

WASHINGTON STATE BAR ASSOCIATION

Office of General Counsel
General Counsel Laurie Powers
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Functions:

- Legal Advice and Litigation – Provide legal advice and representation (or oversight of representation by outside counsel) for the organization, Board of Governors, Executive Director, and staff in cases involving work for WSBA.
- Disciplinary Board – Provide counsel to the Board and provide a Clerk to the Disciplinary Board regarding conduct of reviews and appeal hearings in discipline matters and maintenance of public files regarding discipline matters.
- Hearing Officers – Provide training and administrative support for disciplinary system hearing officers and Chief Hearing Officer.
- Conflict Review Officers – Provide training and administrative support for disciplinary system conflict review officers, who review and resolve grievances filed against Office of Disciplinary Counsel, WSBA staff lawyers or others for whom a conflict would exist for ODC.
- Policy Functions - Provide policy development and drafting support to WSBA staff, the BOG, and BOG entities.
- Client Protection Board – Review and investigate requests for reimbursement of losses due to the dishonest taking of, or failure to account for, client funds; recommend and/or grant reimbursement as appropriate.
- Practice of Law Board –Administer Board consistent with GR 12.3. Board educates public about how to receive competent legal assistance; considers and recommends to the Supreme Court new avenues for currently unlicensed/unauthorized persons to provide legal and law-related services that might otherwise constitute the practice of law; may receive and refer unauthorized practice of law complaints.
- Records Requests – Consistent with GR 12.4, respond to public records request as appropriate and necessary.
- Custodianships - Administer the ELC 7.7 custodianship program that appoints lawyers to act as custodians to protect client interests in the event of a lawyer's disbarment, disappearance, death, or abandonment of practice and where no partner, personal representative, or other responsible person appears to be protecting client interests.
- Accommodations - Provide advice and counsel to staff on ADA Title II Accommodations related issues; receive and process accommodation requests related to disciplinary matters.
- Contract Review – Advise on contract provisions and prepare and research contract templates.
- Various Panels, Roundtables, Task Forces and Committees – Provide staffing and support for Panels, Roundtables, Task Forces and Committees as requested by the Board of Governors and Executive Director.

Regulatory Boards:

Disciplinary Board – Reviews disciplinary recommendations and dismissals; reviews hearing records and stipulations, recommends disciplinary outcomes in appropriate cases.

Client Protection Fund – Reviews applications for monetary gifts, and recommends or awards such gifts, to clients who were victims of a dishonest taking of, or failure to account for, client funds.

Practice of Law Board – Reviews investigations and reports regarding unauthorized practice of law; draft advisory opinions; engages in educational activities; advises the Supreme Court on practice of law issues, including identifying ways in which people who are not lawyers might be able to assist with providing legal services to members of the public.

Character and Fitness Board - Assesses qualifications of applicants for admission to practice law or the rehabilitation of petitioners for reinstatement after disbarment by conducting hearings, preparing written findings, and making recommendations to the Supreme Court.

When will you hear from OGC at BOG meetings?

- Rules, regulations or Bylaws need to be interpreted or amended
- GR 12.2 analysis, when applicable
- Section Bylaws need to be amended
- Litigation report at every BOG meeting
- Recommendations for gifts by the Client Protection Fund
- Reports by Boards, Panels, Roundtables, Committees, or Task Forces with which we work
- BOG requests for legal analysis or advice

What don't you need to be concerned about

- Whether members should be disciplined, suspended or disbarred: the Supreme Court makes the final determination regarding license suspensions and disbarments, and disciplinary matters are under the exclusive jurisdiction of the Supreme Court

What should you pass on to OGC or to Laurie?

- Any contact by anyone threatening to sue the WSBA or you in your capacity as a BOG member, or who is engaged in litigation involving the WSBA – we need to hear about these to effectively represent the BOG and the WSBA, so PLEASE do not respond directly to these but do pass them on to GeneralCounsel@wsba.org (or the OGC lawyer handling or overseeing the matter) as soon as possible

When do Laurie or OGC staff communicate directly with the Supreme Court?

- Transmitting disciplinary records to the Supreme Court for review or action
- Transmitting rule or regulation amendment proposals to the Supreme Court
- Responding to claims, suits, appeals, etc. that are not specifically discipline related but are related to matters in which we represent the WSBA