but a lawyer may discuss the legal consequences of any proposed course of conduct with a client and may counsel or assist a client to

- **Comments**

The Amendments add guidance to Comments 1 and 2 about when changed circumstances will trigger the lawyer’s need to make further inquiry and assessment (or to withdraw from representation) under ABA Model Rule 1.16:

[1] Paragraph (a) imposes an obligation on a lawyer to inquire into and assess the facts and circumstances of the representation before accepting it. The obligation imposed by Paragraph (a) continues throughout the representation. A change in the facts and circumstances relating to the representation may trigger a lawyer’s need to make further inquiry and assessment. For example, a client traditionally uses a lawyer to acquire local real estate through the use of domestic limited liability companies, with financing from a local bank. The same client then asks the lawyer to create a multi-tier corporate structure, formed in another state to acquire property in a third jurisdiction, and requests to route the transaction’s funding through the lawyer’s trust account. Another example is when, during the course of a representation, a new party is named or a new entity becomes involved. A lawyer should not accept representation in a matter unless it can be performed competently, promptly, without improper conflict of interest and to completion. Ordinarily, a representation in a matter is completed when the agreed-upon assistance has been concluded. See Rules [1.1](#), [1.2\(c\)](#) and [6.5](#). See also Rule [1.3](#), Comment [\[4\]](#).<sup>14</sup>

### **Mandatory Withdrawal**

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make a good faith effort to determine the validity, scope, meaning or application of the law.

[1.4\(a\)\(5\)](#). A lawyer shall . . . consult with the client about any relevant limitation on the lawyer’s conduct when the lawyer knows that the client expects assistance not permitted by the Rules of Professional Conduct or other law.

Washington RPCs [1.2\(d\)](#) and [1.4\(a\)\(5\)](#) are identical to their ABA Model Rule counterparts.

<sup>14</sup> ABA Model Rule [1.1](#) reads:

A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

Washington RPC [1.1](#) is identical to its ABA Model Rule counterpart.

[2] A lawyer ordinarily must decline or withdraw from representation if the client demands that the lawyer engage in conduct that is illegal or violates the Rules of Professional Conduct or other law. The lawyer is not obliged to decline or withdraw simply because the client suggests such a course of conduct; a client may make such a suggestion in the hope that a lawyer will not be constrained by a professional obligation. [Under paragraph \(a\)\(4\), the lawyer's inquiry into and assessment of the facts and circumstances will be informed by the risk that the client or prospective client seeks to use or persists in using the lawyer's services to commit or further a crime or fraud. This analysis means that the required level of a lawyer's inquiry and assessment will vary for each client or prospective client, depending on the nature of the risk posed by each situation. Factors to be considered in determining the level of risk may include: \(i\) the identity of the client, such as whether the client is a natural person or an entity and, if an entity, the beneficial owners of that entity, \(ii\) the lawyer's experience and familiarity with the client, \(iii\) the nature of the requested legal services, \(iv\) the relevant jurisdictions involved in the representation \(for example, whether a jurisdiction is considered at high risk for money laundering or terrorist financing\), and \(v\) the identities of those depositing into or receiving funds from the lawyer's client trust account, or any other accounts in which client funds are held. For further guidance assessing risk, see, e.g., as amended or updated, Financial Action Task Force Guidance for a Risk-Based Approach for Legal Professionals, the ABA Voluntary Good Practices Guidance for Lawyers to Detect and Combat Money Laundering and Terrorist Financing, A Lawyer's Guide to Detecting and Preventing Money Laundering \(a collaborative publication of the International Bar Association, the American Bar Association and the Council of Bars and Law Societies of Europe\) the Organization for Economic Cooperation and Development \(OECD\) Due Diligence Guidance for Responsible Business Conduct, and the U.S. Department of Treasury Specially Designated Nationals and Blocked Persons List.](#)

### **C. ABA Explanation for the Amendments**

The ABA resolution that was ultimately approved by its House of Delegates in August 2023 included a detailed report. In August 2024, the ABA issued an ethics opinion—Formal Opinion 513—that explains the Amendments further.

The ABA’s explanation focuses on money laundering and terrorist-financing that is accomplished through fraudulent real estate transactions or similar criminal activity identified by the Financial Action Task Force Guidance for a Risk-Based Approach to Legal Professionals.<sup>15</sup> Formal Opinion 513 puts it this way (at 2):

The 2023 amendments to Rule 1.16 continue the ABA’s longstanding efforts to help lawyers detect and avoid involvement in a client’s criminal and fraudulent conduct. ABA Formal Opinion 463 (2013) examined a lawyer’s ethical obligations under the Model Rules of Professional Conduct regarding efforts to deter and combat money laundering. ABA Formal Opinion 491 (2020) addressed a lawyer’s obligation to inquire when faced with a client who may be seeking to use the lawyer’s services in a transaction to commit a crime or fraud. Even after this guidance, governmental and inter-governmental agencies in the U.S. and abroad—including the U.S. Department of Treasury, the Financial Action Task Force (“FATF”), and the Organization for Economic Development—continued to urge that more was needed to help U.S. lawyers avoid unwittingly facilitating money laundering and terrorist financing. Those concerns provided the impetus for revisions to Rule 1.16 adopted by the ABA House of Delegates on August 8, 2023.

Although these amendments arose from concerns about lawyer facilitation of criminal transactions such as money laundering and terrorist financing, lawyers’ existing obligations apply more broadly and so, too, does the amended Rule. As stated in the report submitted to the ABA House of Delegates regarding the amendments to the Rule, the revised Rule does not impose any new obligations; instead, it adds existing obligations—as detailed in past ethics opinions and other Rules and Comments—to the text of Rule 1.16 and its Comments. (Footnotes omitted.)<sup>16</sup>

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<sup>15</sup> A copy of the FATF guidance is available at: <https://www.fatf-gafi.org/en/publications/Fatfrecommendations/Rba-legal-professionals.html>.

<sup>16</sup> The Amendments were also developed against the backdrop of other changes in the law aimed at combating money laundering and related criminal activity such as the federal Corporate Transparency Act. See generally Robert Wilson Downes, Scott E. Ludwig, Thomas E. Rutledge, and Lorraine A. Smiley, *The Corporate Transparency Act—Preparing for Federal Database of Beneficial Ownership Information*, Apr. 16, 2021, available on the ABA web site at: [https://www.americanbar.org/groups/business\\_law/resources/business-law-today/2021-](https://www.americanbar.org/groups/business_law/resources/business-law-today/2021-)

#### D. CPE Analysis

As noted at the outset, based on the ABA materials, the CPE readily acknowledges that except for real estate lawyers and those practicing in areas of heightened risk identified in the Financial Action Task Force Guidance for a Risk-Based Approach for Legal Professionals, the Amendments as drafted are primarily targeted at so-called “black swan” events—those with low probability of occurring for most practitioners but with potentially catastrophic impacts if they do.<sup>17</sup> The ABA materials also underscore that the Amendments make explicit duties which were implicit under existing ethics rules, comments, and opinions. The Amendments provide guidelines for inquiries that lawyers ordinarily should and usually do undertake when evaluating new work, particularly in the area of real estate transactions or other areas of legal assistance targeted by money launderers and/or terrorists. As the section quoted earlier from the ABA opinion concedes, the Amendments were developed under some pressure from national and international regulators. While that may explain the reason the ABA developed the Amendments, we viewed the question for the CPE more narrowly: what impacts—positive and negative—would the Amendments have on Washington lawyers?

The CPE concluded that the Amendments would likely have a distinct upside and no distinct downside for most Washington lawyers. In particular, while not the focus of the ABA drafters, the reminder on the need for vetting client objectives on intake offered by the Amendments applies with equal measure to far more common situations, such as internet scams, for example, when lawyers’ trust accounts are targeted. These scams have become an increasingly common risk for many lawyers and firms, particularly small firms and solos.<sup>18</sup> Such scams can pose grave practical risks for lawyers and firms because the losses may not be covered by malpractice or general liability insurance (absent specific riders).<sup>19</sup> Therefore, we concur that the Amendments underscore that routine, respectful due diligence about the risk of potential client involvement in illegality can become a strong risk management tool—particularly for small firms and solos.

The CPE also offers three overarching analytical observations that broadly echo the ABA

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may/the-corporate-transparency-act. *See also* WSBA Advisory Op. 194 (1997; amended 2009) (addressing reporting obligations for cash payments received for legal services under IRS regulations).

<sup>17</sup> *See* Nassim Nicholas Taleb, *The Black Swan: The Impact of Highly Improbable Events* (2007).

<sup>18</sup> *See generally* Cheryl M. Huett and Mark J. Fucile, *A Cautionary Tale: Internet Scams Targeting Lawyers and Trust Accounts*, 74, No. 5 Washington State Bar News 22 (June 2020) (surveying scams targeting Washington lawyers and noting that client vetting is a key preventative measure).

<sup>19</sup> *See, e.g., Stouffer & Knight v. Continental Casualty Company*, 96 Wn. App. 741, 982 P.2d 105 (1999) (discussing exclusions in legal malpractice policy for theft); *see also Bank of America NT & SA v. Hubert*, 153 Wn.2d 102, 101 P.3d 409 (2004) (law firm rather than bank generally responsible for theft from trust account under bank’s depository agreement with law firm).

materials.

First, although lawyers commonly refer to RPC 1.16 as “the withdrawal rule,” it has always addressed both *declining* and terminating representations. In that sense, the Amendments’ focus on the initial evaluation of prospective clients’ objectives does not represent a complete sea change. Although most decisional law dealing with RPC 1.16 is in the context of withdrawal rather than declining representation,<sup>20</sup> the latter has formed the backdrop of a distinct genre of case law dealing with law firms that found themselves representing clients accused of perpetrating Ponzi schemes and other financial fraud and addressing the question—directly or implicitly—whether the law firms appropriately vetted the clients before taking them on.<sup>21</sup> Therefore, like the ABA, the CPE did not view the preliminary evaluation of the clients’ objectives as a part of the decision on whether to take on clients as new.

Second, although the Amendments concern ABA Model Rule 1.16, their analytical underpinnings rely heavily on other ABA Model Rules and comments, in particular ABA Model Rule 1.2(d), which prohibits lawyers from knowingly assisting a client in activities that are criminal or fraudulent. Washington lawyers have long had this obligation under RPC 1.2(d), which is identical to its ABA Model Rule counterpart:

**A lawyer shall not counsel a client to engage, or assist a client, in conduct that the lawyer knows is criminal or fraudulent, but a lawyer may discuss the legal consequences of any proposed course of conduct with a client and may counsel or assist a client to make a good faith effort to determine the validity, scope, meaning or application of the law. (Emphasis added.)**

Although RPC 1.2(d) has occasionally surfaced in disciplinary decisions,<sup>22</sup> it figured prominently in the advisory context relatively recently in the wake of Washington’s licensing of marijuana businesses and related considerations of lawyer-assistance to those businesses.<sup>23</sup> The recent

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<sup>20</sup> See, e.g., *3M Company v. Aime LLC*, 2023 WL 1863517 (W.D. Wash. Feb. 23, 2023) (unpublished) (discussing grounds and timing of withdrawal under RPC 1.16).

<sup>21</sup> See, e.g., *Norton v. Graham and Dunn, P.C.*, 2016 WL 1562541 (Wn. App. Apr. 18, 2016) (unpublished) (Ponzi scheme); *Grassmuck v. Ogden Murphy Wallace, P.L.L.C.*, 213 F.R.D. 567 (W.D. Wash. 2003) (financial fraud); see also *United States v. Thompson*, 990 F.3d 680 (9th Cir. 2021) (sophisticated fraud involving the apparently unsuspecting use of lawyer trust accounts prosecuted in the Eastern District of Washington). See generally Mark J. Fucile, *Law Firm Nightmare: Clients Using Lawyer Services for Ponzi Schemes*, 85 Def. Counsel J. 1 (2018) (compiling cases nationally).

<sup>22</sup> See, e.g., *In re Smith*, 170 Wn.2d 721, 246 P.3d 1224 (2011) (discussing RPC 1.2(d) in the context of a lawyer convicted of conspiracy to commit securities and wire fraud).

<sup>23</sup> See, e.g., WSBA Advisory Op. 201501 (2015) (counseling state-licensed marijuana businesses); Karen E. Boxx, *Tiptoeing Through the Landmines: The Evolution of States’ Legal Ethics Authority Regarding Representing Cannabis Clients*, 43 Seattle U. L. Rev. 935 (2020) (same). Comments 18 to RPC 1.2 and 8 to RPC 8.4 address advising Washington-licensed marijuana businesses.

notoriety of this issue heightened the familiarity of many Washington practitioners, including the criminal defense bar, to the practical nuances of RPC 1.2(d).

Third, ABA Formal Opinion 513 in particular emphasizes that in most situations the duty to inquire about a client's objectives will not exceed what lawyers already do as a matter of routine in taking on new work.<sup>24</sup> Understanding a client's objectives has long been part of a lawyer's evaluation of whether the lawyer's firm has the requisite competence to handle a matter under RPC 1.1 and the capacity at that time to undertake the work involved under RPC 1.3. Again, ABA Formal Opinion 513 emphasizes that heightened inquiry will ordinarily only occur if "red flags" arise during representation or if triggered by the initial information supplied by the prospective (or current) client.<sup>25</sup> In other words, the drafters of the Amendments did not envision that the Amendments would impose a burden on lawyers in most instances beyond the initial inquiry most lawyers already perform as a matter of prudent practice that is consistent with the current Rules of Professional Conduct and comments.

### **Recommendation**

The CPE recommends that the BOG forward the Amendments to the Supreme Court with the recommendation that the Supreme Court, in turn, adopt them verbatim in Washington. We have attached a mark-up of the Amendments applied to Washington RPC 1.16.

### **Community Input**

Because the ABA amendments were the subject of extensive public review, the CPE did not attempt to replicate that effort. We also note that these amendments would apply to all lawyers regardless of practice area.

### **Equity Analysis**

There appear to be no factors associated with this issue that could affect underrepresented or marginalized individuals or communities differently from other persons or groups. To the extent there are any such impacts, they are likely to be positive.

### **Fiscal Analysis**

The Committee on Professional Ethics is unaware of any potential fiscal impacts for the WSBA.

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<sup>24</sup> "Before undertaking most representations, the initial inquiry required by RPC 1.16 will not exceed what most lawyers would otherwise undertake before deciding to accept the representation." *Id.* at 6.

<sup>25</sup> "When Rule 1.16(a) was amended, it was anticipated that only certain representations would necessitate a significant inquiry, namely, those where there appeared to be a heightened risk of crimes or fraud typically because of the nature of the representation or because of the appearance of 'red flags.'" *Id.*

## Attachment

Attached is recommended language amending RPC 1.16 and accompanying Comments 1 and 2.

*WSBA RISK ANALYSIS: This section is to be completed by the Office of General Counsel, with input from the proposing entity or individual.*

Legal Risk Analysis may be found in BOG's confidential Box materials.

*WSBA FISCAL ANALYSIS: This section is to be completed by the Finance Department, with input from the proposing entity or individual.*

The fiscal impact to WSBA resulting from the proposed action is limited to the amount of staff time used to assist developing and presenting the recommendation and to incorporate any approved amendments to the relevant WSBA records. The staff time that has been and would be allocated to this work is included in the overall duties of existing WSBA staff and does not require additional staff or allocation of resources from other internal sources.

*WSBA EQUITY ANALYSIS: This section is to be completed by the Equity and Justice Team, with input from the proposing entity or individual.*

The amendment to RPC 1.16 is intended clarify professional responsibilities related to accepting and continuing representation and provide more explicit guidance to legal professionals as to what may warrant additional inquiry throughout the course of representation.

The purpose of the equity analyses is to understand how entities incorporated an equity lens into the action items presented to the Board of Governors, which includes identifying whether the proposed item has a potential to produce adverse impacts on subsets of the legal professionals and/or members of the public, especially those from communities that have experienced historical discrimination and social, economic, environmental, or political disadvantage-- which may occur within the rule change itself or with regard to implementation or enforcement after adoption.

This memo submitted by CPE states that this rule change will apply to all members but acknowledges the substantive guidance provided within comment 1 about what should warrant additional inquiry will have a greater impact on certain practice areas (e.g. real estate/business). CPE also identifies solo and small practice firms as one group who will experience the greatest benefit from clarifying due diligence. It is impossible to assess the accuracy of these hypothesis without expertise from those groups.



## Attachment

### Suggested Amendment to RPC 1.16 and Comments 1 and 2

#### Text

- (a) A lawyer shall inquire into and assess the facts and circumstances of each representation to determine whether the lawyer may accept or continue the representation. Except as stated in paragraph (c), a lawyer shall not represent a client or, where the representation has commenced, shall, notwithstanding RCW 2.44.040, withdraw from the representation if:

...

(4) the client or prospective client seeks to use or persists in using the lawyer's services to commit or further a crime or fraud, despite the lawyer's discussion pursuant to Rules 1.2(d) and 1.4(a)(5) regarding the limitations on the lawyer assisting with the proposed conduct.

#### Comments

[1] Paragraph (a) imposes an obligation on a lawyer to inquire into and assess the facts and circumstances of the representation before accepting it. The obligation imposed by Paragraph (a) continues throughout the representation. A change in the facts and circumstances relating to the representation may trigger a lawyer's need to make further inquiry and assessment. For example, a client traditionally uses a lawyer to acquire local real estate through the use of domestic limited liability companies, with financing from a local bank. The same client then asks the lawyer to create a multi-tier corporate structure, formed in another state to acquire property in a third jurisdiction, and requests to route the transaction's funding through the lawyer's trust account. Another example is when, during the course of a representation, a new party is named, or a new entity becomes involved. A lawyer should not accept representation in a matter unless it can be performed competently, promptly, without improper conflict of interest and to completion. Ordinarily, a representation in a matter is completed when the agreed-upon assistance has been concluded. See Rules 1.1, 1.2(c) and 6.5. See also Rule 1.3, Comment [4].

#### **Mandatory Withdrawal**

[2] A lawyer ordinarily must decline or withdraw from representation if the client demands that the lawyer engage in conduct that is illegal or violates the

Rules of Professional Conduct or other law. The lawyer is not obliged to decline or withdraw simply because the client suggests such a course of conduct; a client may make such a suggestion in the hope that a lawyer will not be constrained by a professional obligation. Under paragraph (a)(4), the lawyer's inquiry into and assessment of the facts and circumstances will be informed by the risk that the client or prospective client seeks to use or persists in using the lawyer's services to commit or further a crime or fraud. This analysis means that the required level of a lawyer's inquiry and assessment will vary for each client or prospective client, depending on the nature of the risk posed by each situation. Factors to be considered in determining the level of risk may include: (i) the identity of the client, such as whether the client is a natural person or an entity and, if an entity, the beneficial owners of that entity, (ii) the lawyer's experience and familiarity with the client, (iii) the nature of the requested legal services, (iv) the relevant jurisdictions involved in the representation (for example, whether a jurisdiction is considered at high risk for money laundering or terrorist financing), and (v) the identities of those depositing into or receiving funds from the lawyer's client trust account, or any other accounts in which client funds are held. For further guidance assessing risk, see, e.g., as amended or updated, Financial Action Task Force Guidance for a Risk-Based Approach for Legal Professionals, the ABA Voluntary Good Practices Guidance for Lawyers to Detect and Combat Money Laundering and Terrorist Financing, A Lawyer's Guide to Detecting and Preventing Money Laundering (a collaborative publication of the International Bar Association, the American Bar Association and the Council of Bars and Law Societies of Europe) the Organization for Economic Cooperation and Development (OECD) Due Diligence Guidance for Responsible Business Conduct, and the U.S. Department of Treasury Specially Designated Nationals and Blocked Persons List.

## Memo

**To:** Board of Governors  
**From:** Raina Wagner and Governor Nam Nguyen, DEI Council Co-Chairs  
Miriam Gordon and Sharon Sakamoto, DEI Council Members and Co-Chairs of Equity and Justice Plan Workgroup  
**Date:** December 20, 2024  
**Re:** Update on Development of Equity and Justice Plan

**UPDATE:** Update on the development of the new Equity and Justice Plan.

### Background

The WSBA has been engaged in working to make the profession more diverse and inclusive since the 1990s. In 2012, the Bar commissioned a comprehensive [membership demographic study](#) that informed the WSBA's [Diversity and Inclusion Plan](#), which was approved by the Board of Governors in 2013. That plan set out strategies to educate members of the Bar about diversity and inclusion issues; improve relationships generally with underrepresented members and specifically with affinity bar associations; and improve data collection and commit to commission a comprehensive membership demographic study every 10 years.

In 2023, the Bar began a process to commission a new membership study and retained KGR+C, an independent research consulting firm who did a similar study for the Oregon State Bar. The DEI Council worked closely with the consultant to design a study that would not only help reveal a picture of who we are as a legal profession, but also dive deeper, asking about Bar members' experience in the workplace.

Meanwhile, as the study was underway, the DEI Council began the process to map out a new plan that would replace the 2013 Diversity and Inclusion Plan. The Council determined that it should incorporate information from the demographic study, and also seek broad input across the WSBA-verse about WSBA's work to advance diversity, equity and inclusion. To support the creation of the plan, the Council enlisted the Institute for the Inclusion in the Legal Profession (IILP)—a national organization that has worked with many bar associations across the country—to gather and assess input about the WSBA's DEI work and assist with drafting a new plan.

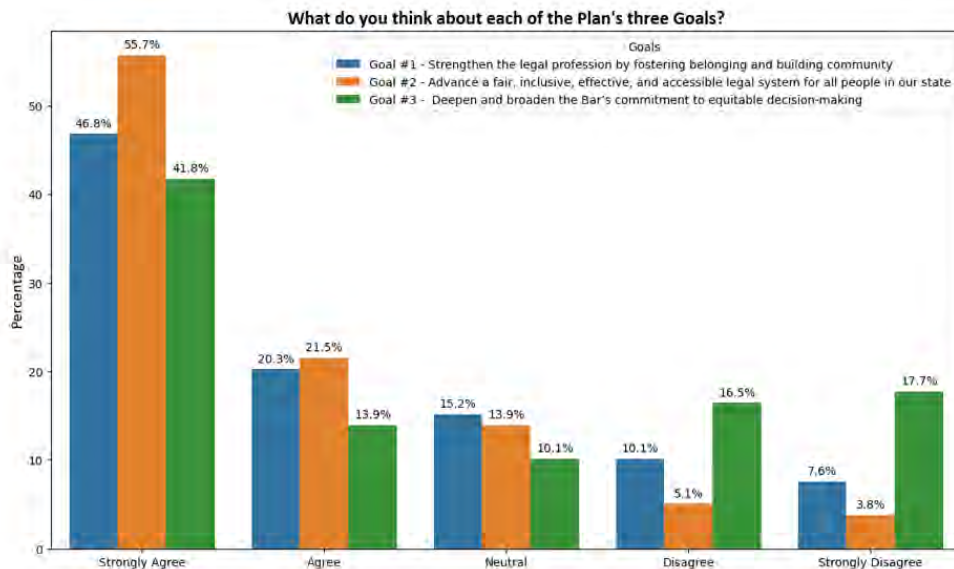
From January to May 2024, IILP conducted 21 focus groups and three individual interviews. This sampling represented a broad cross-section of people, including local and affinity bar association leaders, lawyers from private large and small firms and solo practitioners, corporate and in-house counsel, judges, government and public sector members, law school staff, faculty and students, general members, and members of the public. In June 2024, IILP shared their findings with the DEI Council and made recommendations for what to include in the new plan.

Shortly after the DEI Council received IILPs findings, in August 2024 KGR+C completed the membership demographic study. The findings were shared widely via a [free CLE](#) in August, at the BOG meeting in September 2024, and in the November 2024 issue of the *Bar News*. The DEI Council closely reviewed the findings from the membership demographic study, the IILP report, as well as recommendations the affinity bar associations submitted to the Board of Governors in 2022, to inform its first draft of a new Equity and Justice Plan (“Plan”). The DEI Council’s draft Plan laid out three goals: 1) strengthen the legal profession by fostering belonging and building community; 2) advance a fair, inclusive, effective and accessible legal system for all; and 3) deepen and broaden the WSBA leaders’ commitment to equitable decision-making.

In early October 2024, the DEI Council shared the draft Plan broadly, seeking input from a variety of people and groups including every WSBA entity: all WSBA members; leaders from affinity bar associations, local bar associations, specialty bar associations, courts, law schools, government agencies and public interest legal organizations; and WSBA staff. DEI Council members and the Board of Governors asked to assist with personal outreach to organizations they already liaise with. WSBA staff engaged in outreach as well, including personalized communications that followed the broad outreach efforts, and presenting at a variety of venues such as section executive committee meetings and affinity bar membership meetings. WSBA offered several ways to receive feedback, which included an online survey, email, and virtual drop-in Zoom meetings. In addition, the Board of Governors hosted a dinner with affinity bar leaders, offering small group discussions that enabled the DEI Council members and staff to hear their input and ideas.

### Update on Feedback

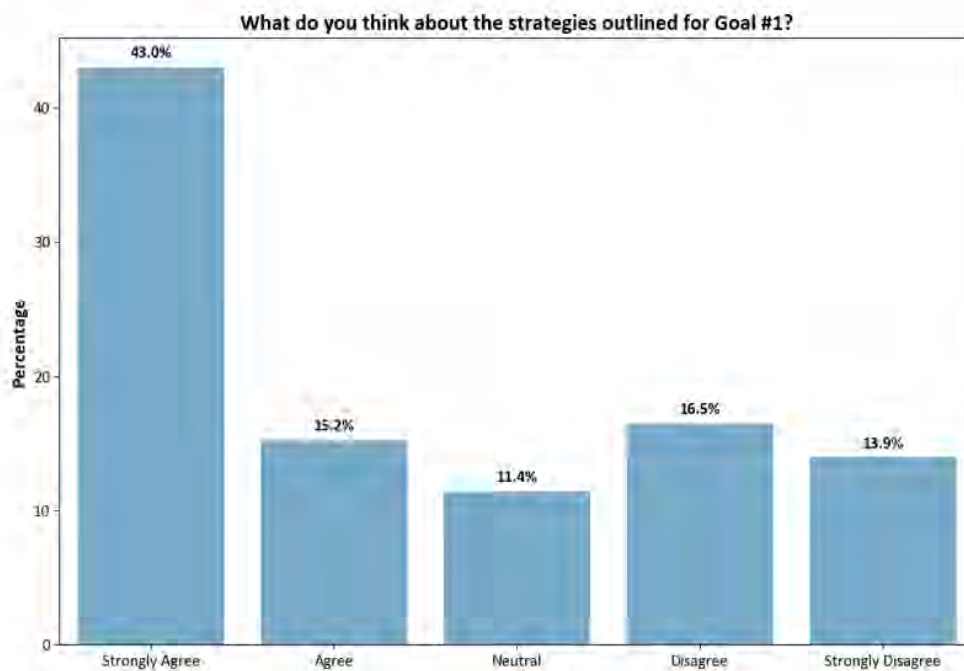
We heard from over 180 people through the online survey, emails, and drop-in virtual sessions and received letters of support from eight organizations and entities. In the online survey, we asked for input on each goal and the strategies outlined for each goal and received over 80 completed surveys. The following summarizes the general feedback on each of the three goals.



The strategies for Goal #1 (“Strengthen the legal profession by fostering belonging and building community”) include:

- Partner with affinity bar associations, underrepresented communities and organizations working to make the legal profession more reflective of the public we serve and accessible to all communities, particularly those who are underserved.
- Leverage and improve data collection, analysis and reporting to learn from the data, identify inequities, ease entry and acceptance into the profession and reduce and eliminate disparities in the delivery of legal services.
- Equip legal leaders including employers and the judiciary to meaningfully remove barriers to inclusion and belonging for legal professionals regardless of their social identity and background.
- Support opportunities that promote wellness, mentorship, leadership, accessibility and community for all members regardless of their social identity and background.
- Explore and support innovative pathways to the profession.

The following summarizes input on Goal #1’s strategies:

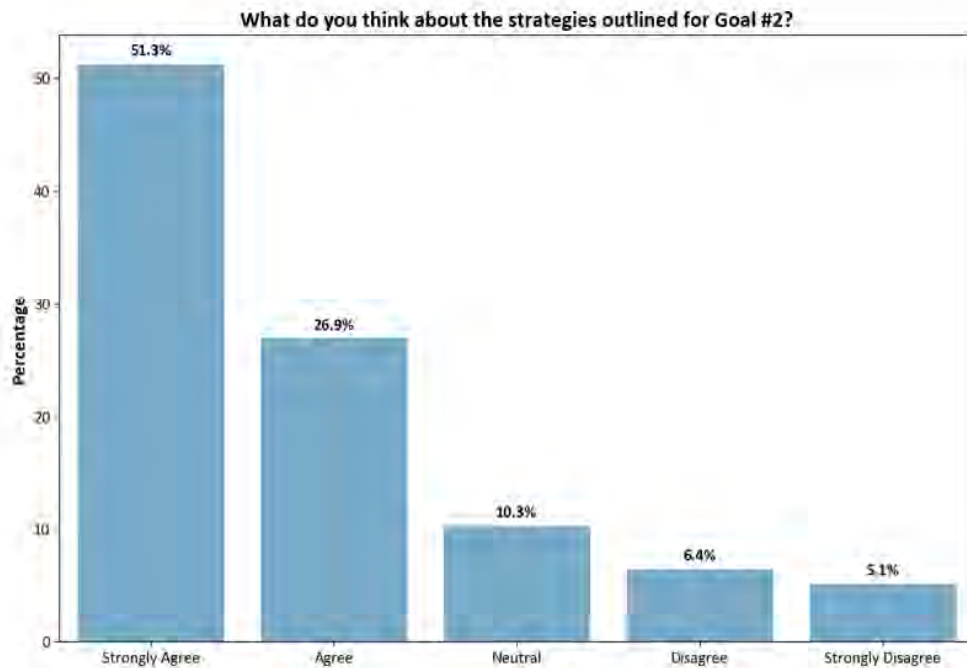


The strategies for Goal #2 (“Advance a fair, inclusive, effective, and accessible legal system for all people in our state”) include:

- Support innovative legal services delivery models that provide more affordable legal services to the most underserved and marginalized communities in our state.
- Implement changes that make WSBA more accessible for people with disabilities and people with limited English proficiency.

- Equip Bar members and other legal practitioners with knowledge and tools to improve the quality of legal services for all including underserved and marginalized communities.
- Support policymaking efforts that address a lack of quality legal services.

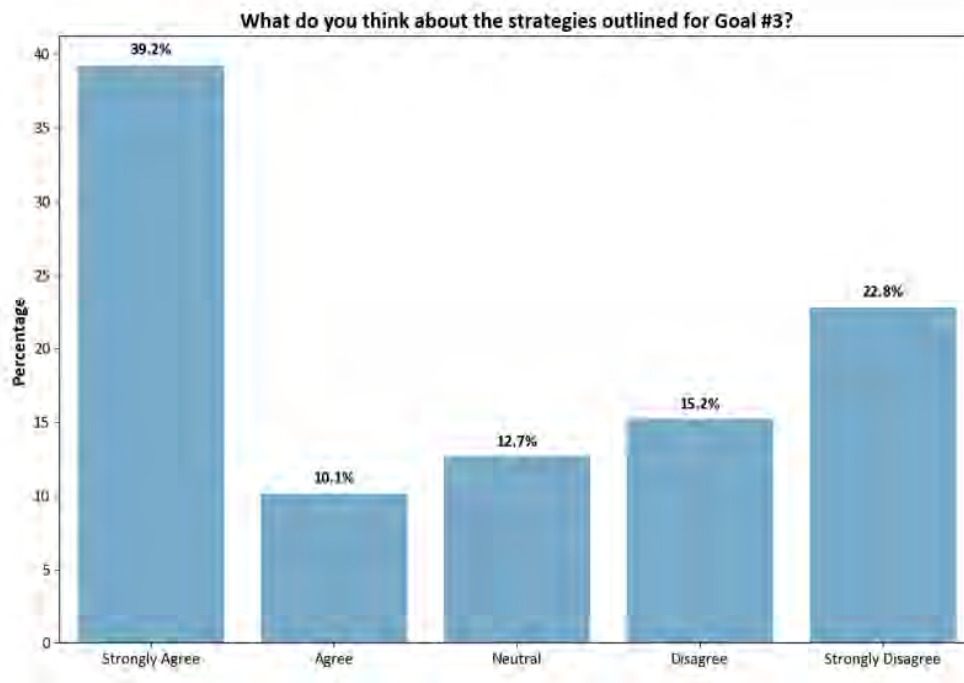
The following summarizes input on Goal #2’s strategies:



The strategies for Goal #3 (“Deepen and broaden the Bar’s commitment to equitable decision-making”) include:

- Authentically engage the public by moving from informing and consulting to involving and collaborating.
- Equip Bar leaders and volunteers to apply an equity lens to their work so equitable decision-making is advanced.
- Facilitate a culture of belonging and inclusion among all Bar entities.
- Create and share accessible and digestible reports on progress on equitable decision-and policymaking.

The following summarizes input on Goal #3's strategies:



The themes from the all the feedback and input can be summarized below:

Support:

- Agreement that the Plan addresses equity gap and emphasizes public engagement.
- Agreement on equity, accessibility, and diversity and belonging focus.
- Positive reception for pipeline programs and affinity group collaboration.

Concerns:

- Language is vague or there are too many “buzz” words.
- Need clearer, measurable actions.
- Need to get perspectives from members throughout the state including areas outside of the I-5 corridor.

Suggestions:

- Add measurable benchmarks, timelines, and review mechanisms for transparency.
- Expand DEI training for judges, employers, and law students.
- Enhance legal service accessibility for underserved and middle-income clients.
- Expand pipeline programs to law schools and high schools.
- Expand resources for underserved communities.
- Emphasize focus on underserved communities like rural areas without legal resources (legal deserts), limited English-speaking people and pro se litigants.

- Address bias and lack of inclusion in law school and beyond (e.g., “good ol’ boys’ club” culture).
- Reform systems to tackle racism and bias in courts.
- Create ombudsman programs for reporting bias.
- Develop partnerships with law schools for diverse talent pipelines.
- Allocate more resources to affinity groups for goal implementation.

**Next Steps**

Because we received a significant amount of rich feedback and input, including suggestions to provide more detailed strategies and measures for success, the DEI Council has decided to take the time needed to meaningfully consider the feedback to inform the draft plan we ultimately will present to the Board of Governors. We are planning to present the draft Equity and Justice Plan as a first reading at the BOG meeting in March.

**Attachments:**

Initial draft Equity and Justice Plan which was sent out for input and feedback



## 2025-2030 WSBA EQUITY AND JUSTICE PLAN

The Washington State Bar Association (WSBA) recognizes the crucial role that diversity and inclusion play in advancing equity in our legal profession and justice in our legal system. We believe that a legal profession that reflects the rich diversity of the communities we serve and fosters inclusion and belonging among its members will improve public trust and confidence in the profession. The Equity and Justice Plan aims to strengthen our legal profession, advance a legal system that is fair and accessible, and demonstrate our commitment to equitable decision-making. The authority for this work stems from the Washington State Supreme Court’s inherent and plenary authority to regulate the practice of law. Through General Rule 12.2, the Court explicitly delegates to WSBA the responsibility to “promote diversity and equality in the courts and legal profession” and “promote an effective legal system, accessible to all.” This plan honors the mandates set forth by the Washington Supreme Court and is informed by the 2024 membership demographic study and input from a broad representation of our membership including members who are underrepresented and historically marginalized. The plan’s goals affirm WSBA’s unwavering commitment to its mission—to serve the public and members, ensure the integrity of the profession, and champion justice.

### EQUITY AND JUSTICE PLAN’S THREE GOALS



## **GOAL #1: Strengthen the legal profession by fostering belonging and building community.**

**VISION FOR SUCCESS:** The legal profession reflects the public we serve, and every legal professional feels they belong in the legal community and can thrive regardless of their social identity and background.

### **STRATEGIES:**

- Partner with affinity bar associations, underrepresented communities and organizations working to make the legal profession more reflective of the public we serve and accessible to all communities, particularly those who are underserved.
- Leverage and improve data collection, analysis and reporting to learn from the data, identify inequities, ease entry and acceptance into the profession and reduce and eliminate disparities in the delivery of legal services.
- Equip legal leaders including employers and the judiciary to meaningfully remove barriers to inclusion and belonging for legal professionals regardless of their social identity and background.
- Support opportunities that promote wellness, mentorship, leadership, accessibility and community for all members regardless of their social identity and background.
- Explore and support innovative pathways to the profession.

## **GOAL #2: Advance a fair, inclusive, effective, and accessible legal system for all people in our State.**

**VISION FOR SUCCESS:** All Washingtonians have access to high quality and affordable legal services delivered with cultural humility.

### **STRATEGIES:**

- Support innovative legal services delivery models that provide more affordable legal services to the most underserved and marginalized communities in our state.
- Implement changes that make WSBA more accessible for people with disabilities and people with limited English proficiency.
- Equip Bar members and other legal practitioners with knowledge and tools to improve the quality of legal services for all including underserved and marginalized communities.
- Support policymaking efforts that address a lack of quality legal services.

### **GOAL #3: Deepen and broaden the Bar's commitment to equitable decision-making.**

**VISION FOR SUCCESS:** Members of the Bar act and practice in ways consistent with WSBA's mission and values of diversity, equity, inclusion, belonging and justice for all and the public express confidence and trust in the legal profession.

#### **STRATEGIES:**

- Authentically engage the public by moving from informing and consulting to involving and collaborating.
- Equip Bar leaders and volunteers to apply an equity lens to their work so equitable decision-making is advanced.
- Facilitate a culture of belonging and inclusion among all Bar entities.
- Create and share accessible and digestible reports on progress on equitable decision- and policymaking.

**TO:** WSBA Board of Governors  
**CC:** Terra Nevitt, Executive Director  
**FROM:** Laurie A. Powers, General Counsel  
**DATE:** December 20, 2024  
**RE:** Proposed Governance Committee Charter

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**FIRST READ:** Proposed Governance Committee

At the November 2024 meeting of the Board of Governors (BOG), interest was expressed in creating a Bylaws Committee or a Governance Committee that would be responsible for regularly reviewing BOG policies and the Bylaws for consistency, accuracy, and efficiency. Said committee would then bring forward to the BOG recommendations for amendments.

Attached with this memo is a proposed charter for creating a Governance Committee. The Charter contemplates a tri-annual review of the Bylaws, a tri-annual review of Board policies, and a tri-annual review of Board committees and entities. The tri-annual reviews would occur consecutively, so that only one of the above reviews occurs each year.

The inclusion of a review of BOG policies and BOG committees and entities is warranted based on a quick review of their current status. There are currently over 65 [BOG Policies](#) in effect, some dating back to the 1990s. Periodically undertaking a thorough review of these policies will ensure consistency, relevancy, and that the adopted policies reflect the mission of WSBA. Similarly, the BOG oversees a [multitude of entities](#) including BOG committees, WSBA committees, sections, and councils. A periodic review of those commitments ensures that volunteer and staff time and talent resources are being used effectively to further WSBA's mission.

As proposed, the BOG Governance Committee would be comprised of five (5) members: one Governor from each class, plus the President-elect and the Immediate Past President. Inclusion of these officer positions on either side of the BOG Presidency will assist with continuity. Further, having a member from each Governor class will provide both institutional knowledge and fresh perspective.

After receiving the Board's input at the January 2025 meeting, this item would return for a second read in March and include the risk, fiscal, and equity analyses at that time.

*WSBA RISK ANALYSIS: This section is to be completed by the Office of General Counsel, with input from the proposing entity or individual.*

Will be included for second read.

WSBA FISCAL ANALYSIS: *This section is to be completed by the Finance Department, with input from the proposing entity or individual.*

Will be included for second read.

WSBA EQUITY ANALYSIS: *This section is to be completed by the Equity and Justice Team, with input from the proposing entity or individual.*

Will be included for second read.

Attachments

*Proposed Governance Committee Charter*

## **CHARTER**

### **Board of Governors Governance Committee**

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Adopted: January \_\_ 2025

The Board of Governors establishes a Governance Committee to oversee the Board's compliance with its operating framework, structure, and practices and to make recommendations to the Board to improve efficiency and functionality. The Governing Committee's authority derives solely from the authority of the Board and is limited to the authority granted by the Board of Governors. The composition of the Governance Committee is set forth below.

#### **Governance Committee Roles and Responsibilities**

The Board of Governors delegates the following responsibilities to the Governance Committee:

1. Receive notices of inconsistencies, gaps, or other issues with the WSBA Bylaws and Board-approved WSBA policies. The Governance Committee will review such notices, conduct any necessary research, and, if appropriate, recommend amendments to the WSBA Bylaws or policies to the Board of Governors.
2. Beginning in fiscal year 2025 and every three years thereafter, the Governance Committee will undertake a holistic review of the WSBA Bylaws to ensure the Bylaws serve the mission of the WSBA, the current needs of the Board, comport with the rules and policies of the Washington State Supreme Court, and any other applicable law.
3. Oversee a tri-annual review of all other Board policies and protocols to ensure consistency with the WSBA Bylaws, organizational needs, court rules, and any other applicable law.
4. Oversee a tri-annual review of the Board's committees and entities to ensure they are relevant, active, and aligned with the mission of WSBA.
5. Oversee the annual review of the Conflict of Interest policy, Board member disclosures of any such conflicts, and bring to the Board of Governors any action needed to resolve such conflicts.
6. The tri-annual reviews will occur consecutively so that only one such review occurs each Board year.

#### **Composition of Governance Committee**

1. The Governance Committee shall be composed of five Board members: The Immediate Past President, the President-Elect, and one member from each Governor class.
2. Committee members shall be appointed in accordance with the WSBA Bylaws.
3. The WSBA General Counsel or their designee will act as WSBA staff liaison to the Governance Committee.

#### **Action Taken by the Governance Committee**

Actions of the Governance Committee will be made by majority vote.

# WASHINGTON STATE BAR ASSOCIATION

## WSBA MISSION

The Washington State Bar Association’s mission is to serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice.

## WSBA GUIDING PRINCIPLES

The WSBA will operate a well-managed association that supports its members and advances and promotes:

- **Access to the justice system.**  
*Focus: Provide training and leverage community partnerships in order to enhance a culture of service for legal professionals to give back to their communities, with a particular focus on services to underserved low and moderate income people.*
- **Diversity, equality, and cultural understanding throughout the legal community.**  
*Focus: Work to understand the lay of the land of our legal community and provide tools to members and employers in order to enhance the retention of minority legal professionals in our community.*
- **The public’s understanding of the rule of law and its confidence in the legal system.**  
*Focus: Educate youth and adult audiences about the importance of the three branches of government and how they work together.*
- **A fair and impartial judiciary.**
- **The ethics, civility, professionalism, and competence of the Bar.**

## MISSION FOCUS AREAS

### Ensuring Competent and Qualified Legal Professionals

- Cradle to Grave
- Regulation and Assistance

### Promoting the Role of Legal Professionals in Society

- Service
- Professionalism

## PROGRAM CRITERIA

- Does the Program further either or both of WSBA’s mission-focus areas?
- Does WSBA have the competency to operate the Program?
- As the mandatory bar, how is WSBA uniquely positioned to successfully operate the Program?
- Is statewide leadership required in order to achieve the mission of the Program?
- Does the Program’s design optimize the expenditure of WSBA resources devoted to the Program, including the balance between volunteer and staff involvement, the number of people served, the cost per person, etc?

## 2016 – 2018 STRATEGIC GOALS

- **Equip members with skills for the changing profession**
- **Promote equitable conditions for members from historically marginalized or underrepresented backgrounds to enter, stay and thrive in the profession**
- **Explore and pursue regulatory innovation and advocate to enhance the public’s access to legal services**

**GR 12**  
**REGULATION OF THE PRACTICE OF LAW**

The Washington Supreme Court has inherent and plenary authority to regulate the practice of law in Washington. The legal profession serves clients, courts, and the public, and has special responsibilities for the quality of justice administered in our legal system. The Court ensures the integrity of the legal profession and protects the public by adopting rules for the regulation of the practice of law and actively supervising persons and entities acting under the Supreme Court's authority.

*[Adopted effective September 1, 2017.]*

**GR 12.1**  
**REGULATORY OBJECTIVES**

Legal services providers must be regulated in the public interest. In regulating the practice of law in Washington, the Washington Supreme Court's objectives include: protection of the public; advancement of the administration of justice and the rule of law; meaningful access to justice and information about the law, legal issues, and the civil and criminal justice systems;

- (a) transparency regarding the nature and scope of legal services To be provided, the credentials of those who provide them, and the availability of regulatory protections;
- (b) delivery of affordable and accessible legal services;
- (c) efficient, competent, and ethical delivery of legal services;
- (d) protection of privileged and confidential information;
- (e) independence of professional judgment;
- (f) Accessible civil remedies for negligence and breach of other duties owed, disciplinary sanctions for misconduct, and advancement of appropriate preventive or wellness programs;
- (g) Diversity and inclusion among legal services providers and freedom from discrimination for those receiving legal services and in the justice system.

*[Adopted effective September 1, 2017.]*

**GR 12.2**  
**WASHINGTON STATE BAR ASSOCIATION: PURPOSES, AUTHORIZED  
ACTIVITIES, AND PROHIBITED ACTIVITIES**

In the exercise of its inherent and plenary authority to regulate the practice of law in Washington, the Supreme Court authorizes and supervises the Washington State Bar Association's activities. The Washington State Bar Association carries out the administrative responsibilities and functions expressly delegated to it by this rule and other Supreme Court rules and orders enacted or adopted to regulate the practice of law, including the purposes and authorized activities set forth below.

- (a) Purposes: In General. In general, the Washington State Bar Association strives to:



- (1) Promote independence of the judiciary and the legal profession.
- (2) Promote an effective legal system, accessible to all.
- (3) Provide services to its members and the public.
- (4) Foster and maintain high standards of competence, professionalism, and ethics among its members.
- (5) Foster collegiality among its members and goodwill between the legal profession and the public.
- (6) Promote diversity and equality in the courts and the legal profession.
- (7) Administer admission, regulation, and discipline of its members in a manner that protects the public and respects the rights of the applicant or member.
- (8) Administer programs of legal education.
- (9) Promote understanding of and respect for our legal system and the law.
- (10) Operate a well-managed and financially sound association, with a positive work environment for its employees.
- (11) Serve as a statewide voice to the public and to the branches of government on matters relating to these purposes and the activities of the association and the legal profession.

(b) Specific Activities Authorized. In pursuit of these purposes, the Washington State Bar Association may:

- (1) Sponsor and maintain committees and sections, whose activities further these purposes;
- (2) Support the judiciary in maintaining the integrity and fiscal stability of an independent and effective judicial system;
- (3) Provide periodic reviews and recommendations concerning court rules and procedures;
- (4) Administer examinations and review applicants' character and fitness to practice law;
- (5) Inform and advise its members regarding their ethical obligations;
- (6) Administer an effective system of discipline of its members, including receiving and investigating complaints of misconduct by legal professionals, taking and recommending appropriate punitive and remedial measures, and diverting less serious misconduct to alternatives outside the formal discipline system;
- (7) Maintain a program, pursuant to court rule, requiring members to submit fee disputes to arbitration;
- (8) Maintain a program for mediation of disputes between members and others;
- (9) Maintain a program for legal professional practice assistance;
- (10) Sponsor, conduct, and assist in producing programs and products of continuing legal education;

- (11) Maintain a system for accrediting programs of continuing legal education;
- (12) Conduct examinations of legal professionals' trust accounts;
- (13) Maintain a fund for client protection in accordance with the Admission and Practice Rules;
- (14) Maintain a program for the aid and rehabilitation of impaired members;
- (15) Disseminate information about the organization's activities, interests, and positions;
- (16) Monitor, report on, and advise public officials about matters of interest to the organization and the legal profession;
- (17) Maintain a legislative presence to inform members of new and proposed laws and to inform public officials about the organization's positions and concerns;
- (18) Encourage public service by members and support programs providing legal services to those in need;
- (19) Maintain and foster programs of public information and education about the law and the legal system;
- (20) Provide, sponsor, and participate in services to its members;
- (21) Hire and retain employees to facilitate and support its mission, purposes, and activities, including in the organization's discretion, authorizing collective bargaining;
- (22) Establish the amount of all license, application, investigation, and other related fees, as well as charges for services provided by the Washington State Bar Association, and collect, allocate, invest, and disburse funds so that its mission, purposes, and activities may be effectively and efficiently discharged. The amount of any license fee is subject to review by the Supreme Court for reasonableness and may be modified by order of the Court if the Court determines that it is not reasonable;

(23) Administer Supreme-Court-created boards in accordance with General Rule 12.3.

(c) Activities Not Authorized. The Washington State Bar Association will not:

- (1) Take positions on issues concerning the politics or social positions of foreign nations;
- (2) Take positions on political or social issues which do not relate to or affect the practice of law or the administration of justice; or
- (3) Support or oppose, in an election, candidates for public office.

*[Adopted effective July 17, 1987; amended effective December 10, 1993; September 1, 1997; September 1, 2007; September 1, 2013; September 1, 2017.]*

**GR 12.3**  
**WASHINGTON STATE BAR ASSOCIATION ADMINISTRATION**  
**OF SUPREME COURT-CREATED BOARDS AND COMMITTEES**

The Supreme Court has delegated to the Washington State Bar Association the authority and responsibility to administer certain boards and committees established by court rule or order. This delegation of authority includes providing and managing staff, overseeing the boards and committees to monitor their compliance with the rules and orders that authorize and regulate them, paying expenses reasonably and necessarily incurred pursuant to a budget approved by the Board of Governors, performing other functions and taking other actions as provided in court rule or order or delegated by the Supreme Court, or taking other actions as are necessary and proper to enable the board or committee to carry out its duties or functions.

*[Adopted effective September 1, 2007; amended effective September 1, 2017.]*

**GR 12.4**  
**WASHINGTON STATE BAR ASSOCIATION ACCESS TO**  
**RECORDS**

(a) Policy and Purpose. It is the policy of the Washington State Bar Association to facilitate access to Bar records. A presumption of public access exists for Bar records, but public access to Bar records is not absolute and shall be consistent with reasonable expectations of personal privacy, restrictions in statutes, restrictions in court rules, or as provided in court orders or protective orders issued under court rules. Access shall not unduly burden the business of the Bar.

(b) Scope. This rule governs the right of public access to Bar records. This rule applies to the Washington State Bar Association and its subgroups operated by the Bar including the Board of Governors, committees, task forces, commissions, boards, offices, councils, divisions, sections, and departments. This rule also applies to boards and committees under GR 12.3 administered by the Bar. A person or entity entrusted by the Bar with the storage and maintenance of Bar records is not subject to this rule and may not respond to a request for access to Bar records, absent express written authority from the Bar or separate authority in rule or statute to grant access to the documents.

(c) Definitions.

(1) "Access" means the ability to view or obtain a copy of a Bar record.

(2) "Bar record" means any writing containing information relating to the conduct of any Bar function prepared, owned, used, or retained by the Bar regardless of physical form or characteristics. Bar records include only those records in the possession of the Bar and its staff or stored under Bar ownership and control in facilities or servers. Records solely in the possession of hearing officers, non-Bar staff members of boards, committees, task forces, commissions, sections, councils, or divisions that were prepared by the hearing officers or the members and in their sole possession, including private notes and working papers, are not Bar records and are not subject to public access under this rule. Nothing in this rule requires the Bar to create a record that is not currently in possession of the Bar at the time of the request.

(3) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation in paper, digital, or other format.

(d) Bar Records--Right of Access.

(1) The Bar shall make available for inspection and copying all Bar records, unless the record falls within the specific exemptions of this rule, or any other state statute (including the Public Records Act, chapter 42.56 RCW) or federal statute or rule as they would be applied to a public agency, or is made confidential by the Rules of Professional Conduct, the Rules for Enforcement of Lawyer Conduct, the Admission to Practice Rules and associated regulations, the Rules for Enforcement of Limited Practice Officer Conduct, General Rule 25, court orders or protective orders issued under those rules, or any other state or federal statute or rule. To the extent required to prevent an unreasonable invasion of personal privacy interests or threat to safety or by the above-referenced rules, statutes, or orders, the Bar shall delete identifying details in a manner consistent with those rules, statutes, or orders when it makes available or publishes any Bar record; however, in each case, the justification for the deletion shall be explained in writing.

(2) In addition to exemptions referenced above, the following categories of Bar records are exempt from public access except as may expressly be made public by court rule:

(A) Records of the personnel committee, and personal information in Bar records for employees, appointees, members, or volunteers of the Bar to the extent that disclosure would violate their right to privacy, including home contact information (unless such information is their address of record), Social Security numbers, driver's license numbers, identification or security photographs held in Bar records, and personal data including ethnicity, race, disability status, gender, and sexual orientation. Membership class and status, bar number, dates of admission or licensing, addresses of record, and business telephone numbers, facsimile numbers, and electronic mail addresses (unless there has been a request that electronic mail addresses not be made public) shall not be exempt, provided that any such information shall be exempt if the Executive Director approves the confidentiality of that information for reasons of personal security or other compelling reason, which approval must be reviewed annually.

(B) Specific information and records regarding

(i) internal policies, guidelines, procedures, or techniques, the disclosure of which would reasonably be expected to compromise the conduct of disciplinary or regulatory functions, investigations, or examinations;

(ii) application, investigation, and hearing or proceeding records relating to lawyer, Limited Practice Officer, or Limited License Legal Technician admissions, licensing, or discipline, or that relate to the work of ELC 2.5 hearing officers, the Board of Bar Examiners, the Character and Fitness Board, the Law Clerk Board, the Limited Practice Board, the MCLE Board, the Limited License Legal Technician Board, the Practice of Law Board, or the Disciplinary Board in conducting investigations, hearings or proceedings; and

(iii) the work of the Judicial Recommendation Committee and the Hearing Officer selection panel, unless such records are expressly categorized as public information by court rule.

(C) Valuable formulae, designs, drawings, computer source code or object code, and research data created or obtained by the Bar.

(D) Information regarding the infrastructure, integrity, and security of computer and telecommunication networks, databases, and systems.

(E) Applications for licensure by the Bar and annual licensing forms and related records, including applications for license fee hardship waivers and any decision or determinations on the hardship waiver applications.

(F) Requests by members for ethics opinions to the extent that they contain information identifying the member or a party to the inquiry.

Information covered by exemptions will be redacted from the specific records sought. Statistical information not descriptive of any readily identifiable person or persons may be disclosed.

### (3) Persons Who Are Subjects of Records.

(A) Unless otherwise required or prohibited by law, the Bar has the option to give notice of any records request to any member or third party whose records would be included in the Bar's response.

(B) Any person who is named in a record, or to whom a record specifically pertains, may present information opposing the disclosure to the applicable decision maker.

(C) If the Bar decides to allow access to a requested record, a person who is named in that record, or to whom the records specifically pertains, has a right to initiate review or to participate as a party to any review initiated by a requester. The deadlines that apply to a requester apply as well to a person who is a subject of a record.

### (e) Bar Records--Procedures for Access.

(1) General Procedures. The Bar Executive Director shall appoint a Bar staff member to serve as the public records officer to whom all records requests shall be submitted. Records requests must be in writing and delivered to the Bar public records officer, who shall respond to such requests within 30 days of receipt. The Washington State Bar Association must implement this rule and adopt and publish on its website the public records officer's work mailing address, telephone number, fax number, and e-mail address, and the procedures and fee schedules for accepting and responding to records requests by the effective date of this rule. The Bar shall acknowledge receipt of the request within 14 days of receipt, and shall communicate with the requester as necessary to clarify any ambiguities as to the records being requested. Records requests shall not be directed to other Bar staff or to volunteers serving on boards, committees, task forces, commissions, sections, councils, or divisions.

### (2) Charging of Fees.

(A) A fee may not be charged to view Bar records.

(B) A fee may be charged for the photocopying or scanning of Bar records according to the fee schedule established by the Bar and published on its web site.

(C) A fee not to exceed \$30 per hour may be charged for research services required to fulfill a request taking longer than one hour. The fee shall be assessed from the second hour onward.

(f) Extraordinary Requests Limited by Resource Constraints. If a particular request is of a magnitude or burden on resources that the Bar cannot fully comply within 30 days due to constraints on time, resources, and personnel, the Bar shall communicate this information to the requester along with a good faith estimate of the time needed to complete the Bar's response. The Bar must attempt to reach

agreement with the requester as to narrowing the request to a more manageable scope and as to a timeframe for the Bar's response, which may include a schedule of installment responses. If the Bar and requester are unable to reach agreement, the Bar shall respond to the extent practicable, clarify how and why the response differs from the request, and inform the requester that it has completed its response.

(g) Denials. Denials must be in writing and shall identify the applicable exemptions or other bases for denial as well as a written summary of the procedures under which the requesting party may seek further review.

(h) Review of Records Decisions.

(1) Internal Review. A person who objects to a record decision or other action by the Bar's public records officer may request review by the Bar's Executive Director.

(A) A record requester's petition for internal review must be submitted within 90 days of the Bar's public records officer's decision, on such form as the Bar shall designate and make available.

(B) The review proceeding is informal, summary, and on the record.

(C) The review proceeding shall be held within five working days. If that is not reasonably possible, then within five working days the review shall be scheduled for the earliest practical date.

(2) External Review. A person who objects to a records review decision by the Bar's Executive Director may request review by the Records Request Appeals Officer (RRAO) for the Bar.

(A) The requesting party's request for review of the Executive Director's decision must be deposited in the mail and postmarked or delivered to the Bar not later than 30 days after the issuance of the decision, and must be on such form as the Bar shall designate and make available.

(B) The review will be informal and summary, but in the sole discretion of the RRAO may include the submission of briefs no more than 20 pages long and of oral arguments no more than 15 minutes long.

(C) Decisions of the RRAO are final unless, within 30 days of the issuance of the decision, a request for discretionary review of the decision is filed with the Supreme Court. If review is granted, review is conducted by the Chief Justice of the Washington Supreme Court or his or her designee in accordance with procedures established by the Supreme Court. A designee of the Chief Justice shall be a current or former elected judge. The review proceeding shall be on the record, without additional briefing or argument unless such is ordered by the Chief Justice or his or her designee.

(D) The RRAO shall be appointed by the Board of Governors. The Bar may reimburse the RRAO for all necessary and reasonable expenses incurred in the completion of these duties, and may provide compensation for the time necessary for these reviews at a level established by the Board of Governors.

(i) Monetary Awards Not Allowed. Attorney fees, costs, civil penalties, or fines may not be awarded under this rule.

(j) Effective Date of Rule.

(1) This rule goes into effect on July 1, 2014, and applies to records that are created on or after that date.

(2) Public access to records that are created before that date are to be analyzed according to other court rules, applicable statutes, and the common law balancing test; the Public Records Act, chapter 42.56 RCW, does not apply to such Bar records, but it may be used for nonbinding guidance.

*[Adopted effective July 1, 2014; amended effective September 1, 2017.]*

**GR 12.5  
IMMUNITY**

All boards, committees, or other entities, and their members and personnel, and all personnel and employees of the Washington State Bar Association, acting on behalf of the Supreme Court under the Admission and Practice Rules, the Rules for Enforcement of Lawyer Conduct, or the disciplinary rules for limited practice officers and limited license legal technicians, shall enjoy quasi-judicial immunity if the Supreme Court would have immunity in performing the same functions.

*[Adopted effective January 2, 2008; amended effective September 1, 2017.]*

**2024-2025 WSBA BOARD OF GOVERNORS MEETING SCHEDULE**

MEETING DATE	LOCATION	DESCRIPTION	EXECUTIVE COMMITTEE MEETING	MATERIALS DEADLINE
October 18-19, 2024	Semiahmoo Resort Blaine, WA	Team Building Retreat		n/a
November 7-8, 2024	WSBA Conference Center Seattle, WA	BOG Meeting	October 16, 2024	October 8, 2024
January 17-18, 2025	WSBA Conference Center Seattle, WA	BOG Meeting KCBA MLK Luncheon Jan. 17	December 18, 2024	December 10, 2024
March 21-22, 2025	Great Wolf Lodge Conference Center Grand Mound, WA	BOG Meeting	February 26, 2025	February 18, 2025
May 2-3, 2025	Red Lion Hotel Port Angeles Harbor Port Angeles, WA	BOG Meeting	April 16, 2025	April 8, 2025
July 17 - 18, 2025 July 19, 2025	The Marcus Whitman Hotel and Conference Center Walla Walla, WA	BOG Meeting BOG Planning Retreat	June 25, 2025	June 17, 2025
September 26-27, 2025	WSBA Offices Seattle, WA	BOG Meeting	September 3, 2025	August 26, 2025

All proposed agenda items and materials must be submitted by the deadline stated above. Materials can be submitted through 1) a staff liaison, 2) staff supervisor or department director, 3) staff member identified by the Office of the Executive Director or, if none of those are applicable, 4) directly to the Executive Director (terran@wsba.org). Submitters will be notified of the status of their request after the materials deadline. All meeting materials will be published appx. two weeks prior to the meeting.

Materials should include: 1) a cover memo, 2) additional/supplemental materials, 3) be inclusive of all WSBA analyses, if relevant and, 4) be in final form suitable for publication. Click [here](#) for more information.



## **BASIC CHARACTERISTICS OF MOTIONS**

*From: The Complete Idiot's Guide to Robert's Rules  
The Guerilla Guide to Robert's Rules*

MOTION	PURPOSE	INTERRUPT SPEAKER?	SECOND NEEDED?	DEBATABLE?	AMENDABLE?	VOTE NEEDED
1. Fix the time to which to adjourn	Sets the time for a continued meeting	No	Yes	No <sup>1</sup>	Yes	Majority
2. Adjourn	Closes the meeting	No	Yes	No	No	Majority
3. Recess	Establishes a brief break	No	Yes	No <sup>2</sup>	Yes	Majority
4. Raise a Question of Privilege	Asks urgent question regarding to rights	Yes	No	No	No	Rules by Chair
5. Call for orders of the day	Requires that the meeting follow the agenda	Yes	No	No	No	One member
6. Lay on the table	Puts the motion aside for later consideration	No	Yes	No	No	Majority
7. Previous question	Ends debate and moves directly to the vote	No	Yes	No	No	Two-thirds
8. Limit or extend limits of debate	Changes the debate limits	No	Yes	No	Yes	Two-thirds
9. Postpone to a certain time	Puts off the motion to a specific time	No	Yes	Yes	Yes	Majority <sup>3</sup>
10. Commit or refer	Refers the motion to a committee	No	Yes	Yes	Yes	Majority
11. Amend an amendment (secondary amendment)	Proposes a change to an amendments	No	Yes	Yes <sup>4</sup>	No	Majority
12. Amend a motion or resolution (primary amendment)	Proposes a change to a main motion	No	Yes	Yes <sup>4</sup>	Yes	Majority
13. Postpone indefinitely	Kills the motion	No	Yes	Yes	No	Majority
14. Main motion	Brings business before the assembly	No	Yes	Yes	Yes	Majority

*1 Is debatable when another meeting is scheduled for the same or next day, or if the motion is made while no question is pending*

*2 Unless no question is pending*

*3 Majority, unless it makes question a special order*

*4 If the motion it is being applied to is debatable*



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## Discussion Protocols Board of Governors Meetings

### Philosophical Statement:

“We take serious our representational responsibilities and will try to inform ourselves on the subject matter before us by contact with constituents, stakeholders, WSBA staff and committees when possible and appropriate. In all deliberations and actions we will be courageous and keep in mind the need to represent and lead our membership and safeguard the public. In our actions, we will be mindful of both the call to action and the constraints placed upon the WSBA by GR 12 and other standards.”

### Governor’s Commitments:

1. Tackle the problems presented; don’t make up new ones.
2. Keep perspective on long-term goals.
3. Actively listen to understand the issues and perspective of others before making the final decision or lobbying for an absolute.
4. Respect the speaker, the input and the Board’s decision.
5. Collect your thoughts and speak to the point – sparingly!
6. Foster interpersonal relationships between Board members outside Board events.
7. Listen and be courteous to speakers.
8. Speak only if you can shed light on the subject, don’t be repetitive.
9. Consider, respect and trust committee work but exercise the Board’s obligation to establish policy and insure that the committee work is consistent with that policy and the Board’s responsibility to the WSBA’s mission.
10. Seek the best decision through quality discussion and ample time (listen, don’t make assumptions, avoid sidebars, speak frankly, allow time before and during meetings to discuss important matters).
11. Don’t repeat points already made.
12. Everyone should have a chance to weigh in on discussion topics before persons are given a second opportunity.
13. No governor should commit the board to actions, opinions, or projects without consultation with the whole Board.
14. Use caution with e-mail: it can be a useful tool for debating, but e-mail is not confidential and does not easily involve all interests.
15. Maintain the strict confidentiality of executive session discussions and matters.



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## **BOARD OF GOVERNORS**

### **WSBA VALUES**

Through a collaborative process, the WSBA Board of Governors and Staff have identified these core values that shall be considered by the Board, Staff, and WSBA volunteers (collectively, the “WSBA Community”) in all that we do.

To serve the public and our members and to promote justice, the WSBA Community values the following:

- Trust and respect between and among Board, Staff, Volunteers, Members, and the public
- Open and effective communication
- Individual responsibility, initiative, and creativity
- Teamwork and cooperation
- Ethical and moral principles
- Quality customer-service, with member and public focus
- Confidentiality, where required
- Diversity and inclusion
- Organizational history, knowledge, and context
- Open exchanges of information



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## BOARD OF GOVERNORS

### GUIDING COMMUNICATION PRINCIPLES

In each communication, I will assume the good intent of my fellow colleagues; earnestly and actively listen; encourage the expression of and seek to affirm the value of their differing perspectives, even where I may disagree; share my ideas and thoughts with compassion, clarity, and where appropriate confidentiality; and commit myself to the unwavering recognition, appreciation, and celebration of the humanity, skills, and talents that each of my fellow colleagues bring in the spirit and effort to work for the mission of the WSBA. Therefore, I commit myself to operating with the following norms:

- ◆ I will treat each person with courtesy and respect, valuing each individual.
- ◆ I will strive to be nonjudgmental, open-minded, and receptive to the ideas of others.
- ◆ I will assume the good intent of others.
- ◆ I will speak in ways that encourage others to speak.
- ◆ I will respect others' time, workload, and priorities.
- ◆ I will aspire to be honest and open in all communications.
- ◆ I will aim for clarity; be complete, yet concise.
- ◆ I will practice "active" listening and ask questions if I don't understand.
- ◆ I will use the appropriate communication method (face-to-face, email, phone, voicemail) for the message and situation.
- ◆ When dealing with material of a sensitive or confidential nature, I will seek and confirm that there is mutual agreement to the ground rules of confidentiality at the outset of the communication.
- ◆ I will avoid triangulation and go directly to the person with whom I need to communicate. (If there is a problem, I will go to the source for resolution rather than discussing it with or complaining to others.)
- ◆ I will focus on reaching understanding and finding solutions to problems.
- ◆ I will be mindful of information that affects, or might be of interest or value to, others, and pass it along; err on the side of over-communication.
- ◆ I will maintain a sense of perspective and respectful humor.



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## BOARD OF GOVERNORS

Anthony David Gipe  
President

phone: 206.386.4721  
e-mail: [adgipeWSBA@gmail.com](mailto:adgipeWSBA@gmail.com)

November 2014

## BEST PRACTICES AND EXPECTATIONS

### ❖ Attributes of the Board

- Competence
- Respect
- Trust
- Commitment
- Humor

### ❖ Accountability by Individual Governors

- Assume Good Intent
- Participation/Preparation
- Communication
- Relevancy and Reporting

### ❖ Team of Professionals

- Foster an atmosphere of teamwork
  - Between Board Members
  - The Board with the Officers
  - The Board and Officers with the Staff
  - The Board, Officers, and Staff with the Volunteers
  
- We all have common loyalty to the success of WSBA

### ❖ Work Hard and Have Fun Doing It





## BOARD OF GOVERNORS

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November 2014

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