

WASHINGTON STATE BAR ASSOCIATION

Small Town and Rural Council

Small Town and Rural Committee Meeting | Virtual Only

Wednesday, October 23, 2024, | 12:10 p.m. – 1:10 p.m.

Via [Zoom](#) | Meeting ID: 832 6211 3985 | Passcode: 935395 | Call-in: 888-788-0099

AGENDA

1. Introductions and Approval of July Meeting Minutes (Gov. Kari Petrusek)
2. WSBA Updates (Gov. Petrusek and Kevin Plachy)
3. Project Team Updates
 - a. Job Fair at Gonzaga
 - b. Summit Project Team (Kevin Plachy & Merf Ehman)
 - c. Rural Day of Service (Kathryn Burke, Kevin Plachy)
4. Rural Practice Proclamation 2024
5. Bar News Article Discussion (Free Law School Tuition)
6. Proposed Meeting Schedule for FY25
7. Announcements
8. Next Steps/Conclusion
9. Next Meeting: November 27
10. Adjournment

CHARTER

Small Town and Rural Council

Adopted: April 17, 2021. Amended July 17, 2021; September 7, 2024.

Purpose

As an advisory entity to the WSBA Board of Governors, the Small Town and Rural (STAR) Council is committed to strengthen and support the practice of law in the rural communities throughout Washington state. Members of the STAR Council will work to ensure that the practice of law in rural communities is present, growing, and thriving.

Practitioners in rural communities are few and far between. Additionally, many of these practitioners are nearing retirement without a clear plan of succession for their clients, leaving a void of access to legal representation and counsel. The STAR Council will guide policy & program development, serves as ambassadors between the WSBA and these communities, explore and advocate for creative and innovative solutions, and regularly assess the legal landscape in rural communities to determine if WSBA policy, advocacy and program development require further resource for sustainability and improvements.

The STAR Council aligns with the authorized activities outlined in General Rule 12. More specifically, GR 12.1 (a) articulates the Washington Supreme Court’s regulatory objective to provide, in part, “meaningful access to justice. . .” while GR 12.1(d) strives for “affordable and accessible legal services.” In addition, the STAR Council aligns with the authorized activities outlined in GR 12.2, in particular by providing “services to members and the public,” and “fostering collegiality among its members and goodwill between the legal profession and the public.”

Further, the STAR Council furthers the WSBA mission to serve the public and the members of the Bar by providing focused attention on the unique needs of residents and members in rural areas both by improving access to legal practitioners in rural communities and outreach and development of a pipeline of younger rural residents to pursue a legal career and serve their communities.

Definition of “Rural”

For the purpose of the STAR Council and reflective of Washington’s unique geographic and sociogeographic landscape, the definition of “rural” is as follows:

Based on the definitions produced by the U.S. Department of Agriculture Economic Research Service (ERS) and an overview of Washington county population, we focused on counties with populations of less than 50,000 and more than 2,500. These areas are considered ‘urban nonmetro areas not part of larger labor markets’ by ERS. As part of the working definition, and for ease, we have termed these counties as ‘rural.’ Based upon WA county population data, we’ve pursued a hypothesis that counties with 30,000 or more are rural, but likely adjacent to a labor market and perhaps have a varying set of circumstances that may differ from counties that are less than 30,000.

This definition will serve as the “per se” definition of rural. The STAR Council has the authority to change this definition based on specific programming objectives.

Composition

The member appointment process will follow the process for WSBA Committees. Members of the STAR Council should have demonstrated experience and/or interest in a thriving legal practice in Washington's rural communities. The STAR Council will consist of 13 members and are outlined as:

- Chair (voting member)
- 2 Current or Former WSBA Board of Governors Members (voting members)
- 1 Active WSBA Member At Large (voting member)
- 4 Active WSBA Members from rural communities - see above for definition of "rural" (voting members)
- 1 Active WSBA Young Lawyer Member, as defined in WSBA Bylaws (voting member)
- 3 Law School Representatives (voting members, must be currently employed with a WA Law School which is not currently represented on the Committee.)
- 1 Active WSBA Lawyer Member currently employed with a Qualified Legal Service Provider (QLSP) (voting member).

WSBA Staff Liaison: Member Services and Engagement Manager or staff member in the Advancement Department, non-voting.

Board of Governor Liaison: as assigned annually, non-voting.

Terms

- Chair: two-year term
- Members: three-year term

Initial Committee Terms

In FY21, the first appointments to the STAR Council were effectuated in a staggered rotation of STAR Council members. Therefore, the following terms were in place for the first appointment cycle only. All subsequent terms should adhere to the term limits stated above. STAR Council members serving an initial term less than three years, should be considered an incomplete term. Therefore, the member is eligible to serve two subsequent complete three-year terms per WSBA Bylaws.

- 2 Active WSBA Members
1 member with two-year term, 1 member with three-year term.
- 4 Active WSBA Members from rural communities (see above for definition)
1 member with one-year term, 1 member with two years term, 2 members with three-years term.
- 3 Law School Representatives (voting, must be currently employed with a WA Law School)
1 member with one-year term, 1 member with two-years term, 1 member with three-years term.

The following positions will begin as a standard term as set forth in this charter.

- Chair
- 1 Active WSBA Young Lawyer Member
- 1 Active WSBA Lawyer Member currently employed with a Qualified Legal Service Provider (QLSP).

Scope of Work

The scope of the STAR Council's work will focus on what the WSBA is uniquely positioned to do in supporting a sustaining and thriving environment for the practice of law and increase access to justice in Washington's rural communities. The STAR Council will work with all relevant and interested stakeholders to collaborate where needed. The provision of direct legal services and civil legal aid to the public is outside the scope of the STAR Council.

Measures of Success

- Increased awareness of the issues and possible solutions to address any gap in practicing members in rural communities.
- A sustainable pipeline of legal practitioners in rural communities.
- Increased numbers of legal practitioners in rural communities.
- The establishment of funding for programs and initiatives for the practice of law in rural communities.

STAR Council Roles

1. Community Education and Outreach

Coordinated efforts to educate members and potential members about the unique needs, opportunities and benefits of a rural practice. This can include, but should not be limited to, comprehensive information on WSBA's website, features in WSBA publications, presentations at high schools, law schools and community colleges. Meetings and events, such as a summit or symposium, to highlight the issue, convene interested stakeholders to share their concerns and strategize on possible solutions.

2. Pipeline and Placement Program(s)

Develop WSBA programming, or WSBA supported/partnered programming designed to build a pipeline of practitioners in rural areas as well as an incentive program to encourage members to explore a rural practice on a time-limited or multi-year timeframe. This role should explore a possible collaboration or strategic overlap with WSBA existing and future mentorship program(s). In particular, this role will require extensive strategic planning and identification of external stakeholder support and additional funding sources. Coordinate with law schools and other stakeholders regarding economic incentives to practice in rural areas.

3. Job Opportunities and Clearinghouse

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Utilize existing and future WSBA resources to support and highlight job opportunities in rural communities. This role should include making it easier, and perhaps more cost-effective, to add job postings to WSBA's service. Develop a clearing house to assist retiring members with succession planning and the buying/selling of a practice.

Committee Evaluation

The STAR Council should conduct an assessment within five years from the date of Board of Governors' initial approval of the STAR Committee by 1) conducting a survey of rural practitioners to provide stakeholder feedback regarding the impact of this Council to effectuate change in these areas, 2) assessing the scope of work to reflect impact and progress in this area and align with trends in the greater legal community, and 3) earnestly examining if the Council is necessary to continue the scope of work.

WASHINGTON STATE BAR ASSOCIATION

Small Town and Rural Committee

Small Town and Rural Committee Meeting Minutes

Wednesday, July 17, 2024 | 12:17 p.m. – 1:03 p.m.

Virtual meeting via Zoom

Committee Members Present: Elizabeth Penoyar, Erin Lloyd, Jesse Lamp, Governor Kari Petrasek, Judge Kathryn Burke, Merf Ehman, Rusty McGuire

Committee Members Absent: Allison Foreman, Erin Fullner, Hunter Abell, Sarah Cuellar, Sunitha Anjilvel, Zachary Bryant, Ashley Cummins, Matthew Dresden

WSBA Staff Present: Chelle Gegax, Kevin Plachy, Vanessa Sweeney

WSBA Board of Governors Liaisons Present:

Public Attendees Present: Sophia Byrd McSherry, Michael Chin, Jason Walker, Lisa Pruitt

Introductions and Approval of June Meeting

Governor Kari Petrasek called the meeting to order at 12:17 p.m.

On motion by STAR Committee Member, Rusty McGuire, seconded by STAR Committee Member, Merf Ehman, the STAR Committee voted unanimously to approve the June meeting minutes.

WSBA Updates (Gov. Petrasek and Chelle Gegax)

Kari commented on an upcoming article for the September issue of Bar news, including the work of the STAR Committee and a particular focus on rural practice.

WSBA Member Engagement Specialist Chelle Gegax, introduced newest member of the Member Services and Engagement team, Vanessa Sweeney, who will provide support to the team as Project Coordinator.

Project Team Updates

Former STAR Committee member Laurie Powers has transitioned to WSBA as general counsel. No updates currently as to determining a replacement for her position on the committee. A small token of appreciation will be presented to Laurie, perhaps an engraved star, to thank her for her contributions to the committee.

STAR Committee member Erin Lloyd mentioned that she will update the committee if she hears of any updates from the school. If anyone knows of anyone looking for a job in career services, in Spokane, reach out to Erin.

Job Fair at Gonzaga

Laurie provided an update on the job fair held virtually, through the Gonzaga platform.

Summit Project Team

STAR Committee Member, Merf Ehman, suggests the committee should decide if the STAR Summit should occur again, and who would be on the planning committee. WSBA Advancement Director, Kevin Plachy, adds that planning this event is a heavy lift. The committee will need to be cognizant of costs as the June summit was quite inexpensive as Gonzaga had the space and offered economical catering costs. The next one will likely have varied cost increases. Gov. Petrasek adds that a good consideration would be to hold the event in a central location, e.g., Ellensburg. It was agreed to begin discussions in September.

Rural Day of Service

Kevin stated that there is a placeholder in the FY25 budget for two events with a \$3000 grant allocated per event, along with funds for committee member reimbursements. Kevin mentioned he is willing to work on a proposal with Judge Burke and Kari, and anyone else who wants to be involved. After an internal review with general counsel, a draft can be reviewed at the September meeting. STAR Committee Member, Judge Kathryn Burke, added that she spoke to Leone Reinbold from the Colville Trial Court at the STAR Summit about joining efforts.

STAR Charter Amendments

Members discussed on transitioning from a 'committee' to a 'council'. In identifying the difference between a committee and a council, a committee is limited to WSBA lawyer members, a council can include people who fall outside of this restriction. In terms of proposed charter, there is nothing substantive changing in authority or objectives of the committee, it is only renaming the title. During the discussion, Merf posed the question whether to consider updating the definition of 'rural' as it has come up over the past few years. Kevin suggested the addition of a sentence at the end of the definition stating the committee has the authority to modify the definition for specific goals and programs, and other times as appropriate. Merf agreed and that having it in the charter makes sense. Kari agreed that this is the committee that should be coming up with the definition. Sophia mentions there is no definition in the statute, but having guidance from the bar is helpful. For reference, an example of a WSBA Council is the [Council on Public Defense](#).

STAR Committee member Elizabeth (Betsy) Penoyar asks, of the 13 voting members, how many are actual rural practitioners. Kevin replies that 4 are slotted. Betsy wonders if changing to a council is going to make it fewer. Kevin doesn't think so, and Chelle suggests it's opening an opportunity for more because it's reducing the restriction. Kevin agreed to compose a draft and will distribute to the committee for review.

On motion by STAR Committee Member, Erin Lloyd, seconded by STAR Committee Member, Rusty McGuire, the STAR Committee voted unanimously (7-0-0) to approve the charter amendments with the addition of an added sentence at the end of the definition of 'rural'.

Announcements

Sophia shared a [link](#) to a job notice for a state OPD employee position dedicated to public defense recruitment in Eastern Washington.

Next Steps/Conclusion

None.

Next Meeting: September 18, 2024

The August meeting is canceled as several committee members are unable to attend.

Adjournment

Adjourned at 1:02 p.m.

DRAFT

From: [Andrea Agrella Clemente](#)
To: [Chelle Gegax](#)
Subject: Invitation to Share Input on Draft WSBA Equity and Justice Plan - DEADLINE: 11/29/24
Date: Friday, October 18, 2024 9:05:16 AM

Hello Chelle Gegax,

The Washington State Bar Association (WSBA) DEI Council invites Small Town and Rural Practice Committee (STAR) to provide feedback on the [draft WSBA Equity and Justice Plan](#).

The WSBA recognizes the crucial role that diversity and inclusion play in advancing equity and justice in our legal profession and legal system. We believe that a legal profession that reflects the rich diversity of the communities we serve and fosters inclusion and belonging among its members will improve public trust and confidence in the profession and access to justice. The DEI Council has drafted a [new Equity and Justice Plan](#) and are seeking your feedback by **November 29, 2024**.

You can share your feedback in any number of ways:

Email: Send your comments to diversity@wsba.org.

Survey: Share your input in a short survey [here](#).

Virtual Sessions: The DEI Council is hosting virtual sessions to listen to input on:

- Tuesday, Oct. 29
Noon–1 p.m.
[Join the Zoom meeting](#).
- Friday, Nov. 15,
Noon–1 p.m.
[Join the Zoom meeting](#).
- Thursday, Nov. 21
5–6 p.m.
[Join the Zoom meeting](#).

If you have any questions or concerns, please email diversity@wsba.org.

Many thanks,

Diana Singleton

Diana K. Singleton | Chief Equity and Justice Officer

Gender Pronouns: She/Her/Hers

Washington State Bar Association | 206.727.8205 | dianas@wsba.org

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WASHINGTON STATE BarNews

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Washington State Bar News relies on submissions from WSBA members and members of the public that are of interest to readers. Articles should not have been submitted to any other publications and become the property of the WSBA. Articles typically run 1,000-2,500 words. Citations should be incorporated into the body of the article and be minimal. Please include a brief author's biography, with contact info, at the end of the article. High-resolution graphics and photographs (preferably 1 MB in size) are requested. Authors should provide a high-resolution digital photo of themselves with their submission. Send articles to wabarnews@wsba.org. The editor reserves the right to edit articles as deemed appropriate. The editorial team may work with the writer, and the editor may provide additional proofs to the author for review.

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LET US HEAR FROM YOU!

We welcome letters to the editor on issues presented in the magazine. Email letters to wabarnews@wsba.org.

Letters to the editor published in *Bar News* must respond to content presented in the magazine and also comply with Washington General Rule 12.2 and *Keller v. State Bar of California*, 496 U.S. 1 (1990). **Bar News* may limit the number of letters published based on available space in a particular issue and, if many letters are received in response to a specific piece in the magazine, may select letters that provide differing viewpoints to publish. *Bar News* does not publish anonymous letters or more than one letter from the same contributor per issue. All letters are subject to editing for length, clarity, civility, and grammatical accuracy.

*GR 12.2(c) states that the WSBA is not authorized to "(1) Take positions on issues concerning the politics or social positions of foreign nations; (2) Take positions on political or social issues which do not relate to or affect the practice of law or the administration of justice; or (3) Support or oppose, in an election, candidates for public office." In *Keller v. State Bar of California*, the Court ruled that a bar association may not use mandatory member fees to support political or ideological activities that are not reasonably related to the regulation of the legal profession or improving the quality of legal services.



Another Idea For the WSBA Star Committee

As a retired, now pro bono attorney¹ involved with access to justice, I follow with concern the issues and ideas to provide civil and criminal attorneys to the underserved rural areas ["Transforming Legal Deserts into Legal Oases," September 2024] I propose that an additional modality be explored by the

STAR Committee, Bar leadership, and our law school deans.

Provide a tuition-free route in our law schools, whereby students selected for such agree to serve as public defenders and civil private attorneys (who

will also take on some public defense in addition to their civil practice, for reduced rates and provide pro bono) in rural legal access-impaired areas for four years. The military provides free tuition for law school students who serve a requisite amount of years. Private benefactors have been in the news this past year, who have made tuition-free medical schools a reality. We've got wealthy philanthropists and

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Please scan the QR code to fill out our questionnaire, and someone from the *Bar News* team may reach out to you.



See page 7 for article submission guidelines.

Questions? Contact
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wealthy lawyers in our state. Let's make this happen.

Michael B. Goldenkranz
Seattle



Seattle's Gain, South Sound's Loss

I was a member of the Tacoma-Pierce County Bar and a tenant of the building adjacent to the University of Puget Sound (UPS) School of Law when it was sold to Seattle University in 1993. I was, therefore, curious to read about that sale, as recounted in a law review article by former Seattle University School of Law Dean Annette Clark: "What's Past is Prologue: The Story of the Sale of the University of Puget Sound School of Law to Seattle University," 46 *Seattle Univ. Law Rev.* 773 (2023).

In the April/May issue of *Bar News*, the WSBA's Margaret Morgan undertook to review Dean Clark's article, which describes the sale and the ways in which various interested parties reacted to it. I haven't yet read the law review article itself, and perhaps it covers my concern, but what's missing from Ms. Morgan's summary are the details of how the sale affected the South Puget Sound legal community.

The UPS School of Law was founded in Tacoma in 1972 and moved into freshly renovated quarters in downtown Tacoma

in 1980. (As I recall, Sen. Henry "Scoop" Jackson and Congressman Norm Dicks were present for the dedication ceremony; it was a big deal). Having a law school south of Seattle and west of Spokane was a palpable boon to the surrounding communities. Many UPS law students got internships and part-time jobs with law firms and with public agencies such as the Attorney General's Office, local prosecutors and public defenders, legal aid societies, and the courts. After graduating, students tended to remain in the area as a handy recruitment pool for those same employers seeking to hire new lawyers.

With the sale, while Seattle got a second law school, the South Sound lost a significant chunk of an important resource. This is not to say that Seattle University law students and grads no longer populate the counties to the south; of course they do. But it is to point out the obvious: that Seattle-centric students are less likely to migrate out of town for jobs, whether internships or full-time employment. The Seattle legal community's gain was to some extent a loss for Tacoma, Olympia, Port Orchard, and surrounding areas.

Again, perhaps Dean Clark's law review article does cover this aspect of the sale. If so, I'm confident she did it well. I look forward to reading her article.

Mark Adams
Gig Harbor

NOTE

1. More information about WSBA emeritus pro bono license status can be found here: <https://wsba.org/for-legal-professionals/license-renewal/status-changes/emeritus-pro-bono-membership-and-return-to-active-membership>.