

WASHINGTON STATE B A R A S S O C I A T I O N

Board of Governors January 2019 Meeting Update

A summary of the Board of Governors meeting Jan.17-18, 2019, in the WSBA Conference Center in Seattle

Top Takeaways

1. In September, the Washington Supreme Court announced it would undertake a “[comprehensive review of the structure of the bar](#)” in light of recent case law with First Amendment and antitrust implications for bar associations. In November, the Court chartered a 10-member work-group to review WSBA’s structure. The Court will set the roster and meeting schedule soon. [More information. Meeting dates will be posted here](#), when available.
2. **Mandatory Malpractice Insurance Task Force:** A reminder that the board is scheduled to receive the task force’s final recommendation at its March meeting. Task-force members said in an [interim report](#) in July they are likely to recommend malpractice insurance as a condition of licensing for lawyers, with specified exemptions. [More information](#).
3. **Fastcase ready to launch!** Members will be able to access this free legal research tool—an addition to the Casemaker benefit—in early February. When available, the “Casemaker” link on the [wsba.org](#) homepage will become “Legal Research,” and members can access both tools via their [myWSBA.org](#) account.
4. **You’d look good at the board table!** Four seats are open for election in 2019: three in congressional districts (Districts 2, 9, and 10) and one At-Large Diversity representative. Members are eligible to run in the district in which they are entitled to vote and for the at-large position. Candidates for district seats can apply between now and Feb. 15; At-Large candidates will apply from Feb. 19 to April 22. [More information](#).

Meeting Recap

- **License-fee extension for federally employed members.** The Board of Governors approved a statement asking the Washington Supreme Court to extend the due date of bar fees for all WSBA members currently not receiving their salary from the federal government due to the current shutdown; they recommended that the affected members would have 30

days after they receive pay to remit their 2019 license fee and late fees would be waived. WSBA Bylaws, Court Rules, and WSBA policies contain no provision that would allow us to waive fees for any reason, including the furlough. It will take Court action to grant such a waiver.

- **Performance Guidelines for Attorneys Representing Respondents in Civil Commitment Proceedings.** The board approved recommending that the Washington Supreme Court add the Performance Guidelines for Attorneys Representing Respondents in Civil Commitment Proceedings to the Standards for Indigent Defense, add the Standards to the Mental Proceedings Rules (MPR), and require that appointed counsel representing clients in civil-commitment proceedings file Certifications of Compliance, as the Standards already require of appointed counsel representing clients in criminal proceedings. ([See the complete recommendation on page 59.](#))
- **Military Spouse Admission Rule.** The board approved a comment on the published proposed amendments to Admission and Practice Rule (APR) 3 regarding the admission to practice of military spouses. The Military Spouse J.D. Network has been working across the country to ease the admission requirements for people with J.D.s who seek admission to practice law in states to which their active-duty spouses are transferred. WSBA's admission staff has been closely considering the issue and drafting possible amendments to Washington's APR. The Court has published for comment the Network's proposed amendments. With the board's action, WSBA's Chief Regulatory Counsel will submit a comment containing suggestions that would meet the Network's purpose while aligning with Washington's APRs. ([More information on page 72.](#))
- **No Retaliation Policy.** The board adopted a no-retaliation policy, according to the Washington Supreme Court's directive in September ([more information on page 154](#)). This policy, specific to board-member and volunteer behavior and accountability, will supplement long-standing anti-harassment and anti-retaliation policy in place for staff.
- **Support of Diversity Committee Statement of Solidarity.** The WSBA Diversity Committee presented a draft statement (available on page 44) for first reading to support specialty-bar association leaders in Oregon; these leaders have received threats, including of physical harm, after issuing a statement against the rise of white nationalism and violence. If approved at the next board meeting, WSBA will share the statement with WSBA members and minority and specialty bar associations in Washington and Oregon.
- **Access to Justice Board orientation.** Access to Justice (ATJ) Board members held their annual orientation, during which they described the board's authorization and purpose, coalition structure, and goals. To learn more, visit the ATJ Board's website, [read its annual report](#), and attend the 2019 Access to Justice Conference. Some highlights from the

orientation: The ATJ Board is one year into implementation of the three-year [State Plan for the Coordinated Delivery of Civil Legal Aid](#) and has spearheaded trainings, collaboration spaces, and resource-sharing opportunities to support its coalition; and last year, the ATJ Board approved updated technology rules (now before the Supreme Court for consideration) to guide justice-system organizations' use of modern technology to expand—not limit—access to justice.

- **Treasurer position.** Governors voted that Dan Bridges will not perform WSBA Treasurer duties until two current matters related to him are resolved.

The agenda, materials, and video recording from this Board of Governors meeting, as well as past meetings, are [online](#). The next regular meeting is March 7 in Olympia. The Board of Governors is WSBA's governing body charged with determining general policies of the bar and approving its annual budget.

For more information email questions@wsba.org.jan