

WASHINGTON STATE BAR ASSOCIATION

Washington Young Lawyers Committee

Washington Young Lawyers Committee Meeting I Virtual

Saturday, June 24, 2023 | 10:00 a.m. - 2:00 p.m.

Via [Zoom](#) | Meeting ID: 814 0328 9642 | Passcode: 296825 | Call-in: 888-788-0099

AGENDA

- | | |
|--|---|
| 1. Welcome & Approval of May Meeting Minutes | Zachary Davison, WYLC Chair |
| 2. Introductions | Zachary Davison |
| 3. WSBA Updates | Julianne Unite, Member Services and Engagement Manager,
Curtiss Melvin, Member Engagement Specialist |
| <ul style="list-style-type: none"> a. BOG Meeting Updates b. BOG Elections c. Mentorship Program Updates and MentorLink Mixer d. WYLC Positions: Chair Elect Position, Vacant WYLC Positions and Appointments, ABA YLD Rep e. Young Lawyer Liaison to Sections Updates f. Law Student Liaison Updates | |
| 4. Project Team Presentation and Regional Reports | Group Discussion/Potential Action |
| <ul style="list-style-type: none"> a. Awards – Aaron, Emily <ul style="list-style-type: none"> i. ABA Scholarships ii. Public Service Leadership Award b. Bylaws – Zach c. STAR Committee – Zac B, Cody d. Recruitment/Outreach – Alyssa, Zach, Marye, Cody, Elyse <ul style="list-style-type: none"> i. KCBA YLD Soiree Sponsorship e. Financial Focus CLE – Marye, Cody, Elyse | |
| 5. Recess for Lunch (12:00 – 1 p.m.) | |
| 6. New Ideas for Next Meeting | Group Discussion |
| 7. Adjournment | Zachary Davison |

2022 - 2023 WYLC Meeting Schedule

November 19, 2022	Meeting: 10:00 am – 12:30pm	Hybrid/WSBA Office
January 14, 2023	Meeting: 10:00 am – 12:30pm	Virtual
March 11, 2023	Meeting: 10:00 am – 12:30pm	Virtual
May 13, 2023	Meeting: 10:00 am – 12:30pm	Virtual
June 24, 2023	Meeting: 10:00 am – 12:30pm	Hybrid/Vancouver, WA
September 9, 2023	Meeting: 10:00 am – 12:30pm	Virtual

WASHINGTON STATE BAR ASSOCIATION

Washington Young Lawyers Committee

Washington Young Lawyers Committee Meeting I Virtual Only Saturday, March 11, 2023 | 10:03 a.m. – 11:01 a.m. DRAFT Meeting Minutes

WYLC Members Present In-Person or Phone: Aaron Haynes, Cody Branstetter, Emily Albrecht, Mason Ji, Marye Scott, Zachary Bryant, Zachary Davison

WYLC Members Absent: Alyssa Nevala (excused), Carnissa Lucas-Smith (excused), Catarina Ferreira (excused), Elyse Lopez (excused), Stephan Yhann (unexcused)

Board of Governors Liaisons: None

WSBA Staff: Chelle Gegax – WSBA Member Services and Engagement Administrative Assistant, Curtiss Melvin - WSBA Member Engagement Specialist, Julianne Unite – WSBA Member Services and Engagement Manager

Welcome & Approval of March Meeting Minutes

Washington Young Lawyers Committee (WYLC) Chair, Zachary (Zach) Davison, called the meeting to order at 10:03 a.m. On motion by WYLC Member Mason Ji, seconded by WYLC Member Cody Branstetter, the WYLC voted (6-1-0) to approve the January WYLC Meeting Minutes.

Introductions

Zach invited those in attendance for the first time to introduce themselves. WSBA Practice Management Advisor, Margeaux Green, introduced herself and provided others in attendance with a description of her work with the WSBA and how it could benefit new and young lawyers.

WSBA Updates

BOG Elections

WSBA Member Services and Engagement Manager, Julianne Unite, provided an update on the BOG elections, kicking off elections for at large, particularly diversity seat. All WSBA members are eligible to vote for this position. Julianne also provided a reminder that it was updated to voting process versus the previous standard of board appointment. Voting closes June 1, 2023. The At-large young lawyer position will be available at the end of next fiscal year, and there will be an election for new at large young lawyer positions. The WYLC will review applications and make recommendations as to who should be included in the ballot. The next BOG Meeting, scheduled for May 19-20, will include interviews and voting in the next president elect. Currently there is only one candidate: Sunitha Anjilvel.

Deadline For WYLC Application Extended

WSBA Member Engagement Specialist, Curtiss Melvin, advised that deadline for WYLC applications has been extended to June 2, 2023, for open positions.

Chair Elect Position

Curtiss advised that the WYLC needs to start selecting candidates to fill the FY24 Chair elect position. He encouraged anyone interested to state their interest in this meeting.

Update On Budget

Curtiss provided an update on the ABA delegate expenses. These have changed from a fixed amount to a variable reimbursement amount. Those seeking reimbursement must seek reimbursement from ABA first, then WSBA for remaining expenses. Julianne thanked Zach and Aaron for FY24 budget draft. The draft is inclusive of more frequent in-person meetings for FY24. The total proposed is \$21,500 for the year, and the BOG will vote to approve at September BOG meeting.

BOG Update for Action Items

Julianne provided an update on BOG action item policies. To make BOG action items more consistent between entities, meeting materials deadline are now a hard deadline. A cover memo is now required by the BOG can be found in today's meeting materials. A Legal/risk analysis, fiscal analysis and equity analysis must all be addressed in any action item proposals to the BOG on the new cover memo.

Vacant WYLC Position Recruitment

Zach D. advised that WYLC Member Stephan Yann is moving and will possibly be taking an at-large position in King County, leaving a vacancy in his current position in Yakima. WSBA Member Services and Engagement Administrative Assistant, Chelle Gegax, advised of Young Lawyer Liaison to Sections (YLL) program and orientation in September. This would be an excellent event for WYLC members to attend and engage with YLL's as a recruiting opportunity.

Project Team Presentation and Regional Reports

Recruitment/Outreach – Alyssa, Zach, Marye, Cody, Elyse

Cody asked about having a pdf to distribute for recruiting efforts. Chelle advised that she could send a pdf of the WYLC's Volunteer Position Description.

STAR Committee – Zac B, Cody

Cody and Zach have not been able to attend recent meetings, no update was provided.

Financial Focus CLE – Marye, Cody, Elyse

Marye provided update on the financial focus CLE. Topics will include student debt considerations and opening a law firm, with a Second speaker on IOLTA considerations and resources. They are currently Working finding a date that works best. The presentation will Most likely be 90-120 minutes over the lunch hour.

Awards/ABA YLD – Aaron, Emily

Aaron advised no current updates on awards. He Also advised that he is stepping down from ABA role and that there is approximately one and a half years left on his term if anyone is interested in taking over. Aaron

advised that PLSA nominations are open. Chelle advised that there is only one nominee at this time, and no applicants for the ABA scholarships. The deadline for both the PLSA and ABA Scholarships is June 9, 2023.

Mayre requested funding from the WYLC for Spokane Young Lawyers Committee. The Spokane Young Lawyers Committee hosts a yearly Judicial Theater Ethics, which is a catered event, where they recruit judges to act out ethical skits. They are having a hard time getting Young Lawyers to attend and would like sponsorship from the WYLC to make it more appealing. This is an ethics CLE and is \$150 per person to attend. Mayre is Requesting two (2) \$150 scholarships to sponsor young attorneys in Spokane County to attend. Date of event – May 18. Applicants would need to seek reimbursement. On motion by Marye, second by Zach B, the WYLC unanimously voted (7-0-0) to sponsor two young lawyers in the amount of \$300 total, for the Spokane Young Lawyers Committee Judicial Theater Event.

Bylaws – Zach

Zach provided update on the bylaw's amendment update, which can be found in the meeting materials. Under current definition approximately 6,000 attorneys qualified; if the proposed amendment was in place at that time the number would have doubled. The amendment removes age restriction and changes five years to 10 years, specifically in Washington. On motion by Zach D., seconded by Zach B., the WYLC voted unanimously (7-0-0) to submit the cover memo of the By-law amendment to the BOG at the June meeting.

Trial Advocacy Program – Zach, Alyssa

Zach advised he spoke with WSBA CLE and that they have almost everything in place for the TAP program. Curtiss provided info that they are still seeking volunteers for a bailiff. Chelle advised that the dates are June 9-10, and that bailiff position may be in person. Cody stated that he might be able to volunteer and will circle back on Monday.

New Ideas for Next Meeting

Zach advised that the next meeting is in June, in person with the BOG in Vancouver.

Adjournment

Zach adjourned the meeting at 11:01 a.m.

WYLC PSLA Nomination

Nominee #1

Nominator: Co-worker

Describe the nominee's leadership in his or her local community:

██████ deserves this award because they excel at very difficult and niche legal work. Their clients are primarily unaccompanied youth (ages 12-24), many of them with disabilities and very little support in their lives. This is their first-year practicing, and they are a prolific problem solver; providing professional and kind-hearted leadership in situations that often seem to have tight deadlines and no answer.

I've watched them successfully navigate these types of cases and provide community assistance all in their first year:

- Youth abandoned in hospital facilities
- Minor guardianships
- Helped homeless youth obtain housing and Social Security benefits
- Emancipations

They are wonderful at explaining legal matters and options to all their clients so they can understand the situations at hand. They know how to connect with the Spokane community for resources and ensure their clients the best options.

How has the nominee promoted and/or contributed to the legal profession and community?

██████ has done outreach at our large homeless camp in Spokane: Camp Hope. They also offers consistent legal advice to those in our community homeless teen youth shelters: VOA Crosswalk & the youth Crisis Residential Center.

Describe a situation in which the nominee has "gone above and beyond"?

██████ is a fierce attorney for trans youth. They do it all: gender marker changes, name changes, and very importantly: legal safe placement solutions. They are literally out here saving lives- Many trans youth have gone from hospitals or the streets, into safe and stable living options because of them.

Additional information:

N/A

WYLC PSLA Nomination

Nominee #2

Nominator: Mentee

Describe the nominee's leadership in his or her local community:

- Serves as board member to the Children's Campaign Fund
- Volunteers as an advocate on women, children, and family issues
- Recently completed a term as co-chair for the Associates Campaign for Equal Justice for the Legal Foundation of Washington.
- Currently Region 16 Hispanic National Bar Association President
- Mentor to law students and new attorneys

How has the nominee promoted and/or contributed to the legal profession and community?

They are very involved in the community by doing pro bono work with multiple organizations. They constantly make themselves available to answer questions from law students and creates networking opportunities for them.

Describe a situation in which the nominee has "gone above and beyond"?

They spent a whole weekend on the phone with me helping work on my applications for summer associate opportunities. I have multiple mentors, and no one has ever done that or offered to do that for me.

Additional information:

They give me hope for a new generation of lawyers who genuinely care about the legal community.

WYLC PSLA Nomination

Nominee #3

Nominator: Mentor

Describe the nominee's leadership in his or her local community:

■■■■ has been involved with the Latinx community since I met them in law school. ■■■■ has been involved with the Latinx Law Student Association (LLSA) since I was attending law school and has helped many students prepare for a career in the law. They personally help students with their resume and interview skills. They will put students and young lawyers in contact with other lawyers who are able to share their experiences. To this day, they are still involved with the Latinx community in law school and out of law school. ■■■■ is well known within the community, and anyone can attest to their passion for helping others.

How has the nominee promoted and/or contributed to the legal profession and community?

■■■■ has contributed to the legal profession by mentoring young attorneys and law students to become admirable professionals. I have seen how their mentorship has helped a classmate go from a first-generation law student, to passing the bar, and working for a firm. I also know that they are continuously in contact with other law students to help them acquire the same goals. They contribute to many organizations and their efforts are recognized by law students, law professors, and legal professionals.

Describe a situation in which the nominee has "gone above and beyond"?

A personal situation in which they have gone above and beyond was when they helped me get through my bar studies after not passing the bar exam my first time around. They did not only offer general advice and move on, but they also stuck around to make sure that I was studying correctly and had the correct resources to pass. Luckily, because of their mentorship, I was able to pass and will be joining the Coast Guard JAG.

Additional information:

I graduated from Seattle University School of Law in May of 2021. I previously clerked for the Washington State Court of Appeals Division I, I currently work as a contractor for Health and Human Services Office of Civil Rights, and I will be joining the Coast Guard this year. My contact email is ■■■■ if you have any follow up questions.

Respectfully,
■■■■

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

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

The WSBA Bylaws article XVI.B states that

“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, 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.

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 to the 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,



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Attachments

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