

PRO BONO AND PUBLIC SERVICE COMMITTEE

Meeting Agenda

September 13th, 2022 1 – 2 p.m., or until all business is completed

Remote Participant Information:

Link to access the Zoom meeting:

<https://wsba.zoom.us/j/85282066460?pwd=cVRLbWdoNEsxVXJrL251YTRkQkdHdz09>

Zoom Conference Call Lines: **LOCAL OPTION:** (253) 215-8782 || **TOLL-FREE OPTION:** (888) 788-0099

Meeting ID: 852 8206 6460 || Passcode: 200331

The Pro Bono and Public Service Committee serves WSBA members by communicating opportunities and eliminating barriers to providing pro bono services to communities that experience poverty and injustice.

10 minutes	Welcome <ul style="list-style-type: none"> - Recognizing Sandy and Bonnie - Zoom group photo 	All		
10 minutes	Proposed Rule Change to APR 1(e)(8) - QLSP Eligibility	All	Discussion & Action	Pgs 2-3
2 minutes	July Meeting Minutes	Michael Addams	Action	Pgs 4-5
15 minutes	Subcommittee Updates <ul style="list-style-type: none"> • Communications • Rules and Policy • CLE 	All	Report	
10 minutes	Microsoft Teams – Brief introduction to WSBA volunteer access	Saleena Salango		
5 minutes	BOG Liaison Updates	Matthew Dresden	Report	
3 minutes	ATJ Board Liaison Updates	Esperanza Borboa	Report	
2 minutes	Additional news/updates	All	Discussion	

Next meeting will be Tuesday, October 11th, 2022 1 – 2 p.m.



TO: Pro Bono and Public Service Committee (BPSC)
FROM: Rules and Policy Subcommittee
DATE: June 6, 2022
RE: Proposed change to APR 1 regarding the definition of a “Qualified Legal Services Provider”

DISCUSSION / ACTION: To approve the proposed rule change to APR 1(e)(8) and present for consideration to the Board of Governors.

(8) “Qualified legal services provider” means a not for profit legal services organization in Washington State or pro bono legal services program sponsored by a governmental entity in Washington state whose primary purpose is to provide legal services to low income clients.

Rationale for Proposed Change

APR 1(e)(C)(8) defines “qualified legal services provider (QLSP)” for all purposes under the General Court Rules, MCLE credits and the Rules of Professional Conduct. See GR 34, RPC 6.1 Comment [14]. APR 1 specifically defines a QLSP as a not for profit legal services organization ... “whose primary purpose is to provide legal services to low income clients,” (APR 1(e)(8)).

The WSBA itself and not the Supreme Court is the entity authorized to designate an organization as a QLSP. The WSBA website provides the criteria and process of how an entity can seek to become a QLSP as follows:

Become a QLSP

To become a Qualified Legal Service Provider, an organization must meet these five criteria:

- Must be a not-for-profit legal services organization whose primary purpose is to provide legal services to low-income clients, per APR 1(e)(8).
- Must have a financial screening mechanism in place to ensure clients are low-income.
- Must either provide malpractice insurance for volunteers or have a policy in place to require that all volunteers carry their own malpractice insurance.
- Ensure volunteers receive at least two hours of relevant training.
- Must be in Washington state or predominantly serve Washington state residents.

Programs meeting these criteria submit a one-page letter addressing how their organization qualifies to the WSBA’s Public Service Specialist.

Expansion of Eligibility

The Office of the Attorney General operates an in-house pro bono program to provide legal services to indigent veterans. The volunteer attorneys include both staff of the AGO as well as some private attorneys. Currently, this program does not fit the definition of a QLSP. The AGO has asked that it be entitled to QLSP status. This would enable its volunteers to obtain CLE credit, as well as pro bono time credits, and allow waiver of the filing fee for state court proceedings for persons they represent.

The PBPSC Sub-committee on Rules and Policy recommends amending the definition of “QLSP” to include pro bono legal services programs sponsored by a governmental entity in Washington. The sub-committee recognizes that the AGO program provides a necessary service to indigent veterans in need of representation. As it expands access to justice by providing direct individualized representation on veteran specific matters, it is no different in mission or function than the existing pro bono of staffed legal aid programs. For this reason, the sub-committee sees no reason to exclude the AGO project (and others with similar goals and functions that may arise within other government entities) from the benefits enjoyed by the QLSPs under Washington rules.

PRO BONO AND PUBLIC SERVICE COMMITTEE
August 9th, 2022 Meeting Minutes

Present: Bonnie Rosinbum, Michael Addams, Erin Fortney, Deborah Perluss, Jacqui Merrill Martin, Yuan Ting, Tacy Gillespie
WSBA Staff: Nicholas Mejía, Saleena Salango
BOG Liaison: Matthew Dresden
ATJ Liaison: Esperanza Borboa

Absent: Thuy Nguyen, Ritu Jain, Natalie Reber, David Weafer, Sandy Garcia

Meeting called to order at 1:05 p.m.

July Meeting Minutes

On motion to approve minutes from Jacqui Martin, seconded by Bonnie Rosinbum, July meeting minutes were approved.

Subcommittee Updates

Communications Subcommittee: David Weafer is writing an article for the Bar News. Members are welcome to provide additional ideas for upcoming publications by contacting the Communications Subcommittee. The subcommittee spoke to Sam Harden from Pro Bono Net about activating the cases and opportunities features on Pro Bono WA. Michael and Saleena are Mike/Saleena are speaking to community organizations that use Legal Server to test a beta feature that posts anonymized case information automatically. Jacqui and Ritu are working on welcome guide for new members; please email a photo and short bio.

Rules and Policy Subcommittee: The committee has no updates as they suspended meetings during the summer months. They intend to continue meetings this September.

CLE Subcommittee: Erin Fortney reported that the CLE subcommittee is on track with the October Legal LunchBox that centers on domestic violence protection orders.

Proposed Rule Change to APR 1(e)(8) – QLSP Eligibility

Michael Addams met with Beatrice Lucas from the Office of Military and Veteran Legal Aid housed in the Attorney General's Office, discussed the challenges that not having the QLSP status. They are not so interested in having the status, but more so of having the benefits that come along with it. They are looking to having the same function and same status.

The pro bono status attorney cannot practice law outside of volunteering with a QLSP. Clients that go through a QLSP can qualify for a GR 34 fee waiver.

Members shared concerns with the proposed language in the is the term "government entity" is very broad and can lead to unforeseen consequences.

Matthew Dresden suggested that the rule change is not quite ready to bring to the BOG, especially given that this expansion is meant only to benefit OMVLA. Deborah Perluss stated that the committee may be interested but need to further investigate how to address this rule change, and suggested the committee approve the rule change to help promote pro bono, which is part of our committee's mission.



ATJ Liaison Updates

Esperanza Borboa shared that the ATJ Board is planning for the 2023 Access to Justice Conference. The conference committee is planning for it to be in person in Tacoma but may incorporate some virtual elements for a hybrid conference. The ATJ Conference planning committee will potentially be reaching out to the tribes to have a reception at a tribal center or a casino to incorporate them in a conversation.

The ATJ Board is also bringing on four new board members. 75% of people that applied to be on the ATJ Board were people of color, a first for the board.

BOG Liaison Update

Matthew Dresden shared that the bar structure study, ETHOS, is coming to the end. The BOG's recommendation will be to keep the bar structure the same, or nearly the same. There may be dissenting opinions that will be written up. The next ETHOS meeting will occur Saturday August 13th. District 8's BOG position will be opening up soon and will be appointed by the BOG. The Diversity Committee is now the DEI Council. The definition of diversity is being updated by the DEI Council.

Regular meeting adjourned 2:00 p.m. Strategic planning session occurred directly after the meeting.

Strategic Planning Session

Bonnie Rosinbum and Michael Addams encouraged any member of PBPSC to be a part of the large strategic planning meeting, although it is not a committee meeting and therefore quorum is not required. The chair of the subcommittee or someone they delegate should attend that meeting. The meetings will occur once in March/April and once at the end of each fiscal year in August/September directly after the regular committee meetings.

Community engagement plan: The co-chairs will review the various projects outlined in the community engagement plan to guide the Committee's work over the next year. The projects outlined are not binding but intended to be suggestions for projects to consider over the years.

