

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE APPROVAL OF)
AMENDMENTS TO THE WSBA BYLAWS)
ARTICLES VI.A.2.b., VI.C.1.b., VI.C.3.b., VI.F.2,)
XI.F.4, XII.A, AND XII.B)
_____)

ORDER

NO. 25700-B-738

The Washington Supreme Court has plenary authority over the practice of law in Washington. The Washington State Bar Association (WSBA) serves under the delegated authority of the Court in regulating and administering licenses to practice law in Washington and effectuating other purposes and functions as set forth in General Rule (GR) 12 and 12.1 – 12.5.

All amendments to the WSBA’s bylaws are subject to Supreme Court approval.

In a letter dated August 26, 2025, the WSBA provided the Court proposed amendments to Articles VI.A.2.b., VI.C.1.b., VI.C.3.b., VI.F.2, XI.F.4, XII.A, and XII.B, of the WSBA bylaws that were approved by the Board of Governors at its July 18, 2025, meeting. The amendments change the term “Young Lawyers” to “New Members”; and define “New Members” as:

Active members of the Washington State Bar Association will be
considered New Members until the last day of December of the tenth year

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ORDER NO. 25700-B-738

IN THE MATTER OF THE APPROVAL OF AMENDMENTS TO THE WSBA BYLAWS
ARTICLES VI.A.2.b., VI.C.1.b., VI.C.3.b., VI.F.2, XI.F.4, XII.A, AND XII.B

in which such member was first admitted to practice in the State of

Washington.

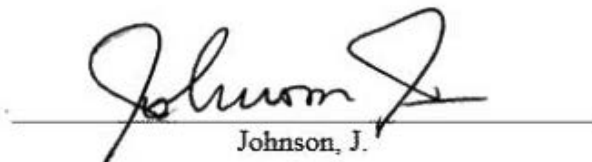
Now, therefore, it is hereby

ORDERED:

That the WSBA Bylaws Amendments to Articles VI.A.2.b., VI.C.1.b., VI.C.3.b., VI.F.2, XI.F.4, XII.A, and XII.B, as described above and as provided in the attached copy of the amendments, are approved by this Court and shall be given full force and effect, effective October 1, 2025.

DATED at Olympia, Washington this 3rd day of September, 2025.

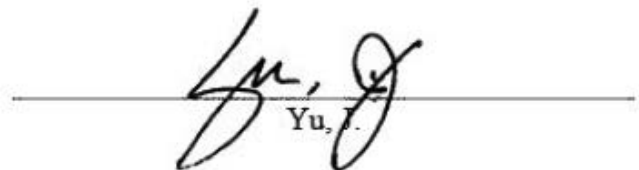

CHIEF JUSTICE


Johnson, J.


Madsen, J.

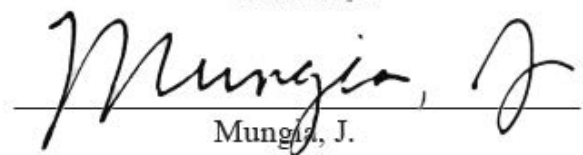

González, J.


Gordon McCloud, J.


Yu, J.


Montoya-Lewis, J.


Whitener, J.


Mungia, J.

WASHINGTON STATE BAR ASSOCIATION

EXHIBIT A: PROPOSED AMENDMENTS TO RELEVANT WSBA BYLAWS (Preferred Language, Redlined)

VI. ELECTIONS

A. ELIGIBILITY FOR MEMBERSHIP ON BOARD OF GOVERNORS

2. At Large Governors:

b. One New Member (“New Member At Large Governor”) Position: Any Active member of the Bar who qualifies as a New Member as set forth in these Bylaws, except for a person who has previously served as a Governor for more than 48 consecutive months, may be nominated or apply.

C. ELECTION OF GOVERNORS

1. Election of One Governor...

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

3. Eligibility Requirements: Election of At-Large Governors

b. New Member At Large Governor: By May 1, the Washington New Members Committee shall forward at least three candidates to the BOG who qualify as New Members as defined by Article XII(B) of these Bylaws in the year of the election. The BOG shall then place all candidates forwarded by the Washington New Members Committee on the ballot to be elected by a vote of all New Members as defined in Article XII(B) of these Bylaws. If the Washington New Members Committee forwards less than three candidates by May 1, the Executive Director shall notify the BOG, which may, at its option, select additional qualifying candidates on its own or place only those candidates forwarded by the Washington New Members Committee on the ballot to be elected by a vote of all New Members as defined in Article XII(B) of these Bylaws.

F. MEMBER RECALL OF GOVERNORS

2. For the New Members At Large Governor, the petition must be signed by five percent of the New Members as defined in Article XII of these Bylaws at the time of filing. New Members who are on Active status at the time of the vote are eligible to vote....

XI. SECTIONS

F. SECTION EXECUTIVE COMMITTEE



4. At-Large Members. At-large members of the section executive committee will be voting members. At-large members will be elected by the section membership for terms of up to three-years. A section executive committee may appoint its New Member Liaison (if any) as a voting member of the section's executive committee.

XII. NEW MEMBERS

A. PURPOSE OF THE WASHINGTON NEW MEMBERS COMMITTEE

There will be a member segment within the Bar identified as "Washington New Members Committee" for the purposes of encouraging the interest and participation of (i) new and young members and law students in the activities of the Bar; and (ii) developing and conducting programs of interest and value to new and young members consistent with the focus areas of public service and pro bono programs, transition to practice, and member outreach and leadership; and (iii) upholding and supporting the Guiding Principles of the Bar.

B. DEFINITION

Active members of the Washington State Bar Association will be considered New Members until the last day of December of the tenth year in which such member first was admitted to practice in the State of Washington.

OR

Active members of the Washington State Bar Association will be considered New Members until the last day of December after the tenth year in which such member first was admitted to practice in the State of Washington.

WASHINGTON STATE BAR ASSOCIATION

TO: WSBA Board of Governors

FROM: Washington Young Lawyers Committee
Julianne Unite, Member Services and Engagement Manager
Curtiss Melvin, Member Engagement Specialist and Staff Liaison to the WYLC

RE: WSBA Bylaws Amendments—Proposed Changes Young Lawyer Title and Definition

DATE: May 13, 2023

FIRST READ: Proposed WSBA Bylaws Amendments to Sections VI., XI., and XII. re. Young Lawyers

1. Summary & Background

Over the past few years, the Washington Young Lawyers Committee (WYLC) has discussed the benefits of and drawbacks to amending Section XII of the Bylaws (the “Bylaws”) of the Washington State Bar Association (WSBA). This discussion was, in part, a response to initiatives from other jurisdictions around the country to expand the notion of what it means to be a “new” or “young” lawyer. As a result of this discussion, the WYLC has determined that an amendment to Section XII (and other related sections of the WSBA Bylaws referring to “young lawyer”, e.g., Sections VI. and XI.), will serve its constituents and further the WSBA’s Guiding Principles; the WSBA’s mission to serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice; and Washington GR 12.2. Specifically, the purpose of this proposed amendment is to (1) promote diversity and inclusion within the bar and facilitate access to justice; (2) enhance member engagement; and (3) extend reach of the WYLC’s programming and services to members wishing to benefit from those programming and services.

Section XII, currently titled “Young Lawyers,” includes two subsections, one that lists the “Purpose” of Section XII and another that lists the “Definition” of who is considered “Young Lawyers” for purposes of qualifying for WYLC membership and participating in certain activities.¹ The current version of Section XII is as follows:

XII. YOUNG LAWYERS

A. PURPOSE

There will be a member segment within the Bar identified as “Young Lawyers” for the purposes of encouraging the interest and participation of (i) new and young lawyers and law students in the activities of the Bar; and (ii) developing and conducting programs of interest and value to new and young lawyers consistent with the focus areas of public service and pro bono programs, transition to

¹ For some WSBA programming, e.g., New Member Education (NME), the WSBA uses a separate new member definition that will be unaffected by this proposed Bylaws amendment.



practice, and member outreach and leadership; and (iii) upholding and supporting the Guiding Principles of the Bar.

B. DEFINITION

Active lawyer members of the Bar will be considered Young Lawyers until the last day of December of the year in which the member attains the age of 36 years or until the last day of December of the fifth year after the year in which such member first was admitted to practice as a lawyer in any state, whichever is later.

As written, Section XII excludes categories of constituents who would benefit from the WYLC's programming and services but, due to immutable circumstances not currently accounted for under the rule, would not qualify as a "Young Lawyer". Examples of situations where constituents might be excluded include, but are not limited to, WYLC membership, WYLC awards and scholarships, Young Lawyer Liaison to Sections program, and eligibility for the At large Young Lawyer Governor seat. In support of a potential amendment, the WYLC surveyed its constituents to obtain additional feedback and assess support for a broader, more inclusive version of Section XII that promotes diversity and inclusion within our legal community. In response to the results of the survey, as well as its ongoing discussion, the WYLC concluded that Section XII should be amended to provide broader coverage to new and young attorneys within Washington state. Specifically, the WYLC proposes an amendment to Section XII that: (1) changes the term "Young Lawyers" to "New and Young Lawyers"; (2) removes the currently imposed age restriction of 36 years old; and (3) extends the years of practice requirement to 10 years. With these changes, other sections of the Bylaws referring to "Young Lawyers" would need to be revised to reflect the updated term "New and Young Lawyers". These sections include Section VI.A.2.b., Section VI.C., Section VI.F.2., and Section XI.F.4. The WYLC further recommends that use of the acronym "WYLC" be replaced with "WNYLC."

2. History and Purpose

The genesis for this proposal arose pre-pandemic. During its September 14, 2019, a WYLC member reported that the American Bar Association had recently voted on changing the definition of a "young lawyer" and notified the WYLC that other jurisdictions were assessing similar changes throughout the country. The WYLC began discussing whether the WSBA's of "Young Lawyers" should be modified in response to a broader initiative across all jurisdictions. In doing so, the WYLC looked at narrower examples, such as the definition of "young lawyers" the [American Bar Association](#) imposes, as well as broader examples, such as the definition used in [New York](#) (no age restriction; open to "attorneys admitted 10 years or less"). Other jurisdictions, including the neighboring [State of Oregon](#) ("[e]very lawyer who has practiced six years or less, or is 36 years old or younger (whichever is later) is automatically a member of the ONLD"), take an intermediate approach. The WYLC noted that the current version of Section XII tracks the narrowest definition of "young lawyers" that the WYLC could find.

The WYLC also considered other initiatives to promote the inclusion of "new" and "young" lawyers in other organizations, including the King County Bar Association's recent initiative to change the name of its "Young Lawyers Division" to "New Lawyers Division"—with a stated mission of "further[ing] the objectives of new and aspiring

lawyers by representing the diverse interests of the Division’s members to the Association and the legal community, creating opportunities for continuing legal education, mentoring, and networking, as well as addressing the needs of the community through pro bono and volunteer service.”

Through this process, the WYLC identified an opportunity to revise WSBA’s definition of “young lawyers”, garnered preliminary support for the project, and began charting a course to determine what, if any, amendments to Section XII the WYLC should propose.

3. Community Input

As an initial step, the WYLC resolved to determine whether its constituents felt that an amendment was needed. On June 1, 2020, the WSBA surveyed its new members about a potential revision to the WSBA’s definition of “Young Lawyer.” The pertinent survey questions, and the corresponding responses, were as follows:

Question	Response (%)		
	Yes	No	No Opinion
Q30. Should the WSBA consider amending the WSBA definition of a young lawyer to remove the age restriction and extend the years of practice to 10 years?	<u>49.55%</u>	20.47%	29.97%
Q31. Does the current WSBA's young lawyer definition accurately reflect your understanding of a "young lawyer"? ²	<u>41.84%</u>	32.64%	22.55%
Q32. Should the age restriction (36 years or younger) remain in the definition of WSBA young lawyer?	18.34%	<u>55.92%</u>	25.74%
Q34. Should the WSBA young lawyer name and definition align with the definition of a WSBA member, which includes lawyers, limited license legal technicians (LLTs), and limited practice officers (LPOs)?	28.57%	<u>36.31%</u>	35.12%

In addition to these questions, the survey asked whether “the years of practice (5 years or less) be extended in WSBA’s definition of a young lawyer and, if so, to how many?” (**Q33**) 25.82% of respondents said no. 3.26% of respondents said yes, to six (6) years. 8.61% of respondents said yes, to seven (7) years. 6.53% of respondents said yes, to eight (8) years. 0.30% of respondents said yes, to nine (9) years. 27.89% of the respondents said yes, to ten (10) years. 24.93% of respondents had no opinion.

The WYLC also received unsolicited feedback from other members of the WSBA in support of a proposed amendment. For example, we received notification that international attorneys who recently moved to Washington state are interested in participating in the WYLC’s networking programs, such as the MentorLink Mixer, as part of their job hunt. Yet, many of these members do not qualify under the existing definition, since they are over age 36 or have been licensed to practice law in another jurisdiction for greater than five years. Through its outreach and

² 2.97% of respondents stated that they do not understand the definition of “young lawyer.”

discussion with other WSBA members, the WYLC broadly observed that, although there may only be a handful of constituents who fall at the margins of the existing version of Section XII (and who would thus benefit from a more inclusive definition), those individuals feel strongly about their need to be included within the purview of Section XII.

4. Equity Analysis

The survey results, as well as the WYLC's outreach efforts and informal discussions with constituents, reflected popular support for an amendment to Section XII. The WYLC conferred on a series of tentative changes designed to implement the feedback it received. Specifically, the WYLC solicited discussion and debate on the following proposals:

1. Current definition should be amended to reflect constituent responses to Q30 and Q31. Amendments should remove age restriction and extend years of practice to 10 years pursuant to responses to Q30.
2. Remove "until the last day of December of the year in which the member attains the age of 36 years or" and ", whichever is later" to reflect constituent responses to Q30 and Q32.
3. Replace "fifth" with "tenth" to reflect constituent responses to Q30 and Q33.
4. Change "[a]ctive lawyer members of the Bar" to "[a]ctive members of the Bar" pursuant to constituent responses to Q34 and overarching purpose of proposed amendment to be more inclusive.

The WYLC also discussed whether (1) the phrase "first admitted to practice as a lawyer in **any state**" (emphasis added) should be changed to "first was admitted to practice as a lawyer in Washington state" and (2) whether the term "Young Lawyer" should be revised to be more inclusive and less age-focused.

WYLC members largely favored extending the "years of practice" requirement to ten years and removing the age restriction altogether. A concern was raised that, by removing the age restriction and extending the "years of practice" requirement, we would defeat the purpose of what it means to be a young lawyer. WYLC members noted that other services and programming, such as discounts on CLEs for new members, are available to constituents who do not fit within Section XII's current restrictions. Other members noted that, if someone within this category wished to participate in a WYLC program, or utilize a new member benefit, there was no significant reason to deny them that opportunity—particularly since the WYLC rarely meets its capacity at outreach events under the existing version of Section XII. The consensus was that, in practice, there appears to be little downside to offering these opportunities to a larger segment of the WSBA and offering "new" and "young" lawyer services and benefits to a broader group of attorneys.

The WYLC raised the practical implications (and shortcomings) of maintaining an age restriction and shorter "years of practice" requirement. For example, a new attorney admitted to the bar at the age of 37 would automatically be precluded from relying on the age-component of the existing Section XII.B. for purposes of leveraging the benefits of the WYLC and WSBA, such as WYLC membership, WYLC awards and scholarships, Young Lawyer Liaison to Sections program, and eligibility for the At large Young Lawyer Governor seat. Although the WYLC noted that the "years of experience" component was designed to protect against this scenario, the WYLC discussed additional circumstances

in which the existing language might be unfairly restrictive. For example, a person admitted to the WSBA at 37, has a child at age 38, and chooses to withdraw from practice for the next five years, would be precluded from receiving new lawyer privileges of the WYLC upon returning to practice—even though this person could still benefit from those privileges and new member services.

Through these discussions, the WYLC observed that the current restrictions might therefore impose restrictions on less advantaged segments of the WSBA, such as attorneys providing for single-parent households, attorneys tending to an elderly or sick family member, attorneys experiencing chronic illnesses or other medical conditions, and other attorneys whose life circumstances might require them to step away from their practice during the period in which they would qualify under the existing version of Section XII. In these scenarios, a person returning to practice after the age of 36 and after five years of admittance would unfairly be precluded from enjoying certain new member benefits and services.

The WYLC also considered situations in which the “[a]ctive lawyer members of the Bar” component of Section XII.B. might be unduly restrictive. For example, a person over the age of 36 might relocate to Washington after being barred in another state for over five years. Although that person might benefit from WYLC services, including for example networking events and opportunities to meet local attorneys who are also new to the legal community, they would be excluded from receiving information and updates and these events and opportunities under the existing definition. The WYLC agreed that, for this reason, the triggering event should be when a lawyer is first admitted to Washington state, rather than a different state.

The WYLC unanimously agreed that the term “Young Lawyers” should be modified to more accurately reflect the other proposed changes to Section XII and to be less age-focused. WYLC members agreed that, even under the existing version of Section XII, an attorney who is not necessarily young (because they did not enter the legal profession until later in life), but who qualifies under the “years of experience” prong, might either feel excluded under the existing terminology or not be aware that they qualify for the corresponding benefits and programming. Comparatively, the WYLC could not identify any legitimate reason to maintain the existing terminology, so long as the amended terminology accurately reflects the intended membership.

Finally, the WYLC believes that the pros and cons of the proposed amendment should be weighed in the context of the COVID-19 pandemic. New and young lawyers entering the legal market are faced with unique challenges that attorneys did not experience in the pre-pandemic world. The WYLC observed that, in the “remote” and “virtual” world we currently live in, a larger segment of the bar is likely looking for more opportunities to network with peers, develop mentorship relationships, and provide volunteer services. By providing services to a larger segment of the bar, the WYLC can fill this projected need.

5. Fiscal Analysis & Implementation Implications

The WYLC discussed whether an amendment to cover a broader segment of the WSBA might overextend the WYLC’s resources and require budget changes. As of December 31, 2022, 6,037 lawyers qualified under the existing definition of “Young Lawyer.” Had the proposed amendment been in place at that time, 12,208 lawyers would qualify

as a “New and Young Lawyer”. The WYLC does not currently foresee the need for additional outreach events, increased scholarships, or changes to meeting costs as a result of the proposed amendment—particularly given the level of interest, participation, and attendance from existing constituents over the past few years. For these reasons, the WYLC does not currently anticipate any increase in any of the three expense line items associated with the WYLC (55266 WYLC Outreach Events; 58525 WYLC ABA Scholarship; 55270 WYL Committee). Although new WSBA members receive a discount on licensing within their first few years of practice, the WYLC is not proposing any change to that policy at this time. Should the proposed Bylaws amendment be implemented, the WYLC will endeavor to fill one of its seats with a member who qualifies within the newly amended language (e.g., an attorney over 36 years and who has been practicing between five and ten years). The WYLC also anticipates revisiting the budgetary needs on an ongoing basis as it normally does in the course of its ongoing business. Any requests for additional budget in the WYLC-associated expense line items would be made in connection with the budget setting process for FY25. The WYLC anticipates questions from constituents concerning the amendment and will be prepared to address those questions.

6. Proposed Amendment & Rule Compliance

The proposed amendment agreed upon by the WYLC, reflected in redline, is enclosed as **Exhibit A**. The changes reflected in these enclosures are intended to address the considerations discussed above. If adopted, other references in the Bylaws to “Young Lawyer(s)” will need to be updated to “New and Young Lawyer(s),” as reflected in **Exhibit A**.

This Bylaw Amendment was approved by the WYLC on May 12, 2023 by a majority vote of 7 with 0 dissenting votes and 0 of abstaining votes. Section XVI. Amendments of the WSBA Bylaws governs the next steps of this proposed amendment. Under Subsection A., the Bylaws “may be amended by the BOG at any regular meeting of the BOG” “All proposed bylaw amendments must be posted on the Bar’s website and presented for “first reading” at least one BOG meeting prior to the meeting at which the BOG votes on the proposed amendment, and the BOG will not vote on any proposed bylaw amendment at the meeting at which the amendment is originally proposed” Section XVI.B.

The WYLC respectfully requests that, in compliance with the requirements of Section XVI, the BOG post the proposed amendment to the Bar’s website and present for “first reading” at least one BOG meeting prior to the meeting at which the BOG votes on the proposed amendment. Please let me know if you have any questions or concerns, or need anything else from the WYLC.

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

1. Board cannot vote on this proposed change in June.

The WSBA Bylaws article XVI.B states that “[a]ll proposed bylaw amendments must be posted on the Bar’s website and presented for “first reading” at least one BOG meeting prior to the meeting at which the BOG votes on the proposed amendment, **and the BOG will not vote on any proposed bylaw amendment at the meeting at which the amendment is originally proposed, except as may be allowed below.**” The exception relates to exceptional circumstances and is not implicated here.

2. Removing age as a factor lowers risk.

Using age as a factor to divide the membership into groups can be viewed as discrimination. The current bylaws use age and length of time in practice to limit any potential discrimination. Eliminating the age requirement lowers, or eliminates, this risk.

3. Exclusionary Application

Both the current Bylaws and the proposed changes limit membership in the New and Young Lawyer segment of the Bar to lawyer members, although LLLTs and LPOs are WSBA members. This memo states:

“As written, Section XII excludes categories of constituents who would benefit from the WYLC’s programming and services but, due to immutable circumstances not currently accounted for under the rule, would not qualify as a “Young Lawyer”. Examples of situations where constituents might be excluded include, but are not limited to, WYLC membership, WYLC awards and scholarships, Young Lawyer Liaison to Sections program, and eligibility for the At large Young Lawyer Governor seat. In support of a potential amendment, the WYLC surveyed its constituents to obtain additional feedback and assess support for a broader, more inclusive version of Section XII that promotes diversity and inclusion within our legal community.”

The proposed change continues to exclude categories of constituents who could benefit from the WYLC’s programming-LPOs and LLLTs licensed for ten years or less. The Board may wish to discuss whether the WSBA Bylaws should exclude some members from benefits based on license type.

<i>WSBA FISCAL ANALYSIS: This section is to be completed by the Finance Department, with input from the proposing entity or individual.</i>
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The fiscal impact to WSBA resulting from the proposed changes to the bylaws includes a limited amount of staff time used to incorporate the changes to WSBA records and outreach to communicate the changes, and management of potential increased volume in applications in the election process for at-large board positions. 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.

Additionally, WSBA currently offers new member discounts on CLE seminars and products, however the discount applies to *all* members (lawyers, limited license legal technicians, and limited practice officers) who are within their first 5 years of admission to the WSBA and there is no age limit. The proposed changes to the bylaws only apply to

lawyer members and do not impact the new member discount as it is set by internal policy. However, it is possible that if the proposal is approved, WSBA's internal policy could be reviewed for alignment considerations.

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

The proposal to remove the age restriction and extend the number of years in practice will promote more equitable outcomes for members who have not previously had access to benefits. The WYLC's efforts to consider the perspectives of impacted communities including new members and international attorneys helped inform how to make the membership more inclusive. To further inclusion, we suggest that the WYLC consider changing "L"/"lawyer" in the new name to "LP"/"legal professional" so that all new Bar members – including limited licensed legal technicians (LLTs) and limited practice officers (LPOs) feel included in the newly named committee. The survey showed that the feedback on whether the new committee name should align with the definition of a WSBA member was nearly split with 28.5% in favor, 36.3% not in favor, and 35.12% without opinion. We encourage WYLC to consider that LLTs and LPOs are a smaller percentage of the membership as it weighs the input and how changing the name to include all legal professionals will foster inclusion among all members. We also note that with the proposed removal of the age requirement, the WYLC should consider removing "Y"/"young" to avoid confusion for future members.

Thank you,



Project Lead for WYLC Bylaws and Governance Project

(206) 359-6739

zdavison@perkinscoie.com

Attachments

- Exhibit A Redline version of WSBA Bylaws
- Exhibit B Clean version of WSBA Bylaws

WASHINGTON STATE BAR ASSOCIATION

TO: WSBA Board of Governors

FROM: Washington Young Lawyers Committee
Chelle Gegax, Member Engagement Specialist and WYLC Staff Liaison

RE: WSBA Bylaws Amendments—Proposed Changes Young Lawyer Title and Definition

DATE: June 4, 2025

SECOND READ-ACTION: Approve proposed WSBA Bylaws Amendments to Articles VI.A.2.b, VI.C.1.b., VI.C.3.b., VI.F.2, XI.F.4, XII.A, and XII.B, regarding Young Lawyers.

1. Introduction and Summary of Request

In various capacities over the past six years, the Washington Young Lawyers Committee (WYLC) has discussed the benefits of and drawbacks to amending Article XII of the Bylaws (the “Bylaws”) of the Washington State Bar Association (WSBA). This discussion was, in part, a response to initiatives from other jurisdictions around the country to expand the notion of what it means to be a “new” or “young” lawyer. As a result of this discussion, the WYLC has determined that an amendment to Article XII, and other related Articles, will serve its constituents and further the WSBA’s Guiding Principles; the WSBA’s mission to serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice; and Washington GR 12.2. Specifically, the purpose of this proposed amendment is to (1) promote diversity and inclusion within the bar and facilitate access to justice; (2) enhance member engagement; and (3) extend reach of the WYLC’s programming and services to members wishing to benefit from those programming and services.

Article XII, currently titled “Young Lawyers,” includes two subsections, one that lists the “Purpose” of Article XII and another that lists the “Definition” of who is considered “Young Lawyers” for purposes of qualifying for WYLC membership and participating in certain activities.¹ The current version of Article XII is as follows:

XII. YOUNG LAWYERS

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There will be a member segment within the Bar identified as “Young Lawyers” for the purposes of encouraging the interest and participation of (i) new and young lawyers and law students in the activities of the Bar; and (ii) developing and conducting programs of interest and value to new and young lawyers consistent with the focus areas of public service and pro bono programs, transition to

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practice, and member outreach and leadership; and (iii) upholding and supporting the Guiding Principles of the Bar.

B. DEFINITION

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As written, Article XII excludes categories of constituents who would benefit from the WYLC's programming and services but, due to immutable circumstances not currently accounted for under the rule, would not qualify as a "Young Lawyer". Examples of situations where constituents might be excluded include, but are not limited to, WYLC membership, WYLC awards and scholarships, Young Lawyer Liaison to Sections program, and eligibility for the At large Young Lawyer Governor seat. In support of a potential amendment, the WYLC surveyed its constituents to obtain additional feedback and assess support for a broader, more inclusive version of Article XII that promotes diversity and inclusion within our legal community. In response to the results of the survey, as well as its ongoing discussion, the WYLC concluded that Article XII should be amended to provide broader coverage to new and young members within Washington state. Specifically, the WYLC proposes an amendment to Article XII that: (1) changes the term "Young Lawyers" to "New Members"; (2) removes the currently imposed age restriction of 36 years old; (3) extends the years of practice requirement to 10 years; and (4) includes all non-lawyer WSBA members. With these changes, other Articles of the Bylaws referring to "Young Lawyers" would need to be revised to reflect the updated term "New Members". Relevant changes include Article VI.A.2.b., Article VI.C., VI.C.1.b., VI.C.3.b., and Article XI.F.4. The WYLC further recommends that use of the acronym "WYLC" be replaced with "WNMC."

2. Discussion

a. History and Approach of Other Jurisdictions

During its September 14, 2019 meeting, a WYLC member reported that the American Bar Association (ABA) had recently voted on changing the definition of a "young lawyer" and notified the WYLC that other jurisdictions were assessing similar changes throughout the country. The WYLC began discussing whether the WSBA's definition of "Young Lawyers" should be modified in response to a broader initiative across all jurisdictions.

The WYLC also considered other initiatives to promote the inclusion of "new" and "young" lawyers in other organizations, including the King County Bar Association's recent initiative to change the name of its "Young Lawyers Division" to "New Lawyers Division"—with a stated mission of "further[ing] the objectives of new and aspiring lawyers by representing the diverse interests of the Division's members to the Association and the legal community, creating opportunities for continuing legal education, mentoring, and networking, as well as addressing the needs of the community through pro bono and volunteer service." While this work was set aside during the COVID-19

pandemic, members of the 2024-2025 WYLC revitalized this project to match the continuing shift of other jurisdictions in addressing this topic.

The 2024/2025 sub-committee did a comprehensive review of the definitions across all 50 other state bar associations (including District of Columbia), which is attached as Exhibit D, and a summary of which is attached. Of the 50 states, 11 had definitions that would result in a membership or potential membership more numerous than our proposed definition. Two states, Delaware and Indiana, had definitions quite similar to our proposal in that they eliminate age and include attorneys practicing for 10 years after admission to that bar association, thereby including transitioning lawyers. 15 other states had definitions (or lack of definition) which excluded age, 22 other states offered inclusion for 10 years after admission, and 13 other states allow extra time for transitioning lawyers. While no other definitions (other than the 2021 ABA proposal which was not passed) explicitly included non-lawyers, 10 states referred to “members” or other inclusive language in their definition rather than ‘attorney’ or ‘lawyer’ (or lacked a definition altogether), although all other 50 states included ‘lawyer’ in the title of the group. Our proposed definition and title fall outside the norm in this area in particular because the WSBA includes non-lawyer LLLTs and LPO’s in every other area of the organization.

Age		Years of practice	
35	1	3	2
36	21	5	17
37	8	6	3
38	1	7	1
40	4	8	1
None	15	10	22
Total	50	None	4
		Total	50
Includes Transitioning Lawyers		Include non-lawyers	
Yes	13	Yes	ABA proposal
No	37	No	39
Total	50	Includes law students	1
		Uses "Member" or inclusive language in definition (or no definition), but lawyer/attorney in title of group	10
		Total	50

The approach of other jurisdictions informs our process to some degree, but in large part demonstrates the breadth of possibilities available. As a result, rather than restricting our proposal to fall within the preferences of

the majority, we have attempted to combine the best of all definitions while also customizing our definition to our own specific needs related to non-lawyer admission to WSBA.

b. Stakeholder Feedback

When this project first began, the 2019-2020 WYLC resolved to determine whether its constituents felt that an amendment was needed. On June 1, 2020, WSBA surveyed its new members about a potential revision to the WSBA's definition of "Young Lawyer." The pertinent survey questions, and the corresponding responses, were as follows:

Question	Response (%)		
	Yes	No	No Opinion
Q30. Should the WSBA consider amending the WSBA definition of a young lawyer to remove the age restriction and extend the years of practice to 10 years?	<u>49.55%</u>	20.47%	29.97%
Q31. Does the current WSBA's young lawyer definition accurately reflect your understanding of a "young lawyer"? ²	<u>41.84%</u>	32.64%	22.55%
Q32. Should the age restriction (36 years or younger) remain in the definition of WSBA young lawyer?	18.34%	<u>55.92%</u>	25.74%
Q34. Should the WSBA young lawyer name and definition align with the definition of a WSBA member, which includes lawyers, limited license legal technicians (LLTs), and limited practice officers (LPOs)?	28.57%	<u>36.31%</u>	35.12%

In addition to these questions, the survey asked whether "the years of practice (5 years or less) be extended in WSBA's definition of a young lawyer and, if so, to how many?" (**Q33**) 25.82% of respondents said no. 3.26% of respondents said yes, to six (6) years. 8.61% of respondents said yes, to seven (7) years. 6.53% of respondents said yes, to eight (8) years. 0.30% of respondents said yes, to nine (9) years. **27.89%** of the respondents said yes, to ten (10) years. 24.93% of respondents had no opinion.

The WYLC, in 2020, also received unsolicited feedback from other members of the WSBA in support of a proposed amendment. For example, we received notification that international attorneys who recently moved to Washington state are interested in participating in the WYLC's networking programs, such as the Mentor Link Mixer, as part of their job hunt. Yet, many of these members do not qualify under the existing definition, since they are over age 36 or have been licensed to practice law in another jurisdiction for greater than five years. Through its outreach and discussion with other WSBA members, the WYLC broadly observed that, although there may only be a handful of constituents who fall at the margins of the existing version of Article XII (and who would thus benefit from a more inclusive definition), those individuals feel strongly about their need to be included within the purview of Article XII.

² 2.97% of respondents stated that they do not understand the definition of "young lawyer."

To better review current perceptions of a proposed change, the current committee conducted a second survey during May 2025 and received 141 responses from active new members of the WSBA.³ The relevant results of that second survey, in comparison, are as follows:

Question	Response (%)		
	Yes	No	Did Not Answer
Q8. Do you believe the WSBA should update the name “Young Lawyer” to something that better reflects the demographics of a new legal professional?	<u>50.35%</u>	41.13%	8.51%
Q11. Should the WSBA “Young Lawyer” definition be amended to align with the definition of a WSBA member, which includes lawyers, [LLTs], and [LPOs]?	<u>45.39%</u>	40.42%	14.18%
Q12: What requirements should be included in the definition? (Age) ⁴	30.49%	<u>62.61%</u>	18.44%
Q12: What requirements should be included in the definition? (Years of Practice) ⁵	<u>77.30%</u>	<u>05.22%</u>	18.44%

The May 2025 survey also solicited comments from respondents, many of which demonstrate that the terms “Young”, “New” and “Lawyer” significantly impact how members perceive their own inclusion or exclusion in the group:

“As a LLLT, I would never attend a Young Lawyers event or sign up for participation with this group. During training to become a LLLT, it is made crystal clear that you are NOT a lawyer. This is really emphasized over and over again. I really do hope you change the name and definition. Having any type of support in these first few years of practice would have been invaluable.”

“Any name (such as “Young Lawyer”) or definition that includes age will necessarily exclude non-traditional students, either by definition or simply because they will feel it does not apply to them. I was 41 when I passed the bar. I would not consider the term “Young Lawyer” to apply to me, despite technically fitting the definition, and would not feel welcomed or comfortable in groups or at events bearing that name.”

“I would support narrowing the definition, as an attorney who has practiced for 10 years is not ‘new’ and their chronological age seems irrelevant to their competence.”

³ 131 Attorneys, 7 LLLTs, and 3 LPOs.

⁴ This question is most comparable Q32 in the original survey. Respondents were asked to select all that apply: Age; Years of Practice, and Other (please specify). The percentage of “Yes” votes is equivalent to the percentage of responses that included “age” as a relevant requirement they believe should be included in the definition. The percentage of “No” votes is equivalent the “yes” percentage minus the total number of individuals who answered this question.

⁵ See Footnote 4, but instead for the choice “Years of Practice”

"It should be years of experience only; age of a lawyer doesn't make someone a "young" lawyer or not."

"I suggest changing it to "new lawyer." Many of us are "new" but not "young."

"Any age limitation you suggest excludes people who enter the legal profession later in life who could substantially benefit from mentorship and are currently excluded because they are older."

c. WYLC Analysis

Based on the two surveys we see an increased interest in enacting a change to definition and structure of what it means to be new legal professionals in the WSBA. The plurality of those who believe a change needed to be made in the 2020 survey is now a clear majority in 2025; inclusion of LLLTs and LPOs now has a plurality of support as opposed to 2020; dissatisfaction with age as a requirement increased nearly 10%, and; years of practice is overwhelmingly the preferred requirement for 2025 survey. These updated survey results, as well as the WYLC's outreach efforts and informal discussions with constituents, reflected popular support for a more inclusive amendment to Article XII.

The 2019-2020 WYLC conferred on a series of tentative changes designed to implement the feedback it received. Specifically, this committee solicited discussion and debate on the following proposals:

1. Current definition should be amended to reflect constituent responses to Q30 and Q31. Amendments should remove age restriction and extend years of practice to 10 years pursuant to responses to Q30.
2. Remove "until the last day of December of the year in which the member attains the age of 36 years or" and ", whichever is later" to reflect constituent responses to Q30 and Q32.
3. Replace "fifth" with "tenth" to reflect constituent responses to Q30 and Q33.
4. No change to "[a]ctive lawyer members of the Bar" pursuant to constituent responses to Q34 and the majority's preference against expanding the definition to include LLLTs and LPOs.

The same committee also discussed whether (1) the phrase "first admitted to practice as a lawyer in **any state**" (emphasis added) should be changed to "first was admitted to practice as a lawyer in Washington state" and (2) whether the term "Young Lawyer" should be revised to be more inclusive and less age-focused.

Those members largely favored extending the "years of practice" requirement to ten years and removing the age restriction altogether. A concern was raised that, by removing the age restriction and extending the "years of practice" requirement, we would defeat the purpose of what it means to be a new member. WYLC members noted that other services and programming, such as discounts on CLEs for new members, are available to constituents who do not fit within Article XII's current restrictions. Other members noted that, if someone within this category wished to participate in a WYLC program, or utilize a new member benefit, there was no significant reason to deny them that opportunity—particularly since the WYLC rarely meets its capacity at outreach events under the existing version

of Article XII. The consensus was that, in practice, there appears to be little downside to offering these opportunities to a larger segment of the WSBA and offering “new” as well as “young” members services and benefits to a broader group of legal professionals.

After careful consideration of the updated survey and comments and similar discussion, the 2024-2025 WYLC came to the same conclusions both in its Bylaws Subcommittee and the committee at-large.

The 2019-2020 WYLC also considered situations in which the “[a]ctive lawyer members of the Bar” component of Article XII.B. might be unduly restrictive. For example, a person over the age of 36 might relocate to Washington after being barred in another state for over five years. Although that person might benefit from WYLC services, including for example networking events and opportunities to meet local members who are also new to the legal community, they would be excluded from receiving information and updates regarding these events and opportunities under the existing definition. The WYLC agreed that, for this reason, the triggering event should be when a member is first admitted to Washington state, rather than a different state or jurisdiction. The current committee agrees with this assessment. Further, the current committee believes that expanding the definition to include all new members of WSBA will provide much-needed support to members transferring in from more dissimilar jurisdictions, including international and tribal licensees.

At its June 2nd, 2025 meeting, all but one member of the WYLC agreed that the term “Young Lawyers” should be modified to more accurately reflect the proposed changes to Article XII. Both the 2019-2020 and 2024-2025 WYLC members agreed that, even under the existing version of Article XII, a member who is not necessarily young (because they did not enter the legal profession until later in life), but who qualifies under the “years of experience” prong, might either feel excluded under the existing terminology or not be aware that they qualify for the corresponding benefits and programming. Comparatively, the WYLC could not identify any legitimate reason to maintain the existing terminology, so long as the amended terminology accurately reflects the intended membership.

The 2024/25 WYLC also discussed the merits of expanding the definition to include non-lawyer members of WSBA. The WYLC is the only WSBA committee whose membership is specifically defined to exclude LLLTs and LPOs. Otherwise, LLLTs and LPOs are eligible for all other positions and benefits offered to members of WSBA. As reflected in the comments, this inhibits the ability of new non-lawyer practitioners to network with, receive mentorship from, and gain essential experience from other new and also more experienced professionals. As a result, the committee feels that the purposes of WSBA and of the WYLC (or renamed WNMC) are better served by including all WSBA members.

Please note that the two alternate definitions proposed below differ only with respect to whether membership is conferred until December 31 of “the year after” the tenth year or simply “of” the tenth year. It is unclear to the committee whether the current language “of the year after” carries any significance, whether it is being implemented as currently written, or whether it should be dropped in favor of a slightly shorter and simpler definition.

Finally, just as the 2019-2020 WYLC believed that the pros and cons of their proposed amendment should be weighed in the context of the ongoing COVID-19 pandemic, the 2024-2025 committee believes that the current proposal must be weighed in the context of the volatile state the legal field is currently in and the attacks we see on state sovereignty and judicial independence. New and young members entering the legal market are faced with unique challenges that members did not experience in the pre-pandemic world and current law students may not enter this field under the same institutional structures that benefited their predecessors. As such, the WYLC observed that a larger segment of the WSBA is likely looking for more opportunities to network with peers, develop mentorship relationships, and provide volunteer services. By providing services to a larger segment of the WSBA membership, the WYLC can fill this growing need.

d. Implementation Implications and Fiscal Impact of Proposed Amendment

The WYLC discussed whether an amendment to cover a broader segment of the WSBA might overextend the WYLC's resources and require budget changes. As of December 31, 2024, 6638 lawyers qualified under the existing definition of "Young Lawyer." Had the proposed amendment been in place at that time, 12,470 members of the WSBA would qualify as a "New Member". The WYLC does not currently foresee the need for additional outreach events, increased scholarships, or changes to meeting costs as a result of the proposed amendment. For these reasons, the WYLC does not currently anticipate any increase in any of the three expense line items associated with the WYLC (55266 WYLC Outreach Events; 58525 WYLC ABA Scholarship; 55270 WYL Committee). Although newly admitted WSBA members receive a discount on licensing within their first few years of practice, the WYLC is not proposing any change to that policy at this time. The WYLC anticipates questions from constituents concerning the amendment and will be prepared to address those questions.

3. Proposed Amendment & Rule Compliance

The proposed amendment agreed upon by the WYLC, reflected in redline, is enclosed as **Exhibit A**. A clean copy of the proposed amendment is attached as **Exhibit B**. The changes reflected in these enclosures are intended to address the considerations discussed above. If adopted, other references in the Bylaws to "Young Lawyer(s)" will need to be updated to "New Member(s)". Additionally attached to the memo are the full results of the WYLC's May 2025 Survey, as **Exhibit C**.

This preferred Bylaw Amendment, as well as the alternate proposal, were approved by the WYLC on June 2nd, 2025 by a majority vote of 8 with 1 dissenting vote and 1 abstaining. Article XVI. Amendments of the WSBA Bylaws governs the next steps of this proposed amendment. Under Subsection A., the Bylaws "may be amended by the BOG at any regular meeting of the BOG"

The "first reading" of the initial amendment was heard by the BOG on June 23, 2023. After incorporating the feedback of the BOG, the WYLC respectfully requests that, in compliance with the requirements of Article XVI, the BOG post the proposed amendment to the Bar's website and present for "second reading" the proposed amendment. Please let me know if you have any questions or concerns, or need anything else from the WYLC.

Thank you,

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

The Legal Risk Analysis is included in the BOG's confidential materials.

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

The fiscal impact to WSBA resulting from the proposed changes to the bylaws includes a limited amount of staff time used to incorporate the changes to WSBA records, outreach to communicate changes, and management of potential increased volume in applications in the election process for the young lawyer at-large governor position. 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 currently offers new member discounts on CLE seminars and products, however the discount applies to all members (lawyers, limited license legal technicians, and limited practice officers) who are within their first 5 years of admission to the WSBA and is not limited by age. The proposed changes to the bylaws do not impact the new member discount as it is set by internal policy. However, it is possible that if the proposal is approved, WSBA's internal policy could be reviewed for alignment considerations.

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 recommended policy or bylaw changes presented to the Board of Governors and to identify any potential impacts on the diversity and inclusion of the profession or fairness in access to resources and opportunities. It is clear that the WYLC conducted comprehensive research with their constituents as well as WSBA members who are currently excluded from networking and other opportunities based on existing bylaws (particularly LLLTs, LPOs, and legal professionals who entered law school or a law clerk program during a later stage in life). Ultimately, the proposed changes to the name, definitions, and bylaws will likely result in a net positive impact on inclusion in the profession by being responsive to differences in circumstances that impact the age at which people enter the profession. These changes would also significantly enhance fair and just access to resources and networking opportunities for LLLTs, LPOs, and legal professionals who have not had a straightforward path to entering the profession, many of whom are often from underrepresented and marginalized communities.