

Proposed Amendments to WSBA Bylaws Article III Section J.3. Administrative Suspension

[page 15 of WSBA Bylaws Amended April 10, 2023]

3. Administrative Suspension

- a. Administrative suspensions are neither interim nor disciplinary suspensions, nor are they disciplinary sanctions. Except as otherwise provided in the APR and these Bylaws, a member may be administratively suspended for the following reasons:
 - 1) Nonpayment of license fees or late-payment fees;
 - 2) Nonpayment of any mandatory assessment (including without limitation the assessment for the Client Protection Fund);
 - 3) Failure to file a trust account declaration;
 - 4) Failure of a lawyer to file a professional liability insurance disclosure;
 - 5) Failure of a LLLT or LPO to provide proof of financial responsibility;
 - 6) Failure to comply with mandatory continuing legal education requirements;
 - 7) Nonpayment of child support;
 - 8) Failure to designate a resident agent or notify the Bar of change in resident agent or the agent's address;
 - 9) Failure to provide current information required by APR 13 or to notify the Bar of a change of information required by APR 13 within 10 days after the change; and
 - 10) For such other reasons as may be approved by the BOG and the Washington Supreme Court.
- b. Unless requirement for hearing and/or notice of suspension are otherwise stated in these Bylaws or the APR, ELC, ELPOC or ELLLTC, a member will be provided notice of the member's failure to comply with requirements and of the pendency of administrative suspension if the member does not cure the failure within 60 days of the date of the written notice, as follows:

[OPTION A]

- 1) Written notice of non-compliance will be sent one time by the Bar to a member at the member's address of record with the Bar ~~by registered or certified~~ **first class mail**. Such written notice will inform the member that the Bar will recommend to the Washington Supreme Court that the member be suspended from membership and the practice of law if the member has not corrected the deficiency within 60 days of the date of the notice.

[OPTION B]

- 1) Written notice of non-compliance will be sent one time by the Bar to a member **at the member's email address of record with the Bar** ~~by registered or certified mail~~. Such written notice will inform the member that the Bar will recommend to the Washington Supreme Court that the member be suspended from membership and the practice of

law if the member has not corrected the deficiency within 60 days of the date of the notice.

- 2) In addition to the written notice described above, the Bar will make one attempt to contact the member at the telephone number(s) the member has made of record with the Bar and will speak to the member or leave a message, if possible. The Bar will also make one attempt to contact the member at the member's e-mail address of record with the Bar.
- c. Although not required to provide any additional notice beyond what is described above, the Bar may, in its sole discretion, make such other attempt(s) to contact delinquent members as it deems appropriate for that member's situation.
- d. A member failing to correct any deficiency after two months' written notice as provided above must be suspended from membership. The Executive Director must certify to the Clerk of the Supreme Court the name of any member who has failed to correct any deficiency, and when so ordered by the Supreme Court, the member will be suspended from membership in the Bar and from the practice of law in Washington. The list of suspended members may be provided to the relevant courts or otherwise published at the discretion of the BOG.