

**SENIOR LAWYERS SECTION
EXECUTIVE COMMITTEE MEETING AGENDA
Wednesday, September 14, 2022 at 10:30 am**

Join Zoom Meeting

<https://us02web.zoom.us/j/84116206848>

Meeting ID: 841 1620 6848

One tap mobile

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1. **Welcome:** Eleanor Doermann
2. **Secretary's Report:** Al Armstrong
 - Review and approval of minutes from July 13, 2022 meeting
3. **Treasurer's Report:** Steve DeForest, Joe Gordon
 - Monthly reports.
 - 2023 Budget
4. **Committee Membership:**
 - New members in October: Jenny Rydberg and William Cameron
 - Young Lawyer Liaison: Sabiha Ahmad
5. **Succession Plan for Executive Committee Chair Position**
6. **Plans for 2023 In-Person Conference:** All
7. **Webcasts/Mini-CLE's:** David Sprinkle, Eleanor Doermann
8. **Newsletter:** Jim Riehl
9. **ETHOS Process Outcome**
10. **Other**
11. **Adjourn**

**SENIOR LAWYERS SECTION
MINUTES OF THE EXECUTIVE COMMITTEE MEETING**

July 13, 2022

This meeting was conducted via Zoom. The following Executive Committee members were present at this meeting: Chair Eleanor Doermann, Jeanine Lutzenhiser, Al Armstrong, Carole Grayson, Joe Gordon, David Sprinkle, Steve DeForest, Brian Comstock, and BOG Liaison Jordan Couch and Carolyn MacGregor, WSBA Sections Program Specialist. Not able to be present were Jim Riehl and Morrie Shore.

CHAIR'S REPORT AND REPORT BY KEVIN PLACHY

Eleanor welcomed the Committee attendees.

Eleanor indicated that Kevin Plachy, currently WSBA's Director of Advancement, was currently present on audio Zoom with a summary of the Bar's current approach to the issues raised by the on-going national controversy over the constitutional propriety of integrated state Bar Associations.

Kevin reported that, as our State Supreme Court had asked the BOG to consider what stance our Bar should assume with respect to our (currently) integrated Bar, the BOG has formulated a process by which our various WSBA sections can be heard on the matter: ETHOS-Examining The Historical Organization and Structure of the Bar. Pursuant to this process, the BOG has hosted five meetings and will host two more, the last one on August 13. Three questions are considered at these meetings: does the current state of federal litigation require us to make a structural change; if no change is currently required, what contingency plan should exist should the U.S. Supreme Court eventually require such a change; and, irrespective of any federal court holdings, what structure is best for our Bar. Kevin noted that the U.S. Supreme Court, at this point, will not be directly involved, having denied certiorari in three cases dealing with challenges to integrated bar associations.

Kevin reported that several Bar sections are on record as favoring staying with our current integrated bar structure. No section has recommended a bifurcated structure. It was mentioned that it could cost more to join a section under a bifurcated system. It was recommended that any input from our Section should be submitted at or prior to the second-to-last BOG meeting, scheduled for July 23.

The BOG will notify our Washington Supreme Court of its findings and recommendation at the end of September.

Kevin set forth several means of expressing one's views on this issue:

- Work through the WSBA Member Engagement Counsel to make your views known.
- Write a letter and send it to Kevin, who will forward it to ETHOS.
- Attend an ETHOS meeting and express your views.

Jordan indicated that he will also be available to forward our views to ETHOS.

Jeanine asked Kevin if he is aware of anyone who was in favor of bifurcation. Kevin replied that the people he has discussed the matter with seem to favor remaining an integrated organization.

It was mentioned that in the event our Bar remains officially integrated, we may want to consider creating a new political action committee, funding it independently, but with the sections remaining part of the WSBA.

It was mentioned that we are awaiting the impact of a decision by the Ninth Circuit in the *Crowe* case. The Ninth Circuit held that the plaintiffs' freedom of association claim was viable, reversing the holding of the Federal District Court. The plaintiffs filed a writ of certiorari, but this was denied by the U.S. Supreme Court in October, 2021.

In response to a question, Kevin briefly addressed the Keller Deduction, by which a bar member is allowed a small deduction from his/her WSBA dues, ostensibly freeing the Bar member from having to support Bar political initiatives he/she may not support. Kevin indicated that in the past the Bar did an extensive study to determine the cost to the Bar of its political activities and in so doing established the amount of the Keller Deduction.

It was mentioned that if the Ninth Circuit mandates a change in our Bar structure, that ruling would be binding immediately.

Eleanor stated she would send an email to the Committee members indicating what manner of input we will undertake.

NEWSLETTER

It was noted that our latest Newsletter was sent out yesterday. The content of the latest edition of *Life Begins* was praised by our publisher Brett Sutherland.

SECRETARY'S REPORT

The Minutes of our June 21, 2022 meeting were approved by Motion.

TREASURER'S REPORT

Our Interim Treasurer, Steve, reported that our fund balance as of May 31, 2022 stood at \$16,330.27.

OUR BUDGET PROPOSAL FOR NEXT FISCAL YEAR

Joe, our fiscal year 2022-2023 Treasurer, has been working on our proposed Budget Request for the next fiscal year. Joe had prepared a first draft which was shared with the Committee. Carolyn thought we should use the current Section membership figure of 222 members rather than use the 270 figure used elsewhere. We will keep our yearly dues at \$25. The yearly Newsletter costs were estimated at \$1,800. Anticipating a future need to have an in-person meeting venue, it was decided to budget \$500 as our annual cost for this convenience.

OUR RECENT WEBINAR

Our Section presented a live webinar on May 26, with the theme *The Future is Nigh: Scenarios for Succession Planning*. The Committee discussed attendee feedback. Carole indicated that our presentation was rated (a weighted average, between 1 and 5) between 3 and 4. Speaker Pete Roberts received much praise for his presentation.

ELECTIONS

All presently-serving Executive Committee members were re-elected, as were our soon-to-be newcomers Jennifer Rydberg and William Cameron.

YOUNG LAWYER LIAISON

Sabiha Ahmad has submitted her application to be appointed out Young Lawyer Liaison. SOME SORT OF MOTION PASSED.

OTHER MATTERS

Carolyn mentioned that Open Sections Night, originally aimed at young attorneys, has not been attracting these attendees in sufficient numbers of late. Carolyn suggested that we discuss the matter relative to other alternative Open Sections Night formats.

ADJOURNMENT

Eleanor adjourned the meeting.

NEXT MEETING

Our next meeting will take place on a remote-attendance basis on August 10, 2022 at 10:30 am.

2023
SENIOR LAWYERS SECTION
WASHINGTON STATE BAR ASSOCIATION
AMENDED FY 2023 BUDGET REQUEST

REVENUES:

Operational Revenue

| | |
|---------------------------------------|-----------------------------------|
| 40500 Interest income on Fund Balance | \$ 90.00 |
| 48200 Section Dues Revenue | \$5550.00 (222 members x \$25.00) |

CLE Related Revenue

| | |
|--------------------------------|------------------------------|
| 41850 Seminar Splits with WSBA | \$0 (May, 2023 full day CLE) |
| 41850 Mini CLE | \$2720.00 (2 webinars) |

Total Revenue **\$8360.00**

EXPENSES:

Operational Expenses

| | |
|-------------------------|-----------------------------------|
| 50165 Conference Calls | \$ 250.00 |
| 58400 Per Member Charge | \$3920.52 (222 members x \$17.66) |

Member Benefits

| | |
|--------------------------------------|------------|
| 58375 Newsletter/Formatting Expenses | \$1,800.00 |
|--------------------------------------|------------|

Executive Committee Related Expenses

| | |
|----------------------------------|-----------|
| 58300 Meeting facilities, travel | \$ 500.00 |
|----------------------------------|-----------|

Total Expenses **\$6470.52**

Budgeted Net Income (Loss) for FY 2023 **\$1,889.48**

From: [Julianne Unite](#)
To: [WSBA Section Leaders](#)
Subject: [section-leaders] Updates Regarding Final Recommendation About the WSBA's Structure
Date: Friday, September 9, 2022 7:25:41 AM
Attachments: [image001.png](#)
[image002.png](#)

Dear Section Leaders,

Thank you for your engagement in the Board of Governor's ETHOS (bar-structure study process). As you may have seen in prior updates, the last meeting in the 7-month long process occurred last Saturday, Aug. 13, and the Board voted on its final recommendation to send to the Washington Supreme Court. After much debate and consideration of several scenarios, the final recommendations from the Board of Governors regarding the three questions posed by the Washington Supreme Court are:

- Current federal litigation does NOT require the WSBA to make a structural change.
- It will be important for WSBA and Washington Supreme Court leaders to act upon the actual decision if there is a ruling that forces structural change. Part of the process if such a ruling occurs will include looking at all the documents and information gathered for ETHOS.
- Litigation aside, the ideal structure is the current integrated model, which provides critical programs and services that work together to support the public and the profession.

[You can watch the entire meeting here if you are interested to learn more about the recommendations.](#) The Board will create and send a final report to the Washington Supreme Court by the end of September, and that report will be posted on the [ETHOS webpage](#).

Regards,



Julianne Unite, J.D. | Member Services and Engagement Manager

Pronouns: she, her, hers, they, them, their, theirs

I am working remotely.

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The WSBA is committed to full access and participation by persons with disabilities. If you have questions about accessibility or require accommodation please contact julianneu@wsba.org.

COVID 19: Most WSBA employees are working remotely; click here for more information and resources.

You are currently subscribed to section-leaders as: cleanor.doermann@gmail.com. If you wish to