

WASHINGTON STATE
BAR ASSOCIATION

BOARD OF GOVERNORS MEETING

March 21-22, 2025

Meeting Materials

Little Creek Casino Resort,
Shelton, WA
Zoom and Teleconference



**Board of Governors Meeting
Shelton, WA
March 21-22, 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, March 21th : Meeting ID: 870 0378 1513 Passcode: 403027
<https://wsba.zoom.us/j/87003781513?pwd=nhAedrhKCFua9CYDbKswdQNDwKwhLk.1>

Saturday, March 22th : Meeting ID: 821 9122 0685 Passcode: 575009
<https://wsba.zoom.us/j/82191220685?pwd=bZbhuACMuA5EMTXs2yXxJDDK8A6yw0.1>

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

FRIDAY, MARCH 21, 2025

1:00 PM – 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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5:00 PM – RECESS

SATURDAY, MARCH 22, 2025

9:00 AM – RESUME MEETING

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GOVERNOR ROUNDTABLE

- GOVERNOR ROUNDTABLE**

12:00 PM – RECESS FOR LUNCH

EXECUTIVE SESSION

- RECEIVE AND DISCUSS LEGAL ADVICE**

2:30 PM – ADJOURN

INFORMATION

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WASHINGTON STATE BAR ASSOCIATION

TO: WSBA Board of Governors
FROM: Executive Director Terra Nevitt
DATE: February 24, 2025
RE: Executive Director's Report

Winter Bar Exam

Next week, I will head to Tacoma along with 16 staff members and 36 proctors to administer the LPO and lawyer bar exams which will take place on February 24 and February 25-26, respectively. We have been observing an upward trend in terms of applicants for the February exam and are expecting 326 bar examinees this year, compared to 259 in 2023 and 290 in 2024.

Board of Governor Elections

The application deadline for the congressional district positions closed at 5pm Tuesday, February 18. Congratulations to Gov. Parvin Price and Gov. Kevin Fay the declared winners of District 1 and District 9 respectively. We have two candidates for District 2: Peter Arkison and Governor Kari Petrasek. We also have two candidates for District 10; Ailene Limric and Governor Nam Nguyen. The election for these positions begins Monday, March 17 and closes on Tuesday, April 1. As a reminder, the application deadline for the President-elect position is Tuesday, April 8 and Governor At Large is Tuesday, April 15. Materials should be emailed to barleaders@wsba.org. More information is online [here](#).

Strategic Planning

In January, the Strategic Planning Steering Committee gathered at the WSBA Office for a working retreat. The session was facilitated by Chris Newbold. Over the course of two-days, the group engaged in discussion about the challenges facing the organization and the legal profession, identified its constituents and groups impacted by its programs and activities, and began to talk about how the three-year strategic plan can position the organization to be effective in its mission. The areas of priority that surfaced included advancing access to justice, leveraging technology, advancing a positive culture in the legal community, and effective governance of the organization. Over the next few months, we will be gathering input from key stakeholders. The Steering Committee will gather again in April to review that input and develop a draft FY26-29 Strategic Plan for consideration by the Board at the July 2025 planning retreat.

Inaugural Bar Leaders Summit

Invitations are out and final planning is underway! The inaugural Bar Leaders Summit will be held at the WSBA Office on April 25, 2025, with a welcome dinner on April 24. All Governors should have a calendar invitation and are encouraged to attend. We have invited two officers (generally the president and incoming president) from each county and affinity bar in Washington to attend, and the agenda will be focused on the issues they have told us are

most relevant and urgent: networking, learning about volunteer engagement and recruitment, sharing WSBA resources, etc. Please help spread the word and encourage attendance from county and affinity bar leaders.

WSBA Ambassador Program to Kick-Off on Law Day, May 1, 2025

In February 2024, the Board of Governors approved a public engagement plan focused on awareness of “the legal profession as a pillar of society, devoted to public service, to upholding the Constitution and rule of law, and to the defense of individual freedoms.” At that time, the Board charged my team and I with creating a volunteer ambassador program for members who want to participate in engaging with their communities on these topics. In July 2024, the Board held a retreat/training, led by Director of the Divided Community Project Carl Smallwood, to develop and promote the principles, messages, and actions available to Board members as ambassadors. We plan to launch the volunteer ambassador program to coordinate with Law Day 2025 (May 1, theme: “The Constitution’s Promise”), with assistance from WSBA’s new Community Engagement Specialist. More information about the training and timeline will be available soon. We hope Governors will both participate and actively recruit volunteers.

Attachments

Q1 FY25 Fiscal Update Memo

Q1 FY25 Budget Reallocations

Q4 2024 Discipline Report

Litigation Report

Media Report

[Member Demographics Report](#)

WASHINGTON STATE BAR ASSOCIATION

To: Board of Governors
Budget and Audit Committee

From: Tiffany Lynch, Director of Finance

Subject: FY 2025 First Quarter Financial Update

Date: January 24, 2025

GENERAL FUND

The December 31, 2024 financials marks the end of the first quarter of fiscal year 2025. With 25% of the year complete, the General Fund is outperforming against budget with revenue and indirect expenses on target and direct expenses under budget. The result is a net loss of (\$167,739) without the use of Facilities or Special Projects and Innovation Fund reserves and (\$38,755) with the use of those reserves, as of December 31, 2024. Below is a narrative which highlights the areas of interest, variances, and estimates moving forward.

REVENUE

Total revenue is on budget at 25% (-\$1,627) which includes the following areas of note:

- a. *Licensing Fees* are under budget by \$202,929 (-1%). The majority of fees are collected in January and pro-rated on a monthly basis, and the budget assumes an even timing distribution of revenue between each month. Revenue from October to December reflects dues collected for the 2024 membership year and revenue from January through September will be for 2025. Additionally, the budget includes revenue from late fees (assessed after February 3rd) and newly admitted members, which are not earned until after February so revenue will increase and level out closer to budget later in the year.
- b. *Bar Exam Fees* are ahead of budget by \$128,310 (+9%) due to timing of the collection of fees for the Winter 2025 exam held in February. Fees collected for the summer 2025 exam will come in between February and May.
- c. *Interest income* is slightly ahead of budget by \$14,859 (+2%). Interest rates are in line with what is budgeted. We expect rates to decline in the coming months, however this will be offset by the influx of cash invested starting January from license renewals.
- d. *Law Clerk Fees* are slightly ahead of budget by \$16,667 (8%) due to timing of collection. The majority of fees are collected from December to February each year.
- e. *MCLE Revenue* is on budget, however this is somewhat skewed by the timing of collection for MCLE late fees and accredited sponsor fees, which are under budget but not assessed or typically collected until after Q1. All other MCLE revenue is ahead of budget as of December 31.
- f. *NMP Product Sales* in the New Member Education cost center is over budget for the year by \$22,119 (37%). This outperformed expectations, however we typically see higher sales for

products in Q1 as we approach the MCLE reporting deadlines.

- g. *Donations & Grants revenue* in the Public Service Programs and Diversity cost centers are identified as being under budget by \$66,850 (combined) with no revenue collected year-to-date. This revenue is from the WSB Foundation which makes payment to WSBA twice in the year, with the first payment to be received in February.

EXPENSES

Total expenses are under budget by \$199,092 (-3%), which includes the following areas of note:

- a. *Direct Expenses* are under budget by \$228,574 (-12%). Direct program costs such as board/council/taskforce meetings, event expenses, supplies, staff travel, etc. vary depending on the timing of activities. It is normal for WSBA's direct expenses to run under budget in the first half of the year. We expect spending in these areas to pick up as we move into the second half of the fiscal year.
- b. *Indirect Expenses* are on budget at 25% with minimal overspend variance of (\$29,482).
 - i. Salaries, Taxes, & Benefits had a combined savings of \$38,195. The bulk of savings is attributed to salary savings from open positions and corresponding benefits, in particular payroll taxes, medical coverage, and retirement, and savings from timing of unemployment insurance charges. Areas trending above budget include temporary staffing salaries (timing due use of seasonal employees for licensing renewals) and transportation allowance (caused by annual renewal of ORCA cards).
 - ii. Other Indirect Expenses had a combined overspend of \$67,676 mainly due to timing of expenses paid for audit services, Computer Pooled Expenses (IT direct expenses), and office move/downsizing.

CONTINUING LEGAL EDUCATION (CLE)

The CLE fund includes CLE Seminars, CLE Products, and Deskbook cost centers which collectively have budgeted a surplus of \$65,001 for FY 2025. December 31, 2024 results reflect an actual surplus of \$268,092. Revenue is higher than budget by \$188,793 (+11%) due to higher product sales. This is a seasonal trend caused by year-end CLE reporting requirements. Expenses overall are under budget by \$63,049 (-4%), mostly due to lower expenses from timing of direct expenses that have not been incurred yet for seminars held later in the fiscal year.

CLIENT PROTECTION FUND (CPF)

The Client Protection Fund (CPF) budgeted a surplus of \$241,176 for FY 2025. Actual results as of December 31, 2024 reflect a surplus of \$227,670. Revenue is ahead of budget by \$39,664 (+4%) due to increased revenue for assessments and restitution. Member assessments are running higher than budget by \$27,455, which is to be expected because revenue is recognized upon collection of license fees which begin collection in November each year. Overall expenses are under budget by \$128,379 (-25%), mainly due to lack of direct expenses for Gifts to Injured Clients which are paid out towards the end of the fiscal year.

SECTIONS FUND

The Sections Operations cost center represents the collective total of financial activity for all 29 sections. Sections budgeted a loss of (\$394,722) for FY 2025. Actual results as of December 31, 2024 reflect a net

loss (a spend down of reserves) of (\$21,327). Financial activities for vary throughout the year depending on the timing of programming and Section activities.

WASHINGTON STATE BAR ASSOCIATION

To: Board of Governors
Budget and Audit Committee

From: Terra Nevitt, Executive Director

Date: January 13, 2025

Subject: FY 2025 Budget Reallocations for Q1

Background

WSBA Fiscal Policies allows the Executive Director to approve the reallocation of budgeted and unbudgeted expenditures within certain limitations. Specifically, the policy states:

“The Executive Director approves and reports to the Board of Governors about certain unbudgeted expenses, including reallocations of budgeted expenditures where the intent is similar or varies slightly; unbudgeted expenditures that are fully offset by unbudgeted revenue or a reallocation of budgeted expenditures up to 5% of the approved operating budget to address operational, regulatory or programmatic needs; and necessary and prudent expenditures to implement WSBA’s Disaster Recovery Plan or to maintain WSBA’s operations. Per occurrence limit is \$215,000.00. Reallocations may not affect the annual budget’s bottom line. The Executive Director must report reallocation of funds to the President on a monthly basis and to the Board on a quarterly basis. It is expected that the Executive Director will consult with the President on reallocations that may be considered sensitive or controversial in nature, prior to execution.”

President Anjilvel was notified of the monthly reallocations on November 13, December 5, and January 6. There were no reallocations approved for the month of November.

For FY 2025, the WSBA’s annual operating budget is \$27,956,320 and the Executive Director’s limit for reallocation is up to \$1,397,816 (5%). The total amount of funds reallocated from October 1 through December 31st are \$12,350 (0.04% of annual operating budget).

FY25 Budget Reallocations for Q1

1. *Unanticipated Temporary Staffing*- A reallocation of funds was needed to support the hiring of an extern in the Office of General Counsel. Funds are expected to be available in excess revenue from Pro Hac Vice fees in the Licensing and Membership Records cost enter that were underbudgeted by \$25,000 for FY25.
2. *BOG Committees Expense* - A reallocation of funds was needed to support hosting two retreats for the Strategic Planning Steering Committee estimated at a cost of \$6,500. Funds were available for reallocation from the New Governor Orientation budget in the Board of Governors cost center for FY25.

WASHINGTON STATE BAR ASSOCIATION

MEMO

To: Board of Governors

From: Jennifer Olegario, Communications and Outreach Manager, and Sara Niegowski, Chief Communications Officer

Date: Feb. 18, 2025

Re: Summary of Media Contacts, Dec. 20, 2024, to Feb. 18, 2025

Date	Journalist and Media Outlet	Inquiry
Jan. 8	Sydnee Chapman, "Salish Current"	Inquiry about diversity statistics in a recent "Bar News" article; clarified that different years reported were from different, noncomparable member surveys.
Jan. 24	Ryan Boysen, Law360	Inquiry about attorneys who might know Judge Coughenour, who made federal news; recommended Bill Pickett for a comment.
Feb. 7	Joseph Suttner, KING5	Asked about how to look up a lawyer's records. Pointed him towards Legal Directory.
Feb. 13	Sydnee Chapman, "Salish Current"	Wanted to confirm that Washington doesn't have any type of certification for lawyers who are offering services in another language.

News Coverage

- ["Wash. Seeks to Ease Legal Practice Path for Military Spouses,"](#) Jan. 9, 2025 (Law360)
- ["Legal Field Sees Increased Diversity; Progress Still Needed,"](#) Jan. 10, 2025 ("Salish Current")
- ["AC Commissioner Says County May Get Monetary Help for Mandated Services, or Not,"](#) (Columbia Basin Herald, Jan. 22)
- ["WA Counties Want Big Money to Address Public Defender Crisis,"](#) (Jan. 27, The Seattle Times)

- [“Washington Legislature Rolls Out Wide Array of Public Safety Bills,”](#) (Jan. 30, The Urbanist)
- [“Seattle City Attorney’s Office Says It’s Ending Its Year-long feud with Municipal Judge,”](#) (Feb. 7, KUOW)
- [“7th District’s Abell Proposes Senate Approval for Washington Justices,”](#) (Feb. 12, NCW Life)

#

WASHINGTON STATE BAR ASSOCIATION

BOARD OF GOVERNORS MEETING MINUTES

Seattle, WA

January 17-18, 2025

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 Friday, January 17, 2025, at 9:04 a.m. Governors in attendance were:

Emily Arneson
Kevin Fay
Mary Rathbone
Parvin Price
Todd Bloom
Alain Villeneuve
Tom Ahearne
Nam Nguyen
Kristina Larry
Jordan Couch
Kari Petrasek
Matthew Dresden
Allison Widney

Officers and Executive Staff in attendance included Executive Director Terra Nevitt, Chief Communications and Outreach Officer Sara Niegowski, Chief Regulatory Counsel Renata Garcia, Director of Advancement Kevin Plachy, Chief Equity & Justice Officer Diana Singleton, Chief Disciplinary Counsel Doug Ende, and General Counsel Laurie Powers.

Also present were Rex Nolte, Mark Fucile, Monte Jewell, Shelly Bynum, James E. Macpherson, Joe Gouge, Julianne Unite, Paris Eriksen, Szilvia Szilagyi, Catherine Schur, Betsylew Miale-Gix, Craig Shank, Jenny Durkan, Jeanne Marie Clavere, Nicole Chen, Brooke Amster, Christopher Bhang, Min Kang, Nancy Hawkins, Ailene Limric, William Trippett, Sharon Sakamoto, Brent Williams-Ruth, Peter Arkinson, Margeaux Green, Alec Stephens, Scott Semran, Raina Wagner, Brian Tollefson, Brooke Amster, and Miryam Gordon.

Member & Public Comments ([link](#))

Brent Williams-Ruth highlighted the recent ratification of the 28th Amendment, marking a significant milestone for gender equality. He also emphasized the importance of clear communication regarding large-scale projects, such as the pilot test of entity regulation. No further public comments were made.

President's Report ([link](#))

President Anjilvel announced that WSBA is currently accepting applications for four congressional district positions on the board, with a deadline of February 18, 2025.

Executive Director's Report ([link](#))

Executive Director Terra Nevitt referred to her written report and invited questions. There were none.

Consent Calendar ([link](#))

Executive Director Nevitt introduced the consent calendar which included the approval of November 2024 minutes, Client Protection Board gift recommendations, and two presidential appointments. Gov. Kristina Larry moved to approve the consent calendar. Motion passed unanimously.

Update from the WSBA Legal Technology Task Force ([link](#))

Member Craig Shank presented an update from the WSBA Legal Technology Task Force. The Task Force conducted a member survey to assess the impact of emerging technologies on the legal profession, receiving a 5% response rate from 10,000 members. Chair Jenny Durkan highlighted the key findings, which were a lack of generative AI use among small and solo practitioners, with 75% not utilizing such tools. She also emphasized the need for diverse solutions and proposed further education and support for members. Chair Durkan mentioned that the Task Force is on track to meet the deadline established by the Board of Governors, with a comprehensive report forthcoming.

WSBA Committee on Professional Ethics ([link](#))

Chair Monte Jewell and Subcommittee Chair Mark Fucile presented the Committee on Professional Ethics' recommendations to propose amendments to RPC 1.16 and its comments. The amendments aim to align Washington's rules with the ABA model rule, focusing on the lawyer's duty inquire into the facts of each representation in order to avoid facilitating illegal or fraudulent activities, particularly money laundering. Gov. Jordan Couch moved to approve the recommendations to amend RPC 1.16. Motion passed unanimously. Gov. Nam Nguyen was not present for the vote.

Interview Governor At-Large Candidates ([link](#))

The Board convened to interview candidates for the vacant Governor At-Large position. Executive Director Nevitt outlined the process, emphasizing adherence to bylaws and ensuring a fair and transparent process. Six candidates presented their qualifications, highlighting diverse backgrounds and experiences. The Board discussed the significance of diversity, equity and inclusion in the current socio-political contexts and the need for strategic, inclusive actions. Voting took place by electronic secret ballot.

[Selection and Swearing-in of At-Large Governor \(link\)](#)

Christopher Bhang was elected as the new At-Large Governor. Chief Justice Stephens administered the oath of office, welcoming him to the board. The Board expressed gratitude to the candidates and the DEI Council for their efforts in the selection process.

[DEI Council Update \(link\)](#)

The DEI Council, represented by Co-Chairs Raina Wagner and Nam Nguyen, as well as Sharon Sakamoto, and Miryam Gordon, provided an update on the draft Equity and Justice Plan. The plan aims to strengthen the legal profession, advance a fair legal system, and deepen the Bar's commitment to equitable decision-making. The final plan will be presented at the March Board of Governors meeting.

[Adjournment of Day One](#)

There being no further business, President Anjilvel adjourned the meeting at 4:57 p.m. on Friday, January 17, 2025.

[Day Two \(link\)](#)

President Anjilvel called day two of the Board meeting to order at 9:15 a.m. on Saturday, January 18, 2025.

[Executive Session \(link\)](#)

Executive Director Nevitt outlined the procedure for entering an Executive Session, scheduled to begin at 9:15 a.m., to discuss Governor involvement in discipline, as permitted by WSBA bylaws. The session concluded at 10:58 a.m., and the Board resumed the public session at that time.

[Proposal to Adopt a Board Governance Committee \(link\)](#)

General Counsel Laurie Powers presented the proposal for establishing a Board Governance Committee as a first reading. The proposal included a draft charter outlining the committee's structure and responsibilities. The Board discussed the committee's composition, with suggestions to ensure continuity by including members from each governor class and considering the role of past and current presidents. The Board took public comment from Nancy Hawkins, who raised questions about the Board dedicating time to reviewing the work of sections and the advantages of incorporating section input. Brent Williams-Ruth spoke in support of the proposal, emphasizing the need for streamlined bylaws and regular reviews. The discussion concluded with a consensus to refine the proposal, incorporating feedback on composition and responsibilities, and to revisit it at a future Board meeting.

[Governor Roundtable & Meeting Feedback \(link\)](#)

During the Governor Roundtable, Gov. Kevin Fay proposed that board members be provided with email addresses through the Bar Association's Exchange server to enhance cybersecurity. Executive Director Nevitt agreed to explore this with IT staff.

[Proposed Comment on Senate Bill 5027 \(link\)](#)

Gov. Kari Petrasek reported on Senate Bill 5027, which offers student loan repayment incentives for prosecutors and public defenders in rural areas. After the Board's discussion, Gov. Fay moved to

authorize drafting a letter to the legislature, highlighting how the bill aligns with issues identified by the STAR Committee and signing of the letter by President Anjilvel, STAR Committee Chair Kari Petrsek, and Executive Director Nevitt. The motion passed with one abstention. Gov. Mary Rathbone was not present for the vote.

Adjournment

There being no further business, President Anjilvel adjourned the meeting at 12:19 p.m. on Saturday, January 18, 2025.

Respectfully submitted,
Terra Nevitt
WSBA Executive Director & Secretary



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

1. Motion to approve the Consent Calendar. Motion passed.
2. Motion to approve the amendments to RPC 1.16 as recommended by the Committee on Professional Ethics. Motion passed.
3. Motion to authorize the drafting and signing of a letter to the legislature in support of Senate Bill 5027, highlighting its alignment with issues identified by the STAR Council. Motion passed.

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: February 5, 2025
RE: Confidentiality of Client Protection Board Recommendations

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.



TO: WSBA Board of Governors
CC: Terra Nevitt, Executive Director
FROM: Bridgett Fisher, Chair of World Peace Through Law Section
DATE: February 18, 2025
RE: World Peace Through Law Bylaws Amendment

ACTION: World Peace Through Law Bylaws Amendment

The World Peace Through Law Executive Committee would like to allow for a flexible number of at-large members on the committee, up to a certain number. We propose revising Article V, Section 5.2 of the World Peace Through Law Bylaws, which currently states that the executive committee shall be composed of three (3) At-large members. We propose revising this language to state that the executive committee shall be composed of at least three (3) At-large members with up to five (5) At-large positions allowed. The section executive committee voted in favor of these amendments on Wednesday, Feb. 12.

Background

In fall 2024, we had an At-large member resign. We then advertised the open position and had two applicants. Both applicants were highly qualified and highly regarded and we would have liked to extend voting positions to both of them, but we only had one position to fill. This led us to acknowledge that it would be ideal to have a flexible number of At-large positions going forward.

Community Input

Summarize the outreach to and response from community members in this section. This information will inform the Equity Analysis.

- *There has not been outreach to community members regarding this proposal.*

Information for Fiscal Analysis

Provide information to help inform the Fiscal Analysis.

- N/A

Information for Equity Analysis

I do not think this proposal will have much of an impact from an equity perspective. However, with more positions that can be filled, there is the possibility that there will be more of an opportunity to involve individuals from underrepresented groups in our section leadership.

WSBA RISK ANALYSIS: This section is to be completed by the Office of General Counsel, with input from the proposing entity or individual.

Provided separately as confidential meeting materials.

WSBA FISCAL ANALYSIS: This section is to be completed by the Finance Department, with input from the proposing entity or individual.

The proposed recommendation increases the total possible number of Executive Committee members of the Section by two members. The fiscal impact of the recommendation includes minimal additional expense for the Section Executive Committee and WSBA administrative support. Members of the Executive Committee can be reimbursed for expenses to attend in-person events such as Section Executive Committee meetings (the Section has designated \$150 for Section Executive Committee expenses in their budget for FY 2025). The administrative support provided by WSBA would include staff time used to incorporate any approved revisions to the relevant records and processing of additional expense reimbursements incurred by the new members. The staff time that would be allocated to this work is included in the overall duties of existing WSBA staff and would 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 purpose of the equity analyses is to understand how entities incorporated an equity lens into the action items presented to the Board of Governors. Applying an equity lens includes 1) identifying and centering people and communities most impacted decisions and/or 2) meeting people and communities according to their specific needs to produce fair and equal outcomes for all. Without having more specific information about what people or communities would be most impacted, or input from marginalized communities who might be ultimately impacted by this change, it is difficult to do an equity analysis.

To fully understand the impact of the policy, it would be ideal for the World Peace Through Law Section Executive Committee to reach out to community members (people who have a stake in or would be affected by the work of this Section) to gather and evaluate input. Those most impacted by the policy changes in question are best able to communicate the nature of this impact and how it functions (or not) to meet their needs.

The World Peace Through Law Executive Committee is proposing to change the policy regarding its number of allowable at-large positions in response to a situation where the Committee would have liked to appoint more

than the allowed number of candidates. The Committee anticipates the possibility, with a change in allowable number of at-large positions, that this policy change will grant “more of an opportunity to involve individuals from underrepresented groups in... section leadership.”

Note that this expansion alone is unlikely to increase diversity within the Section without intentional recruitment and engagement. The Equity & Justice Team recommends developing a plan to recruit and engage more intentionally with people who might be directly and/or disproportionately impacted by the section’s work and interests.

In addition, it is important to be mindful of the criteria that play into the evaluation of candidate suitability for at-large positions if they are made variable to account for contingency in the strength of the candidate pool. The Equity & Justice Team recommends developing a procedure that would interrupt and mitigate against the possibility of unconscious bias in evaluation and selection.

Attachments

WPTL proposed bylaws amendments redlined Feb 17.pdf

WPTL proposed bylaws amendments clean Feb 17.pdf

WASHINGTON STATE BAR ASSOCIATION

WORLD PEACE THROUGH LAW SECTION

Bylaws

As last amended and approved by the
Washington State Bar Association Board of Governors on July 21, 2022,
~~and including 2017 amendments.~~

ARTICLE I: NAME

This organization shall be known as the “World Peace Through Law Section” of the Washington State Bar Association (hereinafter referred to as the “Section” and the “Bar”).

ARTICLE II: PURPOSE AND GENERAL CONSIDERATIONS

2.1. Purpose

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. The Section provides a forum for ideas, offers continuing legal education programs, publishes a newsletter, engages in activities with governmental entities and non-governmental organizations who share an interest in world peace through law and undertakes such other service as may benefit the members, the legal profession and the public.

2.2. Limitations

These bylaws have been adopted subject to the Bylaws of the Bar.

2.3. Principal Office

The Principal Office of the Section shall be maintained in the offices of the Bar.

2.4. Fiscal Year

The fiscal year of the Section shall coincide with that of the Bar.

ARTICLE III: MEMBERSHIP

3.1. Membership

Any Active member in good standing of the Bar, inactive members under WSBA Bylaws Article III.B.2.b.1 and III.B.2.b.3, and any professor at a Washington law school (whether licensed in Washington or not) may be enrolled as a voting member of the Section upon payment of annual Section dues in the amount and for the

World Peace Through Law Section

1

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purpose approved by the Board of Governors of the Washington State Bar pursuant to Article 3.2 of these bylaws. In addition, people not licensed to practice law in Washington may be non-voting members (“subscribers”) of the Section by paying the Section’s annual dues. Law students may also be Subscribers by paying an annual amount set by the Board of Governors.

3.2. Annual Dues

Annual membership dues amount is determined by the Section executive committee and is subject to approval by the Board of Governors of the Bar.

ARTICLE IV: OFFICERS

4.1. Officers

The officers of the Section shall be the Chair, the Chair-elect, the Secretary/Treasurer, and the Immediate Past Chair.

4.2. Chair

The Chair shall preside at all meetings of the Section and the executive committee. The Chair shall generally attend to the business of the Section and perform other customary duties of the office as well as duties delegated by the executive committee. In accordance with the WSBA Bylaws, the Chair shall also prepare and submit an annual report on the work of the Section for the past year.

4.3. Chair-elect

Upon the Chair’s death, resignation, or refusal to act, the Chair-elect shall perform the duties of the Chair for the remainder of the Chair’s term. In case of the Chair’s disability, the Chair-elect shall perform the duties of the Chair only for the duration of the disability.

4.4. Secretary/Treasurer

The Secretary/Treasurer will take minutes at each meeting of the Section and executive committee, and provide approved minutes to the Bar for publication and record retention. The Secretary/Treasurer will also work with the Bar to ensure that the Section complies with Bar fiscal policies and procedures, work with the Bar to prepare the Section’s annual budget, and review the Section’s monthly financial statements for accuracy and comparison to budget. In conjunction with the Chair, and as authorized by the executive committee, the Secretary/Treasurer shall generally attend to the business of the Section.

4.5. Immediate Past Chair

The Immediate Past Chair shall serve as an officer as provided in Article 5.3.

4.6. Term

The term of office for each officer shall commence on October 1 and shall be for one year. For interim appointments, Article 5.6 controls.

ARTICLE V: EXECUTIVE COMMITTEE

5.1. Powers and Duties

The executive committee of the Section shall be vested with the powers and duties necessary for the administration of the affairs of the Section. The executive committee shall have the following primary duties:

To determine programs and activities that further the Section’s purpose.

To be responsible for communications between the Section and the WSBA.

To create additional committees, if necessary, for the administration of the Section’s activities.

From time to time, to make awards, such as the Ralph J. Bunche Award.

5.2. Composition

The executive committee shall be composed of the officers of the Section and at least three ~~(3)~~ At-Large members with up to five At-Large positions allowed. Members of the executive committee must be voting members of the Section.

5.3. Terms

With the exception of the ~~three (3)~~ At-Large members, the term of office shall begin on October 1 and be for one ~~(1)~~ year. The term of office for At-Large members shall begin on October 1 and be for three ~~(3)~~ years with terms staggered so that at least one position is open for election each year.

Upon completion of a one-year term, the Chair shall assume the position of Immediate Past Chair until the next annual election. A vacancy in the office of Immediate Past Chair shall not be filled by appointment, but shall remain vacant until the current Chair’s term has ended.

5.4. Meetings of the Executive Committee

The executive committee shall meet at least four times per year. Special meetings may be held as designated by the Chair or a majority of the executive committee. Notice of all meetings shall be provided to all Section members and published on the Bar website.

5.5. Quorum

A majority of the voting executive committee members constitutes a quorum. Action by the executive committee is determined by a majority vote of the members present in person, by telephone, or videoconference, once a quorum is established. Votes may be received in person or by telephone, fax or e-mail in accordance with the Bar’s Bylaws.

5.6. Interim Appointments

The executive committee will appoint, by majority vote, members to fill vacancies on the executive committee (except for Immediate Past Chair). When a member is appointed to fill a vacancy in an unexpired term, the member will do so until the next annual election when an individual will be elected to serve the remainder of the vacated term.

ARTICLE VI: OTHER COMMITTEES

6.1. Formation

World Peace Through Law Section

The executive committee shall appoint committees to perform such duties and exercise such powers as may be needed to meet the objectives of the Section. Committees may be identified as standing committees or ad hoc committees.

6.2. Newsletter Committee

If appointed, a newsletter committee may be composed of one or more members. The executive committee shall appoint the Chair of the newsletter committee. The duty of the committee is to prepare a regularly published newsletter. The committee works in collaboration with the Chair of the Section regarding the final content of each newsletter.

ARTICLE VII: MEETINGS OF MEMBERS

7.1. Meetings

The Section may, at its discretion, hold an annual or special meeting of the membership, giving notice to the members of the Section and publishing public notice on the Bar website. Meetings of the membership may be called by the Chair or a majority of the members of the executive committee.

7.2. Quorum

The voting members of the Section present at any meeting shall constitute a quorum for the transaction of business. However, votes may be cast by voting members attending, but not physically present, by electronic ballot, or other similar means.

ARTICLE VIII: ELECTIONS

8.1. Elections

~~Each year the membership shall elect a Chair-elect and a Secretary/Treasurer to serve a one-year term and at least one At-Large member of the executive committee to serve a term of three years and may elect up to two additional At-Large members provided the number of At-Large members on the executive committee following the election does not exceed five members. Each year the membership shall elect a Chair-elect and a Secretary/Treasurer to serve a one-year term and one (1) At-Large member of the executive committee to serve a term of three (3) years.~~ The outgoing Chair-elect shall automatically succeed to the office of Chair.

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8.2. Nominations

The executive committee shall annually appoint a nominating committee of not fewer than three (3) members of the Section. At least one member of the nominating committee should not be a current member of the section executive committee. All applicants will apply through an electronic process administered by the Bar. The executive committee will also have an alternative process to allow for nominations to occur outside of the nominating committee process. The nominating committee shall make and report nominations for the upcoming vacant positions of the offices of Chair-elect, Secretary/Treasurer, and one (1) At-Large member of the executive committee. In the event that the office of Chair-elect is vacant at the time of the election, the position of Chair shall also be included with the nominations. The executive committee will approve a list of nominees for each open position.

8.3. Voting

Nominations and elections for open executive committee positions will be held between March and May each year. The Bar will administer the elections by electronic means and certify the results, unless the

Section develops its own equivalent electronic election process. In the event of a tie, the winner will be determined by a random tie-breaker method to be determined by the Section Chair.

8.4. Term Of Office

The term of office of each elected position shall commence October 1.

ARTICLE IX: AMENDMENTS

9.1. Amendments

These bylaws may be amended by a majority vote of the voting members of the Section. These bylaws may also be amended at any regular or special meeting of the executive committee of the Section called for the purpose of amending the bylaws and upon seven days written notice to members of the Section and the public, by a majority vote of the voting executive committee members once a quorum is established. No amendment of these bylaws shall become effective until approved by the Board of Governors of the Washington State Bar Association.

Approved by the WSBA Board of Governors on July 21, 2022.

WASHINGTON STATE BAR ASSOCIATION

WORLD PEACE THROUGH LAW SECTION

Bylaws

As last amended and approved by the
Washington State Bar Association Board of Governors on July 21, 2022.

ARTICLE I: NAME

This organization shall be known as the “World Peace Through Law Section” of the Washington State Bar Association (hereinafter referred to as the “Section” and the “Bar”).

ARTICLE II: PURPOSE AND GENERAL CONSIDERATIONS

2.1. Purpose

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. The Section provides a forum for ideas, offers continuing legal education programs, publishes a newsletter, engages in activities with governmental entities and non-governmental organizations who share an interest in world peace through law and undertakes such other service as may benefit the members, the legal profession and the public.

2.2. Limitations

These bylaws have been adopted subject to the Bylaws of the Bar.

2.3. Principal Office

The Principal Office of the Section shall be maintained in the offices of the Bar.

2.4. Fiscal Year

The fiscal year of the Section shall coincide with that of the Bar.

ARTICLE III: MEMBERSHIP

3.1. Membership

Any Active member in good standing of the Bar, inactive members under WSBA Bylaws Article III.B.2.b.1 and III.B.2.b.3, and any professor at a Washington law school (whether licensed in Washington or not) may be enrolled as a voting member of the Section upon payment of annual Section dues in the amount and for the purpose approved by the Board of Governors of the Washington State Bar pursuant to Article 3.2 of these

bylaws. In addition, people not licensed to practice law in Washington may be non-voting members (“subscribers”) of the Section by paying the Section’s annual dues. Law students may also be Subscribers by paying an annual amount set by the Board of Governors.

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ARTICLE IV: OFFICERS

4.1. Officers

The officers of the Section shall be the Chair, the Chair-elect, the Secretary/Treasurer, and the Immediate Past Chair.

4.2. Chair

The Chair shall preside at all meetings of the Section and the executive committee. The Chair shall generally attend to the business of the Section and perform other customary duties of the office as well as duties delegated by the executive committee. In accordance with the WSBA Bylaws, the Chair shall also prepare and submit an annual report on the work of the Section for the past year.

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determined by a random tie-breaker method to be determined by the Section Chair.

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Approved by the WSBA Board of Governors on July 21, 2022.

WASHINGTON STATE BAR ASSOCIATION

TO: WSBA Board of Governors
FROM: Sunitha Anjilvel, WSBA President
RE: 2025 Chair Appointments
DATE: February 12, 2025

Consent: Appointment of the 2024-2025 WSBA committee and board chairs listed below.

The WSBA has a number of standing committees that are created and authorized by the BOG to study matters relating to the general purposes and business of the Bar which are of a continuous and recurring character. Pursuant to the WSBA Bylaws, IX(B)(1)(c), the President-elect annually selects the Chair or Vice Chair of each committee for the year in which the President-elect will serve as President, with the BOG having the authority to accept or reject that selection. Below is the slate of WSBA committee chairs for the 2024-2025 year. The candidates' resumes are attached. All eligible members of the entities listed below were encouraged to apply for the respective position.

Committee/Board	Recommended for Appointment
Character and Fitness Board	Chair: Gabriel Rothstein
Judicial Recommendation Committee	Vice-Chair: Ethan Frenchman

From: Gabriel Rothstein <grothstein@snocopda.org>
Sent: Tuesday, February 11, 2025 3:45 PM
To: Lisa Amatangel <Lisaa@wsba.org>
Cc: Emily Crane <emilycr@wsba.org>
Subject: [External]Interest in C&F Board chair

Dear Ms. Amatangel,

Thank you for considering my interest in serving as Chair of the Character and Fitness Board. Attached is my resume.

I am a new member of the Board, and I am familiar with how the Board operates and conducts hearings. The prior chair of the board Mr. Yanasak recommended me for this position and told me that I would be a really good fit for the role. I was honored by his recommendation.

In addition to my nearly 20 years of courtroom legal practice, I am also a pro-tem judge in Everett Municipal Court on occasion.

Please let me know if there is any additional information you would like me to provide.

Sincerely,

Gabriel Rothstein

Gabriel Rothstein
Staff Attorney
71.09/SVP Unit
Office phone 425 339 6318
Work Cell 425 471 3615

GABRIEL ROTHSTEIN

Seattle, Wa • 206 799 7995 • grothstein@snocopda.org

EXPERIENCE

Snohomish County Public Defender's Office, Everett Washington,

71.09/SVP Unit April 2023- Present

Represent clients under the 71.09 Civil Commitment/Sexually Violent Predator Law. This includes all aspects of the representation arguing motions, probable cause, trial. Clients are housed at the Special Commitment Center (SCC) as well as on LRA's in the community.

Felony Unit, July 2019 – April 2023

Represent adult clients charged with felony offenses in all stages of criminal hearings from probable cause through arraignment, pre-trial motions, trial, and post-trial hearings.

Lead of Juvenile Unit, November 2017- Present

Represent juvenile clients in all stages of criminal hearings from probable cause through arraignment, pre-trial motions, trial, and post-trial hearings. Supervise multiple lawyers in the juvenile unit. Attend meetings regarding youth advocacy and working to address issues in juvenile court.

Juvenile Unit, September 2016 - November 2017

Represent juvenile clients in all stages of criminal hearings from probable cause through arraignment, pre-trial motions, trial, and post-trial hearings.

Felony Unit, April 2013 – September 2016

Represent adult clients charged with felony offenses in all stages of criminal hearings from probable cause through arraignment, pre-trial motions, trial, and post-trial hearings.

Misdemeanor Supervisor, April 2010 – March 2013

Supervise approximately 12 lawyers in the misdemeanor unit. Aid and assist new lawyers in advocating for clients and managing the art of defending people accused of crimes.

Felony Unit, September 2006 – March 2010

Represent adult clients charged with felony offenses in all stages of criminal hearings from probable cause through arraignment, pre-trial motions, trial, and post-trial hearings.

Adult Drug Court Attorney, 2008-2010

Represented and advocated adults in the drug court program. Simultaneously carrying half of a felony caseload.

Misdemeanor Unit, January 2005- August 2006

Represent adult clients charged with misdemeanor offenses in all stages of criminal hearings from probable cause through arraignment, pre-trial motions, trial, and post-trial hearings

Housing Justice Project, Seattle, Washington

Volunteer Attorney 2004

Unemployment Law Project, Seattle Washington

Volunteer Attorney 2004

EDUCATION

UCLA School of Law, Los Angeles, CA

Attended 2001-2003, Juris Doctorate, May 2003

Rutgers School of Law, Newark, New Jersey

Attended 2000-2001

Emory University, Atlanta, GA

Bachelor of Arts, Sociology, June 1997 3.1

Hobbies: Skiing and Beach Volleyball

From: [REDACTED]
To: [Sanjay Walvekar](#)
Subject: [External]Frenchman JRC Co-Chair Application
Date: Friday, January 10, 2025 10:19:38 AM
Attachments: [Outlook-4j2bramk.png](#)
[Outlook-A blue cir.png](#)
[Outlook-hznq3rba.png](#)
[Outlook-eac4ish3.png](#)
[Outlook-wurrdfln.png](#)
[Outlook-A white bu.png](#)
[Frenchman Resume 1.10.25.docx](#)

You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear Chair Zhuang and Sanjay,

I am writing to express my interest in serving as Vice Chair of the Judicial Recommendation Committee. Since joining the JRC in 2020, I have come to know and deeply respect the role of our committee in assisting the Governor's office in vetting and selecting excellent individuals for judicial service in the state of Washington. In this work, our committee has benefitted from a series of extraordinary chairs and vice chairs who have demonstrated diligence in committee work, as well as an open mind and temperament to fairly evaluate judges from diverse backgrounds and areas of Washington. I believe that my experience in criminal and civil practice in different courts across our state, as well as my four years of experience on our committee, would help make me a successful Vice Chair. I'm excited by the prospect of continuing my service with our committee in a new role and thank you for your consideration.

Sincerely,
Ethan

Ethan Frenchman, Staff Attorney

Pronouns: he/him/his



Phone: (206) 287-9663

Email: [REDACTED]

Address: 1301 Fifth Ave, Suite 1200 | Seattle, WA 98101

Connect with us here:      or [sign up here](#) to receive advocacy updates.

Our vision of justice: A Washington State in which every person enjoys full human rights and economic opportunities.

CONFIDENTIALITY STATEMENT: This email and any attachments are for the sole use of the intended recipient(s). This communication and attachments may contain privileged or confidential information. If you feel you have received this message in error, please alert me of that fact and then delete it. Any disclosure, copying, distribution, or use of this communication by someone other than the intended recipient is prohibited.

EDUCATION

The University of Chicago Law School – Chicago, IL
J.D., with Honors, 2013

The University of Chicago College – Chicago, IL
B.A., History, Phi Beta Kappa and with Honors, 2008

EMPLOYMENT

Columbia Legal Services – *Attorney, 2019–2024*

- Senior attorney working on impact litigation and policy teams to advance racial and economic justice for people impacted by incarceration, immigration, and unfair labor practices.

Disability Rights Washington – *Attorney, 2019–2024*

- Led multiple complex lawsuits on behalf of class and organizational clients resulting in systemic changes to Washington correctional systems, including landmark injunctions concerning the health care and safety of transgender people in prison, the medical privacy of currently and formerly incarcerated people, and mental health services in Yakima County Jail
- Developed and implemented lobbying strategy for DRW, including bills to modify the Washington Public Records Act and establish independent statewide jail oversight

Snohomish County Public Defender Association – *Trial Attorney, 2018–2019*

- Defended individuals in Snohomish County District Court

Maryland Office of the Public Defender – *Appellate Attorney and Trial Attorney, 2014–2018*

- Represented clients in Baltimore City trial courts and Maryland appellate and supreme courts
- Founded the Baltimore City Pretrial Detention Initiative to advocate for pretrial release
- Led the public defender’s successful policy effort to limit money bail in Maryland

Neighborhood Defender Service of Harlem – *Criminal Defense Fellow, 2013–2014*

- Represented individuals in New York City Criminal Court

TEACHING

University of Maryland Carey School of Law – Baltimore, MD

Adjunct Professor, Legal Writing and Oral Advocacy, Spring 2018

University of Maryland Baltimore County, Department of Political Science – Catonsville, MD

Adjunct Professor, “Mass Incarceration Through the Lens of Baltimore City,” Spring 2018

PUBLICATIONS

“Best Practices for Behavioral Health Services in Jail Settings” with E. Knudson, et al. (May 2020). Washington DSHS technical assistance manual to promote jail behavioral health best practices.

“The High Cost of Bail” with A. Gupta and D. Swanson, (Nov. 2016). Study of five years of Maryland criminal case data, finding that 46,000 people were jailed due to poverty; that the bail industry extracted \$256 million from the poorest communities; and pretrial detention imposed stark racial disparities. Featured in *The New York Times*, *The Washington Post*, *The Baltimore Sun*, *Vice*, and *CBS*.

“The Heavy Costs of High Bail: Evidence from Judge Randomization” with C. Hansman and A. Gupta; 45 *J. Legal Stud.* 471 (June 2016). Large econometric study finding that money bail causes convictions and recidivism, which has been cited in more than 250 publications and civil rights litigation concerning money bail. Featured in *The Atlantic Monthly*, *Pacific Standard*, *Quartz*, and *The American Interest*.

EDITORIALS

“Bring back oversight for WA’s jails. Lives depend on it” with H. Ockinga in The Seattle Times (Jan 9, 2024), <https://www.seattletimes.com/opinion/bring-back-oversight-for-was-jails-lives-depend-on-it/>

“Advocating for Clients in Jail” in Washington State Bar News (Dec. 7, 2021), <https://wabarnews.org/2021/12/07/advocating-for-clients-in-jail/>

“The Cost of Freedom” with A. Gupta on American Constitution Society for Law and Policy’s ACSBlog (Apr. 4, 2017), <https://www.acslaw.org/acsblog/the-cost-of-freedom>

“The US bail system punishes the poor and rewards the rich” with A. Gupta in Quartz (Feb. 2, 2017), <https://qz.com/900777/the-us-bail-system-punishes-the-poor-and-rewards-the-rich>

“The High Cost of Bail” with A. Gupta on American Constitution Society for Law and Policy’s ACSBlog (Jan. 3, 2017), <https://www.acslaw.org/acsblog/the-high-cost-of-bail>

PRESENTATIONS

“Advocating for Clients in Jail,” National Association for Legal Support Professionals of Washington (2022)

“Advocating for Clients in Jail,” Washington Defender Association 2021 Annual Conference (2021)

“Ending Cash Bail in Maryland,” National Association for Public Defense (2017)

“Money Bail, Mass Incarceration, and Community Instability,” Partners for Justice Conference (2017)

“Bail Reform 101,” Maryland Office of the Public Defender Annual Conference (2017)

“How Money Bail Causes Convictions and Recidivism,” American Constitution Society (2016)

“Advocating for Release,” Maryland Public Defense Annual Conference (2016)

“The Heavy Costs of High Bail,” West Virginia University School of Law (2016)

SERVICE

Co-Chair, Washington State Joint Legislative Task Force on Jail Standards (2022–2023)

Member, Washington State Bar Association Judicial Recommendation Committee (2021–Present)

AWARDS AND RECOGNITIONS

William O. Douglas Bill of Rights Award for outstanding and sustained contributions to the cause of civil liberties and freedom, ACLU of Washington (2022)

Mandel Award for Clinical Legal Excellence, University of Chicago Law School (2013)

Eagle Scout, Boy Scouts of America (2004)

STATE BAR ADMISSIONS

Washington, Maryland, and Illinois (inactive)

TO: WSBA Board of Governors
CC: Terra Nevitt, Executive Director
FROM: Renata Garcia, Chief Regulatory Counsel
DATE: February 18, 2025
RE: Correction to WSBA Admissions Policies

CONSENT/ACTION: Approve technical correction to the WSBA Admissions Policies relating to application fees previously set by the Board of Governors and approved by the Washington Supreme Court.

The purpose of this action is to correct an oversight relating to the admissions application fees in the last update to the WSBA Admissions Policies. At its May 2024 meeting, the Board of Governors set and approved the fees for admissions applications. On July 15, 2024, the Washington Supreme Court approved the admissions application fees effective September 1, 2024. Accordingly, the Board of Governors approved amendments to the WSBA Admissions Policies consistent with the Court’s order regarding application fees. WSBA staff inadvertently failed to include the admission by motion application fee in the amendments proposed to the Board. Previously, admission by motion was included in the attorney applicant category. As part of the new fee structure, admission by motion needs its own line for the application fee. Because the Board and Court already approved the application fees, WSBA staff posted a corrected version of the WSBA Admissions Policies on January 23, 2025. Accordingly, and consistent with the Court’s order, WSBA staff submits the corrected version of the WSBA Admissions Policies for approval by the Board.

All of the corrections appear on page 4 of the policies.

Attachments

1. Corrections to the WSBA Admissions Policies – Markup Version
2. Washington Supreme Court Order dated July 15, 2024

ADMISSIONS POLICIES OF THE WASHINGTON STATE BAR ASSOCIATION

Under the authority of, and consistent with, the Washington Supreme Court’s Admission and Practice Rules (APR), the Board of Governors of the Washington State Bar Association (Bar) has adopted the following Admissions Policies in administering those rules. These policies apply to individuals seeking reinstatement under APR 25 or admission to the Bar as a lawyer, limited practice officer (LPO), house counsel or foreign law consultant. These policies supplement APR 3-5, 8(f), 14 and 20-25. Any discrepancy or conflict between these policies and the APR is unintentional and will be resolved in favor of strict compliance with the APR.

Adopted July 1, 2012. Amended July 28, 2017, amendments effective September 1, 2017.

Amended November 14, 2020, amendments effective December 1, 2020.

Amended January 13, 2022, amendments effective February 1, 2022.

Amended June 9, 2023, amendments effective September 1, 2023.

Amended July 15, 2024, by Court order, amendments effective September 1, 2024.

Correction approved March 21, 2025.



I. GENERAL PROVISIONS AND DEFINITIONS

A. Applications

Applications for admission to practice law in Washington must be completed and submitted online or as prescribed by the Bar's admissions staff.

B. Definitions

"Approved Law School" means a law school approved by the Board of Governors. Only those law schools approved, or provisionally approved, by the American Bar Association at the time the J.D. was conferred are approved by the Board of Governors. A list of ABA approved law schools is available on the ABA website.

"Attorney Applicant" means a person applying for admission as a lawyer under APR 3 or a person petitioning for reinstatement under APR 25 who, at the time of filing the application, has ever been admitted to practice law as a lawyer (or the equivalent for that jurisdiction) in any jurisdiction other than Washington.

"Foreign Law Consultant Applicant" means a person applying for licensure as a foreign law consultant under APR 14.

"General Applicant" means a person applying for admission as a lawyer under APR 3 who, at the time of filing the application, has never been admitted to practice law as a lawyer (or the equivalent for that jurisdiction) in any jurisdiction other than Washington, or a person petitioning for reinstatement under APR 25 who has been admitted to practice law in Washington only.

"House Counsel Applicant" means a person applying for licensure as house counsel under APR 8(f).

"LPO Applicant" means a person applying for admission, or petitioning for reinstatement under APR 25, as a limited practice officer.

II. APPLICATION REQUIREMENTS

A. Application Submission Policy

All applicants must submit electronically, within the filing deadlines specified below, the following:

- a completed application in the form required by the Bar including any required supplemental documentation;
- two Certificates of Good Moral Character, dated within 6 months prior to the application date and completed by two lawyers admitted to practice law in any U.S. jurisdiction or the foreign jurisdiction in which the applicant is admitted to practice law. For LPO Applicants the certificates may be completed by LLLTs or LPOs admitted to practice in Washington; and
- an Authorization and Release form. The form must be signed and notarized within 6 months prior to the application date.

In addition, Attorney Applicants must submit:

- a Certificate of Good Standing from each jurisdiction in which the applicant has ever been admitted (including federal courts and tribal courts). Certificates of Good Standing (or similar document) for Attorney Applicants admitted to practice law must be issued by the admitting authority (e.g., State Bar or highest state court) in each jurisdiction where the applicant has been admitted. If the applicant is no longer admitted in the jurisdiction, the applicant must submit a letter from the jurisdiction that includes the dates of admission and status history. The certificate or letter must be signed and dated within 6 months prior to the application date.

All documents must be in English or accompanied by a certified English translation.

B. Exam Application Filing Deadlines

Only applications for an exam (excluding petitions for reinstatement under APR 25 have a filing deadline. Applications for admission by exam are accepted beginning February 1 for the summer exam and September 1 for the winter exam. Filing deadlines for applications to take an examination are as follows:

Examination	Applications Accepted	First Deadline	Late Filing Deadline	Failed the Immediately Preceding Winter WA Exam Deadline With No Late Fee
Summer Exam	February 1	March 5	April 5	May 5
Winter Exam	September 1	October 5	November 5	N/A

The deadline will be the next business day when a deadline falls on a Saturday, Sunday or holiday.

Late filing requires payment of a late filing fee as provided in the fee schedule. No applications will be accepted after the late filing deadline except for applicants who failed the immediately preceding winter Washington exam and are applying for the following summer Washington exam; those applicants are not required to pay the late filing fee and the deadline will be May 5.

Applications, including payment, must be submitted online by 11:59 P.M. (PST/PDT) the day of the deadline. Applications, or payments, submitted after the first deadline will incur a late filing fee.

Exam applications not submitted by the late filing deadline will be deleted.

C. Non-Exam Application Deadlines

Applications without a filing deadline (non-exam applications) that are incomplete or missing payments, authorization and release forms, or certificates of good moral character will be disqualified within 60 days from the submission date. When an application is disqualified for this reason, the applicant will receive a partial refund as set forth in Section III.C.

Applications that are not submitted within six months of starting the application online will be deleted.

C. Other Deadlines

Request testing accommodations	80 days prior to first day of exam.
File all requested and/or additional items.....	18 days prior to first day of exam.
Character and fitness resolution.....	18 days prior to first day of exam.
Exam360 (laptop) registration	18 days prior to first day of exam.
Change of exam method.....	18 days prior to first day of exam.
Special requests for exam room	18 days prior to first day of exam.
Withdraw from exam with partial refund.....	18 days prior to first day of exam.
UBE Score Transfer Applications.....	No deadline, may apply at any time.
Admission by Motion Applications	No deadline, may apply at any time.
House Counsel Applications.....	No deadline, may apply at any time.
Foreign Law Consultant Applications.....	No deadline, may apply at any time.
Petitions for Reinstatement (after disbarment) under APR 25	No deadline; see APR 25 et. seq.
Withdraw a non-exam application with partial refund	One year from date of application.

III. FEES

A. Fee Schedule

(1) General Applicants (<u>Bar Exam and UBE Score Transfer</u>).....	\$595
Late Filing Fee (exam applicants only).....	\$300
(2) Attorney Applicants (<u>Bar Exam and UBE Score Transfer</u>)	\$645
Late Filing Fee (exam applicants only).....	\$300
(3) LPO Applicants	\$200
Late Filing Fee.....	\$100
<u>(4) Admission by Motion Applicants</u>	<u>\$970</u>
<u>(5) House Counsel Applicants.....</u>	<u>\$970</u>
<u>(6) Foreign Law Consultant Applicants.....</u>	<u>\$970</u>

All bank card transactions are subject to a separate non-refundable transaction fee of 2.5%. There is no transaction fee for payments by electronic funds transfer (EFT) or check.

For exam applicants, payments by check must be received or postmarked by the application deadline. Payments received or postmarked after the first deadline will incur a late filing fee. Applications will not be accepted if payment is received or postmarked after the late filing deadline.

For exam applicants, if an application fee paid by EFT or check is declined, then applicants will have one additional opportunity to resubmit payment within five business days from notification of the declined payment. If payment is not resubmitted within the five business days, a late fee will be assessed for applications submitted by the first deadline. If the late filing deadline has passed and payment is not

resubmitted within five business days from the notification of the declined payment, then the application will not be accepted.

B. NCBE Investigation Fee

Applications for General Applicants applying under APR 3(b)(4)(B), House Counsel Applicants, Foreign Law Consultant Applicants, and all Attorney Applicants, except for applicants eligible for military spouse admission by motion under APR 3(c)(2), are referred to the National Conference of Bar Examiners (NCBE) for verification and investigation of the information in the application. Applicants are required to pay a nonrefundable investigation fee to the NCBE. See section V of these policies for all NCBE requirements.

C. Withdrawals and Refunds

For all applicants, the application fee includes a non-refundable administrative processing fee as set forth below. An exam applicant must withdraw an application at least 18 days prior to the date of the examination for a partial refund. Petitioners under APR 25 and all other applicants must withdraw their applications no later than one year after filing the application to receive a partial refund. The Bar will issue a refund of the application fee less the administrative fee. The partial refund policy applies to applications that are disqualified. Any late filing fees paid, and any investigation costs are nonrefundable. For exam applications, no refunds will be issued for withdrawals or disqualifications made less than 18 days prior to the date of the exam. For all other applications, no refunds will be issued for withdrawals or disqualifications made later than one year after filing the application. Exam applicants forfeit all fees if they do not show up for the exam. Exam applicants cannot transfer their applications or application fees to a different exam.

Administrative Fee (nonrefundable portion of application fee):

General, Attorney, House Counsel and Foreign Law Consultant Applicants	\$400
LPO Applicants	\$100

If there are extraordinary circumstances that prevent an applicant from taking the examination (e.g., a serious medical emergency, death in the immediate family, significant health problems, house fire), a written request must be delivered to the Bar within 18 days after the exam in order to receive a partial refund as set forth above. The Bar may require the applicant to submit supporting documentation for the request.

D. Change of Application Type

For good cause shown, Bar staff has discretion to change the application type upon request of the applicant and apply any application fee already paid to the new application type. An example situation would be changing a House Counsel application to an Admission by Motion application.

IV. CHARACTER & FITNESS REVIEW

All applicants are subject to a character and fitness review prior to being admitted to practice law in Washington State. The responsibility for full disclosure rests entirely upon the applicant. Permission to sit for the examination or admission to practice law may be withheld pending a hearing before the Character and Fitness Board and a final determination by the Washington Supreme Court regarding whether the applicants have met their burden of proving that they are of good moral character, fit to practice law and have met the Essential Eligibility Requirements. See APR 20-24.3. Factors considered by Admissions staff and Bar Counsel when determining whether an applicant should be referred to the Character and Fitness Board are set forth in APR 21(a).

Washington requires resolution of all character and fitness issues at least 18 days prior to sitting for the exam. Exam applicants with unresolved character and fitness issues after this deadline will not be permitted to sit for the exam and will have their application transferred to the next exam. Applicants may choose to withdraw from the exam and receive a partial refund if the request is made at least 18 days prior to the first day of the exam in lieu of transferring to the next exam. Therefore, applicants who disclose any information that may raise an issue of character or fitness are advised to file their applications early in the registration period. Early filing or providing information prior to the 18-day deadline does not guarantee all issues will be resolved 18 days prior to the exam.

All petitions for reinstatement under APR 25 are referred to the Character and Fitness Board for hearing, per APR 25.3(b). Petitioners will be assigned to the next available licensing exam only after receiving Washington Supreme Court approval of their petition.

V. NCBE REPORT REQUIREMENT

Applications for General Applicants applying under APR 3(b)(4)(B), House Counsel Applicants, Foreign Law Consultant Applicants, and all Attorney Applicants, except for applicants eligible for military spouse admission by motion under APR 3(c)(2), are referred to the National Conference of Bar Examiners (NCBE) for verification and investigation of the information in the application. Applicants who have an application that is referred to the NCBE will be contacted by the NCBE and required to pay an investigation fee and submit authorization and release forms directly to the NCBE. The Bar cannot finish processing applications until the report is received from the NCBE.

Applicants applying for an exam will not be allowed to sit for the exam if the Bar does not receive a report back from the NCBE at least 18 days prior to the first day of the exam; in that case, the application will be transferred to the next exam.

Applicants may choose to withdraw from the exam and receive a partial refund if the request is made at least 18 days prior to the first day of the exam in lieu of transferring to the next exam.

NCBE reports are valid for one calendar year from the date the Bar receives the completed report from the NCBE, after which a supplemental or new NCBE report will be required. See the NCBE website for additional information: <http://www.ncbex.org/character-and-fitness/jurisdiction/wa>.

VI. REQUESTS FOR TESTING ACCOMMODATIONS

Any applicant requesting testing accommodation for a claimed disability must ask for such accommodation through the online admissions site at least 80 days prior to the examination date. Applicants requesting testing accommodations must provide appropriate documentation of the disability and specify the extent to which they are requesting that the standard testing procedures need to be modified. The applicant is responsible for demonstrating their need for any requested accommodations. The Bar reserves the right to make final judgment concerning testing accommodations and may have any submitted documentation reviewed by a specialist. See the online admissions site for additional information regarding accommodation requests and required documentation.

Any testing accommodation may not compromise the integrity or security of the examination or affect the standards set for the examination. After the Bar provides notice to an applicant of the testing accommodations granted to that applicant, the applicant must acknowledge that they read and understand the accommodations granted no less than 18 days prior to the first day of the examination.

VII. SPECIAL REQUESTS FOR THE EXAM ROOM

For good cause shown, applicants may be permitted to bring otherwise prohibited items into the exam room. Examples of items are pillows/lumbar supports, ergonomic chairs, book stand, wrist rest, medication, external keyboard or mouse, and religious attire. In addition, applicants may request a specific seating location in the exam room due to a medical condition.

The Bar will provide a room for nursing people upon request. Nursing people may use the nursing room before and after the exam, during breaks and during the exam. An applicant must be accompanied by a proctor if the nursing room is used during the exam session.

All special requests for an exam must be made on the online admissions site no less than 18 days prior to the first day of the exam. All requests must be supported (if applicable) by a doctor's note.

VIII. LAPTOP USE AND EXAM360 SOFTWARE

Applicants for an exam requesting to use a laptop computer for the written portions of the exam must register, pay for, and download software from ILG Exam360. Exam360 must be purchased and downloaded for each administration of the exam, even if used in the past. Fees paid to ILG Exam360 are nonrefundable and nontransferable. Laptop users must sign a waiver of liability on exam day. Applicants who do not purchase and download the software by 18 days prior to the exam will be required to handwrite the exam.

If an exam applicant's laptop fails prior to the exam, the applicant must contact ILG Exam360 to download Exam360 again.

IX. EXAMINATION PROVISIONS

A. Exam Security Policies & Exam Site

All applicants for all exams are to abide by the Exam Security Policy and any other exam policies or procedures established by the Bar or the Washington Supreme Court.

Only applicants, WSBA staff, WSBA volunteers with permission from staff, proctors, WSBA vendors, and exam site staff and vendors are permitted at the exam site. The only exception is for law school representatives who may be present in designated areas at the end of the second day of the bar exam. Law school representatives should notify WSBA in advance and follow instructions from the WSBA. No pets are allowed at the exam site. Certified service animals may be approved as part of a testing accommodations request.

B. Grading and Results for All Examinations

(1) Grading of examinations shall be anonymous. Graders shall be provided exam answers with only the applicant ID number to identify to whom the answer belongs. Names or other personal information that would identify an applicant is not provided to the graders. All information matching names and numbers of the applicants shall be kept in the custody of the Bar until all examinations have been graded and each examination has been given either a pass or fail grade by applicant number only.

(2) There is no review or appeal of final examination results. APR 4(b).

(3) The names of successful applicants will be posted on the Bar's website.

(4) Unsuccessful exam applicants may reapply and retake the exam in the same manner as any other applicant.

C. Lawyer Bar Examination

(1) All lawyer bar exam applicants must pass the Uniform Bar Exam prepared and coordinated by the National Conference of Bar Examiners. The UBE consists of Multistate Bar Exam (MBE), Multistate Essay Exam (MEE) and Multistate Performance Test (MPT) questions. The UBE is administered over two days in accordance with the procedures established by the NCBE.

(2) The Board of Bar Examiners is responsible for the grading of the MEE and MPT questions on the UBE. In order to assure fairness and uniformity in grading, the Board of Bar Examiners shall follow NCBE-prescribed standards for grading to be used by all graders. The Board of Bar Examiners shall, as soon as practicable and within any guidelines prepared by the NCBE, certify the scores on the MEE and MPT portions for all applicants who have taken the UBE.

(3) Upon completion of the grading and certification, the Bar shall cause each lawyer bar exam applicant to be notified of the result of the examination. All results shall be reported to the NCBE in accordance with procedures established by the NCBE. All scaled scores and the applicant's national percentile rank for the MBE will also be reported to the applicant's law school.

(4) All lawyer bar exam applicants will be provided with the scaled written (MEE+MPT) score, scaled MBE score, total scaled UBE score and their national percentile rank for the MBE. Unsuccessful lawyer bar exam applicants will receive copies of their written essay and performance test questions and answers

and written raw scores. No other raw scores, results information or examination materials will be provided to the applicants.

D. Washington Law Component

All applicants qualifying for admission as a lawyer under APR 3 must pass the Washington Law Component (WLC). The WLC is comprised of online materials and an online multiple-choice test based on areas or subjects of law that are specific to Washington State. The Board of Bar Examiners is responsible for the content of the WLC and shall publish the Washington state specific materials for applicants.

The WLC is self-administered by applicants and is available to applicants online after submitting the application. There is no fee to take the WLC. The WLC is an open-book test. Applicants may take the WLC as many times as necessary to achieve the minimum pass score. There is a mandatory waiting period of 24 hours after failing to pass the WLC the first time. Subsequent fails of the WLC require a 72 hour waiting period before retaking the test. The WLC minimum pass score is 80% correct. If after passing the WLC, an applicant fails the UBE, withdraws their application, or their application is disqualified that applicant must retake and pass the WLC after submitting a new application.

X. UBE SCORE TRANSFER APPLICANT PROVISIONS

UBE score transfer applicants must have a qualifying UBE score and must meet one of the qualifications for lawyer bar examination applicants as set forth in APR 3(b).

UBE score transfer applicants may apply in Washington as a UBE score transfer applicant while applying in a different UBE jurisdiction to take the UBE, with the intent of transferring a qualifying score from that jurisdiction to Washington. The applicant must notify the Bar of the jurisdiction where the applicant will take the UBE.

Applicants are not permitted to apply at the same time for admission in Washington as both an applicant to take the UBE in Washington and an applicant seeking to transfer a UBE score to Washington.

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF WSBA APPLICATION)
FEES)
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ORDER

NO. 25700-B-715

Admission and Practice Rule (APR) 3(i)(b) provides that the Washington State Bar Association (WSBA) Board of Governors may establish the amount of all application fees for admission to practice law, subject to approval by the Supreme Court.

In a letter dated May 9, 2024, from the Executive Director of the WSBA, the Court was informed that at its May 2, 2024, meeting, the WSBA Board of Governors set application fees for admission to practice law for lawyer and licensed legal intern applications.

The Court at its June 5, 2024, En Banc Conference considered the application fees as established by the Board of Governors and entered Order No. 25700-B-714. At the Court's July 10, 2024, En Banc Conference, the Court determined to rescind Order No. 25700-B-714 and approved the application fees established by the Board of Governors:

1. Bar Exam – General: \$10 increase from \$585 to \$595;
2. Bar Exam – Attorney: \$25 increase from \$620 to \$645;
3. UBE Score Transfer – General: \$10 increase from \$585 to \$595;
4. UBE Score Transfer – Attorney: \$25 increase from \$620 to \$645;
5. Admission by Motion – Attorney: \$350 increase from \$620 to \$970;
6. House Counsel: \$350 increase from \$620 to \$970;

7. Foreign Law Consultant: \$350 increase from \$620 to \$970;
8. Rule 9 Licensed Legal Interns: no change to fee of \$50;
9. Bar Exam Late Filing Fee: no change to fee of \$300; and
10. Administrative Fee: \$100 increase from \$300 to \$400.

Now, therefore, it is hereby

ORDERED:

The application fees established by the Board of Governors are approved effective September 1, 2024. Order No. 25700-B-714 is rescinded.

DATED at Olympia, Washington this 15th day of July, 2024.


CHIEF JUSTICE

Memo

To:	Board of Governors
From:	Raina Wagner and Governor Nam Nguyen, DEI Council Co-Chairs Miryam Gordon and Sharon Sakamoto, DEI Council Members and Co-Chairs of Equity and Justice Plan Workgroup
CC:	Terra Nevitt, Executive Director
Date:	February 18, 2025
Re:	Proposed WSBA Equity and Justice Plan

FIRST READING: The DEI Council is requesting a first read of the proposed WSBA Equity and Justice Plan followed by a second reading and approval at the Board of Governor’s May meeting.

Background

With the goal of improving the quality of legal services and the regulation of the legal profession, the WSBA has been engaged in diversity, equity and inclusion work 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 paint 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 refresh 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 and larger legal community 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.

In August 2024, shortly after the DEI Council received IILP’s findings, 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 had submitted to the Board of Governors in 2022, to inform the draft of a new Equity and Justice Plan (“Plan”). The DEI Council’s initial 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.

The DEI Council sought broad input from October to November and carefully reviewed it in December and January. Throughout this process, the DEI Council reported our progress to the Board of Governors to keep them informed of the developing Plan, along with the initial draft.

To incorporate feedback and improve the plan, the DEI Council made changes to the initial draft and now presents the proposed Equity and Justice Plan to the Board of Governors for a First Reading. We ask the Board of Governors to share your input and suggestions so the DEI Council can improve the plan and bring it back for a Second Reading and approval at your meeting in May.

Why an Equity and Justice Plan?

We are proposing a new Equity and Justice Plan to fulfill the WSBA’s purpose of regulating the legal profession and improving the quality of legal services. Based on that premise, the Plan sets out three goals and underlying strategies that will facilitate the WSBA’s prescribed activities, purposes and objectives outlined in General Rules 12.1 and 12.2, which include but are not limited to:

- Promoting an effective legal system, accessible to all;
- Meaningful access to justice and information about the law, legal issues, and the civil and criminal justice systems;
- Advancement of the administration of justice and the rule of law;
- Delivery of affordable and accessible legal services;
- Promoting an understanding of and respect for our legal system and the law;

- Fostering and maintaining high standards of competence, professionalism and ethics among its members;
- Fostering collegiality among its members and goodwill between the bar and the public;
- Promoting diversity and equality in the courts, the legal profession, and the bar; and
- Diversity and inclusion among legal services providers and freedom from discrimination from those receiving legal services and in the justice system.

We learned from the 2024 Membership Demographic Study and significant input from members through surveys and focus groups that our legal profession’s diversity has not increased and does not reflect the broad variety of communities in our state. We also learned that underrepresented members continue to disproportionately experience a lack of inclusion and belonging. Further, we came to understand that access to justice, especially for marginalized members of the public, continues to remain out of reach. The proposed Plan acknowledges the importance of a legal profession that reflects the communities we serve, and that all Washingtonians are better off when our State’s legal system and legal profession are fair and welcoming to everyone.

If approved, the Plan can be used as a mechanism to unify the Bar’s current equity and justice work already under way, bring the legal profession together to identify ways to create and enhance systemic improvements and track progress towards meeting the three goals. We propose a five-year Equity and Justice Plan so we can create a timeline, track our progress and evaluate and implement needed changes on an ongoing basis.

Applying an Equity Lens and Seeking Community Input

The DEI Council applied an equity lens from the start of our planning process by first identifying the groups who may be impacted by the Plan. We identified that the entire membership – including members who are underrepresented – may be impacted in the effort to improve the profession. We also identified that volunteers and WSBA staff’s current work and capacity may be impacted. Finally, we identified that the public and members of the larger community may be impacted in the effort to improve the profession and the legal system.

We engaged with these groups from the beginning by asking the membership demographic study consultant (KGR+C) to include these groups in the design of the study, the survey, and the study’s focus groups, and by asking the DEI assessment consultant (IILP) to include all of the groups in the focus groups and interviews. The insights, perspectives and experiences, which were anonymized and aggregated, were considered as we drafted the Plan.

Once the initial draft of the Plan was complete, we designed an outreach plan to solicit feedback and input. We created a stakeholder map where we identified four groups: 1) those who would be most directly impacted, highly invested and with the lowest power; 2) those who would be directly impacted, highly invested and with the highest power; 3) those who would not be very impacted, not very invested, but have high power; and 4) those who are not very impacted and have low investment and low power.

We prioritized those in the first group and regularly engaged with those in the second group. We also worked to keep the third and fourth groups informed.

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 some Board of Governors engaged in personal outreach to organizations they already liaise with. WSBA staff engaged in outreach including personalized communications that followed the broad outreach efforts and presented 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, facilitating small group discussions that enabled the DEI Council members and staff to hear and record their input and ideas.

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. A summary of the feedback themes can be found on the attached BOG cover memo from December 2024.

By and large, the feedback reflected agreement with the Plan's three goals including the focus on equity, accessibility, diversity and belonging. Suggestions for improvement included replacing buzz words with clearer language and outlining more specifics that describe clearer measurable actions.

The proposed draft Equity and Justice Plan we are presenting reflects the edits we made, which incorporates the feedback to use clearer language. As far as identifying how the progress will be monitored, the DEI Council plans to develop an implementation plan following approval of the Equity and Justice Plan.

Fiscal Considerations

The Plan sets out high level goals and strategies. Specific activities and actions like programs and events will be determined when the DEI Council engages in outreach and works towards an implementation plan. To that end, it may be difficult to draft a fiscal analysis at this time. While it may not be possible to forecast a specific dollar figure associated with the Plan, the Board of Governors will have an opportunity to review and determine approval of future annual budgets.

Conclusion

We ask that you review the draft Plan and share your input for what we can do to prepare and present the plan for approval in May.

WSBA RISK ANALYSIS: This section is to be completed by the Office of General Counsel, with input from the proposing entity or individual.

Included in confidential BOG Box materials.

WSBA FISCAL ANALYSIS: This section is to be completed by the Finance Department, with input from the proposing entity or individual.

As stated above, the fiscal impact of the proposed plan is difficult to assess because the specific activities to implement the plan goals have not been defined. At a minimum, the fiscal impact to WSBA includes staff time used to support the implementation of the plan which is included in the overall duties of existing WSBA staff and would not require additional staff or allocation of resources from other internal sources. Implementation activities such as hosting events, developing programs, and conducting outreach could incur expenses for room rentals, catering, travel reimbursements, consultants, marketing materials, etc. WSBA's FY 2025 budget includes a variety of direct expenses of similar type and varying size, which may help to provide some context for potential cost range. For example, the FY25 WSBA budget includes: \$35,000 to host a two-day Bar Leaders Summit, which will be an in-person only event held at the WSBA office and includes expenses to bring bar leaders in from around the state; a total of \$65,000 for Small Town and Rural Outreach and Activities that include funding for internship programming (\$45,000), a summit (\$12,000), two day of service events rural clinics (\$8,000); and \$500 for Law School Outreach to support a law student panel event and other engagement activities. The cost for implementation activities should be identified annually as part of the WSBA budget approved by the Board of Governors.

WSBA EQUITY ANALYSIS: This section is to be completed by the Equity and Justice Team, with input from the proposing entity or individual.

The purpose of the equity assessments is to understand how entities incorporated an equity lens into the action items presented to the Board of Governors. An equity lens is 1) identifying and centering people and communities most impacted by decisions and/or 2) meeting people and communities according to their specific needs to produce fair and equal outcomes for all. The DEI Council outlines above how they applied an equity lens to the drafting of the Plan and their process to solicit input and feedback along the way. The DEI Council articulates its plans to set out ways to track progress and evaluate the Plan's impact. The Plan itself is designed to advance equity.

Attachments

Proposed WSBA Equity and Justice Plan for First Reading

BOG Cover Memo dated December 20, 2024, which provides a summary of feedback

2025-2030 WSBA EQUITY AND JUSTICE ACTION PLAN

The Washington State Bar Association recognizes the importance of having a legal profession that reflects the rich tapestry of the communities it serves. All Washingtonians are better off when our State’s legal system and legal community are fair and welcoming to everyone. The Washington State Supreme Court, under General Rule 12.2(a)(6), has delegated the responsibility “to promote diversity and equality in the courts and the legal profession” to the Washington State Bar Association.

With its open letter, published in June 2020, our Washington State Supreme Court reaffirmed the responsibility of legal professionals to promote diversity and equity in the courts and legal profession as set forth in GR 12.2(a)(6). In that letter, the Court acknowledged that “our institutions remain affected by the vestiges of slavery,” and declared that “the legal community must recognize that we all bear responsibility for this on-going injustice.” Citing it as our “moral imperative,” the Court unanimously called “on every member of our legal community to reflect....and ask ourselves how we may work together to eradicate racism.” Our Action Plan seeks to answer the Court’s call and extend the commitment with an expanded awareness of all barriers that inhibit access to legal services and inclusion in the legal profession.

Our vision of success for the Action Plan is to foster and support a legal system that 1) is committed to ensuring that everyone in our State needing legal services can realistically access those services, and 2) assures everyone in our State interested in entering the legal field has a realistic opportunity to achieve success in our profession.

The Action Plan is informed by data collected in the 2024 Membership Demographic Study which tells us that our profession still has work to do to ensure that our legal community better reflects the public we serve. This Study shows continued marginalization of our underrepresented legal professionals who report that they are less likely to experience positive and satisfying workplace environments. Further, from addressing attorney shortages in rural areas to increasing the number of attorneys who understand clients varied lived experiences, legal services are more accessible when the legal profession reflects the communities we serve. The Action 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 ACTION PLAN'S THREE GOALS



GOAL #1: Strengthen the legal profession by building community and fostering belonging.

VISION FOR SUCCESS: The legal profession will more accurately reflect all the various communities we serve, and every legal professional will feel that they belong in the legal community and are able to thrive inclusive of their social identity and background.

STRATEGIES *(in no particular order):*

1. Partner with affinity bar associations; educational institutions from elementary schools, middle school, high schools, community colleges, universities and law schools; underrepresented and/or marginalized communities; and community-based organizations to identify and implement policies and programs that promote inclusion and belonging in the profession.
2. Leverage and improve data collection, analysis, and reporting processes, in order to identify and address actual or potential disparities and inequities in the regulation of the profession, and to better track member attrition from the profession.

3. Equip legal leaders,* including employers and the judiciary, with better tools to meaningfully remove barriers to inclusion and belonging for all legal professionals.
4. Design and implement a process to identify and address gaps in training regarding inclusion and belonging, with a view toward creating incentives and other mechanisms with a view toward creating accountability.
5. Support opportunities that promote wellness, mentorship, leadership, accessibility and community for all members regardless of their social identity and background.
6. Explore and foster innovative pathways to the profession including the Law Clerk Program, the Limited License Legal Technicians, Limited Practice Officers, alternatives to bar licensure, and other potential regulatory pilot programs designed to increase access to entry for underserved communities, such as people in rural areas.

GOAL #2: Advance a fair, inclusive, effective, and accessible legal system for all people in our State.

VISION FOR SUCCESS: All Washingtonians will have realistic access to high quality and affordable legal services, from legal practitioners who apply an informed perspective of individual circumstances, including an intention to identify and ameliorate the effects of bias.

STRATEGIES *(in no particular order):*

1. Support innovative legal services delivery models that provide more affordable legal services to the most underserved and marginalized communities in our State including people living in rural areas, undocumented communities, people who have limited English proficiency, tribal communities, people with disabilities, and people experiencing poverty, and systemic oppression.
2. Support and implement changes that make WSBA and the legal system more accessible, through continued exploration of the benefits of developing court rules that do not vary from county to county, where technology is uniform and accessible, for both the public and legal professionals.
3. Support policymaking and sustainable, long-term, funding efforts that improve the consistency of quality legal services available to the public.

GOAL #3: Deepen and broaden WSBA leaderships'* ongoing commitments to addressing inclusion, belonging and equity issues.

VISION FOR SUCCESS: WSBA leaders* will represent a diversity of social identities, backgrounds, lived experiences and perspectives that demonstrate a culture of inclusion and belonging, and will make decisions that result in fairer outcomes, and increase public trust and confidence in the legal profession.

STRATEGIES *(in no particular order):*

1. Expand diversity of social identities, backgrounds, lived experiences and perspectives within the membership of WSBA entities.

2. Support initiatives that create a welcoming environment so that marginalized communities can express their concerns and ideas and be confident that WSBA leadership* carefully considers their perspectives.
3. Encourage the Board of Governors to regularly collaborate and communicate with affinity bar associations and facilitate a culture of belonging and inclusion among all WSBA leaders.*
4. Create a process to respond, in a timely and thoughtful way, to inclusion and belonging issues that arise within the legal community and assure that those issues are acknowledged.
5. Collaborate to create policies that enhance equity in the legal system and legal profession.
6. Continue equity education including communication training for WSBA leadership.
7. Identify measures for accountability, work with the Board of Governors to track progress toward meeting the plan's goals, identify challenges and solutions, and draft easy to understand reports.

Achieving the goals set forth in the Action Plan will require a dynamic implementation strategy that will continuously track and measure success and adapt to ensure these goals are reached. This Action Plan will be paired with a more detailed Implementation Plan which will extend our development with a more granular set of practical applications. Acknowledging that there are, often, a variety of solutions, the WSBA will continue to seek input from members of WSBA and the public from across the State on ways we can implement the Action Plan and collectively achieve equity and justice.

With the guidance of our Supreme Court, WSBA invites each of us to expand our efforts to undertake this important work. WSBA believes that the whole community benefits from these efforts when every member of the legal profession takes part.

The opinions and activities outlined in the WSBA's Equity and Justice Plan do not necessarily represent those of individual WSBA members.

* References to "leaders," or "leaderships," are meant to include – but are not limited to – individual leaders as well as groups of leaders of committees, councils, commissions, sections, boards, and local bar associations.

Memo

To:	Board of Governors
From:	Raina Wagner and Governor Nam Nguyen, DEI Council Co-Chairs Miryam 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: The DEI Council will provide an 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.

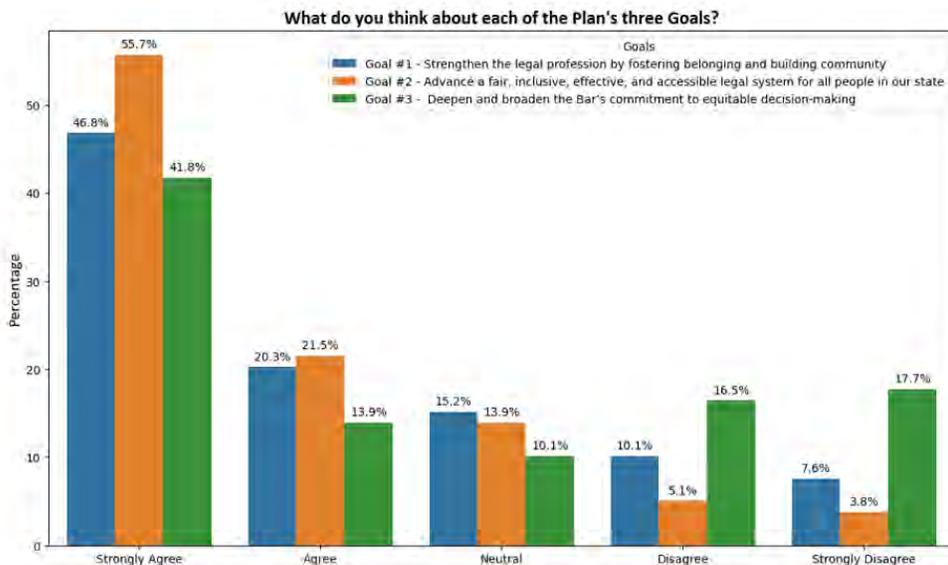
From January to May 2024, IILP conducted 21 focus groups and three individual interviews. This sampling represented a broad cross-section of people, including local and affinity bar association leaders, lawyers from private large and small firms and solo practitioners, corporate and in-house counsel, 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

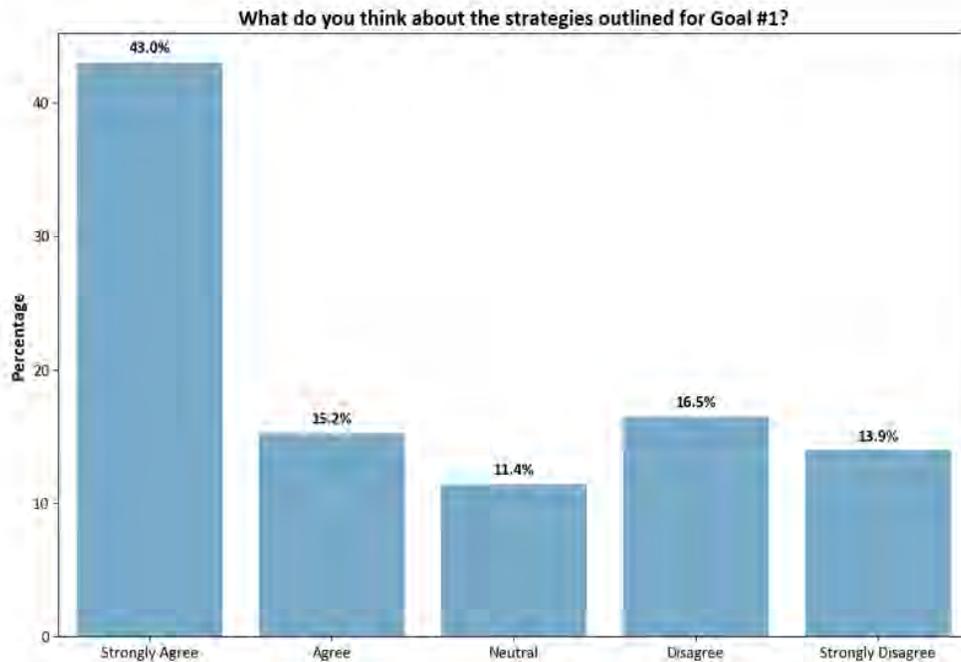
We heard from over 180 people through the online survey, emails, and drop-in virtual sessions and received letters of support from eight organizations and entities. In the online survey, we asked for input on each goal and the strategies outlined for each goal and received over 80 completed surveys. 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:

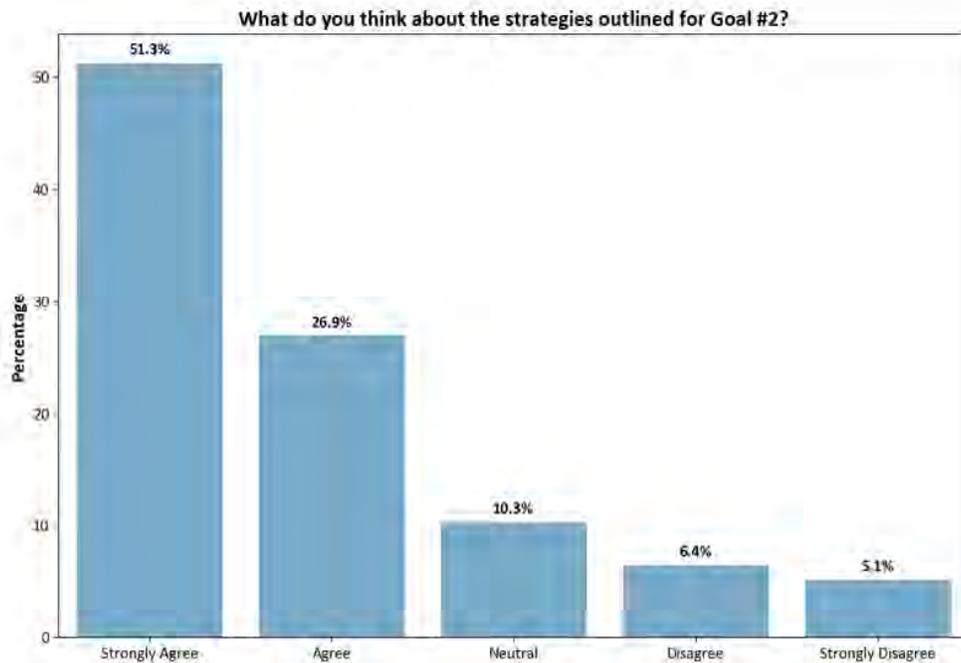


The strategies for Goal #2 (“Advance a fair, inclusive, effective, and accessible legal system for all people in our state”) include:

- 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.

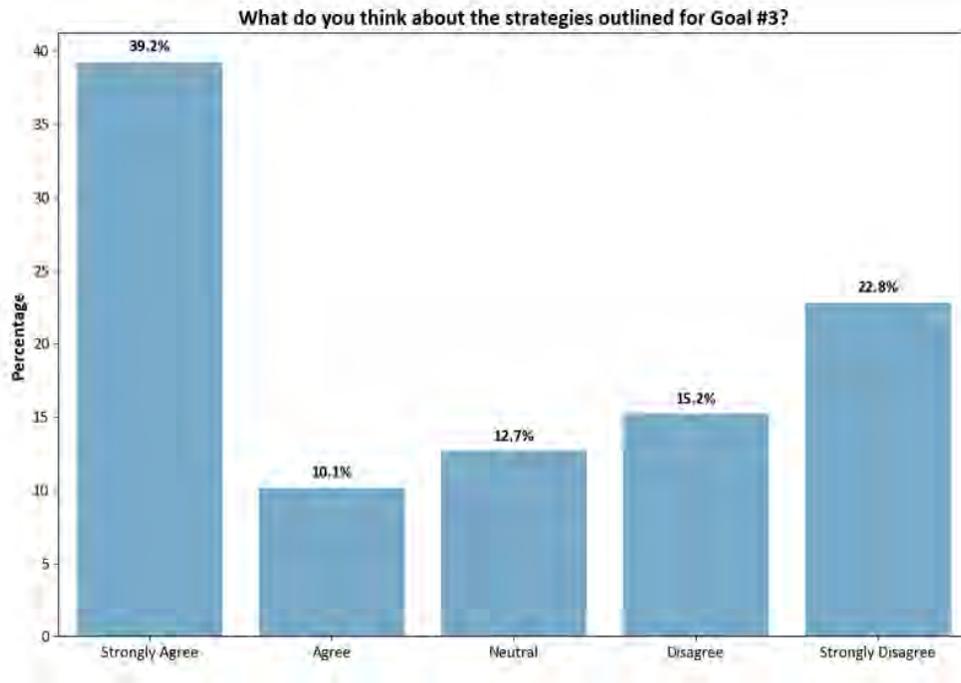
The following summarizes input on Goal #2's strategies:



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

TO: WSBA Board of Governors
CC: Terra Nevitt, Executive Director
FROM: WSBA Governor Jordan Couch
Paris Eriksen, WSBA Manager of Volunteer Engagement
Catherine Schur, WSBA Policy Counsel
DATE: February 18, 2025
RE: Public Member Positions on WSBA Board of Governors

FIRST READ: Proposed Bylaw amendments creating two positions for public members on the Board of Governors

The mission of the Washington State Bar Association is “to serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice.”¹ At present, WSBA’s Bylaws require that all Governors on the WSBA Board be members of the Washington Bar. While Bar-member Governors capably guide WSBA, they reflect only a portion of the constituents WSBA serves. As WSBA’s mission indicates, members of the public are a significant and important focus of WSBA’s work, and yet are missing from Board governance. Including public members on the Board would strengthen the Bar’s ability to fulfill its mission. In addition, studies of board composition show that including varied perspectives on governing boards improves board decision making, a finding that was echoed by members of the public who currently volunteer with WSBA and other bar associations around the country. Given these benefits, the Bylaw amendments included with this memo propose the creation of two positions for members of the public on the Board.

I. Prior Consideration of Public Membership on the Board

The Board has previously considered whether to add community representatives on several occasions. Most recently, in 2012, the Board undertook a lengthy process that explored whether to add additional seats to the Board for additional groups, including members of the public. After several years of work, a Board-created task force ultimately issued a report dated June 24, 2014, recommending adding three new Board positions, including two for non-attorneys.² The task force noted that several other bar associations included public members on their governing boards and that inclusion of public Board members was important “[g]iven that the WSBA must operate for the benefit and protection of the public,” and that public members “bring a unique perspective, and their relative lack

¹ WSBA, Who We Are, <https://www.wsba.org/about-wsba/who-we-are> (last visited Sept. 26, 2024).

² Washington State Bar Association Governance Task Force, *Report and Recommendations*, 18, June 24, 2014 (avail. at [https://www.wsba.org/docs/default-source/about-wsba/governance/bog-committees/addition-of-new-governors-work-group/governance-task-force-\(2012-2014\)/final-report-and-recommendations_governance-tf_june-24-2014.pdf?sfvrsn=668306f1_5](https://www.wsba.org/docs/default-source/about-wsba/governance/bog-committees/addition-of-new-governors-work-group/governance-task-force-(2012-2014)/final-report-and-recommendations_governance-tf_june-24-2014.pdf?sfvrsn=668306f1_5)).

of legal expertise helps to keep a board focused on monitoring, oversight, and providing direction as opposed to management.”³

In September 2016, the Board adopted amendments adding two community representatives, along with a position for LLLT and LPO members, which the Washington Supreme Court approved in January 2018. In April 2018, however, the Board revisited the decision to add seats to the Board. At that point, none of the new seats had been filled. A Board work group proposed repealing the prior Bylaw amendments adding the additional positions for LLLTs, LPOs, and community members.⁴ The work group explained that the decision would “reverse changes made in a rushed manner and made contrary to the finding of the governance study which recommended shrinking the size of the BOG. This does not preclude the issue of composition or limit future discussion with the court, but rather resets the discussion to the appropriate point before these changes to composition were rushed through.”⁵ In January 2020, the Board approved the recommendation to eliminate the previously added seats.⁶

A proposal to include public members on the Board was again raised at the Board’s July 2024 meeting and, by a straw poll, the Board expressed interest in pursuing the recommendation further. After researching the matter, WSBA staff presented a proposal to add public members to the Board at the October 16, 2024 Board Executive Committee meeting. Following discussion, the Executive Committee unanimously voted to proceed with risk, equity, and fiscal analyses and that the proposal be presented to the full Board for first read. At their December 18, 2024 meeting, the Executive Committee also approved a plan to conduct additional outreach to collect feedback on the proposal from various stakeholders. Based on the feedback received from the Executive Committee and during outreach efforts, Bylaw amendments implementing the recommendation to include public members on the Board of Governors are now before the Board for first read.

II. Input from Public Member Volunteers on WSBA Entities and Other State Bar Associations

Many integral WSBA entities already reserve positions for volunteers who are not members of the Bar, including the Access to Justice Board; Character and Fitness Board; Client Protection Board; Council on Public Defense; Disciplinary Advisory Round Table; Disciplinary Board; DEI Council; Legal Technology Task Force; LLLT Board; Limited Practice Board; MCLE Board; Practice of Law Board; and Member Well-Being Task Force. WSBA staff conducted two focus groups with non-Bar member volunteers on these entities to collect feedback on the proposal to add public members to the Board of Governors. Staff also surveyed individuals on WSBA entities with a focus on serving non-Bar members.

³ *Id.*

⁴ WSBA Board of Governors Meeting Materials, 210, Nov. 22-23, 2019 (avail. at https://www.wsba.org/docs/default-source/about-wsba/governance/bog-meeting-materials-archive/bog-meeting-materials-2019-2020/board-of-governors-meeting-materials-nov-22-23-2019.pdf?sfvrsn=1d720cf1_8_).

⁵ *Id.*

⁶ WSBA Board of Governors Meeting Minutes, 4, Jan. 16-17, 2020 (avail. at https://www.wsba.org/docs/default-source/about-wsba/governance/bog-meeting-minutes-archive/bog-meeting-minutes-2019-2020/board-of-governors-meeting-minutes-jan-16-17-2020.pdf?sfvrsn=cc4d0ef1_14).

Approximately one-third of unified bar associations across the county include community representatives on their governing boards.⁷ These boards include between two to six public members, whose term length and term limits generally mirror those of their bar member counterparts. In addition to reaching out to WSBA volunteers, WSBA staff collected feedback from community representatives on governing boards of other state bar associations.

The input of these individuals helped inform this proposal. The focus group participants and survey respondents largely expressed support for adding public members to the Board of Governors. They noted that including community representatives could provide insights into how Board actions impact the public, identify issues Bar members may overlook, provide expertise in areas outside the legal sphere, encourage a creative approach to issues before the Board, and convey a commitment to transparency. Additional input gathered in the focus groups and surveys is noted where relevant below.

III. Reasons for Public Membership on Board of Governors

Public membership on the Board of Governors provides an important opportunity to carry out the first prong of the Bar's mission: to serve the public. The Washington Supreme Court delegates to the WSBA the responsibility for providing services to the public, fostering goodwill between the legal profession and the public, promoting an accessible legal system, promoting understanding of and respect for our legal system and the law, and serving as a voice to the public on matters relating to the legal profession.⁸ The public is therefore a key constituency of the Bar's work, however the public is not currently represented on the Board. Including public board members would assist the Board in both identifying the effects of Board decisions on the public and effectively communicating Bar objectives to the public. In this way, adding public Board members would enhance the Bar's ability to address the needs of the public and fulfill the purposes delegated to it by the Washington Supreme Court.

Nonlawyers also provide a critical outside perspective that would contribute to improved Board decision making overall. Community representatives would help the Board recognize the needs of the public by bringing backgrounds and experiences that might otherwise be unrepresented on the Board. Research on the composition of organization boards, for example, shows that members of more heterogeneous boards report that the diverse perspectives on the board create "richer and more productive" discussions and "reduce[] the likelihood of uncritical 'group-think' and its attendant risks."⁹ As one theory of organizational management explains, "[p]ersons are restricted in their field of vision in scanning the environment by their different professional orientations, cognitive styles, business and life experiences, and social networks."¹⁰ Thus, groups with members from diverse backgrounds "tend to make higher quality decisions in matters involving creative and judgmental decision making" by sharing more "conflicting opinions, knowledge, and perspectives that result in a more thorough consideration of a wide range of

⁷ The bar associations of Arizona, Florida, Oregon, California, Alaska, Utah, Wisconsin, Texas, North Carolina, and Washington D.C include non-bar members.

⁸ GR 12.2(a)(2), (3), (5), (9), (11),

⁹ Lissa L. Broome, John M. Conley & Kimberly D. Krawiec, *Dangerous Categories: Narratives of Corporate Board Diversity*, 89 N.C. L. REV. 759, 761 (2011).

¹⁰ Lynne L. Dallas, *The New Managerialism and Diversity on Corporate Boards of Directors*, 76 TUL. L. REV. 1363, 1389 (2002).

interpretations alternatives, and consequences.”¹¹ Anecdotally, respondents to WSBA’s outreach surveys and focus group participants noted that their experiences bore out this theory and that they were able to contribute unique experiences that led to more robust board discussions and decision making. Diverse experiences from public members, therefore, may encourage new ways of identifying and approaching problems, and overall, make Board decisions more well-rounded.

In addition, non-lawyer Board members can bring expertise outside the legal sphere that helps support the work of the Bar. For instance, public members of other state bar association boards come from backgrounds in small business, education, banking, accounting, policing, real estate, and local government. In conversations with WSBA staff one public member of Texas’ board of governors described using his skills as a realtor to oversee the acquisition of a site for a Bar building project. Such areas of expertise would complement Bar-member Governors’ skills and allow the Board to better conduct the business of the Bar.

Nonetheless, it is important to note that inclusion of public members will come with some challenges. These challenges, however, do not appear insurmountable. In response to WSBA’s feedback gathering, WSBA’s public member volunteers and other state bar public board members indicated that they faced barriers from the volume of work, use of legalese and acronyms, and resistance to community member participation from other volunteers.

Thus, creating a culture that welcomes and supports public members will be important for ensuring those Board members are able to contribute meaningfully to Bar activities. As noted in literature on creating a diverse board, “directors with exceptional professional credential and unique perspectives are of little benefit if the culture in the boardroom does not embrace diverse insights and ensure that they are incorporated into the decision-making process.”¹² WSBA’s current public member volunteers emphasized that having staff and other board members who were available to answer questions and who were intentional about considering public member feedback allowed them to fully participate in entity proceedings. Several public members of other bar associations specifically stated that they were assigned a Board “buddy,” which helped them feel a part of the Board team. If the Board decides to include public members, therefore, it should simultaneously work with Bar staff to put in place supports such as assigning a Board mentor to new Board members.¹³

In addition, recruitment of community representatives may be more challenging than for Bar-member Governor positions because of the lack of established communication channels to members of the public. However, input from community members on other state bars and WSBA’s current public member volunteers offers some recruitment strategies. Public members of other bar associations, for instance, reported learning of the board position through news articles, attorney friends, outreach to members of other types of boards, and other professional connections. WSBA could publicize the opportunity through media that reaches non-Bar members and could conduct outreach

¹¹ *Id.* at 1391.

¹² Jared L. Landaw, *Maximizing the Benefits of Board Diversity*, THE CONFERENCE BOARD (June 2020) (avail. at <https://www.conference-board.org/pdfdownload.cfm?masterProductID=20869>).

¹³ A Board mentor would be beneficial to all new Board members, whether members of the Bar or not.

to non-legal professional association such as the Washington Society of CPAs, Washington Society of Association Executives, or Greater Seattle Business Association.

IV. Proposed Bylaw Amendments

The proposed amendments to the Bylaws add two positions to the Board for public members. These positions would be reserved for individuals who have not been licensed to practice law in any jurisdiction and who do not have a significant financial interest in the practice of law. At least one Public Member Governor would be a resident of Eastern Washington. Public Member Governors would be appointed by the Washington Supreme Court following an open period for nominations to be submitted to the Court. The proposed amendments to each applicable article of the WSBA Bylaws and reasoning for them are discussed in greater detail below.

In drafting amendments to certain sections, it became apparent that some rules applicable to governor positions other than public Board members would require modification either to ensure consistency between all governor positions or to fill gaps in the rules brought to light by the addition of new positions. Those proposed changes are also explained below.

a. Article II – Definitions and General Provisions

The definition of “Eastern Washington” currently appears in the Bylaws only with respect to requirements for individuals elected to the office of President-Elect.¹⁴ Under the proposed amendments, at least one Public Member Governor seat would be reserved for an individual whose primary residence is located in Eastern Washington. The definition for “Eastern Washington” has been relocated to the definitions section as it would now be applicable to multiple sections of the Bylaws.

In addition, the current Bylaws do not alphabetize the terms in the definitions section. Rather than simply tacking the definition of Eastern Washington to the end of the list, the terms have been alphabetized.

b. Article IV – Governance

Changes to Article IV.A.1 add two new seats for Public Member Governors. Article IV.A.3, relating to Governor term lengths, is amended to apply to both elected Governors and appointed Public Member Governors and to clarify that the Governors are elected or appointed for individual terms of three years.

Current Article IV.A.4.b sets forth processes for filling vacancies that vary depending on the remaining length of the vacated term and the method by which the seat was vacated. That structure has been maintained but made clearer using section headers in the proposed amendments. For vacancies in terms with 12 or fewer months remaining, the Board may choose not to fill the seat. The current Bylaws, however, specify no process if the Board decides to fill that vacancy. To create uniformity, the proposed amendments provide that under those circumstances, all vacant Governor positions will be filled according to the same procedure as filling vacancies for terms of greater than 12 months. Creating a process for filling vacancies when the Board elects to but is not required to do so, makes Article IV.A.4.b(4) unnecessary and the amendments eliminate that paragraph.

¹⁴ See WSBA Bylaws, Art. VI.D.1.

For vacancies with more than 12 months remaining in the term, the proposed amendments add that Public Member Governor vacancies will be filled using the appointment process set out in new Article VI.D. The proposed amendments to this Article also replace the reference to the “Election of Governors from Congressional Districts” section of the Bylaws with a reference to the relevant article number because no section of the Bylaws is so titled.

The proposed changes to Article IV.B open the Treasurer position to Public Member Governors, while maintaining the requirement that the President, President-elect, and Immediate Past-President be members of the Bar. The Treasurer’s duties do not require legal training and may in fact benefit from nonlegal experience such as accounting training. For that reason, the proposed amendments allow Public Member Governors to be elected to the Treasurer position. The position of Bar President, however, appears better suited to a bar member who is more likely to be familiar with Washington’s legal landscape and whose duties include driving the Bar agenda and priorities and acting as the spokesperson of the Bar.

Lastly, the proposed amendments include minor grammatical corrections.

c. Article VI – Board of Governors Elections and Appointments

The proposed amendments to Article VI spell out the eligibility requirements for Public Member Governors and the process by which they are appointed. First, the purpose of the addition of new paragraph 1 in Article VI.A is to create a uniform term limit for all governor positions, including Public Member Governors. In drafting the amendments to add Public Member Governor positions, it became apparent that discrepancies exist in the total number of consecutive months a governor may serve based on position type. As currently drafted, the Bylaws state that anyone who has “served as a governor for more than 48 consecutive months *at time of filing an application* [to enter a governor race]” is not eligible to be nominated or apply for another term until 36 months pass from the end of their current term.¹⁵ This provision is in part intended to address circumstances where a governor is elected or appointed to fill a vacancy and serves a partial term. Applications for governors elected from congressional districts must be filed by February 15¹⁶, while applications or nominations for at-large governor positions must be filed by April 15.¹⁷ Assuming a term start date of October 1 and that someone waits until the last day to file an application, this means a Congressional District Governor could potentially serve a maximum of 91.5 months (two three-year terms plus 19.5 months of a preceding partial term). With the same assumptions, an At-Large Governor may serve up to 89.5 total consecutive months (two full terms, plus 17.5 months of a preceding partial term). In addition, prospective candidates can choose the date to file up to the deadline, which creates additional inconsistencies and creates conditions for gamesmanship in eligibility for additional terms based on the date of filing an application for a governor position.

Therefore, the proposed amendments address this issue and create a uniform rule for all governor positions, including the Public Member Governors. The intent of the current rule appears to be to permit governors to serve

¹⁵ WSBA Bylaws, Art. VI.A.1 (emphasis added).

¹⁶ *Id.*, Art. VI.B.1.

¹⁷ *Id.*, Art. VI.B.2.

two consecutive full terms plus up to one half of a third term if the governor assumed that seat to fill a vacancy. The amendments make this rule explicit and remove any reference to the date of filing as a measurement for term length.

Second, the proposed amendments state that Public Member Governors must be Washington residents and must not have been licensed to practice law in any jurisdiction, have graduated or be enrolled in a law school, or be employed by a lawyer or have direct significant financial interest in the practice of law. These requirements are intended to ensure that the public members of the board truly represent the public consumer of legal services and do not simply duplicate interests already represented by bar member governors on the Board.

Third, the amendments creating new Article VI.D specify the process by which the Public Member Governors will be appointed. The Washington Supreme Court will appoint individuals to the positions in staggered years beginning in 2026. Of the two positions, at least one Public Member Governor appointed must reside in Eastern Washington.

Fourth, the proposed amendments include a process for member recall of Public Member Governors in renumbered Article VI.G. The process mirrors that for at-large governors, which requires a petition signed by five percent of active bar members.

Lastly, inconsistencies in hyphenating “at-large” when used as an adjective are corrected throughout Article VI, and Section G, which addressed the 2020 governor elections and is no longer relevant, has been removed.

WSBA RISK ANALYSIS: *This section is to be completed by the Office of General Counsel, with input from the proposing entity or individual.*

Included in confidential materials.

WSBA FISCAL ANALYSIS: *This section is to be completed by the Finance Department, with input from the proposing entity or individual.*

The proposal to add two public member positions to the Board of Governors (BOG) will require additional direct and indirect expenses for the WSBA budget.

Direct expenses would be in the form of costs to support a member’s participation on the BOG, which varies depending on the geographic location of the member, the location of and level of participation in BOG-related events, and decision to request for reimbursement by the member. When determining the fiscal impact of the direct expenses, we used current and historical data, as well as WSBA fiscal policies specific to BOG members to calculate estimated cost ranges and incorporated general assumptions about location of BOG-related events. The following expenses included in the estimate are itemized as individual budget line items in the Board of Governors cost center:

- **Board of Governors meetings:** Typically, 6 meetings per year, with at least 1 meeting held at WSBA headquarters in Seattle (up to 3 in some years), 1 held in Eastern Washington, and the remaining meetings held in Western Washington, outside of the greater Seattle area.
- **Board of Governors retreats:** Typically, 2 retreats per year are held outside of Seattle. One in October over 2 days and one in July for 1 day which is added on to the July BOG meeting.

- **Governor Conferences:** Per WSBA fiscal policy, each Governor may attend one national or regional conference during their term of service. Governors typically opt to attend the Western States Bar Conference. While it is an annual conference, it is held every other year in Hawaii. Therefore, we assume that a new member would opt for attendance during their term at the Hawaii location.
- **BOG Travel & Outreach:** Per WSBA fiscal policy, each Governor may attend law-related events sponsored by outside organizations which serve as a way for BOG members to engage in outreach opportunities with members and the public. The policy allows for BOG members to attend statewide events, up to 6 local and specialty bar events, and significant county bar events in the Governor’s home district.

We calculated estimates for two difference scenarios with respect to BOG meeting locations:

- **Scenario 1:** Assumes BOG meeting locations are allocated with 1 meeting at WSBA Seattle office, 1 meeting in Eastern Washington, and 4 meetings in Western Washington outside of the greater Seattle area.
- **Scenario 2:** Assumes BOG meetings are allocated with 2 meetings at WSBA Seattle office, 1 meeting in Eastern Washington, and 4 meetings in Western Washington outside of the greater Seattle area.

We further broke down estimates based on four general member geographic locations. The chart below reflects the estimated direct expense fiscal impact for each scenario and member location:

Member Location	Scenario 1	Scenario 2
Seattle	\$23,200 (\$11,600 per member)	\$21,800 (\$10,900 per member)
Eastern Washington	\$31,200 (\$15,600 per member)	\$31,200 (\$15,600 per member)
Western Washington within greater Seattle/Tacoma area	\$23,400 (\$11,700 per member)	\$22,000 (\$11,000 per member)
Western Washington outside of greater Seattle/Tacoma area	\$26,000 (\$13,000 per member)	\$25,600 (\$12,800 per member)

The fiscal impact is intended to provide information on the potential cost to add two additional members and while the estimated costs assume full participation at all BOG-related events, not every member is able to attend 100% of the events, so the actual cost may be lower than what is estimated above.

Indirect expenses would include the staff time to provide support including time previously spent to draft this proposal, staff time used to incorporate any approved bylaw amendments to the relevant records, processing of additional expense reimbursements incurred by the new members, and time associated with support across various WSBA departments as needed. The indirect expense staff time that would be allocated to this work is included in the overall duties of existing WSBA staff and would 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.*

Equity analyses are intended to review how an equity lens was applied during the development of the proposal, including the identification of unintended and negative impacts on communities that are marginalized or underrepresented in the profession or underserved by the legal system overall.

The policy itself is in line with existing research about the significant benefits of citizen participation in professional regulation, and clearly informed by outreach to public member representatives from WSBA entities and WA Supreme Court boards who express a desire to enhance the regulatory objective of protecting the public. While members of the public can currently comment on regulatory issues or participate in some admission and discipline processes, their ability to shape substantive decisions is still limited. The addition of non legal professionals to the Board enhances transparency, substantive public engagement, and deliberative policymaking by allowing their active participation at the decision-making level.

Implementation of the policy will require concerted effort from the Board to create a culture of inclusion that will value and meaningfully integrate public member perspectives. It will also require WSBA staff to provide greater levels of institutional support, particularly for public members that are unfamiliar with regulatory regimes and/or the legal profession. These considerations coincide with existing strategic goals about enhancing diversity and inclusion and enhancing public understanding of the legal system and do not undermine the overall equity impacts.

Attachments

Proposed WSBA Bylaw Amendments

PROPOSED AMENDMENTS TO WSBA BYLAWS, Arts. II, IV, VI

1 Mark up:

2 II. DEFINITIONS AND GENERAL PROVISIONS

3 A. HEADQUARTERS – D. COMPUTATION OF TIME [unchanged]

4 E. DEFINITIONS AND USE OF TERMS

5 Unless otherwise specifically stated herein,

6 ~~1. "Days" means calendar days.~~

7 ~~2. "Quorum" means the presence of a majority of the voting membership (i.e., more than half~~
8 ~~the voting members). A quorum must be present when votes are taken.~~

9 ~~3. "Excused absence" means an absence excused by the President or presiding officer.~~

10 ~~4. "Writing" includes email and fax.~~

11 ~~5. "Electronic means" includes email, fax, video conferencing, and telephone; however, in the~~
12 ~~context of meetings, "electronic means" is limited to video conferencing and telephone.~~

13 ~~6. "Bar records" and/or "Bar documents" means documents or records maintained by the Bar,~~
14 ~~whether in printed or electronic form.~~

15 ~~7. When used in connection with a particular act or event, the terms "active membership" or~~
16 ~~"active members" refers to the Active membership at the time of the act or event.~~

17 ~~8. "APR" refers to the Admission and Practice Rules.~~

18 ~~9. "ELC" refers to the Rules for Enforcement of Lawyer Conduct.~~

19 ~~10. "ELLTTC" refers to the Rules for Enforcement of LLLT Conduct.~~

20 ~~11. "ELPOC" refers to the Rules for Enforcement of LPO Conduct.~~

21 ~~12. "Member" means an individual in any of the groups of licensed legal professionals specified~~
22 ~~in Article III(A) of these Bylaws, unless otherwise specified.~~

23 ~~13. "May" means "has discretion to," "has a right to," or "is permitted to."~~

24 ~~14. "Must" means "is required to."~~

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PROPOSED AMENDMENTS TO WSBA BYLAWS, Arts. II, IV, VI

1 1. "Active membership" or "active members," when used in connection with a particular act or
2 event, refers to the Active membership at the time of the act or event.

3 2. "APR" refers to the Admission and Practice Rules.

4 3. "Bar records" and/or "Bar documents" means documents or records maintained by the Bar,
5 whether in printed or electronic form.

6 4. "Days" means calendar days.

7 5. "Eastern Washington" as used in these Bylaws is defined as that area east of the Cascade
8 Mountain range generally known as Eastern Washington.

9 6. "ELC" refers to the Rules for Enforcement of Lawyer Conduct.

10 7. "Electronic means" includes email, fax, video conferencing, and telephone; however, in the
11 context of meetings, "electronic means" is limited to video conferencing and telephone.

12 8. "ELLTC" refers to the Rules for Enforcement of LLLT Conduct.

13 9. "ELPOC" refers to the Rules for Enforcement of LPO Conduct.

14 10. "Excused absence" means an absence excused by the President or presiding officer.

15 11. "May" means "has discretion to," "has a right to," or "is permitted to."

16 12. "Member" means an individual in any of the groups of licensed legal professionals specified
17 in Article III(A) of these Bylaws, unless otherwise specified.

18 13. "Must" means "is required to."

19 14. "Quorum" means the presence of a majority of the voting membership (i.e., more than half
20 the voting members). A quorum must be present when votes are taken.

21 15. "Writing" includes email and fax.

22
23 [. . .]

24 25 **IV. GOVERNANCE**

PROPOSED AMENDMENTS TO WSBA BYLAWS, Arts. II, IV, VI

1 A. BOARD OF GOVERNORS

2 The Board of Governors (BOG) is the governing body of the Bar. It determines the policies of the Bar
3 and approves its budget each year. Subject to the plenary authority and supervision of the Washington
4 Supreme Court and limitations imposed by ~~S~~statute, ~~C~~court Rrule, ~~C~~court Oorder, or case law, the
5 Board possesses all power and discretion on all matters concerning the WSBA. The Board may delegate
6 the exercise of its authority but that does not constitute a transfer of it. The Board's authority is
7 retained and may be exercised at any time upon a majority vote of the Board.

8 1. Composition of the Board of Governors

9 The BOG will consist of (a) the President; (b) one Governor elected from each Congressional District,
10 except in the Seventh Congressional District where members will be elected from separate geographic
11 regions designated as North and South, and identified by postal zip codes as established by the Bar in
12 accordance with these Bylaws and BOG policy; ~~and~~ (c) three Governors elected ~~at large~~ at large
13 pursuant to these Bylaws; and (d) two public member Governors appointed pursuant to these Bylaws.

14 2. Duties [unchanged]

15 3. Term

16 Governors will assume their duties at the close of the final regularly scheduled BOG meeting of the
17 fiscal year in which they were elected or appointed. ~~Governors are elected or appointed for serve a~~
18 term of three years, except as may be otherwise provided by these Bylaws.

19 4. Vacancy

20 a. A vacancy may arise due to resignation, death, removal by the BOG, or recall ~~by members.~~

21 1) Removal by the Board of Governors. Any Governor may be removed from office for
22 good cause by a 75% vote of the entire BOG exclusive of the Governor subject to
23 removal, who will not vote. The vote will be by secret written ballot. Good cause for
24 removal includes, without limitation, incapacity to serve, serious or repeated failures to

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PROPOSED AMENDMENTS TO WSBA BYLAWS, Arts. II, IV, VI

1 meet the duties outlined in these Bylaws, or conduct or activities that bring discredit to
2 the bar.

3 2) Recall ~~by members~~. Any Governor may be removed from the BOG by a recall ~~by~~
4 ~~members~~, in accordance with the procedures set forth in these Bylaws.

5 b. Response to a vacancy

6 1) Vacancies with 12 months or less remaining in term: If a vacancy occurs for any reason
7 and 12 months or less remain in that Governor's term, in the BOG's sole discretion the
8 position may remain vacant until the start of the next regularly scheduled election term
9 for that Governor position. In that event, no interim governor will be elected or
10 appointed to the position. If the BOG chooses to fill the vacancy, the position will be
11 filled according to the procedures for filling vacancies where more than 12 months
12 remain in the term.

13 2) Vacancies with more than 12 months remaining in term:

14 (a) Vacancies created by resignation, death, or removal by the BOG: If a vacancy
15 occurs due to resignation, death, or the removal of a Governor by the BOG, and more
16 than 12 months remain in that Governor's term, the vacancy must be filled
17 accordingly:

18 For vacancies in At-Large or Congressional District Governor positions, the BOG must
19 elect a candidate eligible for that position to serve as Governor for the remainder of
20 the term ~~until the next regularly scheduled election for that Governor position.~~

21 For vacancies in public member Governor positions, the Washington Supreme Court
22 will appoint an eligible candidate according to the appointment procedure set forth
23 in Article VI.D of these Bylaws to serve as Governor for the remainder of the term.

24 ~~3) (b) Vacancies created by recall:~~ If an At-Large or Congressional District Governor is
25 removed due to recall and more than 12 months remain in that Governor's term, a
26

PROPOSED AMENDMENTS TO WSBA BYLAWS, Arts. II, IV, VI

1 special election will be conducted using the general procedures set forth in Article
2 VI.C ~~the “Election of Governors from Congressional Districts” provisions~~ of these
3 Bylaws. The application period for any special election held pursuant to this
4 paragraph must be no less than 30 days and must, at a minimum, be prominently
5 posted on the Bar’s website and e-mailed to all members eligible to vote in the
6 election.

7 If a public member Governor is removed due to recall, the Washington Supreme
8 Court will appoint an eligible candidate according to the appointment procedure set
9 forth in Article VI.D of these Bylaws to serve as Governor for the remainder of the
10 term.

11 ~~4) Regardless of whether a special election will be held to fill a Governor position that is~~
12 ~~vacant due to recall by the members, such position will not be filled by any interim~~
13 ~~governors selected by the BOG or appointed by the President.~~

14 **B. OFFICERS OF THE BAR**

15 The officers of the Bar consist of a President, President-elect, Immediate Past-President, and Treasurer.

16 The Executive Director of the Bar serves as secretary in an ex officio capacity. Except for the Treasurer
17 and Executive Director, all officers must be Active lawyer members of the Bar.

18 [remainder unchanged]

19 **C. BOARD OF GOVERNORS COMMITTEES – E. REPRESENTATION OF THE BAR** [unchanged]

20
21 [. . .]

23 **VI. BOARD OF GOVERNORS ELECTIONS AND APPOINTMENTS**

24 **A. ELIGIBILITY FOR MEMBERSHIP ON BOARD OF GOVERNORS**

PROPOSED AMENDMENTS TO WSBA BYLAWS, Arts. II, IV, VI

1. All Governor Positions: No individual may be elected or appointed to any Governor position for more than two consecutive terms, plus up to one half of a third term if that individual was appointed or elected to serve the remainder of a term to which someone else had previously been elected or appointed. Governors not eligible to be elected or appointed to a subsequent consecutive term due to this limitation may not be nominated or apply for election or appointment as Governor for a period of 36 months after the conclusion of their present term of service. Any disputes regarding the eligibility of a member to serve on the Board of Governors shall be addressed by the Board of Governors.

2. Governors from Congressional Districts: Subject to the limitation in Article VI.A.1, Any Active member of the Bar, except a person who has previously served as a Governor for more than 48 consecutive months, may be nominated or apply for election as Governor from the Congressional District, or geographic regions within the Seventh Congressional District, in which such person resides.

~~Members that have served as Governors for more than 48 consecutive months at time of filing an application, are not eligible to be nominated or apply for election or appointment as Governor from the Congressional District, At-Large Governor position, or geographic regions within the Seventh Congressional District, in which such person resides, for a period of 36 months after the conclusion of that term of service. Any disputes regarding the eligibility of a member to serve on the Board of Governors shall be addressed by the Board of Governors.~~

2. At-Large Governors: There will be a total of three At-Large Governor positions.

a. Two At-Large ("Member At-Large Governor") Positions: Subject to the limitation in Article VI.A.1, Any Active member of the Bar, except a person who has previously served as a Governor for more than 48 consecutive months, may be nominated or apply.

b. One Young Lawyer ("Young Lawyer At-Large Governor") Position: Subject to the limitation in Article VI.A.1, Any Active lawyer member of the Bar who qualifies as a Young Lawyer as

PROPOSED AMENDMENTS TO WSBA BYLAWS, Arts. II, IV, VI

1 set forth in these Bylaws, ~~except for a person who has previously served as a Governor for~~
2 ~~more than 48 consecutive months,~~ may be nominated or apply.

3 3. Public Member Governors: Public members of the BOG must be Washington residents and
4 may not have

5 a. Been licensed to practice law in any jurisdiction prior to or during their term of service;

6 b. Graduated from law school or be enrolled in law school during their term of service; or

7 c. Be directly employed by a lawyer or have a direct significant financial interest in the
8 practice of law.

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

10 **B. NOMINATIONS AND APPLICATIONS FOR CONGRESSIONAL DISTRICT AND AT-LARGE GOVERNOR**

11 **POSITIONS**

12 1. Applications for the Board of Governors elected from Congressional Districts must be filed in
13 the office of the Bar not later than 5:00 p.m., on the 15th day of February of the year in which
14 the election is to be held. If this deadline falls on a day in which the office of the Bar is closed,
15 the deadline will be 5:00 p.m. of the following business day.

16 2. Applications and nominations for At-Large Governor positions must be filed in the office of the
17 Bar not later than 5:00 p.m. on the 15th day of April of the year in which the election or
18 nomination is to be held.

19 3. Applications for the position of President-elect must be filed by the deadline set forth in the
20 notice published in the Bar's official publication and posted on the Bar's website. Notice must be
21 given not less than 30 days before the filing deadline.

22 4. In the event no application is made for a seat, the position will be treated, advertised, and
23 filled by Board appointment until the next election cycle only, in which the position will be
24 included in the election cycle for the remainder of the term.

25 **C. ELECTION OF CONGRESSIONAL DISTRICT AND AT-LARGE GOVERNORS**

PROPOSED AMENDMENTS TO WSBA BYLAWS, Arts. II, IV, VI

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

a. Third, Sixth, Eighth Congressional Districts and the North region of the Seventh Congressional District and one At-Large Member Governor – 2014 and every three years thereafter.

b. First, Fourth, Fifth Congressional Districts and the South region of the Seventh Congressional District and one At-Large Young Lawyer Governor – 2015 and every three years thereafter.

c. Second, Ninth and Tenth Congressional Districts and one At-Large Member Governor – 2013 and every three years thereafter.

2. [unchanged]

3. Eligibility Requirements: Election of At-Large Governors

At-Large Governors shall be elected by the Members as follows:

a. Member At-Large Governors: After notice of the position has been adequately provided to all members, the Diversity, Equity and Inclusion (DEI) Council shall forward at least three candidates who have a lived experience and knowledge of the needs of those members whose membership is or may be historically underrepresented in governance to the end that the BOG will be a more diverse and representative body than the results of the election of Governors based solely on Congressional Districts may allow. Diversity refers to meaningful representation of, and equal opportunities for, individuals who have a lived experience as a member from one or more historically underrepresented communities in the legal profession. Underrepresentation encompasses and is not limited to, race, disability, age, ethnicity, religion, sexual orientation, gender identity, and gender expression. The Executive Director shall then place all candidates forwarded by the DEI Council on the ballot to be elected by all eligible voting members. If the DEI Council forwards less than three candidates

PROPOSED AMENDMENTS TO WSBA BYLAWS, Arts. II, IV, VI

1 by May 1, the Executive Director shall notify the BOG, which may, at its option, select
2 additional qualifying candidates on its own or place only those candidates forwarded by the
3 DEI Council on the ballot to be elected by all eligible voting members.

4 b. Young Lawyer At-Large Governor: By May 1, the Washington Young Lawyers Committee
5 shall forward at least three candidates to the BOG who qualify as Young Lawyers as defined
6 by Article XII(B) of these Bylaws in the year of the election. The BOG shall then place all
7 candidates forwarded by the Washington Young Lawyers Committee on the ballot to be
8 elected by a vote of all Young Lawyer Members as defined in section XII(B) of these Bylaws.
9 If the Washington Young Lawyers Committee forwards less than three candidates by May 1,
10 the Executive Director shall notify the BOG, which may, at its option, select additional
11 qualifying candidates on its own or place only those candidates forwarded by the
12 Washington Young Lawyers Committee on the ballot to be elected by a vote of all Young
13 Lawyer Members as defined in section XII(B) of these Bylaws.

14 4. Voting in the Election of Member At-Large Governor positions will be conducted in the
15 following manner:

16 a. Voting Procedure for the At-Large Governor positions shall follow the procedures
17 described above with the exception of the dates of the election.

18 b. Election will begin on May 15.

19 c. Voting must be completed no later than 5:00 p.m. (PDT) on June 1 of that election year.

20 **D. APPOINTMENT OF PUBLIC MEMBER GOVERNORS**

21 The Washington Supreme Court will appoint two Public Member Governors to staggered terms. Two
22 Public Member Governors will be appointed in 2026, one to a term of three years and one to a term
23 of two years. Upon conclusion of these Governors' terms in 2028 and 2029, respectively, appointments
24 will be made every three years thereafter. At least one Public Member Governor's primary residence
25 must be in Eastern Washington.

PROPOSED AMENDMENTS TO WSBA BYLAWS, Arts. II, IV, VI

1 Applications and nominations for Public Member Governor position must be submitted to the
2 Washington Supreme Court by 5:00 p.m. on April 15 of the year in which the Public Member Governor
3 will assume their seat. The Court will select one candidate from among the nominees and applicants
4 to appoint to the BOG and will communicate the appointment to the Bar by no later than June 1.

5 **DE. ELECTIONS BY BOARD OF GOVERNORS**

6 **1. Office of President-Elect**

7 The BOG will elect an Active lawyer member of the Washington State Bar Association to serve as
8 President-elect. The election shall take place during a BOG meeting not later than the 38th week of
9 each fiscal year, and will be by secret written ballot. The President-elect will take office upon the
10 incumbent President-elect becoming President or upon vacancy of the office of President-elect.

11 If at the time of election, no President-elect in the preceding three years was an individual whose
12 primary place of business was located in Eastern Washington, the President-elect must be an individual
13 whose primary place of business is located in Eastern Washington. ~~For purposes of these Bylaws,~~
14 ~~“Eastern Washington” is defined as that area east of the Cascade mountain range generally known as~~
15 ~~Eastern Washington.~~ In any year where the President-elect must be an individual from Eastern
16 Washington and no qualifying application is received within the timeframe allowed, the President will
17 advise the BOG, and the BOG, at any regular meeting or special meeting called for that purpose, will
18 establish procedures to re-open and extend the application period or otherwise address the issue. Such
19 action by the BOG may include waiver of any geographic limitation for the year in question.

20 **2. Treasurer**

21 The Treasurer must be a current ~~lawyer~~ Governor and will be nominated and elected by the BOG at
22 the second to the last regularly scheduled BOG meeting of the fiscal year. The Treasurer will be elected
23 by simple majority of Governors voting. In the event there is more than one nomination, the vote will
24 be by secret written ballot.

25 **3. Election Procedures for President and President-elect [unchanged]**

PROPOSED AMENDMENTS TO WSBA BYLAWS, Arts. II, IV, VI

1 **EF. NEW GOVERNOR ORIENTATION** [remainder unchanged]

2 **FG. MEMBER RECALL OF GOVERNORS**

3 Any Governor may be removed from office ~~by member~~ pursuant to the recall procedures set forth in
4 this Section. A recall vote is initiated by an Active member filing a petition for recall with the Executive
5 Director. A petition for recall or petition recommending recall of a Public Member Governor must
6 identify the Governor; whether the Governor's holds a congressional district, or at-large, or public
7 member status position; and the Governor's term of office; and must set forth the basis for the recall;
8 and contain the names and signatures of the Active members supporting the petition.

9 1. For congressional district Governors, the petition must be signed by five percent of the Active
10 members of the Governor's congressional district at the time of filing. Only members of the
11 Governor's district who are on Active status at the time of the vote are eligible to vote.

12 2. For the Young Lawyers At-Large Governor, the petition must be signed by five percent of the
13 Young Lawyers as defined in Article XII of these Bylaws at the time of filing. Only Young Lawyers
14 who are on Active status at the time of the vote are eligible to vote. For all other At-Large
15 Governors, the petition must be signed by five percent of the Active members of the Bar at the
16 time of filing, and only members on Active status at the time of the vote are eligible to vote.

17 3. For Public Member Governors, a petition recommending that the Governor be recalled by the
18 Washington Supreme Court may be filed with the Executive Director. The petition must be signed
19 by five percent of the Active members of the Bar at the time of filing, and only members on
20 Active status at the time of the vote are eligible to vote. The Executive Director will submit the
21 results of the vote to the Court. In the event the petition to recommend recall passes, by no later
22 than 30 days after receiving the results of the vote, the Court must accept or reject the
23 recommendation.

PROPOSED AMENDMENTS TO WSBA BYLAWS, Arts. II, IV, VI

1 4. The voting procedures set forth in Article VI.C of these Bylaws ~~the “Election of Governors from~~
2 ~~Congressional Districts”~~ will be used as a procedural guideline for conducting a recall vote, and a
3 majority vote is sufficient to pass a recall petition.

4 ~~G. 2020 ELECTIONS~~

5 ~~In response to the Corona virus and public safety concerns, the 2020 elections conducted by the Board~~
6 ~~of Governors pursuant to these Bylaws may be scheduled anytime prior to 44th week of the fiscal year.~~

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TO: WSBA Board of Governors
CC: Terra Nevitt, Executive Director
FROM: Laurie Powers, General Counsel
DATE: February 17, 2025
RE: Proposed Governance Committee Charter

SECOND READ: Proposed Governance Committee

At the January 2025 meeting of the Board of Governors (BOG), BOG members provided feedback following a first read of a proposed Governance Committee Charter. Input included the desire to allow for appointment of additional committee members; clarification that the bylaws, policies, and entities would be reviewed on a triennial basis; and recognition that the initial work of the committee may need to encompass a review of all bylaws, policies, and entities concurrently. These suggestions are reflected in red in the revised version of the Governance Committee Charter that is attached for second read. The BOG memo that accompanied the first read is also attached for reference and additional background.

WSBA RISK ANALYSIS: *This section is to be completed by the Office of General Counsel, with input from the proposing entity or individual.*

Included in confidential BOG 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 of the proposal to establish a Governance Committee may require indirect and direct expenses. Direct expenses may include the cost to host in-person committee meetings, such as reimbursement of travel, meals, and lodging, as well as meeting room rentals (if meetings are not held at WSBA's office) and catering costs. The range and type of cost depends on the number and length of meetings and physical location of the appointed committee members. If the meetings are hosted virtually, it is unlikely direct expenses will be incurred. Indirect expenses include staff time previously spent to develop this recommendation, time used to incorporate the charter into relevant records, and time spent by a designated WSBA staff liaison to provide ongoing support to the Committee. The indirect support is included in the overall duties of existing WSBA staff and would 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 purpose of the equity assessments is to understand how entities incorporated an equity lens into the action items presented to the Board of Governors. An equity lens is 1) identifying and centering people and communities most impacted by decisions and/or 2) meeting people and communities according to their specific needs to produce fair and equal outcomes for all.

The stated draft purpose of the Governance Committee is to oversee compliance with operating framework, structure and practices and make recommendations to improve efficiency and functionality. To promote the regulation of the profession and improve the quality of legal services, we suggest that the Governance Committee apply an equity lens to its oversight for compliance and work to improve efficiency and functionality. There is opportunity to advance a fairer, more equitable legal profession through the work of the Governance Committee. For example, in reviewing inconsistencies and gaps with the Bylaws and WSBA policies and researching amendments, the Governance Committee can identify and center the people and communities most impacted by the inconsistencies and gaps and propose recommended changes to produce fairer outcomes for all. Finally, we recommend that the Governance Committee include perspectives of people not necessarily on the Board of Governors who may be directly impacted by the Bylaws and WSBA policies.

Attachments

Proposed Governance Committee Charter, rev. 0225

BOG Cover Memo re First Read of Governance Committee Charter, 1224

CHARTER

Board of Governors Governance Committee

Adopted: March __ 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 **triennial** 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 **triennial** 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 triennial reviews may occur concurrently or consecutively based on the workload as determined by the Governance Committee.**

Composition of Governance Committee

1. The Governance Committee shall be composed of **no fewer than five Board members including the Immediate Past President, the President-Elect, one member from each Governor class, and any additional members as may be appointed by the President. The President of the Board of Governors is an *ex officio* member of the Governance Committee.**
2. Committee members shall be appointed in accordance with the WSBA Bylaws.
3. The WSBA General Counsel or their designee will act as WSBrEA staff liaison to the Governance Committee.

Action Taken by the Governance Committee

Actions of the Governance Committee will be made by majority vote.

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

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

WASHINGTON STATE BAR ASSOCIATION

To: Board of Governors
From: Tiffany Lynch, Director of Finance
Subject: FY 2026 Budget Retreat
Date: February 25, 2025

In preparation for the FY 2026 Budget process, the Board of Governors (BOG) budget retreat will cover:

- Foundational information about WSBA's finances and budgeting process and the expected timeline for review and approval of the budget.
- Review and discussion about the draft *License Fee Philosophy*. As background, the 2026 license fees set at the November BOG meeting were recommended as a starting point for developing a license fee philosophy. The Budget and Audit Committee was tasked with developing the draft philosophy, with the goal of creating a consistent approach by which fees would increase in alignment with an annual measure such as the cost-of-living adjustment (COLA) while also incorporating flexibility to adjust the fee based on availability of reserves.
- Information for the BOG to assist in communicating with members about license fees.

The draft philosophy is included in the attached materials. We will provide presentation slides and communication information on the day of the retreat.

ATTACHMENTS:

First Draft License Fee Philosophy
Inflation vs. COLA Chart

FIRST DRAFT –License Fee Philosophy

Adopted: **Month D, YYYY.**

A. Purpose

To create a consistent approach to setting license fees by which fees increase in alignment with an annual market measure (based on an industry benchmark defined in section D) that more closely ties to actual increases in the cost of doing business, while also incorporating flexibility to adjust the fee based on availability of reserves.

B. Philosophy

a. Philosophy regarding growth of the license fee

In order to maintain existing programming and services, license fees will increase annually to account for increasing costs, including facilities, salaries and benefits, and direct costs. This varies based on membership trends and the rate of inflation. From that basepoint assumption, the license fee may need to be adjusted up or down to account for shifts in programming and the availability of reserves. Because license fees are set before all organizational needs are identified, WSBA should maintain reserves sufficient to seed desired shifts in programming, which will require increased license fees to maintain.

b. Philosophy regarding use of license fees

License fees are collected primarily to cover the cost of regulation, as well as programs mandated by the Supreme Court. At the discretion of the Board of Governors, license fees are also used to support programming, services, and the development of tools to serve other aspects of the mission, including supporting legal professionals to better serve the public and other purposes as articulated in GR12.

WSBA shall determine the criteria for evaluating all programs and services to determine resource allocation. Examples of criteria for evaluating member benefits could include: (1) how many members the activity can potentially benefit, (2) how closely the benefit is tied to or furthers a strategic goal, (3) how popular the benefit is, and (4) cost per member to fully or partially subsidize.

C. Process for developing a proposed license fee

Step 1: An effective license fee increase will be developed based on membership trends and apply the industry benchmark (defined in section D). This is considered the status quo effective license fee.

Step 2: Identify desired program shifts and their impact on the effective license fee.

Step 3: The effective license fee can be adjusted up or down based on the level of required reserves, as well as the level of reserves available. This is considered the status quo actual license fee change.

D. Industry Benchmark

Inflation reflects the average change in the price of goods and services over time. WSBA will use the Cost-of-Living Adjustment (COLA) for Washington State L&I as the industry benchmark for calculating the effective license fee. The rate is established annually and will be used to developing a license fee recommendation in alignment with WSBA's annual budget and license fee approval process.

Below is a chart showing the rate changes between Cost-of-Living Adjustment (COLA) for Washington State L&I, and the rate of inflation (based on the CPI for the Seattle area in the month of February) over the past 10 years.

YEAR	COLA	INFLATION
2015	4.16%	1.1%
2016	2.63%	2.2%
2017	4.76%	3.4%
2018	4.96%	3.3%
2019	5.51%	2.7%
2020	6.73%	2.5%
2021	10.1%	1.7%
2022	7.51%	8.1%
2023	2.01%	8.0%
2024	5.9%	4.3%
AVERAGE	5.48%	3.7%

TO: WSBA Board of Governors
CC: Terra Nevitt, Executive Director
FROM: Jordan Couch, Governor At-Large
Renata de Carvalho Garcia, Chief Regulatory Counsel
DATE: February 12, 2025
RE: License Fee Hardship Exemption

DISCUSSION: The WSBA Budget and Audit Committee seeks input from the Board of Governors regarding potential changes to the WSBA Bylaws relating to the hardship exemption for payment of active license fees. The changes being considered would increase the number of times a member is eligible for the hardship exemption from two to three, and, to raise the eligibility threshold from 200% of the federal poverty level to 270% of the federal poverty level.

Summary

At its January 2025 meeting, the Budget and Audit Committee considered potential changes to the WSBA Bylaws relating to the hardship exemption for payment of the active license fees. Currently, members who have a household income at or below 200% of the federal poverty level are eligible to claim the hardship exemption up to two times only. The Committee reviewed existing data and discussed several options before deciding to seek input of the Board of Governors on the recommendation to allow a member to claim the hardship exemption up to three times and to increase the income eligibility threshold to 270% of the federal poverty level. The purpose of the proposed recommendations is to better support members who are living in effective poverty, that is members who are living at or below a household income level known as the ALICE threshold.

Background

The background information for the Committee's initial recommendation for discussion is contained in the attached memorandum to the Budget and Audit Committee dated January 8, 2025.

ALICE Threshold

ALICE is an acronym for Asset Limited, Income Constrained, Employed, and represents families who are unable to afford the basics of housing, childcare, food, transportation, health care, and technology.¹ Instead of using the ALICE threshold which would require individual calculations based on the member's location, including state and county, and household composition, we foresee using the FPL threshold equivalent to Washington's ALICE threshold which is approximately 270% FPL.

Information for Equity Analysis

Provide information to help inform the Equity Analysis:

- *Increasing the eligibility threshold for the exemption shifts payment of the exempted license fees to paying members some of whom may be only slightly above the new threshold.*

¹ ALICE information, reports, and income levels are available online at <https://www.unitedforalice.org/>.

WSBA RISK ANALYSIS: This section is to be completed by the Office of General Counsel, with input from the proposing entity or individual.

To be provided when a specific proposal is ready for BOG review.

WSBA FISCAL ANALYSIS: This section is to be completed by the Finance Department, with input from the proposing entity or individual.

To be provided when a specific proposal is ready for BOG review.

WSBA EQUITY ANALYSIS: This section is to be completed by the Equity and Justice Team, with input from the proposing entity or individual.

To be provided when a specific proposal is ready for BOG review.

Attachments

1. Memorandum to Budget and Audit Committee dated January 8, 2025

TO: WSBA Budget and Audit Committee
CC: Terra Nevitt, Executive Director
FROM: Renata Garcia, Chief Regulatory Counsel
Jordan Couch, Governor At-Large
DATE: January 8, 2025
RE: License Fee Hardship Exemption

Discussion: Discussion of potential changes to WSBA Bylaws regarding license fee exemption due to hardship

Executive Summary

At its October 2024 meeting, the Budget and Audit Committee had an initial discussion on the proposal submitted by Governor Jordan Couch to better support members who are living in effective poverty by reassessing 1) the limitation on the number of times a member can claim the hardship exemption, and 2) the income threshold used for eligibility. Members of the committee expressed interest in exploring these changes and the topic was then set for further discussion in January 2025.

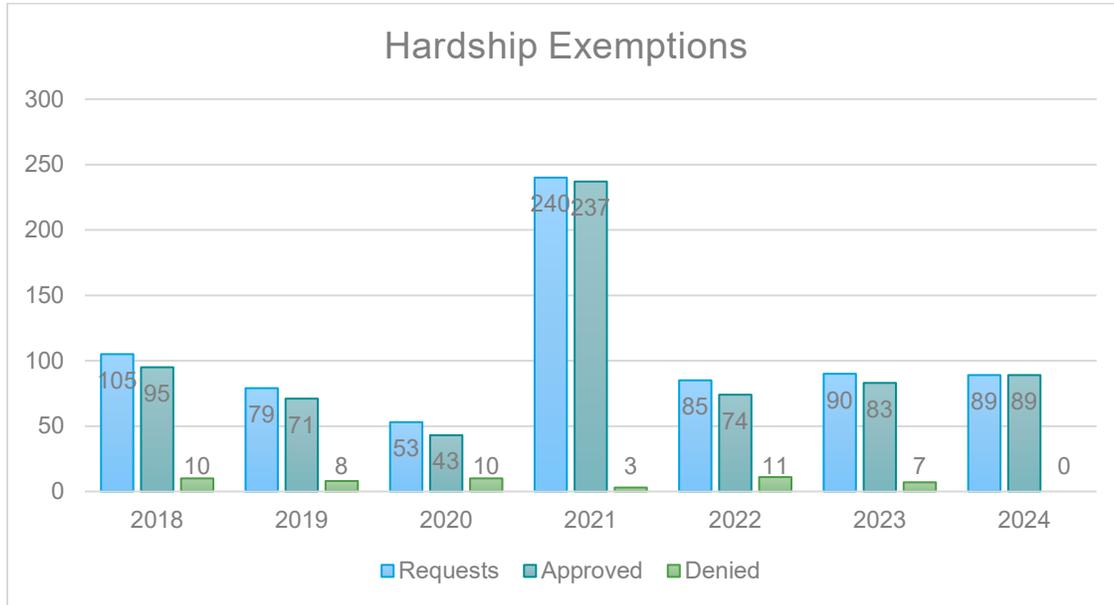
Background

The WSBA Bylaws, at Art.III Sec. I.5, contain a provision that permits the Executive Director to grant active members an exemption from paying the annual license fee if the members file a request certifying that they meet the qualifying requirements (“current annual household income equal to or less than 200% of the federal poverty level as determined based on the member’s household income for the calendar year immediately preceding the calendar year for which the member is seeking to be exempted from license fees”).

The exemption, which is granted based solely on the members’ certification of qualifying household income, was limited to only one time per member. In recognition of the pandemic related economic challenges impacting WSBA members, the BOG decided to expand the hardship exemption in 2020 and allow for it to be granted up to two times per member. The intent was to assist active members facing a financial hardship to remain active and provide WSBA with sufficient data to assess future changes regarding member eligibility.

Hardship Exemption Request History

As seen below, the number of hardship exemption requests has not changed much throughout the years except for 2021 when members were allowed to claim it more than once. Based on that, if the limitation on the number of times a member can claim the hardship exemption is removed, we can make a rough estimate that the number of requests will likely triple in the first year.



Fiscal Impact

The table below provides an overview of the fiscal impact of the hardship exemption which is equivalent to the amount of license fees not collected because of granted exemption requests.

	Requests	Approved	Denied ¹	License Fees
2024	89	89 (33 for the 2 nd time)	0	\$ 38,243.00
2023	90	83 (29 for the 2 nd time)	7	\$ 36,754.50
2022	85	74 (45 for the 2 nd time)	11	\$ 31,373.00
2021	240	237 (129 for the 2 nd time)	3	\$ 100,760.00
2020	53	43	10	\$ 17,404.00
2019	79	71	8	\$ 28,965.50
2018	105	95	10	\$ 37,940.50

¹ Most denials are due to members seeking the exemption more than the allowed maximum number of times.

Other Jurisdictions

Based on our research, we found that some states offer a similar license fee exemption based on financial hardship, medical hardship, or active military service. At least two states (Oregon² and California³) offer a reduction of the license based on income levels, and several states do not appear to offer any type of waiver of reduction of the license fee other than perhaps the ability to pay in installments. Expanding this, it seems, would be putting Washington on the forefront of this and that is part of why the recommendations include studying the issue further.

Limitations of the Current Criteria

The current limitation on the number of times a member can claim the hardship exemption is clearly a barrier for members whose financial hardship spans beyond two years. Another potential barrier is the current threshold of 200% of the federal poverty level in that it excludes members who are not living in poverty but are also unable to afford basic expenses.

A potential equity concern with increasing the threshold is that the fiscal impact would be shifted to paying members including those who may be just slightly above the new threshold.

Possible Recommendations

- Remove the limitation on the number of times or increase it to 3 to see what impact that increase has first.
- Increase the threshold to 2.7 times the Federal Poverty Level which is based on the ALICE metric (Asset Limited, Income Constrained, Employed) designed to represent the “working poor” population.
- Adopt a license fee discount based on income level or that adjusts below a certain level of income.
- Recommend a survey of members who request a license fee discount or have requested a license fee to investigate what the circumstances are/were and what happened in the following years (especially for repeats).

WSBA Legal, Financial, and Equity analyses will be provided in the final memo for consideration at a future Budget and Audit Committee meeting.

Attachments

1. October 16, 2024 Memo to Budget and Audit Committee

² “Members with an annual gross income (AGI) below \$47,500 will have a reduced fee equivalent to 80 percent of the regular active member base fee.” See <https://www.osbar.org/fees/feeFAQ.html#Discount>.

³ “An active licensee who has a total gross annual individual income from all sources of less than \$60,478.35 may request a 25% reduction of annual license fees.” See https://www.calbar.ca.gov/Portals/0/documents/rules/Rules_Title2_Div2-License-Fees.pdf

TO: WSBA Budget and Audit Committee
CC: Terra Nevitt, Executive Director
FROM: Renata de Carvalho Garcia, Chief Regulatory Counsel
Tiffany Lynch, Director of Finance
DATE: October 16, 2024
RE: License Fee Hardship Exemption

Discussion: Discussion of potential changes to WSBA Bylaws regarding license fee exemption due to hardship

Executive Summary

At its September 2024 meeting, the Board of Governors approved proposed amendments to the WSBA Bylaws creating a fee-waiver for inactive members who are experiencing a significant health condition that is either the reason for the transfer to inactive status or preventing them from returning to active status. At that time, a suggestion was made to assist active members facing a significant health issue by allowing them to pay a substantially reduced license fee. Based on follow up discussions with Governor Jordan Couch and Treasurer Kari Petrasek, this topic is now being referred to Budget and Audit Committee for further discussion and potential action including but not limited to reassessing 1) the limitation on the number of times a member can claim the hardship exemption, and 2) the income threshold used for eligibility.

Background

The WSBA Bylaws, at Art.III.I.5, contain a provision that permits the Executive Director to grant Active members an exemption from paying the annual license fee if the members file a request certifying that they meet the qualifying requirements (“current annual household income equal to or less than 200% of the federal poverty level as determined based on the member’s household income for the calendar year immediately preceding the calendar year for which the member is seeking to be exempted from license fees”).

The exemption, which is granted based solely on the members’ certification of qualifying household income, was limited to only one time per member. In recognition of the pandemic related economic challenges impacting WSBA members, the BOG decided to expand the hardship exemption in 2020 and allow for it to be granted up to two times per member. The intent was to assist active members facing a financial hardship to remain active and provide WSBA with sufficient data to assess future changes regarding member eligibility.

Discussion Questions

- What is the policy reason for the exemption?
- How does changing the policy impact license fees?
- Should there be a reduced fee for specific circumstances separate from a full fee exemption?

- Is there a need to change the income threshold for eligibility for exemptions?
- Should there be a limit on the number of times the exemption can be claimed?

Attachments

1. June 15, 2020 memo to the Board of Governors

TO: WSBA Board of Governors

FROM: Dan Clark, Treasurer
Jean McElroy, Chief Regulatory Counsel

DATE: June 15, 2020

RE: Hardship Fee Exemption Bylaw, Art III.I.5 - Proposed Amendment To Permit Exemption to Be Granted Up To Two Times For Qualifying Active Members – **Second Reading/Action**

FOR SECOND READING/ACTION: Discussion and action on proposed amendments to WSBA Bylaws (Art.III.I.5) designed to increase to two the number of times Active members can receive a hardship exemption from paying annual license fees.

BACKGROUND

This item is on the agenda for Second Reading and Action, as required by the WSBA Bylaws for proposed Bylaw amendments. This proposed amendment was reviewed and approved by the Budget and Audit Committee at its January 15, 2020, special meeting, for presentation to the full Board of Governors for consideration. It was on for First Reading at the March 19, 2020, Board of Governors meeting. No input has been received since that date.

The WSBA Bylaws, at Art.III.I.5, contain a provision that permits the Executive Director to grant Active members an exemption from paying the annual license fee if the members file a request certifying that they meet the qualifying requirements (“current annual household income equal to or less than 200% of the federal poverty level as determined based on the member’s household income for the calendar year immediately preceding the calendar year for which the member is seeking to be exempted from license fees”). The Bylaws currently provide that this exemption may be granted only one time while the member is a licensed member of the WSBA. The exemption is granted based solely on the members’ certification of qualifying household income, without requiring verification of the stated income.

The proposed amendment would increase the number of times such an exemption may be granted to two times while the member is a licensed member of the WSBA.

This proposed amendment is being suggested as a way to 1) assist Active WSBA members with a lower income to remain on Active status despite facing a current financial hardship, and 2) allow WSBA to conduct a preliminary assessment of the effect on WSBA’s budget, regulatory requirements, and other members’ license fees, among other considerations, if the number of Active members receiving exemptions goes up significantly. In light of the current coronavirus social distancing requirements and business restrictions, and in consideration of how these requirements and restrictions are affecting the current economic conditions for WSBA members and members of the public, expanding this exemption seems appropriate.

It is possible that WSBA could eventually decide to permit the hardship exemption to be granted more times, or even an indefinite number of times, to qualifying members. It is difficult to assess the effects of that possibility without gathering more data. An initial increase to two grants of hardship exemption (from the current one

exemption) would allow WSBA to gather some data about the number of Active members who would make such a request and how that affects WSBA license fee revenue and programming. Additional consideration may be warranted regarding the question of whether any additional regulatory safeguards should be in place in the future for determining member eligibility for the exemption, if the exemption were to be permitted more than twice.

ATTACHMENTS:

1. WSBA Bylaws Art.III.I.5 redlined version to show proposed amendments.
2. WSBA Bylaws Art.III.I.5, clean version containing proposed amendments.
3. 2020 Hardship Exemption request form.

III. MEMBERSHIP

...

I. ANNUAL LICENSE FEES AND ASSESSMENTS

...

5. License Fee and Assessment Exemptions Due to Hardship

In case of proven extreme financial hardship, which must entail a current annual household income equal to or less than 200% of the federal poverty level as determined based on the member's household income for the calendar year immediately preceding the calendar year for which the member is seeking to be exempted from license fees, the Executive Director may grant an ~~one-time~~ exemption from payment of annual license fees and assessments by any Active member. Hardship exemptions are for one licensing period only, and a request must be submitted on or before February 1st of the year for which the exemption is requested. Denial of an exemption request is not appealable. A member may be granted a hardship exemption a maximum of two times, on the basis of separate exemption requests, and the exemptions may be granted for consecutive or non-consecutive calendar years.

III. MEMBERSHIP

...

I. ANNUAL LICENSE FEES AND ASSESSMENTS

...

5. License Fee and Assessment Exemptions Due to Hardship

In case of proven extreme financial hardship, which must entail a current annual household income equal to or less than 200% of the federal poverty level as determined based on the member's household income for the calendar year immediately preceding the calendar year for which the member is seeking to be exempted from license fees, the Executive Director may grant an exemption from payment of annual license fees and assessments by any Active member. Hardship exemptions are for one licensing period only, and a request must be submitted on or before February 1st of the year for which the exemption is requested. Denial of an exemption request is not appealable. A member may be granted a hardship exemption a maximum of two times, on the basis of separate exemption requests, and the exemptions may be granted for consecutive or non-consecutive calendar years.

WASHINGTON STATE BAR ASSOCIATION

Regulatory Services Department

2020 License Fee Exemption Request Form

This form must be postmarked or received on or before Feb. 3, 2020. If your request is denied and payment is not made online or postmarked or received by Feb. 3, 2020, a 30% late fee will be assessed. You will be denied only if you do not meet the eligibility criteria outlined below.

ELIGIBILITY CRITERIA

Article III, section I of the bylaws provides:

5. License Fee and Assessment Exemptions Due to Hardship.

In case of proven extreme financial hardship, which must entail a current annual household income equal to or less than 200% of the federal poverty level as determined based on the member's household income for the calendar year immediately preceding the calendar year for which the member is seeking to be exempted from license fees, the Executive Director may grant a one-time exemption from payment of annual license fees and assessments by any Active member. Hardship exemptions are for one licensing period only, and a request must be submitted on or before February 1st of the year for which the exemption is requested. Denial of an exemption request is not appealable.

Supporting documentation may be requested.

The 2019 Federal Poverty Guidelines for the 48 Contiguous States and the District of Columbia*

Persons in family	Annual <u>Gross Household</u> Income – Poverty Guideline	200%
1	\$12,490	\$24,980
2	16,910	33,820
3	21,330	42,660
4	25,750	51,500
5	30,170	60,340
6	34,590	69,180
7	39,010	78,020
8	43,430	86,860

For families with more than 8 persons, add \$4,420 for each additional person.

*For Alaska and Hawaii see aspe.hhs.gov/poverty-guidelines

CERTIFICATION

I, _____, License # _____, hereby submit a request for a **one-time** exemption from payment of the annual license fee and assessment for the 2020 license year, based on the following:

- 2019 Annual gross household income: _____
- Number of persons in family: _____

I certify that my 2019 annual gross household income is equal to or less than 200% of the federal poverty level.

Signature

Date

Place signed (city, state)



**WASHINGTON STATE BAR ASSOCIATION
AND AFFILIATED FOUNDATION**

Consolidated Financial Statements

For the Years Ended September 30, 2024 and 2023

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Independent Auditor's Report

**To the Board of Governors
Washington State Bar Association
Seattle, Washington**

Opinion

We have audited the financial statements of Washington State Bar Association and Affiliated Foundation (collectively, the WSBA), which comprise the consolidated statements of financial position as of September 30, 2024 and 2023 and the related consolidated statements of activities and changes in net assets, functional expenses and cash flows for the years then ended and the related notes to the consolidated financial statements.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the WSBA as of September 30, 2024 and 2023 and the changes in its net assets and its cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audits in accordance with auditing standards generally accepted in the United States of America (GAAS). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the WSBA and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audits. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America and for the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the WSBA's ability to continue as a going concern for one year after the date that the financial statements are available to be issued.



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Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the WSBA's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the WSBA's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings and certain internal control-related matters that we identified during the audit.

Supplementary Information

Our audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The Washington State Bar Foundation the consolidating information presented on the statements of financial position on pages 4 and 5 and the statement of activities on page 20 are presented for purposes of additional analysis and are not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the financial statements as a whole.



Certified Public Accountants
January 27, 2025

WASHINGTON STATE BAR ASSOCIATION AND AFFILIATED FOUNDATION

Consolidated Statement of Financial Position September 30, 2024

	Washington State Bar Association	Washington State Bar Foundation	Subtotal	Eliminations	Total
Assets					
Cash and cash equivalents	\$ 3,778,629	\$ 381,501	\$ 4,160,130	\$ -	\$ 4,160,130
Restricted cash and cash equivalents	3,323,396		3,323,396		3,323,396
Receivables, net	425,241		425,241		425,241
Lease incentive receivable	1,522,675		1,522,675		1,522,675
Prepaid expenses	673,209		673,209		673,209
Desk and course books	170,620		170,620		170,620
Investments	15,932,208		15,932,208		15,932,208
Property and equipment, net	1,036,168	14,400	1,050,568		1,050,568
Operating lease right-of-use asset	6,998,569		6,998,569		6,998,569
Total Assets	<u>\$33,860,715</u>	<u>\$ 395,901</u>	<u>\$34,256,616</u>	<u>\$ -</u>	<u>\$34,256,616</u>
Liabilities and Net Assets					
Liabilities:					
Accounts payable	\$ 660,595	\$ -	\$ 660,595	\$ -	\$ 660,595
Accrued expenses	701,575		701,575		701,575
Client Protection Fund, committed gifts	646,449		646,449		646,449
Deferred licensing fees	4,186,535		4,186,535		4,186,535
Operating lease liability	8,944,612		8,944,612		8,944,612
Other deferred revenue	367,122		367,122		367,122
Total Liabilities	15,506,888		15,506,888		15,506,888
Net Assets:					
Without donor restrictions-					
General and designated funds	10,126,352		10,126,352		10,126,352
Continuing legal education	1,344,457		1,344,457		1,344,457
Sections operations	2,123,665		2,123,665		2,123,665
Client Protection Fund	4,759,353		4,759,353		4,759,353
Washington State Bar Foundation		395,901	395,901		395,901
Total Net Assets	<u>18,353,827</u>	<u>395,901</u>	<u>18,749,728</u>		<u>18,749,728</u>
Total Liabilities and Net Assets	<u>\$33,860,715</u>	<u>\$ 395,901</u>	<u>\$34,256,616</u>	<u>\$ -</u>	<u>\$34,256,616</u>

See accompanying notes.

WASHINGTON STATE BAR ASSOCIATION AND AFFILIATED FOUNDATION

Consolidated Statement of Financial Position September 30, 2023

	Washington State Bar Association	Washington State Bar Foundation	Subtotal	Eliminations	Total
Assets					
Cash and cash equivalents	\$ 8,003,047	\$ 254,076	\$ 8,257,123	\$ -	\$ 8,257,123
Restricted cash and cash equivalents	2,586,192		2,586,192		2,586,192
Receivables, net	481,186		481,186		481,186
Prepaid expenses	415,092		415,092		415,092
Desk and course books	182,935		182,935		182,935
Investments	11,669,400	196,822	11,866,222		11,866,222
Property and equipment, net	1,399,829	14,400	1,414,229		1,414,229
Operating lease right-of-use asset	4,973,949		4,973,949		4,973,949
Total Assets	<u>\$29,711,630</u>	<u>\$ 465,298</u>	<u>\$30,176,928</u>	<u>\$ -</u>	<u>\$30,176,928</u>
Liabilities and Net Assets					
Liabilities:					
Accounts payable	\$ 658,199	\$ -	\$ 658,199	\$ -	\$ 658,199
Accrued expenses	752,857		752,857		752,857
Client Protection Fund, committed gifts	449,469		449,469		449,469
Deferred licensing fees	4,160,795		4,160,795		4,160,795
Operating lease liability	5,789,102		5,789,102		5,789,102
Other deferred revenue	390,754		390,754		390,754
Total Liabilities	12,201,176		12,201,176		12,201,176
Net Assets:					
Without donor restrictions-					
General and designated funds	9,849,483		9,849,483		9,849,483
Continuing legal education	1,177,163		1,177,163		1,177,163
Sections operations	1,970,409		1,970,409		1,970,409
Client Protection Fund	4,513,399		4,513,399		4,513,399
Washington State Bar Foundation		465,298	465,298		465,298
Total Net Assets	<u>17,510,454</u>	<u>465,298</u>	<u>17,975,752</u>		<u>17,975,752</u>
Total Liabilities and Net Assets	<u>\$29,711,630</u>	<u>\$ 465,298</u>	<u>\$30,176,928</u>	<u>\$ -</u>	<u>\$30,176,928</u>

See accompanying notes.

WASHINGTON STATE BAR ASSOCIATION AND AFFILIATED FOUNDATION

**Consolidated Statements of Activities and Changes in Net Assets
For the Years Ended September 30, 2024 and 2023**

	<u>2024</u>	<u>2023</u>
Revenues:		
Licensing revenues	\$ 17,290,274	\$ 17,048,661
Client protection fund member assessments	548,235	715,570
Exam fees	1,286,895	1,195,909
Continuing legal education - products	1,058,711	952,664
Continuing legal education - seminars	722,988	832,936
Contributions and grants	346,925	410,569
Other	5,397,158	4,864,978
Total Revenues	26,651,186	26,021,287
Expenses:		
Salaries, benefits and payroll taxes	18,274,554	16,784,466
Occupancy	1,788,536	2,067,982
Technology	1,065,242	1,069,314
Professional services	842,056	532,174
Sections events	601,282	616,728
Grants, sponsorships and donations	521,227	452,516
Examination fees	422,637	363,434
Gifts to injured clients	418,710	342,424
Meetings and travel	416,452	491,820
Supplies	391,150	393,700
Depreciation and amortization	359,387	188,779
Insurance	265,584	266,861
CLE production	275,624	295,986
Other	138,289	140,225
Conferences	65,023	44,790
Subscriptions	31,457	42,638
Total Expenses	25,877,210	24,093,837
Total Change in Net Assets Without Donor Restrictions	773,976	1,927,450
Net assets, beginning of year	17,975,752	16,048,302
Net Assets, End of Year	\$ 18,749,728	\$ 17,975,752

See accompanying notes.

WASHINGTON STATE BAR ASSOCIATION AND AFFILIATED FOUNDATION

**Consolidated Statement of Functional Expenses
For the Year Ended September 30, 2024**

	Program										2024 Total	
	Discipline	Client Protection Fund	BOG/OED	Regulatory Services	Communications	Advancement	Foundation	Sections	Total Program	Management and General		Fundraising
Salaries, benefits and payroll taxes	\$ 4,902,283	\$ 151,366	\$ 770,736	\$ 2,629,430	\$ 1,497,907	\$ 2,280,793	\$ -	\$ -	\$ 12,232,515	\$ 5,902,230	\$ 139,809	\$ 18,274,554
Occupancy	469,848	15,203	54,550	267,386	156,855	254,330			1,218,172	557,308	13,056	1,788,536
Technology	311,183	9,980	35,811	241,192	105,223	257,138			960,527	93,969	10,746	1,065,242
Professional services	169,121	1,537	29,189	33,035	32,317	26,715			291,914	544,577	5,565	842,056
Sections events						149			591,920	9,362		601,282
Grants, sponsorships and donations			80,000				151,322	591,771	231,322	289,905		521,227
Examination fees				416,238		3,803			420,041	2,596		422,637
Gifts to injured clients		418,710							418,710			418,710
Meetings and travel	13,800	887	251,158	29,423	9,377	50,973		940	356,558	59,625	269	416,452
Supplies	8,991	291	1,654	23,769	336,914	5,495			377,114	13,215	821	391,150
Depreciation and amortization	54,672	1,769	6,348	166,191	18,252	29,594			276,826	81,042	1,519	359,387
Insurance	69,769	2,258	8,100	39,705	23,291	37,766			180,889	82,756	1,939	265,584
CLE production	129				10,195	265,300			275,624			275,624
Other	32,745	(2,151)	5,454	18,635	83,867	18,111			156,661	(19,282)	910	138,289
Conferences			55,335	5,716		1,254			62,305	2,718		65,023
Subscriptions				276	9,307	1,655			11,238	20,219		31,457
Total Expenses	\$ 6,032,541	\$ 599,850	\$ 1,298,335	\$ 3,870,996	\$ 2,283,505	\$ 3,233,076	\$ 151,322	\$ 592,711	\$18,062,336	\$ 7,640,240	\$ 174,634	\$25,877,210

See accompanying notes.

WASHINGTON STATE BAR ASSOCIATION AND AFFILIATED FOUNDATION

**Consolidated Statement of Functional Expenses
For the Year Ended September 30, 2023**

	Program										2023 Total	
	Discipline	Client Protection Fund	BOG/OED	Regulatory Services	Communications	Advancement	Foundation	Sections	Total Program	Management and General		Fundraising
Salaries, benefits and payroll taxes	\$ 4,536,483	\$ 140,708	\$ 668,424	\$ 2,616,834	\$ 1,441,403	\$ 2,209,553	\$ -	\$ -	\$ 11,613,405	\$ 5,057,744	\$ 113,317	\$ 16,784,466
Occupancy	554,013	17,991	49,838	308,956	183,430	303,993			1,418,221	634,458	15,303	2,067,982
Technology	293,881	9,429	26,119	161,913	97,274	240,035			828,651	232,643	8,020	1,069,314
Sections events						1,493		524,345	525,838	90,890		616,728
Professional services	132,204	1,066	53,884	24,154	26,653	17,800			255,761	271,695	4,718	532,174
Meetings and travel	7,278	1,125	322,927	35,516	5,173	20,709		781	393,509	97,795	516	491,820
Grants, sponsorships and donations			79,486				107,107		186,593	265,923		452,516
Supplies	9,899	321	890		330,964	9,330			381,153	12,242	305	393,700
Examination fees				360,404		2,542			362,946	488		363,434
Gifts to injured clients		342,424							342,424			342,424
CLE production	169				86,498	209,319			295,986			295,986
Insurance	71,492	2,322	6,431	39,869	23,670	39,229			183,013	81,873	1,975	266,861
Depreciation and amortization	42,299	1,373	3,805	54,479	14,005	23,210			139,171	48,440	1,168	188,779
Other	36,135	3,879	3,251	20,687	73,270	20,718			157,940	(18,713)	998	140,225
Conferences			35,574	5,680		1,406			42,660	2,130		44,790
Subscriptions			681	250	9,439	1,715			12,085	30,553		42,638
Total Expenses	\$ 5,683,853	\$ 520,638	\$ 1,251,310	\$ 3,658,491	\$ 2,291,779	\$ 3,101,052	\$ 107,107	\$ 525,126	\$17,139,356	\$ 6,808,161	\$ 146,320	\$24,093,837

See accompanying notes.

WASHINGTON STATE BAR ASSOCIATION AND AFFILIATED FOUNDATION

**Consolidated Statements of Cash Flows
For the Years Ended September 30, 2024 and 2023**

	<u>2024</u>	<u>2023</u>
Cash Flows From Operating Activities:		
Cash received from licensing fees	\$ 17,316,014	\$ 17,093,400
Cash received from CLE products and seminars	1,773,929	1,793,520
Cash received from other activities	6,440,810	5,887,498
Cash paid to employees	(13,802,275)	(12,826,667)
Cash paid to vendors	(12,008,438)	(11,305,333)
Interest received	1,178,486	956,420
	<u>898,526</u>	<u>1,598,838</u>
Net Cash Provided by Operating Activities		
Cash Flows From Investing Activities:		
Proceeds from sale of investments	19,217,609	7,914,149
Purchase of investments	(23,283,595)	(17,787,619)
Acquisition of property and equipment	(192,329)	(573,548)
	<u>(4,258,315)</u>	<u>(10,447,018)</u>
Net Cash Used in Investing Activities		
Net Change in Cash, Cash Equivalents and Restricted Cash	(3,359,789)	(8,848,180)
Cash, cash equivalents and restricted cash, beginning of year	<u>10,843,315</u>	<u>19,691,495</u>
Cash, Cash Equivalents and Restricted Cash, End of Year	<u>\$ 7,483,526</u>	<u>\$10,843,315</u>
<p>The following table provides a reconciliation of cash, cash equivalents and restricted cash reported within the consolidated statements of financial position that sums to the total of the same such amounts shown in the consolidated statements of cash flows:</p>		
Cash and cash equivalents	\$ 4,160,130	\$ 8,257,123
Restricted cash and cash equivalents	<u>3,323,396</u>	<u>2,586,192</u>
Total Cash, Cash Equivalents and Restricted Cash Shown in the Consolidated Statements of Cash Flows	<u>\$ 7,483,526</u>	<u>\$10,843,315</u>

See accompanying notes.

WASHINGTON STATE BAR ASSOCIATION AND AFFILIATED FOUNDATION

Notes to the Consolidated Financial Statements For the Years Ended September 30, 2024 and 2023

Note 1 - Nature of Operations and Significant Accounting Policies

Nature of Operations - Washington State Bar Association (“WSBA”) is an instrumentality of the Supreme Court of the State of Washington operating under the supervisory authority of the Washington Supreme Court. Operations consist of regulating the practice of law in the state under delegated authority of the Washington Supreme Court and providing various law-related services to the members and public. Lawyers, Limited License Legal Technicians and Limited Practice Officers must be active members of WSBA in order to practice law in Washington state. A primary source of revenues of WSBA is license fees, which members must pay in order to maintain their licenses. License fees follow a pro-rated schedule based on the attorney member’s years of practice. For 2024 and 2023, the license fee was set at \$458 for all attorneys in practice for three years or more and a pro-rated lower fee for those in practice for fewer than three years. WSBA members are primarily Washington state residents.

The Washington State Bar Foundation (“the Foundation”) helps fund WSBA programs that provide legal assistance to Washington state’s most vulnerable populations, match moderate income clients with legal professionals who work for reduced fees and ensure the legal profession reflects the communities it serves and supports all members. The members of the Foundation consist solely of the members of the Board of Governors of WSBA.

Principles of Consolidation - These consolidated financial statements consolidate the statements of Washington State Bar Association and Washington State Bar Foundation (collectively, “the WSBA”). Inter-organization accounts and transactions have been eliminated in the consolidation. The Washington State Bar Foundation is a separate legal entity from the Washington State Bar Association and is tax-exempt under section 501(c)(3) of the Internal Revenue Code.

Basis of Presentation - Net assets, revenues, gains and losses are classified based on the existence or absence of donor-imposed restrictions. Accordingly, the net assets of the WSBA and changes therein are classified and reported as follows:

Net Assets Without Donor Restrictions - Net assets that are not subject to donor-imposed stipulations.

Net Assets With Donor Restrictions - Net assets whose use is limited by donor-imposed time and/or purpose restrictions. As of September 30, 2024 and 2023, the WSBA had no net assets with donor restrictions.

Revenues are reported as increases in net assets without donor restrictions unless use of the related asset is limited by donor-imposed restrictions. Expenses are reported as decreases in net assets without donor restrictions. Gains and losses on investments and other assets or liabilities are reported as increases or decreases in net assets without donor restrictions unless their use is restricted by explicit donor stipulation or by law. Expirations of donor restrictions on net assets (i.e., the donor-stipulated purpose has been fulfilled or the stipulated time period has lapsed) are reported as net assets released from restriction. Contributions with externally imposed restrictions that are met in the same year as received are reported as revenues of the net assets without donor restrictions class.

WASHINGTON STATE BAR ASSOCIATION AND AFFILIATED FOUNDATION

Notes to the Consolidated Financial Statements For the Years Ended September 30, 2024 and 2023

Note 1 - Continued

Revenue Recognition - The following are the principal activities from which the WSBA earns revenue:

Licensing Revenue - The WSBA earns licensing revenue from providing members a license to practice law and access to programs, education and events. Licensing fees are generally due from members by February 1st of the calendar year the license is related to and revenue is recognized over the calendar year membership period.

Client Protection Fund Member Assessment - The WSBA earns revenues by assessing members a mandatory fee for the Client Protection Fund (Note 2). Fees are paid by members as part of the annual licensing process and recognized as revenue at the point in time they are collected.

Exam Fees - The WSBA earns revenue by administering exams for the legal profession. Applicants remit payment for the exam in advance of the examination date. Revenue is recognized at the point in time the examination is administered.

Continuing Legal Education - The WSBA provides continuing legal education to the profession through live seminars and products. Revenue is recognized at the point in time a seminar occurs or a CLE product is provided to the customer. Payment is received in advance of the seminar or at the time the product is purchased.

	September 30, 2024	September 30, 2023	October 1, 2022
Deferred exam fees	\$ 116,995	\$ 101,440	\$ 101,090
Other deferred revenue	250,127	289,314	275,696
Total Other Deferred Revenue	\$ 367,122	\$ 390,754	\$ 376,786
Deferred licensing revenue	\$ 4,186,535	\$ 4,160,795	\$ 4,116,056

Cash and Cash Equivalents - Cash and cash equivalents include money market funds and bank deposits. Bank deposits are maintained for ongoing operating expenses and are sometimes in excess of federally insured limits. The WSBA has not experienced any losses in these accounts.

Restricted cash and cash equivalents relate to funds restricted for the Client Protection Fund (Note 2). Part of the restricted cash and cash equivalents are amounts paid into the Client Protection Fund.

Receivables - Receivables are generally from members and result from Bar News advertising, consulting fees and unpaid fees related to continuing legal education programs. Receivables are unsecured, stated at the amount management expects to collect from outstanding balances and do not bear interest. The WSBA extends credit to customers as part of the sales process. Trade accounts receivable are stated at the amount the WSBA expects to collect. The WSBA has determined that based upon historical credit loss rates adjusted for current economic conditions that an allowance for credit losses would not be material. As such, the WSBA has not recorded an allowance for credit losses at September 30, 2024 or 2023.

WASHINGTON STATE BAR ASSOCIATION AND AFFILIATED FOUNDATION

Notes to the Consolidated Financial Statements For the Years Ended September 30, 2024 and 2023

Note 1 - Continued

Lease Incentive Receivable - During the year ended September 30, 2024, the WSBA entered into a modified lease agreement, receiving \$1,522,675 in lease incentives for tenant improvements. If the WSBA does not use the entire balance for tenant improvements, the remaining amount up to the limit set forth in the lease agreement will be converted to rent abatement. As of September 30, 2024, the WSBA has not used any of the lease incentives and anticipates using the balance during the year ending September 30, 2025.

Desk and Course Books - Inventory of desk and course books is stated at lower of cost (first-in, first-out method) or market.

Investments - Investment balances include federally insured certificates of deposit and U.S. treasury bills. Unrealized gains and losses, if any, are reported in the statements of activities and changes in net assets as increases or decreases in net assets.

Property and Equipment - Property and equipment is stated at cost. Depreciation and amortization is computed over the estimated useful lives of the assets, using the straight-line method. The capitalization policy threshold is \$2,500.

Leasehold improvements	Life of lease
Equipment, furniture, software and fixtures	1 to 10 years

The WSBA follows the provisions outlined by accounting principles generally accepted in the United States of America (U.S. GAAP) to account for costs of computer software developed or obtained for internal use. The WSBA capitalizes certain direct costs incurred in developing internal use software.

Deferred Licensing Fees - Licensing fees are recognized ratably over the applicable calendar year period. Accordingly, fees collected during the WSBA's fiscal year that relate to the fourth quarter of the calendar membership period are included as deferred revenue in these financial statements.

Contributions - Contributions are recognized as revenue when the donor-imposed conditions, if any, have been met. All contributions are considered to be without donor restrictions unless specifically restricted by the donor. Noncash contributions are reflected in the accompanying consolidated financial statements at the estimated fair value at the date of receipt.

Income Taxes - The WSBA is an organization exempt from federal income taxes because it is an instrumentality of the Supreme Court of the State of Washington exercising a governmental function. Washington State Bar Foundation has been notified by the Internal Revenue Service that it is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code.

Classification of Expenses - The financial statements report certain categories of expenses that are attributable to programs and supporting services of the WSBA. Those expenses include employee benefits and taxes, occupancy, indirect professional services, depreciation and amortization and technology expenses. These expenses are allocated based on the number of full time equivalents included in each program or supporting service.

WASHINGTON STATE BAR ASSOCIATION AND AFFILIATED FOUNDATION

**Notes to the Consolidated Financial Statements
For the Years Ended September 30, 2024 and 2023**

Note 1 - Continued

Net Assets - The WSBA Board of Governors has directed that portions of the WSBA’s net assets without donor restrictions be designated for Sections Operations and Continuing Legal Education. The total of revenues over expenses for all sections (which represent specialized legal interests) is included in the Sections Operations designated balance. The difference between revenues and expenses for Continuing Legal Education products and seminars is included in the Continuing Legal Education designated balance.

The WSBA has also designated a portion of its net assets without donor restrictions at September 30 as follows:

	2024	2023
Operating Reserve Fund	\$ 2,500,000	\$ 2,000,000
Facilities Reserve Fund	207,286	2,700,000
Special Projects and Innovation Fund	400,000	
General Fund	7,019,066	5,149,483
	\$ 10,126,352	\$ 9,849,483

The Operating Reserve Fund provides unrestricted funds for any general, unanticipated, but necessary, expenses that may be incurred throughout the year. The goal is to ensure that funds are available in the event of an emergency or an unanticipated decline in revenue. In 2024, the Board designated \$500,000 additional reserves to this fund.

The Facilities Reserve Fund is used for refurbishment of existing leased space or costs to move to another space after the current lease ends in March 31, 2035.

The Special Projects and Innovation Fund is used to provide funding for development of new innovative programs, projects and products.

The General Fund was established to accumulate net reserves above the Operating Reserve Fund, Facilities Reserve Fund and Special Projects and Innovation Fund.

Operating Leases - The WSBA determines if an arrangement contains a lease at inception. Operating leases are included in right-of-use (ROU) assets and lease liabilities in the consolidated statements of financial position. ROU assets represent a right to use an underlying asset for the lease term and operating lease liabilities represent the WSBA's obligation to make lease payments arising from the lease. ROU assets and lease liabilities are recognized at the lease commencement date based on the present value of lease payments over the lease term. The WSBA's leases do not provide an implicit rate of return; thus, the WSBA uses the risk-free discount rate, determined using a period comparable with that of the lease term from the later of the lease commencement date or implementation date. The WSBA has lease agreements with lease and non-lease components which are accounted for separately. Lease terms may include options to extend or terminate the lease when it is reasonably certain that the WSBA will exercise that option. Lease expense for lease payments is recognized on a straight-line basis over the lease term. A ROU asset and operating lease liability is not recognized for leases with an initial term of 12 months or less.

WASHINGTON STATE BAR ASSOCIATION AND AFFILIATED FOUNDATION

Notes to the Consolidated Financial Statements For the Years Ended September 30, 2024 and 2023

Note 1 - Continued

Use of Estimates - The preparation of financial statements in conformity with U.S. GAAP requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Subsequent Events - The WSBA has evaluated subsequent events through January 27, 2025, the date on which the consolidated financial statements were available to be issued.

Note 2 - Client Protection Fund

In 1995, the Washington Supreme Court and the WSBA created the Client Protection Fund ("the Fund"). In fiscal years 2024 and 2023, the Fund received a \$15 and \$20 mandatory annual assessment per individual, respectively, required to pay into the fund (including all active attorney members, pro hac vice applicants, etc.). The Fund may be used only for the purpose of relieving or mitigating a loss sustained by any person due to the dishonesty of, or failure to account for money or property entrusted to, any attorney member of the WSBA in connection with the member's practice of law, or while acting as a fiduciary in a matter related to the member's practice of law. As the WSBA's use of the funds is restricted as described above, it is shown as restricted cash and cash equivalents in the assets section of the consolidated statements of financial position and the net assets of the fund are separately presented on the consolidated statements of financial position.

The Client Protection Fund is administered pursuant to Admission to Practice Rule 15 and Procedural Rules adopted by the Board of Governors and approved by the Supreme Court. A client or a person in a fiduciary relationship with a licensed legal professional (LLP) who files a grievance with the WSBA that alleges a dishonest taking of funds or property by a LLP, may be provided with an application form to apply for a gift from the Fund. The WSBA recognizes gifts from the Fund at the time an application is approved by the Client Protection Board or Trustees and applicants are advised of the decision. Gifts from the Fund are expected to be paid within one year from the consolidated statements of financial position date and are recorded as Client Protection Fund, committed gifts on the consolidated statements of financial position.

WASHINGTON STATE BAR ASSOCIATION AND AFFILIATED FOUNDATION

**Notes to the Consolidated Financial Statements
For the Years Ended September 30, 2024 and 2023**

Note 3 - Cash and Cash Equivalents

Cash and cash equivalents consist of the following at September 30:

	<u>2024</u>	<u>2023</u>
Unrestricted cash and cash equivalents-		
Bank deposits	\$ 2,808,807	\$ 1,108,215
Money market funds	<u>1,351,323</u>	<u>7,148,908</u>
	<u>\$ 4,160,130</u>	<u>\$ 8,257,123</u>
Restricted cash and cash equivalents-		
Bank deposits	\$ 1,261,232	\$ 384,022
Money market funds	<u>2,062,164</u>	<u>2,202,170</u>
	<u>\$ 3,323,396</u>	<u>\$ 2,586,192</u>

Note 4 - Investments

Investments consist of the following at September 30:

	<u>2024</u>	<u>2023</u>
Certificates of deposit	\$ 14,226,000	\$ 10,910,343
U.S. Treasury bills	<u>1,706,208</u>	<u>955,879</u>
	<u>\$ 15,932,208</u>	<u>\$ 11,866,222</u>

The following schedule summarizes the returns from investments:

	<u>2024</u>	<u>2023</u>
Interest income - unrestricted	\$ 1,037,766	\$ 873,953
Interest income - restricted	<u>268,185</u>	<u>245,788</u>
	<u>\$ 1,305,951</u>	<u>\$ 1,119,741</u>

Investment income is included in other revenue on the consolidated statements of activities and changes in net assets.

WASHINGTON STATE BAR ASSOCIATION AND AFFILIATED FOUNDATION

Notes to the Consolidated Financial Statements For the Years Ended September 30, 2024 and 2023

Note 5 - Property and Equipment

Property and equipment consist of the following at September 30:

	<u>2024</u>	<u>2023</u>
Leasehold improvements	\$ 1,037,879	\$ 1,010,058
Furniture	1,037,872	1,049,101
Office equipment	1,644,335	1,642,727
Software	<u>4,682,385</u>	<u>4,120,153</u>
	8,402,471	7,822,039
Less accumulated depreciation and amortization	(7,351,903)	(7,011,469)
Projects in process		<u>603,659</u>
	<u><u>\$ 1,050,568</u></u>	<u><u>\$ 1,414,229</u></u>

Note 6 - Qualified Employee Benefit Plan

The WSBA participates in the Washington State Public Employees' Retirement System ("PERS"), a series of defined benefit/defined contribution employee benefit plans sponsored and managed by the State of Washington Department of Retirement Systems ("DRS"). The funding of the plan is analyzed and rates are proposed by the Office of the State Actuary ("OSA") per RCW, Chapter 41.45 and all rates are approved by the legislature. There is a pension funding council that consults with the economic and revenue forecast supervisor and the executive director of the state investment board, for guidance on long-term economic assumptions that are proposed by the OSA. In accordance with PERS, the WSBA and the WSBA's employees make contributions to the plan based on rates established by DRS. Employer contributions for the years ended September 30, 2024 and 2023, were \$1,242,168 and \$1,263,903, respectively.

Note 7 - Fair Value Measurements

U.S. GAAP established a framework for measuring fair value. That framework provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (Level 1) and the lowest priority to unobservable inputs (Level 3).

The three levels of the fair value hierarchy are described as follows:

Level 1 - Unadjusted quoted prices available in active markets for identical assets or liabilities;

Level 2 - Inputs other than Level 1 that are observable, either directly or indirectly, such as quoted prices in active markets for similar assets or liabilities, quoted prices for identical or similar assets or liabilities in markets that are not active, or other inputs that are observable or can be corroborated by observable market data for substantially the full term of the assets or liabilities; or

Level 3 - Unobservable inputs that are significant to the fair value measurement.

WASHINGTON STATE BAR ASSOCIATION AND AFFILIATED FOUNDATION

**Notes to the Consolidated Financial Statements
For the Years Ended September 30, 2024 and 2023**

Note 7 - Continued

A financial instrument's level within the fair value hierarchy is based upon the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs.

Following is a description of the valuation methodologies used for assets and liabilities measured at fair value. There have been no changes in the methodologies used at September 30, 2024 or 2023.

Certificates of Deposit - Certificates of deposit are valued at face value plus accumulated interest at year end.

U.S. Treasury Bills - U.S. Treasury bills are valued using bid evaluations from similar instruments in actively quoted markets.

Fair Values Measured on a Recurring Basis - Fair values of assets measured on a recurring basis were as follows:

	Fair Value Measurements at September 30, 2024			
	Level 1	Level 2	Level 3	Total
U.S. Treasury bills	\$ 1,706,208	\$ -	\$ -	\$ 1,706,208
Investments in the Fair Value Hierarchy	\$ 1,706,208	\$ -	\$ -	1,706,208
Investments not carried at fair value- Certificates of deposit				14,226,000
Total Investments				\$15,932,208

	Fair Value Measurements at September 30, 2023			
	Level 1	Level 2	Level 3	Total
U.S. Treasury bills	\$ 955,879	\$ -	\$ -	\$ 955,879
Investments in the Fair Value Hierarchy	\$ 955,879	\$ -	\$ -	955,879
Investments not carried at fair value- Certificates of deposit				10,910,343
Total Investments				\$11,866,222

WASHINGTON STATE BAR ASSOCIATION AND AFFILIATED FOUNDATION

Notes to the Consolidated Financial Statements For the Years Ended September 30, 2024 and 2023

Note 8 - Leases

The WSBA leases office space under a long-term, noncancelable lease agreement which expires during the year ending September 30, 2035. The lease includes payments for common area maintenance, utilities, taxes and insurance that are considered variable lease payments and are excluded from determining the lease liability.

Supplemental cash flow information related to leases as of September 30 is as follows:

	<u>2024</u>	<u>2023</u>
Cash paid for amounts included in the measurement of lease liabilities- Operating cash flows from operating leases	\$ 1,694,765	\$ 1,800,161
Right-of-use assets obtained in exchange for operating lease liabilities	\$ 3,099,542	\$ 6,384,281
Weighted-average remaining lease term - operating lease	10.4 years	3.3 years
Weighted-average discount rate - operating lease	4.40%	4.20%

Future minimum payments required under leases are as follows:

For the Year Ending September 30,

2025	\$ 500,637
2026	1,026,652
2027	1,054,337
2028	1,082,022
2029	1,109,707
Thereafter	<u>6,600,565</u>
Total future minimum lease payments	11,373,920
Less present value discount	<u>(2,429,308)</u>
Total Operating Lease Liabilities	<u>\$ 8,944,612</u>

Total leasing expense under all lease agreements was related to operating lease costs and totaled \$1,302,980 and \$1,656,038 for the years ended September 30, 2024 and 2023, respectively.

Note 9 - Commitments and Contingencies

Contingencies - The WSBA is subject to various legal proceedings and claims which arise in the ordinary course of its business. Management believes that the final disposition of such matters will not have a material adverse effect on the financial position or results of operations of the WSBA.

WASHINGTON STATE BAR ASSOCIATION AND AFFILIATED FOUNDATION

Notes to the Consolidated Financial Statements For the Years Ended September 30, 2024 and 2023

Note 9 - Continued

Commitments - The WSBA is obligated to provide counsel for respondents in disability proceedings, pursuant to the Rule for Enforcement of Lawyer Conduct ("ELC") 8.3. Legal fees are incurred as a result of this obligation. In the fiscal years 2024 and 2023, the WSBA paid a total of \$49,600 and \$48,000, for outside counsel to represent various respondents in disability proceedings. The WSBA has liability for future legal fees related to ongoing and new disability proceedings, but the future cost is not determinable due to the nature of the proceedings. As such, no liability has been recognized in accordance with U.S. GAAP as of September 30, 2024 and 2023.

Note 10 - Liquidity and Availability of Financial Assets

As part of the WSBA's liquidity management, it has a policy to structure its financial assets to be available as its general expenditures, liabilities and other obligations come due. In addition, as of September 30, 2024 and 2023, the WSBA has an operating reserve that had a balance of \$2.5 million and \$2.0 million, respectively. This is a governing board-designated reserve with the objective of setting funds aside to be drawn upon in the event of financial distress or an immediate liquidity need resulting from events outside the typical life cycle of converting financial assets to cash or settling financial liabilities. The operating reserve funds are held in lower-risk cash and money market securities. The operating reserve balance is included in cash and cash equivalents in the consolidated statements of financial position.

The following reflects the WSBA's financial assets as of the date of the consolidated statements of financial position, reduced by amounts not available for general use within one year because of contractual or donor-imposed restrictions or internal designations. Amounts not available include amounts set aside for long-term investing in the operating and facilities reserve funds that could be drawn upon if the governing board approves that action.

	<u>2024</u>	<u>2023</u>
Total cash, cash equivalents and restricted cash	\$ 7,483,526	\$ 10,843,315
Receivables	<u>425,241</u>	<u>481,186</u>
Total financial assets	7,908,767	11,324,501
Contractual restrictions-		
Cash held restricted for Client Protection Fund	(3,323,396)	(2,586,192)
Board designations-		
Facilities Reserve Fund	(207,286)	(2,700,000)
Operating Reserve Fund	(2,500,000)	(2,000,000)
Special Projects and Innovation Fund	<u>(400,000)</u>	<u></u>
Financial Assets Available to Meet Cash Needs for General Expenditures Within One Year	<u>\$ 1,478,085</u>	<u>\$ 4,038,309</u>

SUPPLEMENTARY INFORMATION

WASHINGTON STATE BAR ASSOCIATION AND AFFILIATED FOUNDATION

**Washington State Bar Foundation Statement of Activities
For the Year Ended September 30, 2024**

Activities Without Donor Restrictions

Revenue:

Contributions	\$ 324,801
In-kind revenue from WSBA	174,843
Miscellaneous income	<u>22,124</u>

Total Revenue **521,768**

Expenses:

Program expenses	416,322
In-kind expenses from WSBA	<u>174,843</u>

Total Expenses **591,165**

Change in Net Assets Without Donor Restrictions **(69,397)**

Net assets without donor restrictions, beginning of year 465,298

Net Assets Without Donor Restrictions, End of Year **\$ 395,901**

WASHINGTON STATE BAR ASSOCIATION

Special Report on the Fiscal Year 2025 Budget Summary

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Independent Accountant's Report on Applying Agreed-Upon Procedures

**To the Board of Governors
Washington State Bar Association
Seattle, Washington**

We have performed the procedures enumerated below on the Washington State Bar Association (WSBA) Fiscal Year 2025 Budget Summary. The WSBA's management is responsible for the Fiscal Year 2025 Budget Summary.

The WSBA has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of assisting you in evaluating the consistency of the presentation of the Fiscal Year 2025 Budget Summary of revenues and expenses (2025 Budget) included in Exhibit A, with the presentation of the Fiscal Year 2024 Budget Summary of revenues and expenses - As Amended (2024 Budget - As Amended) included in Exhibit B, and the presentation of revenues and expenses in the audited Statement of Activities for the fiscal year ended September 30, 2023 (2023 Statement of Activities) included in Exhibit C. This report is prepared to comply with Keller vs. State Bar of California, 496 U.S. 1 (1990), which prohibits using compulsory fees of any member who objects to that use for political or ideological activities that are not germane, or reasonably related, to regulating the legal profession or improving the quality of legal services ("nonchargeable" activities). Objecting members are offered a "Keller deduction" that represents the estimated portion of fees that is used for "nonchargeable" activities. The Keller deduction is calculated prospectively based on the coming year's budget and the previous year's political activity. The Special Report on the Budget Summary reports on the presentation of the coming year's budget, which is used to compute the Keller deduction, with the previous year's financial statements and current year budget by explaining differences in categories, budgeting methodologies, and significant revenues and expenses. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes.

The procedures and the associated findings are as follows:

1. We totaled all columns and rows of the 2025 and 2024 Budgets and the 2023 Statement of Activities to verify the mathematical accuracy.

Findings

None

2. We compared the 2025 Budget cost center descriptions to the 2024 Budget and the 2023 Statement of Activities cost center descriptions and obtained an explanation of the differences from management of WSBA which are included in the findings sections below.



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Findings

The WSBA changed the following cost centers in the 2025 Budget compared to the 2024 Budget and 2023 Statement of Activities:

- The Regulatory Reform cost center was introduced in the FY 2025 budget.
3. We inquired of management if there were any differences in the methodology used to budget for revenue and expense amounts for each cost center for the 2025 Budget as compared to the methodology used to budget for revenue and expense amounts for each cost center for the 2024 Budget and to account for revenue and expenses in the 2023 Statement of Activities.

Findings

The WSBA noted no differences in the methodology used to budget for revenue or expense amounts for each cost center for the 2025 Budget as compared to the methodology used to budget for revenue and expense amounts for each cost center for the 2024 Budget and to account for revenues and expenses in the 2023 Statement of Activities.

4. We compared total revenues and total expenses by cost center in the 2025 Budget to the total revenues and total expenses by cost center in the 2024 Budget and noted differences in amounts both greater than \$100,000 and 20%. We inquired of management for an explanation of those differences.

Findings

The following categories showed differences greater than \$100,000 and 20%:

Comparison of 2025 Budget to 2024 Budget

	2025 Budget	2024 Budget	Differences	
			Amount	Percentage
Client Protection Fund				
a. Revenue	\$ 930,540	\$ 715,930	\$ 214,610	30%
Office of the Executive Director				
b. Expense	\$ 988,085	\$ 817,472	\$ 170,613	21%
Regulatory Reform				
c. Expense	\$ 199,962	\$ -	\$ 199,962	100%
Volunteer Engagement				
d. Expense	\$ 311,017	\$ 117,334	\$ 193,683	165%

Management’s explanations for the differences are as follows:

- a. Client Protection Fund - In FY25, the member assessment fee will increase from \$15 to \$20. Along with the rise in active memberships, this will result in a significant increase in revenue. The FY25 budget also includes additional interest income due to higher available cash balances in the Client Protection Fund reserves, which allows for more funds to be allocated for investing.

- b. Office of the Executive Director - The number of FTEs allocated to this cost center will increase from 2.90 to 3.90 in FY25. Additionally, the direct expense for the Washington Leadership Institute is expected to rise by \$20,000 in FY25.
 - c. Regulatory Reform - This new cost center, established in FY25, will cover the costs of FTEs and direct expenses to develop alternative pathways to practice (as mandated by the Supreme Court) and to pilot the project for entity regulation.
 - d. Volunteer Engagement - The number of FTEs allocated to this cost center will increase from 0.60 to 1.70 in FY25. Additionally, a direct expense of \$45,000 for a Regulatory School event will be implemented in FY25.
5. We compared total revenues and total expenses by cost center in the 2025 Budget to the total revenues and total expenses by cost center in the 2023 Statement of Activities and noted differences in amounts both greater than \$100,000 and 20%. We inquired of management for an explanation of those differences.

Findings

The following categories showed differences greater than \$100,000 and 20%:

Comparison of 2025 Budget to 2023 Statement of Activities

	2025 Budget	2023 SOA	Difference	
			Amount	Percentage
Admissions/Bar exam				
a. Revenue	\$ 1,480,180	\$ 1,214,479	\$ 265,701	22%
Communications Strategies				
b. Expense	\$ 961,677	\$ 730,227	\$ 231,450	32%
Client Protection Fund				
c. Expense	\$ 689,364	\$ 520,638	\$ 168,726	32%
Diversity				
d. Expense	\$ 442,805	\$ 274,026	\$ 168,779	62%
Finance				
e. Revenue	\$ 600,000	\$ 792,371	\$ (192,371)	-24%
Licensing and Membership Records				
f. Expense	\$ 826,258	\$ 644,591	\$ 181,667	28%
Member Services and Engagement				
g. Expense	\$ 411,369	\$ 307,858	\$ 103,511	34%
Office of the Executive Director				
h. Expense	\$ 988,085	\$ 664,556	\$ 323,529	49%
Regulatory Reform				
i. Expense	\$ 199,962	\$ -	\$ 199,962	100%
Volunteer Engagement				
j. Expense	\$ 311,017	\$ 112,415	\$ 198,602	177%
Sections Operations				
k. Expense	\$ 1,005,206	\$ 525,126	\$ 480,080	91%

Management's explanations for the differences are as follows:

- a. Admissions/Bar Exam - Bar exam application fees increased effective September 2024, resulting in higher budgeted bar exam revenue for 2025. The fee increases are \$10 for general applicants, \$25 for attorney applicants, and \$350 for admission by motion, house counsel, and foreign law consultants. The administrative fee was also increased by \$100. Additionally, compared to FY23, the number of applicants paying after the deadline has grown, leading to increased late fee revenue, which is accounted for in the FY25 budget.
- b. Communications Strategies - The number of FTEs allocated to this cost center will increase from 5.20 to 6.05 in FY25. Additionally, a \$35,000 budget for the Bar Leaders Summit was added for FY25. An increase in the general cost of doing business has led to higher expenses for events such as the 50-year member tribute lunch, staff conference, and training.
- c. Client Protection Fund - The budget for Gifts to Injured Clients remains unchanged for FY23 and FY25; however, actual expenses in FY23 were lower than budgeted. Expenses depend on the number of claims filed and approved for reimbursement each year.
- d. Diversity - The number of FTEs allocated to this cost center will increase from 1.69 to 2.69 in FY25. Additionally, direct expenses for consulting services and diversity events and projects vary year-to-year depending on the projects and timelines identified. FY23 direct expenses were underspent and carried forward into FY24, while the FY25 budget includes additional funding to support the rollout of our recently finalized statewide plan. FY23 indirect expenses were lower than budgeted due to staff vacancies that were filled in FY24.
- e. Finance - Interest income for FY23 was based on higher interest rates than those expected for FY25.
- f. Licensing and Membership Records - The number of FTEs allocated to this cost center will increase from 3.83 to 4.83 in FY25. Additionally, beginning in FY24, direct expenses for new hosted software were included in this cost center and are budgeted at \$18,380 for FY25.
- g. Member Services and Engagement - FY25 includes the addition of two direct expense budget categories: 1) Small Town and Rural Committee Outreach and Activities at \$65,000 (implemented in FY24), and 2) Law Library Deskbook Access at \$10,000 (implemented in FY25). Additionally, the FY25 budget assumes an increase in the general cost of doing business, which is reflected in the budget for other expenses such as staff travel, conferences, and training.
- h. Office of the Executive Director - The number of FTEs allocated to this cost center will increase from 2.00 to 3.90 in FY25, along with an increase in expenses for the Washington Leadership Institute.
- i. Regulatory Reform - This new cost center, established in FY25, will cover the costs of FTEs and direct expenses to develop alternative pathways to practice (as mandated by the Supreme Court) and to pilot the project for entity regulation.
- j. Volunteer Engagement - The number of FTEs allocated to this cost center will increase from 0.60 to 1.70 in FY25. In FY25, additional budget categories were added, including postage, subscriptions, and a \$45,000 budget for a Regulatory School event.

- k. Sections Operations - FY23 actual expenses were significantly lower than budgeted, which is common for Sections Operations as plans change throughout the year. Additionally, the FY24 and FY25 budgets include significant increases in budgeted expenses for items such as seminar expenses, scholarships/donations/grants, leadership/professional development/retreats, membership and recruitment, and annual/other meeting expenses to hold more in-person events and use funds that went unspent during the global pandemic.

We were engaged by the WSBA to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the AICPA. We were not engaged to and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on Fiscal Year 2025 Budget Summary. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the WSBA and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.



Certified Public Accountants
January 27, 2025

EXHIBIT A

WASHINGTON STATE BAR ASSOCIATION

Fiscal Year 2025 Budget Summary - Original

Cost Centers	Revenue	Expense	Net
Access to justice board	\$ -	\$ 390,330	\$ (390,330)
Admissions/bar exam	1,480,180	1,386,331	93,849
Advancement		389,588	(389,588)
Bar news	589,600	713,936	(124,336)
Board of governors		547,213	(547,213)
Character & Fitness Board		173,905	(173,905)
Communications strategies	600	961,677	(961,077)
Communications strategies FTE		249,012	(249,012)
Discipline	90,000	6,492,254	(6,402,254)
Diversity	135,000	442,805	(307,805)
Finance	600,000	1,159,713	(559,713)
Foundation		183,526	(183,526)
Human resources		574,952	(574,952)
Law clerk program	207,200	229,692	(22,492)
Legal Lunchbox	34,000	38,917	(4,917)
Legislative		280,573	(280,573)
Licensing	17,492,616		17,492,616
Licensing and membership records	450,200	826,258	(376,058)
Limited license legal technician	25,031	115,588	(90,557)
Limited practice officers	189,300	143,867	45,433
Mandatory continuing legal education administration	1,233,800	805,080	428,720
Member services and engagement	16,300	411,369	(395,069)
Member Wellness Program	10,000	239,651	(229,651)
Mini CLE		119,503	(119,503)
New member education	88,000	108,818	(20,818)
Office of the Executive Director		988,085	(988,085)
Office of general counsel		1,028,445	(1,028,445)
Office of general counsel disciplinary board		326,545	(326,545)
Practice Management Assistance	62,000	235,653	(173,653)
Practice of law board		92,989	(92,989)
Professional responsibility program		215,119	(215,119)
Public service programs	132,400	534,374	(401,974)
Publication and design services		129,220	(129,220)
Regulatory services		449,371	(449,371)
Regulatory Reform		199,962	(199,962)
Sections administration	275,000	299,310	(24,310)
Service center		729,227	(729,227)
Technology		2,048,168	(2,048,168)
Volunteer Engagement		311,017	(311,017)
Total General Fund	23,111,227	24,572,043	(1,460,816)
Operating Loss for FY 2025			(1,460,816)
Percent change from FY 2024 budget	2%	4%	
Depreciation			172,442
Straight line rent			900,000
Capital labor			(75,000)
Net Cash Flow From FY 2025 Operations			(463,374)
Continuing legal education	1,623,710	1,357,805	265,905
Deskbooks	131,000	331,902	(200,902)
Continuing Legal Education	1,754,710	1,689,707	65,003
Income for FY 2025			65,003
Percent change from FY 2024 budget	1%	4%	
Sections Operations	645,483	1,005,206	(359,723)
Client Protection Fund	930,540	689,364	241,176
	\$ 26,441,960	\$ 27,956,320	\$ (1,514,360)

EXHIBIT B

WASHINGTON STATE BAR ASSOCIATION

Fiscal Year 2024 Budget Summary - As Amended

Cost Centers	Revenue	Expense	Net
Access to justice board	\$ -	\$ 340,821	\$ (340,821)
Admissions/bar exam	1,300,740	1,341,846	(41,106)
Advancement		377,799	(377,799)
Bar news	610,100	713,139	(103,039)
Board of governors		572,479	(572,479)
Character & Fitness Board		179,219	(179,219)
Communications strategies	500	822,514	(822,014)
Communications strategies FTE		247,980	(247,980)
Discipline	119,000	6,229,667	(6,110,667)
Diversity	135,000	480,037	(345,037)
Finance	650,000	1,153,709	(503,709)
Foundation		180,078	(180,078)
Human resources		625,154	(625,154)
Law clerk program	207,200	187,907	19,293
Legal Lunchbox	29,000	55,930	(26,930)
Legislative		281,375	(281,375)
Licensing	17,320,499		17,320,499
Licensing and membership records	450,900	697,171	(246,271)
Limited license legal technician	20,712	95,370	(74,658)
Limited practice officers	202,000	136,704	65,296
Mandatory continuing legal education administration	1,113,800	923,629	190,171
Member services and engagement	10,800	392,185	(381,385)
Member Wellness Program	7,500	240,493	(232,993)
Mini CLE		116,330	(116,330)
New member education	67,000	107,828	(40,828)
Office of the Executive Director		817,472	(817,472)
Office of general counsel		1,108,971	(1,108,971)
Office of general counsel disciplinary board		303,120	(303,120)
Practice Management Assistance	62,000	212,723	(150,723)
Practice of law board		96,860	(96,860)
Professional responsibility program		237,403	(237,403)
Public service programs	130,000	516,739	(386,739)
Publication and design services		126,620	(126,620)
Regulatory services		547,750	(547,750)
Sections administration	297,786	303,338	(5,552)
Service center		729,512	(729,512)
Technology		2,087,445	(2,087,445)
Volunteer Engagement		117,334	(117,334)
Total General Fund	22,734,537	23,704,651	(970,114)
Operating Loss for FY 2024			(970,114)
Percent change from FY 2023 budget	4%	6%	
Depreciation			232,905
Straight line rent			1,753,325
Capital labor			(210,000)
Net Cash Flow From FY 2024 Operations			806,116
Continuing legal education	1,605,300	1,346,001	259,299
Deskbooks	136,500	282,766	(146,266)
Continuing Legal Education	1,741,800	1,628,767	113,033
Income for FY 2024			113,033
Percent change from FY 2023 budget	-8%	-3%	
Sections Operations	688,964	1,017,566	(328,602)
Client Protection Fund	715,930	693,414	22,516
	\$ 25,881,231	\$ 27,044,398	\$ (1,163,167)

EXHIBIT C

WASHINGTON STATE BAR ASSOCIATION

Statement of Activities For the Year Ended September 30, 2023

	2023		Revenues Over (Under) Expenses
	Revenues	Expenses	
Without Donor Restrictions			
Activities General:			
Access to justice board	\$ -	\$ 415,439	\$ (415,439)
Admissions/bar exam	1,214,479	1,282,503	(68,024)
Advancement		353,241	(353,241)
Bar news	583,778	652,187	(68,409)
Board of governors		586,754	(586,754)
Character & Fitness Board		137,840	(137,840)
Communications strategies	4,375	730,227	(725,852)
Communications strategies FTE		238,471	(238,471)
Discipline	70,090	5,683,853	(5,613,763)
Diversity	135,000	274,026	(139,026)
Finance	792,371	1,062,690	(270,319)
Foundation		146,320	(146,320)
Human resources		606,451	(606,451)
Law clerk program	209,566	138,670	70,896
Legal Lunchbox	34,088	47,689	(13,601)
Legislative		249,658	(249,658)
Licensing	16,871,265		16,871,265
Licensing and membership records	432,161	644,591	(212,430)
Limited license legal technician	20,316	86,650	(66,334)
Limited practice officers	196,804	112,043	84,761
Mandatory continuing legal education administration	1,351,100	729,490	621,610
Member wellness program	7,750	214,921	(207,171)
Member services and engagement	14,400	307,858	(293,458)
Mini CLE		110,140	(110,140)
New member education	113,823	92,683	21,140
Office of the Executive Director		664,556	(664,556)
Office of general counsel	9	925,494	(925,485)
Office of general counsel disciplinary board		291,692	(291,692)
Practice of law board		63,426	(63,426)
Practice Management Assistance	69,463	209,712	(140,249)
Professional responsibility program		225,240	(225,240)
Public service programs	130,000	455,203	(325,203)
Publication and design services		119,704	(119,704)
Regulatory services		526,704	(526,704)
Sections administration	268,147	282,901	(14,754)
Service center		694,139	(694,139)
Volunteer Engagement		112,415	(112,415)
Technology		1,907,187	(1,907,187)
Total General	\$ 22,518,985	\$ 21,382,768	\$ 1,136,217
Continuing Legal Education:			
Products	\$ 927,576	\$ 212,256	\$ 715,320
Seminars	623,302	1,044,413	(421,111)
Deskbooks	142,437	301,532	(159,095)
Total Continuing Legal Education	\$ 1,693,315	\$ 1,558,201	\$ 135,114
Sections Operations	\$ 692,880	\$ 525,126	\$ 167,754
Client Protection Fund	\$ 970,535	\$ 520,638	\$ 449,897
	\$ 25,875,715	\$ 23,986,733	\$ 1,888,982



To: Washington State Bar Association Board of Governors
Washington State Bar Foundation Trustees

From: Susan Machler, Treasurer

Date: January 14, 2025

Re: Treasurer's Report, Year Ending September 30, 2024

As required by the Washington State Bar Foundation (WSBF) Bylaws¹, I am pleased to present the WSBF Treasurer's report. Attached are the audited financial statements for the WSBF for the fiscal year 2024. The Washington State Bar Association (WSBA) provides for overhead costs including staffing, equipment and technical support to the WSBF in order for it to fulfill its mission to support WSBA programs that promote diversity within the legal profession and enhance the public's access to, and understanding of, the justice system. This support also includes the time and expertise of WSBA's Controller and the Chief Equity & Justice Officer.

WSBF Cash Fund Balances

For the WSBF Cash Fund balances as of September 30, 2024, please see the attached financial statement dated January 6, 2025.

Notes and Comments

The Foundation had \$499,631 in income during FY24, which was \$31,212 less (approximately 6%) than the prior year. This difference is largely due to sponsorship funds for the Access to Justice Conference, an every-other-year occurrence, being received in FY23.

Support including salaries, benefits and overhead provided by WSBA as in-kind support totaled \$174,830, representing an increase of \$27,915 (19%) from FY23. The majority of the in-kind expense is for indirect costs which typically increase each year due to compensation rate changes made in line with the WSBA's compensation structure and as corresponding increases in associated payroll taxes and compensation-based benefits. Expenses for healthcare, rent, insurance, etc., typically see annual increases which contribute to the overall increase of in-kind expenses from FY23 to FY24.

The Foundation's FY25² allocation for WSBA programs includes \$265,000 paid directly to WSBA in support of its Public Service & Pro Bono programs, and Diversity, Equity & Inclusion initiatives. An additional \$45,000 will be used to fund nine FY25 Powerful Communities grants, and to pay community members with lived experience that serve on the grant selection panel.

Conclusion

The Foundation continues to seek ways to maximize its effectiveness and benefit to the community while expanding its support of WSBA programs. Its financial systems and policies appear appropriate to its current capacity; execution of and updates to the Fund Development and Disbursement and Fiscal Policies will continue to ensure that the Foundation fulfills its mission.

¹ Article VI, Section 5.

² Funds raised in the previous year are disbursed to WSBA and WSBA grantees for the coming fiscal year.



Advancing WSBA's Vision of a Just Washington

To: Terra Nevitt
From: Maggie Yu, Controller
Re: Audited Foundation Financial Statements as of September 30, 2024
Date: January 06, 2025

Attached are the audited financial statements for the Washington State Bar Foundation as of September 30, 2024.

WSBF Fund Balances¹
As of September 30, 2024

Fund Name	Cash	Committed Funds	Available Funds
ELUL Midyear Scholarship Fund	793	(793)	0
Tax Section Scholarship Fund	4	(4)	0
McMahon	8,352	0	8,352
ATJ-LFW Race Equity	19,782	0	19,782
Peter Greenfield Internship	804	0	804
WSBA Justice & Diversity Opportunities	0	0	0
ATJ Conference	18,832	0	18,832
Powerful Communities Project	11,536	0	11,536
Moderate Means Fund	196	0	196
Diversity	3,951	0	3,951
Unrestricted	316,854	0	316,854
Total Fund Balances	<u>\$381,104</u>	<u>(797)</u>	<u>\$380,307</u>

¹ Excludes fixed assets (\$14,400 in artwork).

WSBA Foundation
Statement of Activities (Profit & Loss)
October 2023 through September 2024

	Oct '23 - Sep 24
Ordinary Income/Expense	
Income	
Contributions & Grants Income	
Corporate	16,774
Foundations & Nonprofits	1,000
Government	500
Individuals/Private Donors	256,833
Other	49,694
Total Contributions & Grants Income	324,801
In Kind Donations	
WSBA Staff Time	166,098
WSBA Expenses	8,732
Total In Kind Donations	174,830
Total Income	499,631
Expense	
Donor Database Expense	398
In Kind Expenses	
WSBA Staff Support	166,098
WSBA Expenses	8,732
Total In Kind Expenses	174,830
Bank Service Charges	25
Credit Card Fees	25
Dues	199
Insurance	2,213
Licenses and Permits	60
Program Expense	
Diversity	3,900
Powerful Communities Project	3,688
Taxation Scholarship	5,000
WSBA Justice & Div. Opportunity	5,000
WSBA Funding	265,000
Peter Greenfield Scholarship	8,000
Access to Justice Projects	83,645
Total Program Expense	374,233
Total Expense	551,983
Net Ordinary Income	-52,352
Other Income/Expense	
Other Income	
Interest Income	17,225
Other Income	4,899
Total Other Income	22,124
Other Expense	
Other Expenses	39,169
Total Other Expense	39,169
Net Other Income	-17,044
Net Income	-69,397

WSBA Foundation
Balance Sheet
As of September 30, 2024

	<u>Sep 30, 24</u>
ASSETS	
Current Assets	
Checking/Savings	
Wells Fargo Chec king	25,551.54
Wells Fargo He ritage Money Mkt	355,949.08
Total Checking/Savings	<u>381,500.62</u>
Total Current Assets	381,500.62
Fixed Assets	
Artwork	14,400.00
Total Fixed Assets	<u>14,400.00</u>
TOTAL ASSETS	<u><u>395,900.62</u></u>
LIABILITIES & EQUITY	
Equity	
Increase/Decrease Fund Balance	465,297.34
Net Income	-69,396.72
Total Equity	<u>395,900.62</u>
TOTAL LIABILITIES & EQUITY	<u><u>395,900.62</u></u>

WASHINGTON STATE
BAR ASSOCIATION

Financial Reports

(Unaudited)

Year to Date December 31, 2024

Prepared by
Maggie Yu, Controller

Submitted by
Tiffany Lynch, Director of Finance
January 22, 2025

WASHINGTON STATE BAR ASSOCIATION

To: Board of Governors
Budget and Audit Committee

From: Terra Nevitt, Executive Director; Tiffany Lynch, Director of Finance; Maggie Yu, Controller

Re: Key Financial Benchmarks for the Preliminary Fiscal Year to Date (YTD) through December 31, 2024
As % of Completion to Annual Budget

	% of Year	Current Year % YTD	Current Year \$ Difference Favorable/(Unfavorable)	Prior Year YTD	Comments
Total Salaries & Benefits	25%	25%	\$48,810	25%	Favorable to budget mainly due to open positions and timing of payments.
Other Indirect Expenses*	25%	27%	(\$73,077)	25%	Unfavorable to budget due to timing of payments for online legal research, office downsizing expenses, audit fees, IT costs, and unanticipated software depreciation.
Total Indirect Expenses	25%	25%	(\$24,267)	25%	Unfavorable to budget resulting from other indirect expenses described above.

General Fund Revenues	25%	25%	(\$1,627)	25%	Slightly unfavorable to budget from timing of license fee payments, job target advertising and donations.
General Fund Indirect Expenses	25%	25%	(\$29,482)	25%	Unfavorable to budget as described for indirect expenses above.
General Fund Direct Expenses	25%	18%	\$228,574	12%	Favorable to budget due to timing of program activities and meetings/events.
General Fund Net	25%	-89%	\$197,465	130%	Favorable to budget for the reasons described above.

CLE Revenue	25%	36%	\$188,793	45%	Favorable to budget due to seasonally high product sales.
CLE Direct Expenses	25%	9%	\$57,168	11%	Favorable to budget due to timing of expenses for seminar activities and product sales.
CLE Indirect Expenses	25%	25%	\$5,882	26%	Favorable to budget due salary & benefit savings.
CLE Net	25%	412%	\$251,842	271%	Favorable to budget primarily due to timing of direct expenses and product sales.

*Workplace benefits, Human Resources, meeting support, rent, taxes, furniture & maintenance, office supplies, depreciation, insurance, equipment, professional fees (legal & audit), internet & telephone, postage, storage, bank fees, Technology

Washington State Bar Association Financial Summary
Compared to Fiscal Year 2025 Budget
For the Period from December 1, 2024 to December 31, 2024

Category	Actual Revenues	Budgeted Revenues	Actual Indirect Expenses	Budgeted Indirect Expenses	Actual Direct Expenses	Budgeted Direct Expenses	Actual Total Expenses	Budgeted Total Expenses	Actual Net Result	Budgeted Net Result
Access to Justice	-	-	63,166	250,535	50,808	139,795	113,974	390,330	(113,974)	(390,330)
Admissions/Bar Exam	490,875	1,480,180	228,513	906,127	29,064	480,204	257,577	1,386,311	233,298	93,849
Advancement FTE	-	-	94,644	386,288	120	3,300	94,764	389,588	(94,764)	(389,588)
Bar News	160,512	589,600	79,144	326,761	93,460	387,175	172,603	713,936	(12,902)	(124,336)
Board of Governors	-	-	48,786	186,913	59,145	360,300	107,931	547,213	(107,931)	(547,213)
Character & Fitness Board	-	-	35,740	140,905	3,925	33,000	39,665	173,905	(39,665)	(173,905)
Communications Strategies	-	600	157,563	781,382	10,872	180,295	168,435	961,677	(168,435)	(961,077)
Communications Strategies FTE	-	-	63,556	249,012	-	-	63,556	249,012	(63,556)	(249,012)
Discipline	27,460	90,000	1,568,999	6,275,710	30,340	216,544	1,599,339	6,492,254	(1,571,879)	(6,402,254)
Diversity	-	135,000	92,182	371,905	754	70,900	92,936	442,805	(92,936)	(307,805)
Finance	164,859	600,000	293,848	1,154,793	725	4,920	294,573	1,159,713	(129,714)	(559,713)
Foundation	-	-	41,867	165,726	721	17,800	42,587	183,526	(42,587)	(183,526)
Human Resources	-	-	212,805	574,952	-	-	212,805	574,952	(212,805)	(574,952)
Law Clerk Program	69,467	207,200	44,973	178,661	1,605	51,031	46,579	229,692	22,888	(22,492)
Legislative	-	-	64,382	254,298	4,361	26,275	68,743	280,573	(68,743)	(280,573)
Legal Lunchbox	18,277	34,000	13,358	34,192	-	4,725	13,358	38,917	4,919	(4,917)
Licensing and Membership Records	109,950	450,200	195,608	790,226	4,501	36,032	200,109	826,258	(90,159)	(376,058)
Licensing Fees	4,170,225	17,492,616	-	-	-	-	-	-	4,170,225	17,492,616
Limited License Legal Technician	9,506	25,031	24,242	103,088	368	12,500	24,610	115,588	(15,104)	(90,557)
Limited Practice Officers	48,037	189,300	189,300	106,563	5,918	37,304	30,726	143,867	17,311	45,433
Mandatory CLE	308,700	1,233,800	173,916	653,747	37,528	151,533	211,444	805,080	97,256	428,720
Member Wellness Program	500	10,000	56,957	227,746	1,695	11,905	58,652	239,651	(58,152)	(229,651)
Member Services & Engagement	5,150	16,300	60,036	291,819	10,488	119,550	70,524	411,369	(65,374)	(395,069)
Mini CLE	-	-	30,161	119,503	-	-	30,161	119,503	(30,161)	(119,503)
New Member Education	82,119	88,000	27,007	106,868	-	1,950	27,007	108,818	55,112	(20,818)
Office of General Counsel	-	-	259,309	1,002,440	1,641	26,005	260,950	1,028,445	(260,950)	(1,028,445)
Office of the Executive Director	-	-	211,161	849,110	102,322	138,975	313,482	988,085	(313,482)	(988,085)
OGC-Disciplinary Board	-	-	50,314	198,045	25,448	128,500	75,762	326,545	(75,762)	(326,545)
Practice of Law Board	-	-	10,778	76,989	-	16,000	19,478	92,989	(19,478)	(92,989)
Practice Management Assistance	16,463	62,000	35,922	142,003	2,897	93,650	38,819	235,653	(22,357)	(173,653)
Professional Responsibility Program	-	-	52,843	208,419	1,301	6,700	54,143	215,119	(54,143)	(215,119)
Public Service Programs	-	132,400	55,932	223,674	78,495	310,700	134,427	534,374	(134,427)	(401,974)
Publication and Design Services	-	-	32,598	124,220	4,756	5,000	37,355	129,220	(37,355)	(129,220)
Regulatory Services FTE	-	-	110,170	439,881	562	9,490	110,732	449,371	(110,732)	(449,371)
Regulatory Reform	-	-	39,853	157,462	1,323	42,500	41,175	199,962	(41,175)	(199,962)
Sections Administration	94,080	275,000	70,453	296,910	-	2,400	70,453	299,310	23,627	(24,310)
Service Center	-	-	178,763	726,174	517	3,053	179,280	729,227	(179,280)	(729,227)
Volunteer Engagement	-	-	46,340	242,951	6,138	68,066	52,478	311,017	(52,478)	(311,017)
Technology	-	-	512,726	2,048,168	-	-	512,726	2,048,168	(512,726)	(2,048,168)
Subtotal General Fund	5,776,180	23,111,227	5,373,024	21,374,165	570,895	3,197,877	5,943,919	24,572,042	(167,739)	(1,460,815)
Expenses using Facilities Reserve funds	-	-	(87,809)	-	-	-	(87,809)	(109,065)	87,809	109,065
Expenses using Special Project Reserve funds	-	-	(39,853)	-	(1,323)	-	(41,175)	(199,962)	41,175	199,962
Total General Fund - Net Result from Operations	5,776,180		5,245,362		569,572		5,814,938	24,263,015	(38,755)	(1,151,788)
Percentage of Budget	25%		25%		18%		24%			
CLE-Seminars and Products	627,470	1,623,710	255,735	1,051,695	33,098	306,112	288,833	1,357,807	338,637	265,904
CLE - Deskbooks	0	131,000	70,545	276,952	-	54,950	70,545	331,902	(70,544)	(200,902)
Total CLE	627,470	1,754,710	326,280	1,328,647	33,098	361,062	359,378	1,689,709	268,092	65,001
Percentage of Budget	36%		25%		9%		21%	(7,789)	5,080	7,789
Expenses using Facilities Reserve funds	-	-	(5,080)	-	-	-	(5,080)	1,681,920	273,173	72,790
Total CLE Fund - Net Result from Operations			321,199				354,298			
Total All Sections	158,674	645,483	-	-	180,001	1,040,206	180,001	1,040,206	(21,327)	(394,722)
Client Protection Fund-Restricted	272,299	930,540	46,407	182,964	(1,779)	506,400	44,628	689,364	227,670	241,176
Expenses using Facilities Reserve funds	-	-	(781)	-	-	-	(781)	781	-	983
Total CPF Fund - Net Result from Operations			45,626				43,847	688,381	228,452	242,159
Totals	6,834,622	26,441,960	5,745,711	22,885,776	782,215	5,105,545	6,527,926	27,991,320	306,696	(1,549,360)
Totals Net of Use of Facilities Reserve Funds			(93,671)				(93,671)	27,673,521	93,671	(1,231,561)
Totals Net of Use of Special Project Reserve Funds			(39,853)		(1,323)		(41,175)		41,175	
Percentage of Budget	26%		25%		15%		23%			

Summary of Fund Balances:	Fund Balances Sept. 30, 2024	2025 Budgeted Fund Balances	Fund Balances Year to date
Restricted Funds:			
Client Protection Fund	4,759,353	5,000,528	4,987,804
Board-Designated Funds (Non-General Fund):			
CLE Fund Balance	1,344,457	1,409,459	1,617,630
Section Funds	2,123,665	1,728,943	2,102,338
Board-Designated Funds (General Fund):			
Operating Reserve Fund	2,500,000	2,500,000	2,500,000
Facilities Reserve Fund	207,286	-	113,616
Special Projects and Innovation Fund	400,000	200,038	358,825
Unrestricted Funds (General Fund):			
Unrestricted General Fund	7,019,063	5,965,497	6,980,308
Total General Fund Balance	10,126,350	8,665,535	9,952,749
Net Change in Total General Fund Balance		(1,460,815)	(167,739)
Total Fund Balance	18,353,825	16,804,465	18,660,521
Net Change In Fund Balance		(1,549,360)	306,696

**Washington State Bar Association
Analysis of Cash Investments
As of December 31, 2024**

Checking & Savings Accounts

General Fund

Checking

<u>Bank</u>	<u>Account</u>	<u>Amount</u>
Wells Fargo	General	<u>1,778,790</u>

Total

<u>Investments</u>	<u>Rate (yield)</u>	<u>Amount</u>
Wells Fargo Money Market	4.49%	5,318,874
UBS Financial Money Market	4.49%	1,165,759
CDs/Treasuries	see list	10,452,490

General Fund Total 18,715,913

Client Protection Fund

Checking

<u>Bank</u>	<u>Amount</u>
Wells Fargo	<u>168,775</u>

<u>Investments</u>	<u>Rate (yield)</u>	<u>Amount</u>
Wells Fargo Money Market	4.49%	2,790,747
CDs/Treasuries	see list	2,466,671

Client Protection Fund Total 5,426,194

Grand Total Cash & Investments 24,142,107

**Washington State Bar Association
Analysis of Cash Investments
As of December 31, 2024**

General Fund

<u>Bank</u>	<u>Yield</u>	<u>Term Months</u>	<u>Trade Date</u>	<u>Settle Date</u>	<u>Maturity Date</u>	<u>Amount</u>
Crossfirst BK CD	5.20%	9	3/26/2024	4/5/2024	1/6/2025	250,000
Valley NatL BK CD	5.15%	9	4/4/2024	4/9/2024	1/9/2025	250,000
Zions Bancorp CD	5.10%	9	4/4/2024	4/10/2024	1/10/2025	250,000
Truist Bank Charlotte CD	5.10%	9	4/9/2024	4/17/2024	1/13/2025	250,000
American COML BK CD	4.60%	12	1/4/2024	1/17/2024	1/16/2025	250,000
Live Oak Banking CD	4.70%	12	1/4/2024	1/17/2024	1/17/2025	250,000
Bank of China CD	5.10%	9	4/9/2024	4/17/2024	1/17/2025	250,000
Royal Business Bank CD	5.10%	9	4/9/2024	4/17/2024	1/17/2025	250,000
Bank of New York Mellon CD	5.10%	9	4/16/2024	4/18/2024	1/21/2025	250,000
Bank of Utah CD	4.70%	12	1/12/2024	1/26/2024	1/24/2025	250,000
Open Bank CD	4.75%	12	1/12/2024	1/26/2024	1/24/2025	250,000
Bank of Baroda CD	5.15%	9	4/16/2024	4/29/2024	1/29/2025	250,000
Preferred Bank LA CD	5.10%	9	4/26/2024	5/3/2024	2/3/2025	250,000
Israel discount BK CD	5.25%	9	5/2/2024	5/8/2024	2/10/2025	250,000
Synovus BK CD	5.20%	9	5/2/2024	5/10/2024	2/10/2025	250,000
Northeast Bank CD	4.90%	13	2/12/2024	2/14/2024	2/23/2025	250,000
Cambridge saving bank CD	5.35%	9	6/11/2024	6/20/2024	3/17/2025	240,000
Beal Bank USA CD	5.00%	12	3/12/2024	3/20/2024	3/19/2025	250,000
Beal Bank Plano TX CD	5.00%	12	3/26/2024	4/3/2024	4/2/2025	250,000
Old National BK CD	5.00%	12	3/26/2024	4/4/2024	4/4/2025	250,000
Exchange Bank CD	5.00%	12	4/16/2024	4/24/2024	4/23/2025	250,000
Northside Community Bank CD	5.00%	12	4/16/2024	4/24/2024	4/24/2025	250,000
CF Bank CD	5.05%	12	4/26/2024	5/3/2024	5/2/2025	250,000
Morgan Stanley bank CD	5.10%	12	5/2/2024	5/8/2024	5/8/2025	250,000
Meridian Bank CD	5.10%	12	5/9/2024	5/15/2024	5/15/2025	250,000
Morgan Stanley PVT Bank CD	5.15%	12	5/9/2024	5/15/2024	5/15/2025	250,000
City National Bank of FL CD	4.15%	9	10/10/2024	10/16/2024	7/16/2025	250,000
Bank of America Calif CD	4.10%	9	10/10/2024	10/17/2024	7/17/2025	250,000
Western Allance Bank CD	4.10%	9	10/10/2024	10/18/2024	7/18/2025	250,000
Cross River Bank CD	4.30%	9	11/19/2024	11/22/2024	8/22/2025	250,000
US Bank NA Cincinnati CD	4.40%	9	11/19/2024	11/26/2024	8/26/2025	250,000
BMO bank NA CD	4.30%	9	11/26/2024	11/29/2024	8/29/2025	250,000
First Bank Chicago CD	4.20%	12	11/26/2024	11/27/2024	11/26/2025	250,000
Bank of India NY CD	4.10%	11	12/17/2024	12/27/2024	12/3/2025	250,000
Federal Farm Credit Bank CD	4.25%	12	12/17/2024	12/20/2024	12/19/2025	250,243
Stearns Bank CD	4.15%	12	12/12/2024	12/23/2024	12/23/2025	250,000
<u>US T- Bill's</u>						
US Treasury Bill	4.80%	12	2/12/2024	2/13/2024	1/23/2025	239,063
US Treasury Bill	4.40%	4	11/19/2024	11/20/2024	3/18/2025	246,493
US Treasury Bill	4.60%	6	10/10/2024	10/11/2024	4/10/2025	244,781
US Treasury Bill	4.20%	4	12/17/2024	12/18/2024	4/15/2025	246,651
US Treasury Bill	4.20%	6	12/12/2024	12/13/2024	6/12/2025	244,897
US Treasury Bill	4.3%	11	11/26/2024	11/27/2024	10/30/2025	240,364
Total						10,452,490

**Washington State Bar Association
Analysis of Cash Investments
As of December 31, 2024**

Client Fund Protection Fund

<u>Bank</u>	<u>Yield</u>	<u>Term Months</u>	<u>Trade Date</u>	<u>Settle Date</u>	<u>Maturity Date</u>	<u>Amount</u>
Fifth Third Bank CD	4.70%	12	1/11/2024	1/16/2024	1/15/2025	250,000
Goldman Sachs Bank CD	5.00%	9	7/12/2024	7/23/2024	4/23/2025	250,000
FirstBank Nashville CD	5.15%	12	5/14/2024	5/17/2024	5/16/2025	250,000
Ally Bank CD	4.05%	9	10/10/2024	10/17/2024	7/17/2025	250,000
Dollar Bank CD	4.15%	12	12/12/2024	12/20/2024	12/19/2025	250,000
<u>US T- Bill's</u>						
US Treasury Bill	4.70%	6	8/27/2024	8/28/2024	2/20/2025	244,476
US Treasury Bill	4.50%	6	9/13/2024	9/16/2024	3/13/2025	244,632
US Treasury Bill	4.30%	6	10/10/2024	10/11/2024	4/10/2025	244,781
US Treasury Bill	4.35%	10	8/27/2024	8/28/2024	6/12/2025	241,640
US Treasury Bill	4.30%	10	11/26/2024	11/27/2024	10/2/2025	241,143
Total						2,466,671

Washington State Bar Association

Statement of Activities

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

25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
LICENSE FEES						
REVENUE:						
LICENSE FEES	17,492,616	1,392,677	4,170,225	13,322,391	24%	(202,929)
TOTAL REVENUE:	17,492,616	1,392,677	4,170,225	13,322,391	24%	(202,929)

Washington State Bar Association

Statement of Activities

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

25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
ADMISSIONS						
REVENUE:						
EXAM SOFTWARE REVENUE	27,500	-	-	27,500	0%	(6,875)
BAR EXAM FEES	1,378,980	46,695	473,055	905,925	34%	128,310
RULE 9/LEGAL INTERN FEES	12,500	400	1,300	11,200	10%	(1,825)
SPECIAL ADMISSIONS	61,200	2,525	16,520	44,680	27%	1,220
TOTAL REVENUE:	1,480,180	49,620	490,875	989,305	33%	120,830
DIRECT EXPENSES:						
POSTAGE	2,000	245	1,263	737	63%	(763)
STAFF TRAVEL/PARKING	24,000	46	18	23,982	0%	5,982
STAFF MEMBERSHIP DUES	495	-	245	250	49%	(121)
SUPPLIES	2,000	-	-	2,000	0%	500
FACILITY, PARKING, FOOD	100,000	-	-	100,000	0%	25,000
EXAMINER FEES	44,500	2,250	9,000	35,500	20%	2,125
UBE EXMINATIONS	118,000	-	-	118,000	0%	29,500
BOARD OF BAR EXAMINERS	42,500	-	-	42,500	0%	10,625
BAR EXAM PROCTORS	23,000	-	-	23,000	0%	5,750
DISABILITY ACCOMMODATIONS	65,000	1,975	1,975	63,025	3%	14,275
CHARACTER & FITNESS INVESTIGATIONS	1,000	700	700	300	70%	(450)
LAW SCHOOL VISITS	2,000	-	-	2,000	0%	500
SOFTWARE HOSTING	45,609	3,653	10,961	34,648	24%	442
STAFF CONFERENCE & TRAINING	10,100	-	4,902	5,198	49%	(2,377)
TOTAL DIRECT EXPENSES:	480,204	8,869	29,064	451,140	6%	90,987
INDIRECT EXPENSES:						
SALARY EXPENSE (6.65 FTE)	551,588	47,770	139,100	412,488	25%	(1,203)
BENEFITS EXPENSE	194,873	16,379	46,187	148,686	24%	2,532
OTHER INDIRECT EXPENSE	159,666	10,515	43,226	116,441	27%	(3,309)
TOTAL INDIRECT EXPENSES:	906,127	74,664	228,513	677,615	25%	(1,981)
TOTAL ALL EXPENSES:	1,386,331	83,533	257,577	1,128,755	19%	89,006
NET INCOME (LOSS):	93,849	(33,913)	233,298	(139,450)	249%	209,836

Washington State Bar Association

Statement of Activities
For the Period from December 1, 2024 to December 31, 2024
25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
ADVANCEMENT FTE						
REVENUE:	_____	_____	_____	_____	_____	_____
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:	_____	_____	_____	_____	_____	_____
STAFF CONFERENCE & TRAINING	3,300	120	120	3,180	4%	705
TOTAL DIRECT EXPENSES:	<u>3,300</u>	<u>120</u>	<u>120</u>	<u>3,180</u>	<u>4%</u>	<u>705</u>
INDIRECT EXPENSES:						
SALARY EXPENSE (1.96 FTE)	264,525	22,593	64,303	200,223	24%	1,829
BENEFITS EXPENSE	74,703	6,250	17,594	57,109	24%	1,081
OTHER INDIRECT EXPENSE	47,060	3,101	12,747	34,312	27%	(982)
TOTAL INDIRECT EXPENSES:	<u>386,288</u>	<u>31,944</u>	<u>94,644</u>	<u>291,644</u>	<u>25%</u>	<u>1,928</u>
TOTAL ALL EXPENSES:	<u>389,588</u>	<u>32,064</u>	<u>94,764</u>	<u>294,824</u>	<u>24%</u>	<u>2,633</u>
NET INCOME (LOSS):	<u>(389,588)</u>	<u>(32,064)</u>	<u>(94,764)</u>	<u>(294,824)</u>	<u>24%</u>	<u>2,633</u>

Washington State Bar Association
Statement of Activities
For the Period from December 1, 2024 to December 31, 2024
25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
ACCESS TO JUSTICE						
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
ATJ BOARD RETREAT	6,000	-	2,371	3,629	40%	(871)
LEADERSHIP TRAINING	6,000	23	1,425	4,575	24%	75
ATJ BOARD EXPENSE	58,500	47	19,158	39,342	33%	(4,533)
STAFF TRAVEL/PARKING	2,800	31	259	2,541	9%	441
STAFF CONFERENCE & TRAINING	2,495	239	1,179	1,316	47%	(556)
PUBLIC DEFENSE	4,000	-	2,279	1,721	57%	(1,279)
CONFERENCE/INSTITUTE EXPENSE	30,000	-	19,518	10,482	65%	(12,018)
RECEPTION/FORUM EXPENSE	30,000	-	4,617	25,383	15%	2,883
TOTAL DIRECT EXPENSES:	139,795	341	50,808	88,987	36%	(15,859)
INDIRECT EXPENSES:						
SALARY EXPENSE (1.68 FTE)	157,861	13,779	39,741	118,120	25%	(276)
BENEFITS EXPENSE	52,337	4,425	12,499	39,838	24%	585
OTHER INDIRECT EXPENSE	40,337	2,658	10,926	29,411	27%	(842)
TOTAL INDIRECT EXPENSES:	250,535	20,862	63,166	187,369	25%	(532)
TOTAL ALL EXPENSES:	390,330	21,202	113,974	276,356	29%	(16,391)
NET INCOME (LOSS):	(390,330)	(21,202)	(113,974)	(276,356)	29%	(16,391)

Washington State Bar Association

Statement of Activities

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

25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
BAR NEWS						
REVENUE:						
ROYALTIES	2,000	-	-	2,000	0%	(500)
DISPLAY ADVERTISING	405,000	46,106	140,525	264,475	35%	39,275
SUBSCRIPT/SINGLE ISSUES	100	-	36	64	36%	11
CLASSIFIED ADVERTISING	2,500	201	1,010	1,490	40%	385
JOB TARGET ADVERTISING	180,000	7,313	18,941	161,059	11%	(26,059)
TOTAL REVENUE:	589,600	53,620	160,512	429,088	27%	13,112
DIRECT EXPENSES:						
POSTAGE	121,000	15,077	45,194	75,806	37%	(14,944)
PRINTING, COPYING & MAILING	262,500	-	48,265	214,235	18%	17,360
DIGITAL/ONLINE DEVELOPMENT	2,000	-	-	2,000	0%	500
GRAPHICS/ARTWORK	1,000	-	-	1,000	0%	250
EDITORIAL ADVISORY COMMITTEE	300	-	-	300	0%	75
STAFF MEMBERSHIP DUES	150	-	-	150	0%	38
SUBSCRIPTIONS	225	-	-	225	0%	56
TOTAL DIRECT EXPENSES:	387,175	15,077	93,460	293,715	24%	3,334
INDIRECT EXPENSES:						
SALARY EXPENSE (2.13 FTE)	207,867	17,215	49,637	158,230	24%	2,330
BENEFITS EXPENSE	67,753	5,560	15,705	52,048	23%	1,233
OTHER INDIRECT EXPENSE	51,141	3,357	13,802	37,340	27%	(1,016)
TOTAL INDIRECT EXPENSES:	326,761	26,132	79,144	247,617	24%	2,547
TOTAL ALL EXPENSES:	713,936	41,209	172,603	541,333	24%	5,881
NET INCOME (LOSS):	(124,336)	12,410	(12,092)	(112,244)	10%	18,992

Washington State Bar Association
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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
BOARD OF GOVERNORS						
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
BOG MEETINGS	148,000	567	13,208	134,792	9%	23,792
BOG COMMITTEES' EXPENSES **	8,500	-	40	8,460	0%	2,085
BOG RETREAT	40,000	-	37,705	2,295	94%	(27,705)
BOG CONFERENCE ATTENDANCE	39,500	-	1,396	38,104	4%	8,479
BOG TRAVEL & OUTREACH	50,000	124	6,723	43,277	13%	5,777
LEADERSHIP TRAINING	15,000	-	-	15,000	0%	3,750
BOG ELECTIONS	42,000	-	-	42,000	0%	10,500
PRESIDENT'S DINNER	10,000	-	0	10,000	0%	2,500
NEW GOVERNOR ORIENTATION **	3,500	-	-	3,500	0%	875
PRESIDENT'S PHOTO	3,300	-	-	3,300	0%	825
SUPPLIES	500	-	73	427	15%	52
TOTAL DIRECT EXPENSES:	360,300	691	59,145	301,155	16%	30,930
INDIRECT EXPENSES:						
SALARY EXPENSE (1.40 FTE)	112,836	11,278	29,816	83,021	26%	(1,607)
BENEFITS EXPENSE	40,463	3,653	9,865	30,597	24%	250
OTHER INDIRECT EXPENSE	33,614	2,215	9,105	24,509	27%	(702)
TOTAL INDIRECT EXPENSES:	186,913	17,146	48,786	138,127	26%	(2,058)
TOTAL ALL EXPENSES:	547,213	17,836	107,931	439,282	20%	28,872
NET INCOME (LOSS):	(547,213)	(17,836)	(107,931)	(439,282)	20%	28,872

**Budget reallocations apply to this line item. For details, see FY25 Budget Reallocations memo(s) included in the Board of Governors meeting materials.

Washington State Bar Association

Statement of Activities

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

25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
CHARACTER & FITNESS BOARD						
REVENUE:						
TOTAL REVENUE:	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>		<u>-</u>
DIRECT EXPENSES:						
CHARACTER & FITNESS BOARD EXP	18,000	1,042	1,042	16,958	6%	3,458
COURT REPORTERS	15,000	2,883	2,883	12,117	19%	867
TOTAL DIRECT EXPENSES:	<u>33,000</u>	<u>3,924.96</u>	<u>3,924.96</u>	<u>29,075</u>	<u>12%</u>	<u>4,325</u>
INDIRECT EXPENSES:						
SALARY EXPENSE (0.75 FTE)	95,315	8,383	24,175	71,141	25%	(346)
BENEFITS EXPENSE	27,582	2,354	6,678	20,904	24%	218
OTHER INDIRECT EXPENSE	18,007	1,189	4,888	13,119	27%	(386)
TOTAL INDIRECT EXPENSES:	<u>140,905</u>	<u>11,926</u>	<u>35,740</u>	<u>105,164</u>	<u>25%</u>	<u>(514)</u>
TOTAL ALL EXPENSES:	<u>173,905</u>	<u>15,851</u>	<u>39,665</u>	<u>134,239</u>	<u>23%</u>	<u>3,811</u>
NET INCOME (LOSS):	<u>(173,905)</u>	<u>(15,851)</u>	<u>(39,665)</u>	<u>(134,239)</u>	<u>23%</u>	<u>3,811</u>

Washington State Bar Association
Statement of Activities
For the Period from December 1, 2024 to December 31, 2024
25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
CONTINUING LEGAL EDUCATION (CLE)						
(CLES - CLEP)						
REVENUE:						
SEMINAR REGISTRATIONS	825,000	60,925	159,720	665,280	19%	(46,530)
SEMINAR REVENUE-OTHER	20,000	-	800	19,200	4%	(4,200)
SEMINAR SPLITS W/ CLE	(150,000)	-	-	(150,000)	0%	37,500
SHIPPING & HANDLING	210	18	63	147	30%	11
COURSEBOOK SALES	3,500	90	415	3,085	12%	(460)
MP3 AND VIDEO SALES	925,000	297,227	466,473	458,527	50%	235,223
TOTAL REVENUE:	1,623,710	358,260	627,470	996,240	39%	(13,230)
DIRECT EXPENSES:						
COURSEBOOK PRODUCTION	500	-	-	500	0%	125
DEPRECIATION	2,012	170	510	1,502	25%	(7)
ONLINE EXPENSES	54,000	4,444	13,175	40,825	24%	325
ACCREDITATION FEES	3,000	(84)	(30)	3,030	-1%	780
FACILITIES	165,000	3,400	18,570	146,430	11%	22,680
DISABILITY ACCOMMODATIONS	7,000	-	-	7,000	0%	1,750
SPEAKERS & PROGRAM DEVELOP	48,000	766	766	47,234	2%	11,234
HONORARIA	3,000	-	-	3,000	0%	750
CLE SEMINAR COMMITTEE	200	-	-	200	0%	50
STAFF TRAVEL/PARKING	15,000	-	53	14,947	0%	3,697
STAFF CONFERENCE & TRAINING	5,900	-	-	5,900	0%	1,475
STAFF MEMBERSHIP DUES	1,500	-	-	1,500	0%	375
SUPPLIES	500	-	-	500	0%	125
COST OF SALES - COURSEBOOKS	300	8	27	273	9%	48
POSTAGE & DELIVERY-COURSEBOOKS	200	6	26	174	13%	24
TOTAL DIRECT EXPENSES:	306,112	8,711	33,098	273,014	11%	43,430
INDIRECT EXPENSES:						
SALARY EXPENSE (8.00 FTE)	630,924	52,873	150,700	480,224	24%	7,031
BENEFITS EXPENSE	228,691	18,927	53,088	175,603	23%	4,085
OTHER INDIRECT EXPENSE	192,080	12,636	51,948	140,132	27%	(3,928)
TOTAL INDIRECT EXPENSES:	1,051,695	84,436	255,735	795,959	24%	7,188
TOTAL ALL EXPENSES:	1,357,807	93,147	288,833	1,068,973	21%	50,618
NET INCOME (LOSS):	265,904	265,113	338,637	(72,733)	127%	272,161

Washington State Bar Association
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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
CLIENT PROTECTION FUND						
REVENUE:						
CPF RESTITUTION	10,000	10,749	13,967	(3,967)	140%	11,467
CPF MEMBER ASSESSMENTS	720,540	127,675	207,590	512,950	29%	27,455
INTEREST INCOME	200,000	13,557	50,741	149,259	25%	741
TOTAL REVENUE:	930,540	151,981	272,299	658,241	29%	39,664
DIRECT EXPENSES:						
BANK FEES	2,500	(299)	(1,779)	4,279	-71%	2,404
GIFTS TO INJURED CLIENTS	500,000	-	-	500,000	0%	125,000
CPF BOARD EXPENSES	2,000	-	-	2,000	0%	500
STAFF CONFERENCE & TRAINING	1,700	-	-	1,700	0%	425
STAFF MEMBERSHIP DUES	200	-	-	200	0%	50
TOTAL DIRECT EXPENSES:	506,400	(299)	(1,779)	508,179	0%	128,379
INDIRECT EXPENSES:						
SALARY EXPENSE (1.23 FTE)	115,160	10,164	29,301	85,860	25%	(511)
BENEFITS EXPENSE	38,272	3,241	9,151	29,121	24%	417
OTHER INDIRECT EXPENSE	29,532	1,935	7,955	21,577	27%	(572)
TOTAL INDIRECT EXPENSES:	182,964	15,340	46,407	136,557	25%	(666)
TOTAL ALL EXPENSES:	689,364	15,041	44,628	644,736	6%	127,713
NET INCOME (LOSS):	241,176	136,940	227,670	13,505	94%	167,377

Washington State Bar Association

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
COMMUNICATION STRATEGIES						
REVENUE:						
50 YEAR MEMBER TRIBUTE LUNCH	100	-	-	100	0%	(25)
WSBA LOGO MERCHANDISE SALES	500	-	-	500	0%	(125)
TOTAL REVENUE:	600	-	-	600	0%	(150)
DIRECT EXPENSES:						
STAFF TRAVEL/PARKING	5,895	197	517	5,378	9%	957
STAFF MEMBERSHIP DUES	1,800	-	-	1,800	0%	450
SUBSCRIPTIONS	4,000	123	330	3,670	8%	670
APEX DINNER	52,500	-	-	52,500	0%	13,125
BAR LEADERS SUMMIT	35,000	-	-	35,000	0%	8,750
50 YEAR MEMBER TRIBUTE LUNCH	35,000	-	-	35,000	0%	8,750
BAR OUTREACH	20,000	-	74	19,926	0%	4,926
COMMUNICATIONS OUTREACH	15,000	165	1,230	13,770	8%	2,520
STAFF CONFERENCE & TRAINING	11,100	-	8,721	2,379	79%	(5,946)
TOTAL DIRECT EXPENSES:	180,295	485	10,872	169,423	6%	34,202
INDIRECT EXPENSES:						
SALARY EXPENSE (7.05 FTE)	465,232	29,236	83,308	381,925	18%	33,001
BENEFITS EXPENSE	170,889	12,506	34,959	135,930	20%	7,763
OTHER INDIRECT EXPENSE	145,260	9,559	39,296	105,964	27%	(2,981)
TOTAL INDIRECT EXPENSES:	781,382	51,301	157,563	623,819	20%	37,782
TOTAL ALL EXPENSES:	961,677	51,785	168,435	793,242	18%	71,984
NET INCOME (LOSS):	(961,077)	(51,785)	(168,435)	(792,642)	18%	71,834

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
COMMUNICATION STRATEGIES FTE						
INDIRECT EXPENSES:						
SALARY EXPENSE (1.00 FTE)	179,737	15,909	45,865	133,872	26%	(931)
BENEFITS EXPENSE	45,265	3,931	11,173	34,092	25%	143
OTHER INDIRECT EXPENSE	24,010	1,585	6,517	17,493	27%	(515)
TOTAL INDIRECT EXPENSES:	<u>249,012</u>	<u>21,425</u>	<u>63,556</u>	<u>185,456</u>	<u>26%</u>	<u>(1,303)</u>
NET INCOME (LOSS):	<u>(249,012)</u>	<u>(21,425)</u>	<u>(63,556)</u>	<u>(185,456)</u>	<u>26%</u>	<u>(1,303)</u>

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
DESKBOOKS						
REVENUE:						
DESKBOOK SALES	30,000	-	-	30,000	0%	(7,500)
LEXIS/NEXIS ROYALTIES	75,000	-	0	75,000	0%	(18,750)
SECTION PUBLICATION SALES	1,000	-	-	1,000	0%	(250)
FASTCASE ROYALTIES	25,000	-	-	25,000	0%	(6,250)
TOTAL REVENUE:	131,000	-	0	131,000	0%	(32,750)
DIRECT EXPENSES:						
COST OF SALES - DESKBOOKS	5,000	-	-	5,000	0%	1,250
COST OF SALES - SECTION PUBLICATION	500	-	-	500	0%	125
SPLITS TO SECTIONS	300	-	-	300	0%	75
DESKBOOK ROYALTIES	300	-	-	300	0%	75
POSTAGE & DELIVER-DESKBOOKS	300	-	-	300	0%	75
OBSOLETE INVENTORY	48,250	-	-	48,250	0%	12,063
STAFF MEMBERSHIP DUES	250	-	-	250	0%	63
SUBSCRIPTIONS	50	-	-	50	0%	13
TOTAL DIRECT EXPENSES:	54,950	-	-	54,950	0%	13,738
INDIRECT EXPENSES:						
SALARY EXPENSE (1.75 FTE)	178,087	15,757	45,438	132,649	26%	(916)
BENEFITS EXPENSE	56,847	4,844	13,701	43,146	24%	510
OTHER INDIRECT EXPENSE	42,017	2,774	11,405	30,612	27%	(901)
TOTAL INDIRECT EXPENSES:	276,952	23,375	70,545	206,407	25%	(1,307)
TOTAL ALL EXPENSES:	331,902	23,375	70,545	261,357	21%	12,431
NET INCOME (LOSS):	(200,902)	(23,375)	(70,544)	(130,358)	35%	(20,319)

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
DISCIPLINE						
REVENUE:						
AUDIT REVENUE	1,000	-	43	958	4%	(208)
RECOVERY OF DISCIPLINE COSTS	70,000	5,280	22,587	47,413	32%	5,087
DISCIPLINE HISTORY SUMMARY	19,000	1,620	4,830	14,170	25%	80
TOTAL REVENUE:	90,000	6,900	27,460	62,540	31%	4,960
DIRECT EXPENSES:						
DEPRECIATION-SOFTWARE	24,259	-	-	24,259	0%	6,065
PUBLICATIONS PRODUCTION	350	-	-	350	0%	88
STAFF TRAVEL/PARKING	25,000	577	2,553	22,447	10%	3,697
STAFF MEMBERSHIP DUES	7,090	918	6,308	782	89%	(4,536)
TELEPHONE	4,000	181	544	3,456	14%	456
COURT REPORTERS	60,000	754	6,523	53,477	11%	8,477
OUTSIDE COUNSEL/AIC	1,000	-	-	1,000	0%	250
LITIGATION EXPENSES	40,000	2,228	5,727	34,273	14%	4,273
DISABILITY EXPENSES	5,500	2,254	3,594	1,906	65%	(2,219)
TRANSLATION SERVICES	12,000	75	620	11,380	5%	2,380
STAFF CONFERENCE & TRAINING	37,345	514	4,471	32,874	12%	4,866
TOTAL DIRECT EXPENSES:	216,544	7,501	30,340	186,204	14%	23,796
INDIRECT EXPENSES:						
SALARY EXPENSE (39.00 FTE)	4,063,643	351,418	1,010,668	3,052,975	25%	5,243
BENEFITS EXPENSE	1,275,677	108,001	304,918	970,759	24%	14,001
OTHER INDIRECT EXPENSE	936,389	61,643	253,413	682,977	27%	(19,316)
TOTAL INDIRECT EXPENSES:	6,275,710	521,061	1,568,999	4,706,711	25%	(72)
TOTAL ALL EXPENSES:	6,492,254	528,562	1,599,339	4,892,915	25%	23,724
NET INCOME (LOSS):	(6,402,254)	(521,662)	(1,571,879)	(4,830,374)	25%	28,684

Washington State Bar Association

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

25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
DIVERSITY						
REVENUE:						
DONATIONS	135,000	-	-	135,000	0%	(33,750)
TOTAL REVENUE:	135,000	-	-	135,000	0%	(33,750)
DIRECT EXPENSES:						
STAFF TRAVEL/PARKING	3,700	-	170	3,530	5%	755
STAFF MEMBERSHIP DUES	700	-	-	700	0%	175
COMMITTEE FOR DIVERSITY	5,900	-	79	5,821	1%	1,396
DIVERSITY EVENTS & PROJECTS	43,100	-	298	42,802	1%	10,477
INTERNAL DIVERSITY OUTREACH	7,500	-	-	7,500	0%	1,875
STAFF CONFERENCE & TRAINING	3,000	162	162	2,838	5%	588
CONSULTING SERVICES	7,000	45	45	6,955	1%	1,705
TOTAL DIRECT EXPENSE:	70,900	207	754	70,146	1%	16,971
INDIRECT EXPENSES:						
SALARY EXPENSE (2.69 FTE)	227,749	19,427	56,021	171,729	25%	917
BENEFITS EXPENSE	79,569	6,632	18,718	60,851	24%	1,174
OTHER INDIRECT EXPENSE	64,587	4,243	17,444	47,143	27%	(1,297)
TOTAL INDIRECT EXPENSES:	371,905	30,302	92,182	279,723	25%	794
TOTAL ALL EXPENSES:	442,805	30,509	92,936	349,868	21%	17,765
NET INCOME (LOSS):	(307,805)	(30,509)	(92,936)	(214,868)	30%	(15,985)

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
ETHICS, WELLNESS, & PRACTICE (MWP-PMA-PRP) REVENUE:						
DIVERSIONS	10,000	-	500	9,500	5%	(2,000)
ROYALTIES	62,000	-	16,463	45,537	27%	963
TOTAL REVENUE:	72,000	-	16,963	55,037	24%	(1,037)
DIRECT EXPENSES:						
STAFF MEMBERSHIP DUES	1,450	-	965	485	67%	(603)
MEMBER WELLNESS COUNCIL	4,250	85	914	3,336	22%	149
LEGAL TECH TASK FORCE	5,000	-	2,750	2,250	55%	(1,500)
STAFF TRAVEL/PARKING	5,000	-	424	4,576	8%	826
STAFF CONFERENCE & TRAINING	9,100	15	222	8,878	2%	2,053
SUBSCRIPTIONS	1,455	110	331	1,124	23%	33
CPE COMMITTEE	1,000	-	286	714	29%	(36)
FASTCASE	85,000	-	-	85,000	0%	21,250
TOTAL DIRECT EXPENSES:	112,255	210	5,892	106,363	5%	22,171
INDIRECT EXPENSES:						
SALARY EXPENSE (3.51 FTE)	376,056	32,937	94,929	281,127	25%	(915)
BENEFITS EXPENSE	117,836	9,922	28,078	89,759	24%	1,382
OTHER INDIRECT EXPENSE	84,275	5,525	22,715	61,560	27%	(1,646)
TOTAL INDIRECT EXPENSES:	578,168	48,385	145,722	432,446	25%	(1,180)
TOTAL ALL EXPENSES:	690,423	48,595	151,614	538,808	22%	20,992
NET INCOME (LOSS):	(618,423)	(48,595)	(134,652)	(483,771)	22%	19,954

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
FINANCE						
REVENUE:						
INTEREST INCOME	600,000	68,757	164,859	435,141	27%	14,859
TOTAL REVENUE:	600,000	68,757	164,859	435,141	27%	14,859
DIRECT EXPENSES:						
STAFF TRAVEL/PARKING	3,750	18	421	3,329	11%	516
STAFF CONFERENCE & TRAINING	500	164	303	197	61%	(178)
STAFF MEMBERSHIP DUES	670	-	-	670	0%	168
TOTAL DIRECT EXPENSES:	4,920	182	725	4,195	15%	505
INDIRECT EXPENSES:						
SALARY EXPENSE (6.92 FTE)	755,465	67,417	192,584	562,881	25%	(3,718)
BENEFITS EXPENSE	233,179	20,005	56,313	176,865	24%	1,981
OTHER INDIRECT EXPENSE	166,149	10,934	44,951	121,198	27%	(3,414)
TOTAL INDIRECT EXPENSES:	1,154,793	98,356	293,848	860,944	25%	(5,150)
TOTAL ALL EXPENSES:	1,159,713	98,539	294,573	865,140	25%	(4,645)
NET INCOME (LOSS):	(559,713)	(29,782)	(129,714)	(429,999)	23%	10,214

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
FOUNDATION						
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
CONSULTING SERVICES	3,200	-	-	3,200	0%	800
PRINTING & COPYING	1,000	-	-	1,000	0%	250
STAFF TRAVEL/PARKING	3,000	-	-	3,000	0%	750
SUPPLIES	2,000	-	-	2,000	0%	500
BOARD OF TRUSTEES	3,600	(102)	62	3,538	2%	838
EQUIPMENT/HARDWARE/SOFTWARE	2,400	220	659	1,741	27%	(59)
POSTAGE	400	-	-	400	0%	100
STAFF CONFERENCE & TRAINING	2,200	-	-	2,200	0%	550
TOTAL DIRECT EXPENSES:	17,800	117	721	17,079	4%	3,729
INDIRECT EXPENSES:						
SALARY EXPENSE (1.05 FTE)	106,460	9,334	26,908	79,552	25%	(293)
BENEFITS EXPENSE	34,056	2,882	8,154	25,902	24%	360
OTHER INDIRECT EXPENSE	25,210	1,655	6,805	18,406	27%	(502)
TOTAL INDIRECT EXPENSES:	165,726	13,871	41,867	123,859	25%	(435)
TOTAL ALL EXPENSES:	183,526	13,989	42,587	140,939	23%	3,294
NET INCOME (LOSS):	(183,526)	(13,989)	(42,587)	(140,939)	23%	3,294

Washington State Bar Association

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
HUMAN RESOURCES						
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
STAFF TRAVEL/PARKING	300	-	15	285	5%	60
STAFF MEMBERSHIP DUES	1,000	264	528	472	53%	(278)
SUBSCRIPTIONS	2,000	993	993	1,007	50%	(493)
STAFF TRAINING- GENERAL	36,800	(75)	-	36,800	0%	9,200
RECRUITING AND ADVERTISING	8,000	120	489	7,511	6%	1,511
PAYROLL PROCESSING	50,000	3,467	15,943	34,057	32%	(3,443)
SALARY SURVEYS	1,000	-	-	1,000	0%	250
CONSULTING SERVICES	10,000	-	-	10,000	0%	2,500
STAFF CONFERENCE & TRAINING	2,200	-	71	2,129	3%	479
TRANSFER TO INDIRECT EXPENSE	(111,300)	(4,769)	(18,040)	(93,260)	16%	(9,785)
TOTAL DIRECT EXPENSES:	-	-	-	-		-
INDIRECT EXPENSES:						
SALARY EXPENSE (4.00 FTE)	565,461	45,484	151,734	413,727	27%	(10,368)
ALLOWANCE FOR OPEN POSITIONS	(200,000)	-	-	(200,000)	0%	(50,000)
BENEFITS EXPENSE	113,451	11,863	35,097	78,354	31%	(6,734)
OTHER INDIRECT EXPENSE	96,040	6,318	25,974	70,066	27%	(1,964)
TOTAL INDIRECT EXPENSES:	574,952	63,665	212,805	362,147	37%	(69,067)
TOTAL ALL EXPENSES:	574,952	63,665	212,805	362,147	37%	(69,067)
NET INCOME (LOSS):	(574,952)	(63,665)	(212,805)	(362,147)	37%	(69,067)

Washington State Bar Association

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
LAW CLERK PROGRAM						
REVENUE:						
LAW CLERK FEES	204,000	55,500	67,667	136,333	33%	16,667
LAW CLERK APPLICATION FEES	3,200	300	1,800	1,400	56%	1,000
TOTAL REVENUE:	207,200	55,800	69,467	137,733	34%	17,667
DIRECT EXPENSES:						
SUBSCRIPTIONS	250	-	-	250	0%	63
DEPRECIATION	12,000	-	-	12,000	0%	3,000
CHARACTER & FITNESS INVESTIGATIONS	100	-	-	100	0%	25
LAW CLERK BOARD EXPENSE	8,000	-	1,440	6,560	18%	560
SOFTWARE HOSTING	681	55	166	515	24%	5
LAW CLERK OUTREACH	30,000	-	-	30,000	0%	7,500
TOTAL DIRECT EXPENSES:	51,031	55	1,605	49,426	3%	11,152
INDIRECT EXPENSES:						
SALARY EXPENSE (1.23 FTE)	111,508	9,241	28,261	83,247	25%	(384)
BENEFITS EXPENSE	37,621	3,094	8,757	28,864	23%	648
OTHER INDIRECT EXPENSE	29,532	1,935	7,955	21,577	27%	(572)
TOTAL INDIRECT EXPENSES:	178,661	14,271	44,973	133,688	25%	(308)
TOTAL ALL EXPENSES:	229,692	14,325	46,579	183,113	20%	10,844
NET INCOME (LOSS):	(22,492)	41,475	22,888	(45,380)	-102%	28,511

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	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
LEGISLATIVE						
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
STAFF TRAVEL/PARKING	2,500	18	18	2,482	1%	607
STAFF MEMBERSHIP DUES	200	-	-	200	0%	50
JUD RECOMMEND COMMITTEE	2,250	-	-	2,250	0%	563
SUBSCRIPTIONS	2,000	1,986	1,986	14	99%	(1,486)
TELEPHONE	575	48	144	431	25%	(0)
CONTRACT LOBBYIST	15,000	-	-	15,000	0%	3,750
LEGISLATIVE COMMITTEE	1,250	112	112	1,138	9%	201
BOG LEGISLATIVE COMMITTEE	300	-	-	300	0%	75
STAFF CONFERENCE & TRAINING	2,200	-	2,101	99	95%	(1,551)
TOTAL DIRECT EXPENSES:	26,275	2,164	4,361	21,914	17%	2,208
INDIRECT EXPENSES:						
SALARY EXPENSE (1.70 FTE)	160,438	14,096	40,648	119,790	25%	(539)
BENEFITS EXPENSE	53,043	4,497	12,712	40,331	24%	549
OTHER INDIRECT EXPENSE	40,817	2,681	11,022	29,795	27%	(818)
TOTAL INDIRECT EXPENSES:	254,298	21,274	64,382	189,916	25%	(808)
TOTAL ALL EXPENSES:	280,573	23,438	68,743	211,830	25%	1,400
NET INCOME (LOSS):	(280,573)	(23,438)	(68,743)	(211,830)	25%	1,400

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
LICENSING & MEMBERSHIP RECORDS						
REVENUE:						
STATUS CERTIFICATE FEES	27,000	2,225	8,350	18,650	31%	1,600
INVESTIGATION FEES	20,000	2,600	7,000	13,000	35%	2,000
PRO HAC VICE **	400,000	22,009	91,655	308,345	23%	(8,345)
MEMBER CONTACT INFORMATION	3,000	1,275	2,848	152	95%	2,098
PHOTO BAR CARD SALES	200	36	96	104	48%	46
TOTAL REVENUE:	450,200	28,145	109,950	340,250	24%	(2,600)
DIRECT EXPENSES:						
POSTAGE	17,652	-	89	17,563	1%	4,324
SOFTWARE HOSTING	18,380	1,472	4,412	13,968	24%	183
TOTAL DIRECT EXPENSES:	36,032	1,472	4,501	31,531	12%	4,507
INDIRECT EXPENSES:						
SALARY EXPENSE (4.83 FTE)	515,705	45,501	126,639	389,066	25%	2,288
BENEFITS EXPENSE	158,553	13,439	37,628	120,925	24%	2,010
OTHER INDIRECT EXPENSE	115,968	7,624	31,341	84,627	27%	(2,349)
TOTAL INDIRECT EXPENSES:	790,226	66,564	195,608	594,618	25%	1,949
TOTAL ALL EXPENSES:	826,258	68,036	200,109	626,149	24%	6,456
NET INCOME (LOSS):	(376,058)	(39,891)	(90,159)	(285,899)	24%	3,856

**Budget reallocations apply to this line item. For details, see FY25 Budget Reallocations memo(s) included in the Board of Governors meeting materials.

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
LIMITED LICENSE LEGAL TECHNICIAN PROGRAM						
REVENUE:						
SEMINAR REGISTRATIONS	7,000	-	5,600	1,400	80%	3,850
LLLT LICENSE FEES	17,731	1,304	3,906	13,825	22%	(527)
MCLE LATE FEES	300	-	-	300	0%	(75)
TOTAL REVENUE:	25,031	1,304	9,506	15,525	38%	3,248
DIRECT EXPENSES:						
LLLT BOARD	11,500	-	368	11,132	3%	2,507
LLLT EDUCATION	1,000	-	-	1,000	0%	250
TOTAL DIRECT EXPENSES:	12,500	-	368	12,132	3%	2,757
INDIRECT EXPENSES:						
SALARY EXPENSE (0.66 FTE)	66,030	4,603	15,303	50,726	23%	1,204
BENEFITS EXPENSE	21,211	1,601	4,626	16,585	22%	677
OTHER INDIRECT EXPENSE	15,847	1,049	4,313	11,534	27%	(351)
TOTAL INDIRECT EXPENSES:	103,088	7,254	24,242	78,845	24%	1,529
TOTAL ALL EXPENSES:	115,588	7,254	24,610	90,977	21%	4,287
NET INCOME (LOSS):	(90,557)	(5,949)	(15,104)	(75,453)	17%	7,535

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
LIMITED PRACTICE OFFICERS						
REVENUE:						
INVESTIGATION FEES	300	200	200	100	67%	125
MCLE LATE FEES	4,000	-	150	3,850	4%	(850)
LPO EXAMINATION FEES	23,000	-	8,500	14,500	37%	2,750
LPO LICENSE FEES	160,000	13,098	39,187	120,813	24%	(813)
LPO LATE LICENSE FEES	2,000	-	-	2,000	0%	(500)
TOTAL REVENUE:	189,300	13,298	48,037	141,263	25%	712
DIRECT EXPENSES:						
FACILITY, PARKING, FOOD	9,500	-	-	9,500	0%	2,375
EXAM WRITING	19,000	4,200	4,200	14,800	22%	550
LPO BOARD	4,000	-	-	4,000	0%	1,000
LPO OUTREACH	1,000	-	-	1,000	0%	250
PRINTING & COPYING	200	-	-	200	0%	50
SUPPLIES	200	-	-	200	0%	50
SOFTWARE HOSTING	3,404	273	818	2,586	24%	33
TOTAL DIRECT EXPENSES:	37,304	4,473	5,018	32,286	13%	4,308
INDIRECT EXPENSES:						
SALARY EXPENSE (0.70 FTE)	67,660	4,740	16,404	51,255	24%	511
BENEFITS EXPENSE	22,097	1,659	4,799	17,297	22%	725
OTHER INDIRECT EXPENSE	16,807	1,096	4,505	12,302	27%	(303)
TOTAL INDIRECT EXPENSES:	106,563	7,495	25,708	80,855	24%	932
TOTAL ALL EXPENSES:	143,867	11,968	30,726	113,141	21%	5,241
NET INCOME (LOSS):	45,433	1,330	17,311	28,121	38%	5,953

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
MANDATORY CONTINUING LEGAL EDUCATION						
REVENUE:						
ACTIVITY APPLICATION FEE	600,000	57,000	179,800	420,200	30%	29,800
ACTIVITY APPLICATION LATE FEE	220,000	28,150	79,700	140,300	36%	24,700
MCLE LATE FEES	225,000	1,050	2,400	222,600	1%	(53,850)
ANNUAL ACCREDITED SPONSOR FEES	39,000	250	-	39,000	0%	(9,750)
ATTENDANCE LATE FEES	120,000	15,800	32,700	87,300	27%	2,700
COMITY CERTIFICATES	29,800	8,425	14,100	15,700	47%	6,650
TOTAL REVENUE:	1,233,800	110,675	308,700	925,100	25%	250
DIRECT EXPENSES:						
DEPRECIATION	142,183	12,012	36,036	106,147	25%	(490)
STAFF MEMBERSHIP DUES	500	-	500	-	100%	(375)
MCLE BOARD	4,000	-	992	3,008	25%	8
STAFF TRAVEL/PARKING	50	-	-	50	0%	13
STAFF CONFERENCE & TRAINING	4,600	-	-	4,600	0%	1,150
TOTAL DIRECT EXPENSES:	151,333	12,012	37,528	113,805	25%	305
INDIRECT EXPENSES:						
SALARY EXPENSE (4.78 FTE)	402,008	38,537	109,688	292,320	27%	(9,186)
BENEFITS EXPENSE	136,972	11,825	33,174	103,797	24%	1,069
OTHER INDIRECT EXPENSE	114,768	7,554	31,054	83,714	27%	(2,362)
TOTAL INDIRECT EXPENSES:	653,747	57,915	173,916	479,832	27%	(10,479)
TOTAL ALL EXPENSES:	805,080	69,927	211,444	593,637	26%	(10,174)
NET INCOME (LOSS):	428,720	40,748	97,256	331,463	23%	(9,924)

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MEMBER SERVICES & ENGAGEMENT						
TEAM						
(LLB-MINI-MSE-NME)						
REVENUE:						
ROYALTIES	10,800	1,200	5,150	5,650	48%	2,450
NMP PRODUCT SALES	60,000	45,765	82,119	(22,119)	137%	67,119
DIGITAL VIDEO SALES	25,000	13,083	18,277	6,723	73%	12,027
SPONSORSHIPS	11,500	-	-	11,500	0%	(2,875)
SEMINAR REGISTRATIONS	16,000	-	-	16,000	0%	(4,000)
TRIAL ADVOCACY PROGRAM	15,000	-	-	15,000	0%	(3,750)
TOTAL REVENUE:	138,300	60,048	105,546	32,754	76%	70,971
DIRECT EXPENSES:						
STAFF TRAVEL/PARKING	3,500	-	36	3,464	1%	839
STAFF CONFERENCE & TRAINING	2,200	-	-	2,200	0%	550
SMALL TOWN AND RURAL COMMITTEE	7,500	-	-	7,500	0%	1,875
PRINTING & COPYING	1,600	-	-	1,600	0%	400
NEW LAWYER OUTREACH	1,000	-	-	1,000	0%	250
DISABILITY ACCOMMODATIONS	2,000	-	-	2,000	0%	500
HONORARIUM	1,500	-	-	1,500	0%	375
YLL SECTION PROGRAM	1,300	30	280	1,020	22%	45
SMALL TOWN AND RURAL COMMITTEE OUTREACH AND ACTIVITIES	65,000	-	-	65,000	0%	16,250
ON24 OVERAGE CHARGE	4,500	-	-	4,500	0%	1,125
MEMBER ENGAGEMENT COUNCIL	500	-	-	500	0%	125
WYLC CLE COMPS	1,000	-	-	1,000	0%	250
WYLC OUTREACH EVENTS	5,000	-	-	5,000	0%	1,250
SPEAKERS & PROGRAM DEVELOP	100	-	-	100	0%	25
WYL COMMITTEE	15,000	-	703	14,297	5%	3,047
TRIAL ADVOCACY EXPENSES	1,700	-	-	1,700	0%	425
LAW LIBRARY DESKBOOK ACCESS	10,000	9,311	9,311	689	93%	(6,811)
LAW SCHOOL OUTREACH	500	-	-	500	0%	125
RECEPTION/FORUM EXPENSE	1,000	-	100	900	10%	150
INSURANCE REBATE	(3,375)	-	-	(3,375)	0%	(844)
STAFF MEMBERSHIP DUES	450	-	-	450	0%	113
LENDING LIBRARY	4,000	10	58	3,942	1%	942
NMP SPEAKERS & PROGRAM DEVELOPMENT	250	-	-	250	0%	63
TOTAL DIRECT EXPENSES:	126,225	9,351	10,488	115,737	8%	21,068
INDIRECT EXPENSES:						
SALARY EXPENSE (4.64 FTE)	333,094	25,252	72,177	260,916	22%	11,096
BENEFITS EXPENSE	126,899	10,055	28,289	98,609	22%	3,435
OTHER INDIRECT EXPENSE	111,406	7,321	30,095	81,311	27%	(2,244)
INSURANCE REBATE	(19,016)	-	-	(19,016)	0%	(4,754)
TOTAL INDIRECT EXPENSES:	552,383	42,627	130,562	421,821	24%	7,534
TOTAL ALL EXPENSES:	678,608	51,978	141,050	537,558	21%	28,602
NET INCOME (LOSS):	(540,308)	8,070	(35,504)	(504,803)	7%	99,573

Washington State Bar Association
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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
OFFICE OF THE EXECUTIVE DIRECTOR						
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
LEADERSHIP TRAINING	20,000	-	-	20,000	0%	5,000
WASHINGTON LEADERSHIP INSTITUTE	100,000	-	100,000	-	100%	(75,000)
ED TRAVEL & OUTREACH	6,000	90	396	5,604	7%	1,104
STAFF TRAVEL/PARKING	2,000	197	535	1,465	27%	(35)
STAFF CONFERENCE & TRAINING	8,800	-	1,145	7,655	13%	1,055
STAFF MEMBERSHIP DUES	2,175	-	245	1,930	11%	299
TOTAL DIRECT EXPENSES:	138,975	287	102,322	36,653	74%	(67,578)
INDIRECT EXPENSES:						
SALARY EXPENSE (3.90 FTE)	602,222	52,944	147,591	454,631	25%	2,965
BENEFITS EXPENSE	153,250	13,778	38,267	114,982	25%	45
OTHER INDIRECT EXPENSE	93,639	6,155	25,303	68,336	27%	(1,893)
TOTAL INDIRECT EXPENSES:	849,110	72,877	211,161	637,950	25%	1,117
TOTAL ALL EXPENSES:	988,085	73,163	313,482	674,603	32%	(66,461)
NET INCOME (LOSS):	(988,085)	(73,163)	(313,482)	(674,603)	32%	(66,461)

Washington State Bar Association

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
OFFICE OF GENERAL COUNSEL						
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
STAFF TRAVEL/PARKING	3,500	-	-	3,500	0%	875
STAFF MEMBERSHIP DUES	2,090	-	1,625	465	78%	(1,103)
COURT RULES COMMITTEE	1,000	-	-	1,000	0%	250
CUSTODIANSHIPS	5,000	-	-	5,000	0%	1,250
WILLS	2,000	-	-	2,000	0%	500
LITIGATION EXPENSES	200	-	16	184	8%	34
DISABILITY ACCOMMODATIONS	6,000	-	-	6,000	0%	1,500
STAFF CONFERENCE & TRAINING	6,215	-	-	6,215	0%	1,554
TOTAL DIRECT EXPENSES:	26,005	-	1,641	24,364	6%	4,860
INDIRECT EXPENSES:						
SALARY EXPENSE (5.92 FTE) **	658,437	59,106	171,943	486,494	26%	(7,334)
BENEFITS EXPENSE	201,864	17,261	48,933	152,931	24%	1,533
OTHER INDIRECT EXPENSE	142,139	9,349	38,434	103,705	27%	(2,899)
TOTAL INDIRECT EXPENSES:	1,002,440	85,717	259,309	743,130	26%	(8,699)
TOTAL ALL EXPENSES:	1,028,445	85,717	260,950	767,494	25%	(3,839)
NET INCOME (LOSS):	(1,028,445)	(85,717)	(260,950)	(767,494)	25%	(3,839)

**Budget reallocations apply to this line item. For details, see FY25 Budget Reallocations memo(s) included in the Board of Governors meeting materials.

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
OFFICE OF GENERAL COUNSEL - DISCIPLINARY BOARD						
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSE:						
STAFF MEMBERSHIP DUES	100	-	-	100	0%	25
DISCIPLINARY BOARD EXPENSES	5,000	-	-	5,000	0%	1,250
CHIEF HEARING OFFICER	40,000	3,333	9,999	30,001	25%	1
COURT REPORTERS	25,000	(2,633)	2,849	22,151	11%	3,401
HEARING OFFICER EXPENSES	4,000	-	-	4,000	0%	1,000
HEARING OFFICER TRAINING	1,000	-	-	1,000	0%	250
APPOINTED COUNSEL	50,400	4,200	12,600	37,800	25%	-
DISCIPLINARY SELECTION PANEL	1,000	-	-	1,000	0%	250
STAFF CONFERENCE & TRAINING	2,000	-	-	2,000	0%	500
TOTAL DIRECT EXPENSES:	128,500	4,900	25,448	103,052	20%	6,677
INDIRECT EXPENSES:						
SALARY EXPENSE (1.30 FTE)	125,704	11,096	31,989	93,715	25%	(563)
BENEFITS EXPENSE	41,128	3,502	9,890	31,238	24%	392
OTHER INDIRECT EXPENSE	31,213	2,052	8,434	22,779	27%	(631)
TOTAL INDIRECT EXPENSES:	198,045	16,650	50,314	147,731	25%	(803)
TOTAL ALL EXPENSES:	326,545	21,550	75,762	250,783	23%	5,874
NET INCOME (LOSS):	(326,545)	(21,550)	(75,762)	(250,783)	23%	5,874

Washington State Bar Association

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
PRACTICE OF LAW BOARD						
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
PRACTICE OF LAW BOARD	16,000	-	-	16,000	0%	4,000
TOTAL DIRECT EXPENSES:	16,000	-	-	16,000	0%	4,000
INDIRECT EXPENSES:						
SALARY EXPENSE (0.55 FTE)	47,386	4,167	12,014	35,372	25%	(167)
BENEFITS EXPENSE	16,398	1,390	3,917	12,480	24%	182
OTHER INDIRECT EXPENSE	13,205	863	3,546	9,659	27%	(245)
TOTAL INDIRECT EXPENSES:	76,989	6,420	19,478	57,512	25%	(230)
TOTAL ALL EXPENSES:	92,989	6,420	19,478	73,512	21%	3,770
NET INCOME (LOSS):	(92,989)	(6,420)	(19,478)	(73,512)	21%	3,770

Washington State Bar Association

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
PUBLIC SERVICE PROGRAMS						
REVENUE:						
DONATIONS & GRANTS	132,400	-	-	132,400	0%	(33,100)
TOTAL REVENUE:	132,400	-	-	132,400	0%	(33,100)
DIRECT EXPENSES:						
DONATIONS/SPONSORSHIPS/GRANTS	300,000	32,975	78,441	221,559	26%	(3,441)
STAFF TRAVEL/PARKING	2,000	18	54	1,946	3%	446
PRO BONO & PUBLIC SERVICE COMMITTEE	2,500	-	-	2,500	0%	625
STAFF CONFERENCE & TRAINING	2,200	-	-	2,200	0%	550
PRO BONO CERTIFICATES	4,000	-	-	4,000	0%	1,000
TOTAL DIRECT EXPENSES:	310,700	32,993	78,495	232,205	25%	(820)
INDIRECT EXPENSES:						
SALARY EXPENSE (1.62 FTE)	136,915	11,812	34,061	102,854	25%	168
BENEFITS EXPENSE	47,862	4,015	11,328	36,534	24%	637
OTHER INDIRECT EXPENSE	38,896	2,565	10,543	28,353	27%	(819)
TOTAL INDIRECT EXPENSES:	223,674	18,391	55,932	167,742	25%	(13)
TOTAL ALL EXPENSES:	534,374	51,384	134,427	399,947	25%	(833)
NET INCOME (LOSS):	(401,974)	(51,384)	(134,427)	(267,547)	33%	(33,933)

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
PUBLICATION & DESIGN SERVICES						
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
SUBSCRIPTIONS	200	-	-	200	0%	50
IMAGE LIBRARY	4,800	-	4,756	44	99%	(3,556)
TOTAL DIRECT EXPENSES:	5,000	-	4,756	244	95%	(3,506)
INDIRECT EXPENSES:						
SALARY EXPENSE (0.89 FTE)	76,345	7,064	20,364	55,981	27%	(1,277)
BENEFITS EXPENSE	26,506	2,300	6,484	20,022	24%	142
OTHER INDIRECT EXPENSE	21,369	1,399	5,751	15,618	27%	(408)
TOTAL INDIRECT EXPENSES:	124,220	10,762	32,598	91,621	26%	(1,544)
TOTAL ALL EXPENSES:	129,220	10,762	37,355	91,865	29%	(5,050)
NET INCOME (LOSS):	(129,220)	(10,762)	(37,355)	(91,865)	29%	(5,050)

Washington State Bar Association

Statement of Activities

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

25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REGULATORY SERVICES FTE						
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
STAFF MEMBERSHIP DUES	490	-	490	-	100%	(368)
STAFF CONFERENCE & TRAINING	8,400	-	-	8,400	0%	2,100
STAFF TRAVEL/PARKING	600	18	72	528	12%	78
TOTAL DIRECT EXPENSES:	9,490	18	562	8,928	6%	2,178
INDIRECT EXPENSES:						
SALARY EXPENSE (2.25 FTE)	300,943	25,760	75,181	225,762	25%	54
BENEFITS EXPENSE	84,916	7,157	20,325	64,591	24%	904
OTHER INDIRECT EXPENSE	54,022	3,567	14,664	39,358	27%	(1,159)
TOTAL INDIRECT EXPENSES:	439,881	36,484	110,170	329,711	25%	(200)
TOTAL ALL EXPENSES:	449,371	36,502	110,732	338,639	25%	1,978
NET INCOME (LOSS):	(449,371)	(36,502)	(110,732)	(338,639)	25%	1,610

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
REGULATORY REFORM						
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
CONSULTING SERVICES	42,500	-	1,323	41,177	3%	9,302
TOTAL DIRECT EXPENSES:	42,500	-	1,323	41,177	3%	-
INDIRECT EXPENSES:						
SALARY EXPENSE (0.75 FTE)	109,615	9,605	27,692	81,923	25%	(288)
BENEFITS EXPENSE	29,839	2,564	7,272	22,567	24%	187
OTHER INDIRECT EXPENSE	18,007	1,189	4,888	13,119	27%	(386)
TOTAL INDIRECT EXPENSES:	157,462	13,358	39,853	117,609	25%	(487)
TOTAL ALL EXPENSES:	199,962	13,358	41,175	158,787	21%	(487)
NET INCOME (LOSS):	(199,962)	(13,358)	(41,175)	(158,787)	21%	8,815

Washington State Bar Association

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
SERVICE CENTER						
REVENUE:						
	_____	_____	_____	_____	_____	_____
TOTAL REVENUE:	-	-	-	-	-	-
DIRECT EXPENSES:						
	_____	_____	_____	_____	_____	_____
STAFF TRAVEL/PARKING	2,376	197	517	1,859	22%	77
STAFF CONFERENCE & TRAINING	677	-	-	677	0%	169
TOTAL DIRECT EXPENSES:	3,053	197	517	2,536	17%	246
INDIRECT EXPENSES:						
SALARY EXPENSE (5.78 FTE)	427,125	33,786	103,590	323,535	24%	3,191
BENEFITS EXPENSE	160,271	12,969	37,506	122,766	23%	2,562
OTHER INDIRECT EXPENSE	138,778	9,162	37,667	101,111	27%	(2,973)
TOTAL INDIRECT EXPENSES:	726,174	55,918	178,763	547,411	25%	2,781
TOTAL ALL EXPENSES:	729,227	56,115	179,280	549,947	25%	3,027
NET INCOME (LOSS):	(729,227)	(56,115)	(179,280)	(549,947)	25%	3,027

Washington State Bar Association

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
SECTIONS ADMINISTRATION						
REVENUE:						
REIMBURSEMENTS FROM SECTIONS	275,000	-	94,080	180,920	34%	25,330
TOTAL REVENUE:	275,000	-	94,080	180,920	34%	25,330
DIRECT EXPENSES:						
STAFF TRAVEL/PARKING	1,500	-	-	1,500	0%	375
SECTION/COMMITTEE CHAIR MTGS	700	-	-	700	0%	175
STAFF MEMBERSHIP DUES	200	-	-	200	0%	50
TOTAL DIRECT EXPENSES:	2,400	-	-	2,400	0%	600
INDIRECT EXPENSES:						
SALARY EXPENSE (2.53 FTE)	169,092	13,480	38,553	130,538	23%	3,720
BENEFITS EXPENSE	67,073	5,476	15,319	51,754	23%	1,449
OTHER INDIRECT EXPENSE	60,745	4,033	16,581	44,164	27%	(1,395)
TOTAL INDIRECT EXPENSES:	296,910	22,989	70,453	226,456	24%	3,774
TOTAL ALL EXPENSES:	299,310	22,989	70,453	228,856	24%	4,374
NET INCOME (LOSS):	(24,310)	(22,989)	23,627	(47,937)	-97%	29,704

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
SECTIONS OPERATIONS						
REVENUE:						
SECTION DUES	438,280	-	145,514	292,767	33%	35,944
SEMINAR PROFIT SHARE	159,700	-	-	159,700	0%	(39,925)
INTEREST INCOME	2,050	-	-	2,050	0%	(513)
PUBLICATIONS REVENUE	1,250	-	-	1,250	0%	(313)
OTHER	44,203	5,245	13,160	31,043	30%	2,109
TOTAL REVENUE:	645,483	5,245	158,674	486,810	25%	(2,697)
DIRECT EXPENSES:						
DIRECT EXPENSES OF SECTION ACTIVITIES	759,773	14,697	85,920	673,853	11%	104,023
REIMBURSEMENT TO WSBA FOR INDIRECT EXPENSES	280,433	-	94,080	186,352	34%	(23,972)
TOTAL DIRECT EXPENSES:	1,040,206	14,697	180,001	860,205	17%	80,051
NET INCOME (LOSS):	(394,722)	(9,452)	(21,327)	(373,395)	5%	77,354

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
TECHNOLOGY						
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
CONSULTING SERVICES	115,000	8,315	46,500	68,500	40%	(17,750)
STAFF TRAVEL/PARKING	1,000	18	54	946	5%	196
STAFF MEMBERSHIP DUES	300	-	-	300	0%	75
TELEPHONE	90,000	6,701	22,582	67,418	25%	(82)
COMPUTER HARDWARE	66,200	2,242	15,265	50,935	23%	1,285
COMPUTER SOFTWARE	530,000	1,971	198,781	331,219	38%	(66,281)
HARDWARE SERVICE & WARRANTIES	50,000	-	21,699	28,301	43%	(9,199)
SOFTWARE MAINTENANCE & LICENSING	380,000	1,719	111,270	268,730	29%	(16,270)
THIRD PARTY SERVICES	65,000	521	1,012	63,988	2%	15,238
CLOUD INFRASTRUCTURE	130,000	3,969	8,025	121,975	6%	24,475
STAFF CONFERENCE & TRAINING	6,000	-	-	6,000	0%	1,500
TRANSFER TO INDIRECT EXPENSES	(1,433,500)	(25,456)	(425,189)	(1,008,311)	30%	66,814
TOTAL DIRECT EXPENSES:	-	-	-	-		-
INDIRECT EXPENSES:						
SALARY EXPENSE (12.00 FTE)	1,414,575	122,007	362,291	1,052,285	26%	(8,647)
BENEFITS EXPENSE	420,473	33,321	94,301	326,172	22%	10,817
CAPITAL LABOR & OVERHEAD	(75,000)	(9,215)	(21,979)	(53,021)	29%	(3,229)
OTHER INDIRECT EXPENSE	288,120	19,001	78,113	210,007	27%	(6,083)
TOTAL INDIRECT EXPENSES:	2,048,168	165,114	512,726	1,535,442	25%	(7,142)
TOTAL ALL EXPENSES:	2,048,168	165,114	512,726	1,535,442	25%	(7,142)
NET INCOME (LOSS):	(2,048,168)	(165,114)	(512,726)	(1,535,442)	25%	(684)

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25% OF YEAR COMPLETE

	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
VOLUNTEER ENGAGEMENT						
REVENUE:						
TOTAL REVENUE:	-	-	-	-		-
DIRECT EXPENSES:						
POSTAGE	600	-	468	132	78%	(318)
STAFF MEMBERSHIP DUES	450	-	75	375	17%	38
STAFF CONFERENCE & TRAINING	5,200	-	135	5,065	3%	1,165
SUBSCRIPTIONS	816	-	358	458	44%	(154)
REGULATORY SCHOOL	45,000	-	5,102	39,898	11%	6,148
ABA DELEGATES	16,000	-	-	16,000	0%	4,000
TOTAL DIRECT EXPENSES:	68,066	-	6,138	61,928	9%	10,878
INDIRECT EXPENSES:						
SALARY EXPENSE (1.70 FTE)	150,680	12,807	25,091	125,588	17%	12,578
BENEFITS EXPENSE	51,454	4,294	10,131	41,324	20%	2,733
OTHER INDIRECT EXPENSE	40,817	2,704	11,118	29,699	27%	(914)
TOTAL INDIRECT EXPENSES:	242,951	19,806	46,340	196,611	19%	14,397
TOTAL ALL EXPENSES:	311,017	19,806	52,478	258,539	17%	14,397
NET INCOME (LOSS):	(311,017)	(19,806)	(52,478)	(258,539)	17%	25,276

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	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF BUDGET	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
INDIRECT EXPENSES:						
SALARIES	14,691,362	1,236,778	3,548,153	11,143,209	24%	124,687
TEMPORARY SALARIES	238,085	39,802	145,553	92,533	61%	(86,031)
CAPITAL LABOR & OVERHEAD	(75,000)	(9,215)	(21,979)	(53,021)	29%	3,229
ALLOWANCE FOR OPEN POSITIONS	(200,000)	-	-	(200,000)	0%	(50,000)
INSURANCE REBATE	(19,016)	-	-	(19,016)	0%	(4,754)
EMPLOYEE ASSISTANCE PLAN	4,800	-	-	4,800	0%	1,200
EMPLOYEE SERVICE AWARDS	2,610	80	750	1,860	29%	(98)
FICA (EMPLOYER PORTION)	1,110,604	85,396	258,507	852,097	23%	19,144
L&I INSURANCE	72,277	14,945	14,945	57,333	21%	3,125
WA STATE FAMILY MEDICAL LEAVE (EMPLO	33,182	2,365	7,190	25,991	22%	1,105
MEDICAL (EMPLOYER PORTION)	2,057,482	162,887	488,046	1,569,436	24%	26,325
RETIREMENT (EMPLOYER PORTION)	1,322,122	105,714	315,126	1,006,995	24%	15,404
TRANSPORTATION ALLOWANCE	34,000	22,234	22,820	11,180	67%	(14,320)
UNEMPLOYMENT INSURANCE	71,794	1,952	8,155	63,639	11%	9,794
TOTAL SALARY & BENEFITS EXPENSE:	19,344,303	1,662,936	4,787,265	14,557,037	25%	48,810
WORKPLACE BENEFITS	56,400	1,428	4,731	51,669	8%	9,369
HUMAN RESOURCES POOLED EXP	111,300	4,769	18,040	93,260	16%	9,785
MEETING SUPPORT EXPENSES	9,950	260	2,230	7,720	22%	258
RENT	900,000	79,637	225,847	674,153	25%	(847)
MOVE / DOWNSIZE EXPENSES	-	15,194	15,194	(15,194)		(15,194)
PERSONAL PROP TAXES-WSBA	8,400	541	1,623	6,777	19%	477
FURNITURE, MAINT, LH IMP	75,617	14,242	28,199	47,418	37%	(9,295)
OFFICE SUPPLIES & EQUIPMENT	22,164	769	4,114	18,050	19%	1,427
FURN & OFFICE EQUIP DEPRECIATION	112,375	9,606	28,209	84,166	25%	(115)
COMPUTER HARDWARE DEPRECIATION	42,000	2,955	9,102	32,898	22%	1,398
COMPUTER SOFTWARE DEPRECIATION	18,067	3,717	13,938	4,129	77%	(9,421)
INSURANCE	288,200	21,710	65,130	223,070	23%	6,920
WORK HOME FURNITURE & EQUIP	14,000	-	1,030	12,970	7%	2,470
PROFESSIONAL FEES-AUDIT	41,000	24,600	34,500	6,500	84%	(24,250)
PROFESSIONAL FEES-LEGAL	200,000	3,787	21,046	178,954	11%	28,954
ONLINE LEGAL RESEARCH	77,900	11,155	26,812	51,088	34%	(7,337)
ACCOMODATIONS FUND	6,500	-	-	6,500	0%	1,625
TRANSLATION SERVICES	12,000	494	1,651	10,349	14%	1,349
TELEPHONE & INTERNET	33,600	2,580	8,120	25,480	24%	280
POSTAGE - GENERAL	15,500	676	1,583	13,917	10%	2,292
RECORDS STORAGE	10,000	3,544	12,105	(2,105)	121%	(9,605)
BANK FEES	40,000	2,284	6,025	33,975	15%	3,975
PRODUCTION MAINTENANCE & SUPPLIES	13,000	3,739	4,028	8,972	31%	(778)
COMPUTER POOLED EXPENSES	1,433,500	25,456	425,189	1,008,311	30%	(66,814)
TOTAL OTHER INDIRECT EXPENSES:	3,541,473	233,141	958,445	2,583,028	27%	(73,077)
TOTAL INDIRECT EXPENSES:	22,885,776	1,896,078	5,745,711	17,140,065	25%	(24,267)

Washington State Bar Association

Statement of Activities

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

25% OF YEAR COMPLETE

SUMMARY PAGE	FISCAL 2025 BUDGET	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE
ACCESS TO JUSTICE	(390,330)	(21,202)	(113,974)	(276,356)
ADMISSIONS/BAR EXAM	93,849	(33,913)	233,298	(139,450)
ADVANCEMENT FTE	(389,588)	(32,064)	(94,764)	(294,824)
BAR NEWS	(124,336)	12,410	(12,092)	(112,244)
BOARD OF GOVERNORS	(547,213)	(17,836)	(107,931)	(439,282)
CLE - PRODUCTS	699,820	279,070	412,525	287,296
CLE - SEMINARS	(433,917)	(13,958)	(73,888)	(360,029)
CLIENT PROTECTION FUND	241,176	136,940	227,670	13,505
CHARACTER & FITNESS BOARD	(173,905)	(15,851)	(39,665)	(134,239)
COMMUNICATIONS	(961,077)	(51,785)	(168,435)	(792,642)
COMMUNICATIONS FTE	(249,012)	(21,425)	(63,556)	(185,456)
DESKBOOKS	(200,902)	(23,375)	(70,544)	(130,358)
DISCIPLINE	(6,402,254)	(521,662)	(1,571,879)	(4,830,374)
DIVERSITY	(307,805)	(30,509)	(92,936)	(214,868)
FINANCE	(559,713)	(29,782)	(129,714)	(429,999)
FOUNDATION	(183,526)	(13,989)	(42,587)	(140,939)
HUMAN RESOURCES	(574,952)	(63,665)	(212,805)	(362,147)
LAW CLERK PROGRAM	(22,492)	41,475	22,888	(45,380)
LEGISLATIVE	(280,573)	(23,438)	(68,743)	(211,830)
LEGAL LUNCHBOX	(4,917)	8,725	4,919	(9,836)
LICENSE FEES	17,492,616	1,392,677	4,170,225	13,322,391
LICENSING AND MEMBERSHIP	(376,058)	(39,891)	(90,159)	(285,899)
LIMITED LICENSE LEGAL TECHNICIAN	(90,557)	(5,949)	(15,104)	(75,453)
LIMITED PRACTICE OFFICERS	45,433	1,330	17,311	28,121
MANDATORY CLE ADMINISTRATION	428,720	40,748	97,256	331,463
MEMBER WELLNESS PROGRAM	(229,651)	(19,063)	(58,152)	(171,499)
MINI CLE	(119,503)	(9,872)	(30,161)	(89,342)
MEMBER SERVICES & ENGAGEMENT	(395,069)	(27,786)	(65,374)	(329,694)
NEW MEMBER EDUCATION	(20,818)	37,002	55,112	(75,931)
OFFICE OF GENERAL COUNSEL	(1,028,445)	(85,717)	(260,950)	(767,494)
OFFICE OF THE EXECUTIVE DIRECTOR	(988,085)	(73,163)	(313,482)	(674,603)
OGC-DISCIPLINARY BOARD	(326,545)	(21,550)	(75,762)	(250,783)
PRACTICE OF LAW BOARD	(92,989)	(6,420)	(19,478)	(73,512)
PRACTICE MANAGEMENT ASSISTANCE	(173,653)	(11,870)	(22,357)	(151,296)
PROFESSIONAL RESPONSIBILITY PROGRAM	(215,119)	(17,661)	(54,143)	(160,976)
PUBLIC SERVICE PROGRAMS	(401,974)	(51,384)	(134,427)	(267,547)
PUBLICATION & DESIGN SERVICES	(129,220)	(10,762)	(37,355)	(91,865)
REGULATORY SERVICES FTE	(449,371)	(36,502)	(110,732)	(338,639)
REGULATORY REFORM	(199,962)	(13,358)	(41,175)	(158,787)
SECTIONS ADMINISTRATION	(24,310)	(22,989)	23,627	(47,937)
SECTIONS OPERATIONS	(394,722)	(9,452)	(21,327)	(373,395)
SERVICE CENTER	(729,227)	(56,115)	(179,280)	(549,947)
TECHNOLOGY	(2,048,168)	(165,114)	(512,726)	(1,535,442)
VOLUNTEER EDUCATION	(311,017)	(19,806)	(52,478)	(258,539)
INDIRECT EXPENSES	22,885,776	1,896,078	5,745,711	17,140,065
TOTAL OF ALL	(21,336,416)	(2,227,576)	(6,052,407)	(15,284,008)
NET INCOME (LOSS)	(1,549,360)	331,498	306,696	(1,856,056)

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 ¹	Yes	Majority
2. Adjourn	Closes the meeting	No	Yes	No	No	Majority
3. Recess	Establishes a brief break	No	Yes	No ²	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 ³
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 ⁴	No	Majority
12. Amend a motion or resolution (primary amendment)	Proposes a change to a main motion	No	Yes	Yes ⁴	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



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

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



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RE: Amicus Request for Perkins Coie EO Lawsuit

DISCUSSION: Whether to authorize WSBA to file an amicus curiae brief in the above matter.

Background: On March 6, 2025, an Executive Order (EO) titled “[Addressing Risks from Perkins Coie LLP](#)” was issued. In response, Perkins Coie filed [suit](#) in the US District Court for the District of Columbia on March 11, 2025, asserting nine claims challenging the EO and requesting a Temporary Restraining Order (TRO). The nine claims generally fall into three categories: Separation of Powers/Due Process; Denial of First Amendment/Equal Protection Rights; Claims on Behalf of Clients. The district court granted Perkin’s motion for a TRO on March 14, 2025. Judge Howell concluded that Perkins was likely to succeed on the merits. She specifically noted that it appeared to be viewpoint discrimination and retaliation under the First Amendment, and also that it likely violated Perkins’ due process rights. The court also ordered an accelerated dispositive briefing schedule:

- Opening dispositive briefs are due April 2
- Responses: April 16
- Replies: April 18

Multiple WSBA members have informally requested that WSBA file an amicus curiae brief in the Perkins case. Under the D.D.C. local rules, an amicus brief needs to be filed “in a timely manner such that it does not unduly delay the Court’s ability to rule on any pending matter.” LCivR7(o).

Amicus Policy (Policy): In 2017, the WSBA Board of Governors approved an [Amicus Curiae Brief Policy](#). The Policy sets forth a detailed procedure for a private party to bring an amicus request before the BOG. The request should include among other things: the statement of the legal issue(s) to be addressed, a survey of the significant cases that address the issue(s), an explanation of how the legal issue(s) pertain to the participation criteria, and relevant deadlines. The BOG has not received such a request from a private party.

WSBA Bylaw IV. A states “Subject to the plenary authority and supervision of the Washington Supreme Court and limitations imposed by Statute, Court Rule, Court Order, or case law, **the Board possesses all power and discretion on all matters concerning the WSBA. . . . The Board’s authority is retained and may be exercised at any time upon a majority vote of the Board.**” Under this broad grant of authority, it is reasonable that the BOG can act without receiving a request from a private party. Similarly, the BOG could choose not to act unless it receives a request from a private party that complies with the Policy.

If the BOG chooses to consider whether to authorize the filing of an amicus curiae brief, the Policy sets forth helpful principles and criteria for guiding that decision:

- 1) *Executive Committee Oversight* – the Policy contemplates that private party requests are first reviewed by the Executive Committee, who then provides a recommendation to the BOG. At a March 18, 2025 meeting of the Executive Committee, without a formal private party request for it to consider, the Committee voted to instead bring this issue before the BOG for full discussion, without a recommendation. Under the Policy, when a brief is authorized, the Executive Committee is charged with overseeing and assisting with the preparation and filing of the brief, and the BOG President (or her designee) is to sign the brief, along with the brief’s author.
- 2) *Criteria for Participation* – the Policy requires that the case must concern itself with issues of substantial interest to the Bar. Following the Policy criteria when deciding about amicus curiae participation is advisable because the criteria address the substance of the request as opposed to the process of making a request.
- 3) *Limiting factors* – the Policy calls for the BOG to decline to participate as amicus if the briefs which have already been submitted have provided a “complete picture to the court” of the issues which impact the Bar. In other words, have the issues already been fully developed? Further, absent undefined “exceptional circumstances” the Policy prohibits the Bar from participation as amicus curiae at the trial court level.
- 4) *Other factors* – the Policy also recommends consideration of costs to the Bar, whether time will be allotted to oral argument, whether a high quality brief can be prepared within the timeline, and any other factors the BOG deems relevant.

Application of Policy Participation Criteria to the Perkins Coie EO Lawsuit

- 1) *Executive Committee Oversight* – the BOG will need to determine if the Executive Committee is prepared to oversee and assist with the preparation and filing of the brief. This does not mean that the Executive Committee is itself responsible for drafting the brief. The BOG is free to hire outside counsel or engage a WSBA volunteer lawyer.
- 2) *Criteria for Participation* - as to the Perkins case, several criteria for participation are met: the case concerns 1) the independence or integrity of the judiciary or the Bar, 2) effectiveness or accessibility of the legal system; and 3) the practice or business of law. The case also addresses Perkins’ DEI work and that is another possible criterion for participation.
- 3) *Limiting factors* – these factors are likely key to the BOG’s determination.
 - a. **Regarding whether the issues which impact the Bar have already been fully developed by the submitted briefs**, one amicus brief was filed before the district court granted the TRO. Amici are the Attorneys General of 21 states (plus D.C.). Their brief for the TRO took the position that the EO threatens the entire legal profession: “It is a menacing message to attorneys nationwide: unless they advance positions or represent clients favorable to the current administration, their livelihood may be at risk and their patriotism will be called into question.” The brief cites several publications from bar associations in support of the rule of law and lawyers representing clients even if those clients are disfavored. The brief does not engage very substantively with any of Perkins’ claims and is focused more on policy arguments regarding the importance of an independent legal profession and the rule of law. Some points that could be developed more would be the role of bar associations in serving both the public and members of the bar both by regulating the legal industry and by

supporting lawyers with resources; the work done by bar associations to ensure that the legal industry operates professionally and ethically; the role that bar associations play in protecting clients by holding attorneys to professional standards, and how this is done in a nonpartisan and even-handed manner in order to instill confidence in the legal profession; and explain how bar associations also exist to protect clients by regulating the legal industry. Finally, an amicus could also focus on lawyers' ethical obligations as set forth in the preambles of both the Model Rules and Washington State's Rules of Professional Conduct which call upon lawyers to protect the independence of the judiciary and legal profession as an important force in preserving government under law.

- b. **Regarding filing an amicus brief at the trial court level**, this is somewhat unusual and clearly disfavored by the Policy. Although rare, filing at the trial court level does happen in high-profile cases, as seen by the Attorney Generals filing. The amicus brief filed by the Attorneys General was submitted prior to the TRO. It is likely that whatever decision is made on the dispositive motions will be immediately appealed. Waiting until the issues are framed on appeal following the court's decisions on the dispositive motions may allow the BOG to better determine whether there are issues of impact to the Washington State Bar that need to be further developed.
- 4) *Other factors* –The timeline to meet the mid-April filing deadlines also needs to be considered in terms of whether the issues of impact to the Bar can be adequately fleshed out and a high-quality brief prepared within that timeframe. Last, when a private party brings a request for an amicus curiae brief to the Bar, the Policy calls for the request to be posted on the Bar's website and sent to appropriate Bar sections and committees, all to invite comment on the request. The impending deadlines do not provide time to receive such comment from members and may result in member dissatisfaction.

WSBA RISK ANALYSIS: This section is to be completed by the Office of General Counsel, with input from the proposing entity or individual.

Provided in 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 of the proposal would primarily be to hire outside counsel to assist with drafting the brief. The estimated cost is up to \$18,000, which can be supported through existing funds in the "Professional Fees-Legal" budget. Additionally, a minimal amount of staff time would be used to work with outside counsel and handle administrative matters related to the proposal. The staff time that would be allocated to this work is included in the overall duties of existing WSBA staff and would 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 purpose of the equity analysis is to understand how entities incorporated an equity lens into the action items presented to the Board of Governors. Applying an equity lens includes 1) identifying and centering people and communities most impacted by decisions and/or 2) meeting people and communities according to their specific needs to produce fair and equal outcomes for all. This equity analysis includes the following aspects of the question of whether to file an amicus brief in the matter of the Perkins Coie Executive Order lawsuit: 1) the decision to file an amicus brief and the criteria for participation; 2) whether to make an exception that warrants filing at the trial court level; and 3) whether the issues the Bar could submit in an amicus brief have already been addressed by briefs already filed.

Decision to file or not: The Perkins Coie case is one of substantial interest to the Bar, namely it concerns the independence and integrity of the Bar, the effectiveness and accessibility of the legal system, the practice and business of law and diversity and equality in the legal profession (which are four of five criteria for participation in amicus). The impact of filing an amicus brief can be weighed against the consequences of inaction. At stake is the WSBA fulfilling its purpose and objectives to ensure that legal professionals can practice effectively and ethically independent of political association, to advance diversity and inclusion in the legal profession and freedom from discrimination from those receiving legal services and in the justice system, and to provide the public with meaningful access to justice. Filing an amicus brief will not only help WSBA fulfill its many purposes outlined in GR 12.1 and GR 12.2, but it will enhance the trustworthiness of the WSBA among its members and the public, reinforcing the Board of Governors' recent statement in support of an independent legal profession free from government retaliation. Generally speaking, drivers of confidence and trust in public institutions include effectiveness, fairness and responsiveness. Failure to proactively weigh in on a case that significantly threatens the rights and interests of the entire legal profession may undermine the perception of effectiveness, fairness, and responsiveness of the WSBA that can ultimately result in greater member and public mistrust. Silence in the face of an executive action that selectively targets a law firm based on its clients risks legitimizing government interference in legal representation, which has broader consequences for equity and justice.

Filing at the trial court level: This case is an exceptional circumstance that warrants participation as amicus curiae at the trial court level because of the chilling effect the executive order may already have on the legal profession which would impact the public's access to legal services and justice and hamper their trust in the legal system.

Issues that a WSBA amicus brief could include that is not already in filed briefs: While the Attorney General's amicus brief speaks to the Executive Order's threat to the legal profession, it does not engage substantively with the claims. For example, the WSBA amicus brief could include how vital equal protection rights of a law firm and their clients are to an independent legal profession. Further, a WSBA amicus could speak to the Bar's role in ethically regulating the legal profession as well as the potential impacts of the Executive Order upon diversity, equity and inclusion in the legal profession. A WSBA amicus could draw the connections between the impact of politically motivated attacks on independent legal representation, the diversity, equity and inclusion in the legal profession, and the public's meaningful access to justice. For example, impacts of the Executive Order may include legal professionals or prospective legal professionals, including those from underrepresented communities, being discouraged from taking on civil rights, public interest, or politically sensitive cases that represent their communities' interests. In turn, this might further erode public trust in the legal profession, an issue directly relevant to the Bar's purpose.

MEMO

To: Terra Nevitt, WSBA Executive Director
From: Douglas J. Ende, WSBA Chief Disciplinary Counsel & Director of the Office of Disciplinary Counsel
Date: February 19, 2025
Re: Quarterly Discipline Report, 4th Quarter (October – December) 2024

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 4th 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. REMINDER: Limitations on Governor/Officer Involvement in Discipline Matters

By rule, the Supreme Court has expressly restricted the involvement of Governors, Officers, and the Executive Director in investigative, prosecutorial, or adjudicative decisions in the discipline system. The BOG does not have right or responsibility to review or influence decisions or recommendations in individual discipline/disability cases. Rule for Enforcement of Lawyer Conduct (ELC) 2.2(b). Accordingly, the BOG does not adopt disciplinary policies that constrain or alter the discretion of disciplinary counsel or other constituents of the discipline system with respect to the handling of individual matters. Inquiries or complaints about the handling of particular grievances or cases (from licensed legal professionals or grievants) should immediately be referred to the Chief Disciplinary Counsel and/or WSBA General Counsel and should not be responded to directly. Current and former members of the Board of Governors, Executive Directors, and Officers cannot knowingly advise or represent individuals regarding pending or likely disciplinary grievances or proceedings. ELC 2.14.

C. 2024 Public Dispositions & Other Information¹

- **Public Dispositions**

Disbarments (8):

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
Lee Howard Rousso, #33340
Robert Jess Taylor-Manning, #21890

Suspensions (14):

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-year suspension (*Stipulation*)
Ivan Culbertson, #34062, 30-day suspension (*Stipulation*)
Michael Olufemi Ewetuga, #37596, 6-month suspension
Richard Charles Greiner, #13230, 3-year suspension (*Stipulation*)
Kevin Thomas Helenius, #11064, 90-day suspension (*Stipulation*)
Neil Edward Humphries, #2737, 60-day suspension (*Stipulation*)
F. Dana Kelley, #17460, 30-day suspension (*Stipulation*)
Benjamin David Kerr, #41442, 12-month suspension (*Stipulation*)
James Dewitt McBride II, #1603, 1-year suspension
Mike Mocerri, #47787, 18-month suspension
Terence Kain Wong, #24502, 12-month suspension (*Stipulation*)

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*)

¹ Names in red font denote discipline occurring in the current reporting quarter.

Resignations in Lieu of Discipline (9):

Nicholas George, #20490
Ajili Hodari, #37251
Robert Scott Huff, #20507
Hugo Cornelius Johnson, #45342
Robert Kovacevich, #2723
Ralph Howard Palumbo, #4751
Charles Wade Peach, #13744
Steven Tanijo, #40060
Julie A. Vance, #32189

Reciprocal Discipline (13):

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)
Frank Benjamin Inglis, #7080, Disbarment (California)
James Mills, #53561, Disbarment (Oregon)
Jean Ann Abrahamson Pirzadeh, # 31080, 1-year Suspension (Colorado)
Daniel Robert Reitman, #26165, Reprimand (Oregon)
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 (7):**

ELC 7.1: Interim Suspension for Conviction of a Crime

Lavette Nadine Holman, #41588
Lee Howard Rousso, #33340

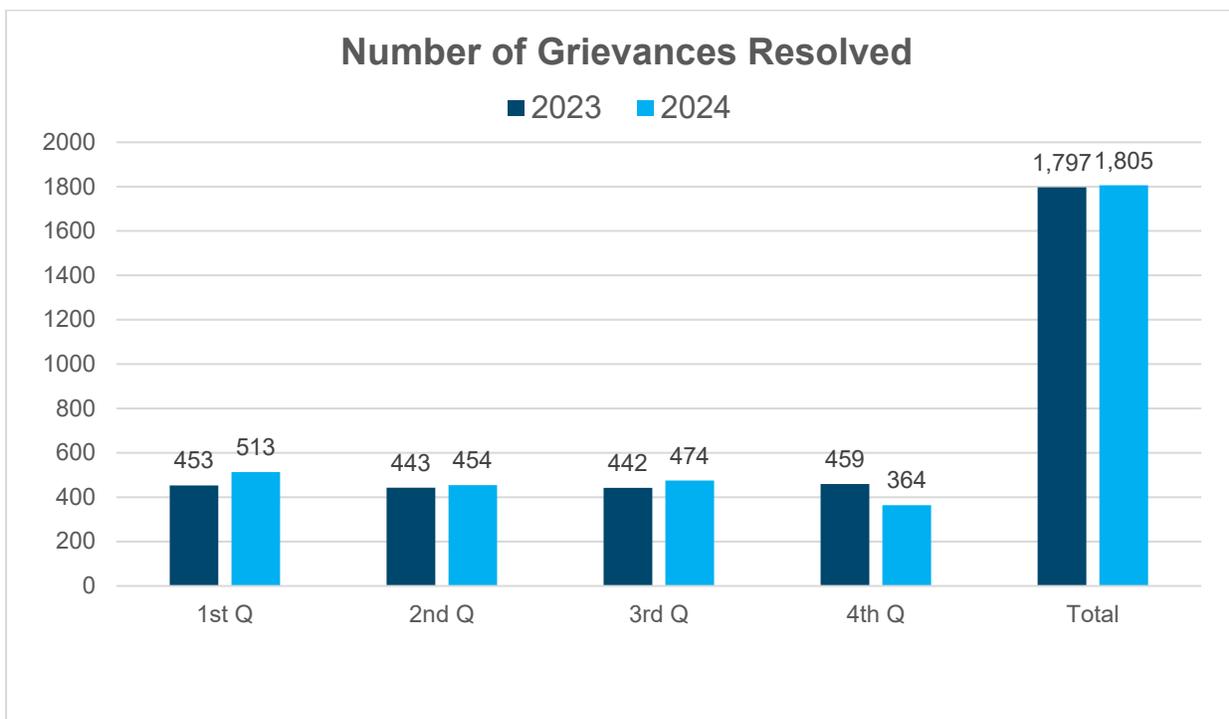
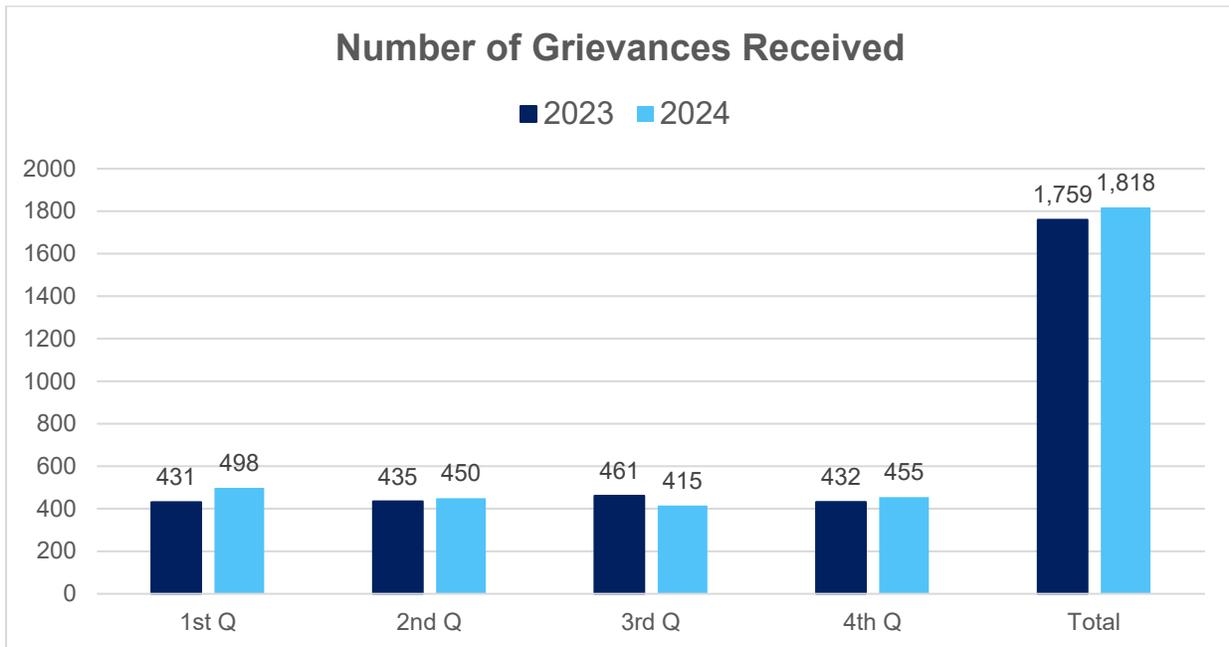
ELC 7.2: Interim Suspension in Other Circumstances

Christina Elaine King, #39431
Nathan L. McAllister, #37964
Jeremiah Spencer Styles, #49543

ELC 7.3: Automatic Suspension When Respondent Asserting Incapacity

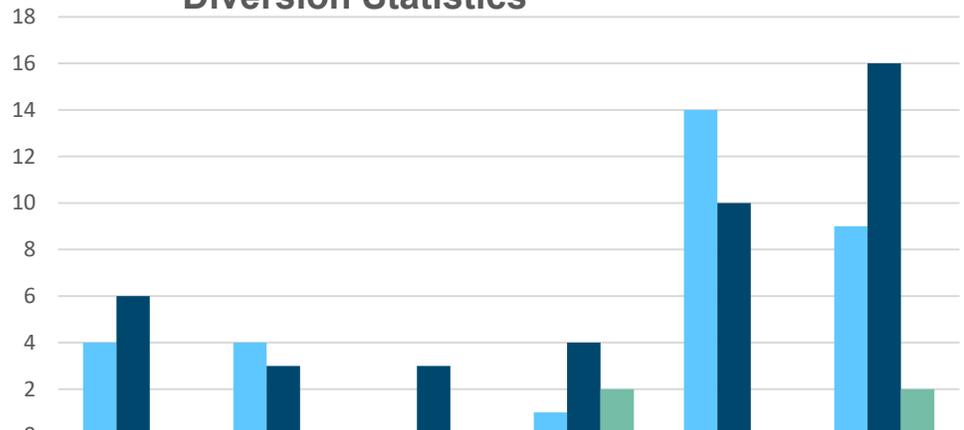
Linda Beryl Lee, #10762
Matthew John Ley, #46074

D. Grievances and Dispositions²



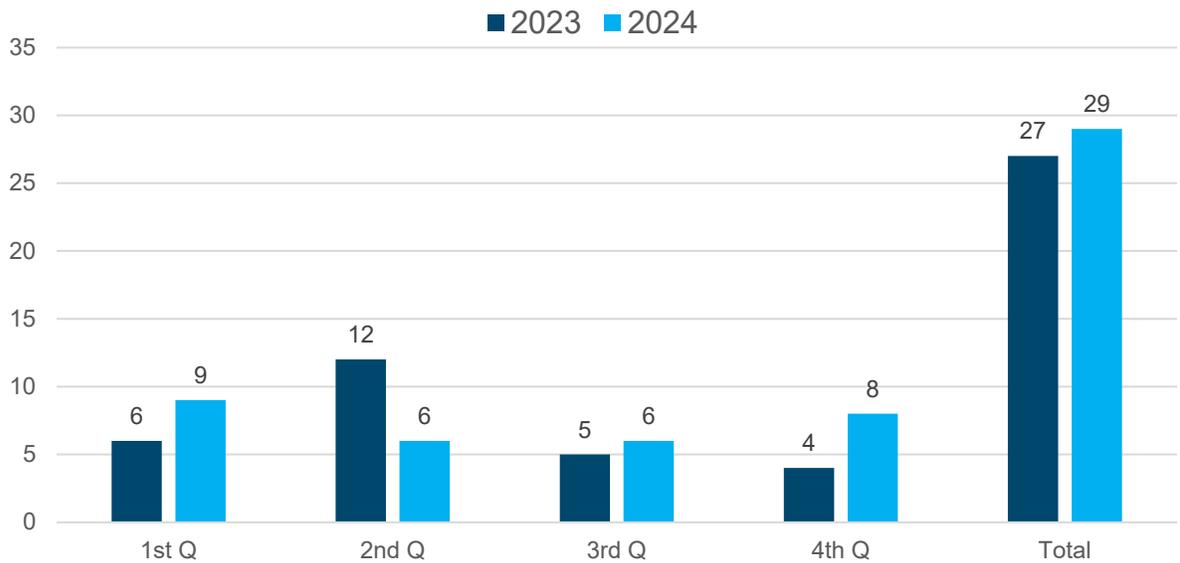
² These figures may vary from future quarterly reports and statistical summaries owing to limitations on data availability at the time of issuance of these quarterly reports.

Diversion Statistics



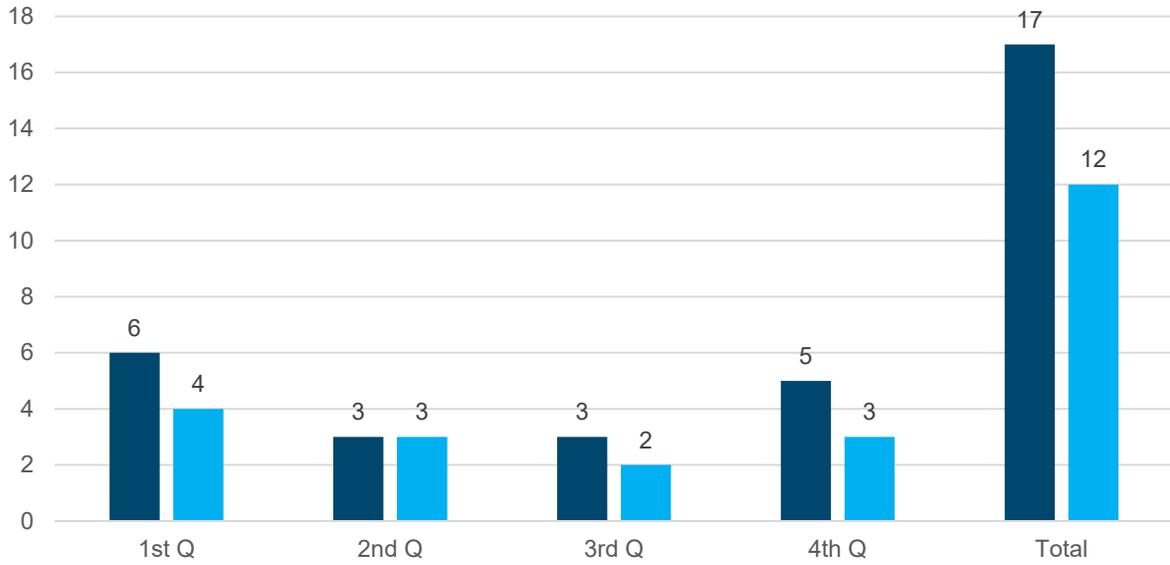
	1st Q 2024	2nd Q 2024	3rd Q 2024	4th Q 2024	2023 TOTAL	2024 TOTAL
New Diversion Files	4	4	0	1	14	9
Completed Diversion Files	6	3	3	4	10	16
Terminated Diversion Files	0	0	0	2	0	2

Formal Complaints Filed



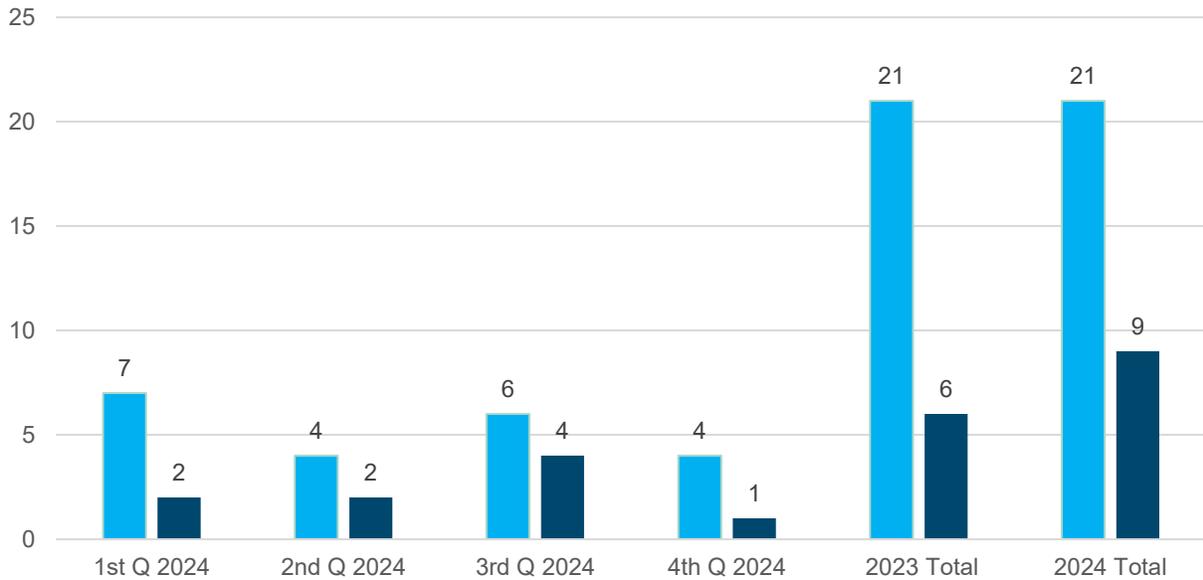
Reciprocal Discipline Files Opened

■ 2023 ■ 2024



Stipulations and Resignations in Lieu

■ Stipulation ■ Resignation in Lieu



Hearings Held ³	Quarter Total
1 st Quarter	2
2 nd Quarter	1
3 rd Quarter	3
4 th Quarter	2
2024 Total	8
2023 Total	5

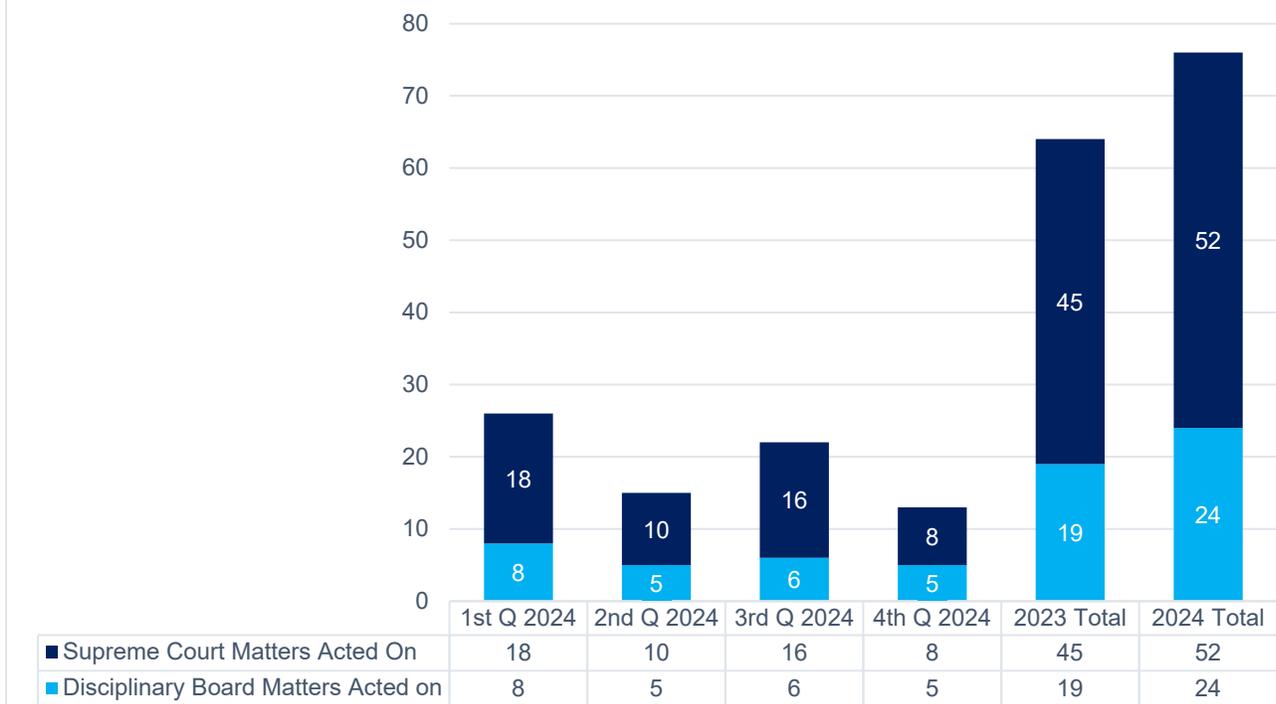
E. Pending Proceedings⁴

Open Proceedings	2023	2024
Ending 1 st Quarter	44	35
Ending 2 nd Quarter	42	40
Ending 3 rd Quarter	43	35
Ending 4 th Quarter	49	35

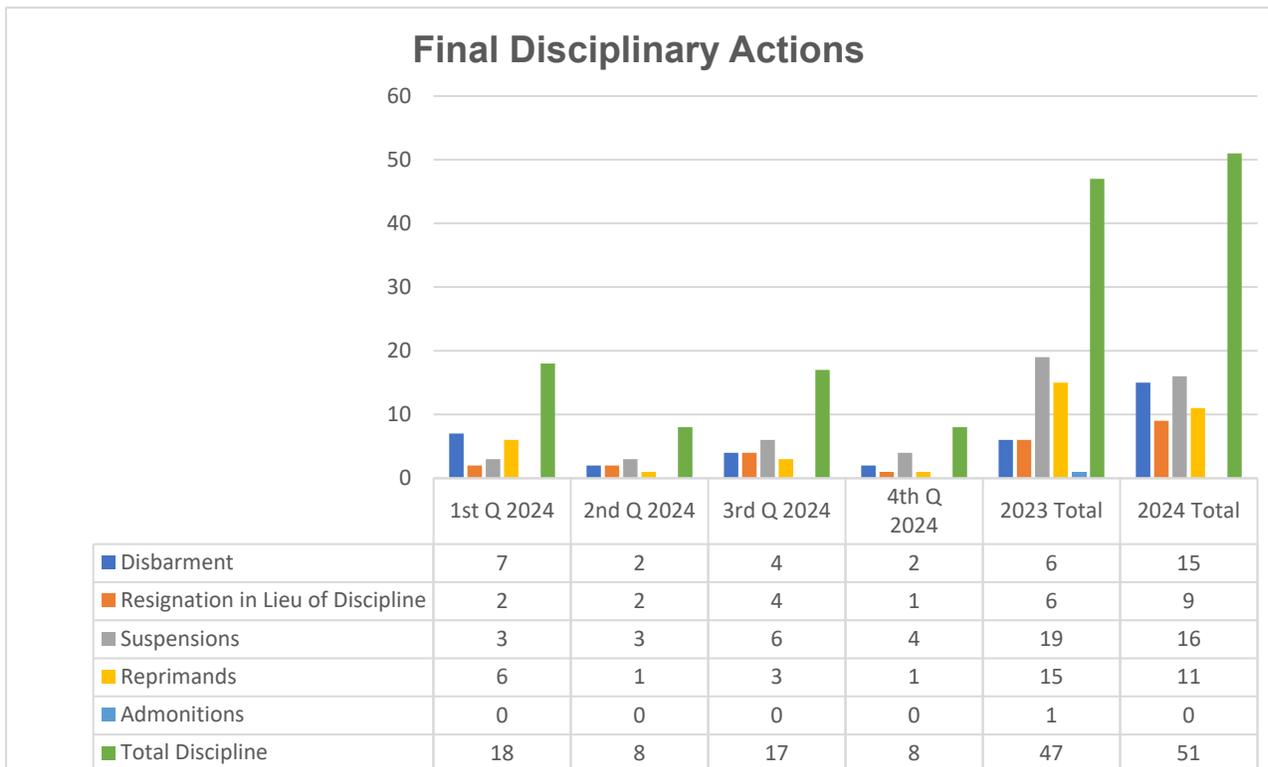
³ Includes default hearings.

⁴ In the second table in this section (Matters Acted On), 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



F. Final Disciplinary Actions



G. Disability Found

Disability Found	Quarter Total
1st Quarter	3
2nd Quarter	1
3rd Quarter	1
4th Quarter	0
2024 Total	5
2023 Total	3

H. Discipline Costs⁵

Quarterly Discipline Costs Collected	Total
1st Quarter	\$7,317.50
2nd Quarter	\$15,779.10
3rd Quarter	\$16,745.36
4th Quarter	\$22,587.16
2024 Total	\$62,429.12
2023 Total	\$52,998.35

⁵ 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.