

WASHINGTON STATE
B A R A S S O C I A T I O N

Board of Governors Meeting
Meeting Materials

May 20-21, 2021
Washington State Convention Center, Seattle WA
Zoom, Webcast and Teleconference



**Board of Governors Meeting
The Washington State Convention Center, Seattle, WA
May 20-21, 2021**

WSBA Mission: To serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice.

**PLEASE NOTE: ALL TIMES ARE APPROXIMATE AND SUBJECT TO CHANGE
ALL ITEMS ON THIS AGENDA ARE POTENTIAL ACTION ITEMS**

**To participate remotely: Join via Zoom or Call 1.888.788.0099
Thursday, May 20th – Meeting ID: 944 6019 4252 Passcode: 784263
<https://wsba.zoom.us/j/94460194252?pwd=OUd5Qjl6OWxLMkZ2RjNITjFIU1JRQT09>**

**Friday, May 21st – Meeting ID: 926 4963 6622 Passcode: 486173
<https://wsba.zoom.us/j/92649636622?pwd=WWRmbmpil2pWZlk4dWI1czNDNGwvdz09>**

THURSDAY, MAY 20, 2021

9:00 AM – CALL TO ORDER

- ANNOUNCE BASIS FOR MOVING INTO EXECUTIVE SESSION PURSUANT TO THE WSBA BYLAWS ARTICLE VII.B.7.a.2, 4

EXECUTIVE SESSION

- RECEIVE CONFIDENTIAL DISCIPLINE INFORMATION (IF ANY) REGARDING CANDIDATES FOR PRESIDENT-ELECT
- DISCUSS WITH LEGAL COUNSEL A REQUEST TO AUTHORIZE COLLECTIVE BARGAINING FOR WSBA STAFF

RETURN TO PUBLIC SESSION

- REPORT ON EXECUTIVE SESSION DISCUSSION

PRESIDENT-ELECT ELECTION

- REVIEW INTERVIEW AND ELECTION PROCEDURES 7
- INTERVIEWS AND SELECTION OF 2020-2021 WSBA PRESIDENT-ELECT 10
 - Allen D. Brecke
 - Daniel D. Clark
 - C. Olivia Irwin

CONSENT CALENDAR & STANDING REPORTS

CONSENT CALENDAR

A governor may request that an item be removed from the consent calendar without providing a reason and it will be discussed immediately after the consent calendar. The remaining items will be voted on *en bloc*.

- Approval April 16-17, 2021 BOG Meeting Minutes 85
- Approve 2021 APEX Awards Nominations..... 95

PRESIDENT’S REPORT

EXECUTIVE DIRECTOR’S REPORT 96

12:00PM – RECESS FOR LUNCH

MEMBER AND PUBLIC COMMENTS (30 minutes reserved)

Overall public comment is limited to 30 minutes and each speaker is limited to 3 minutes. The President will provide an opportunity for public comment for those in the room and participating remotely. Public comment will also be permitted at the beginning of each agenda item at the President’s discretion

REPORTS OF STANDING OR ONGOING BOG COMMITTEES

Committees may “pass” if they have nothing to report. Related agenda items will be taken up later on the agenda. Each committee is allocated, on average, 3-4 minutes.

- Executive Committee, Pres. Kyle Sciuchetti, Chair
- APEX Awards Committee, Gov. Russell Knight, Chair
- Personnel Committee, Gov. Jean Kang, Chair
- Legislative Committee, Gov. PJ Grabicki, Chair
- Nominations Review Committee, Gov. Jean Kang & Pres-elect Brian Tollefson, Co-Chairs
- Diversity Committee, Gov. Sunitha Anjilvel, Co-Chair
- Long-Range Planning Committee, Pres. Kyle Sciuchetti, Chair
- Member Engagement Workgroup, Gov. Bryn Peterson, Co-Chair
- Budget & Audit Committee, Treas. Dan Clark, Chair 270
- Equity & Disparity Workgroup, Gov. Alec Stephens
- Supreme Court Bar Licensure Task Force, Gov. Williams-Ruth

SPECIAL REPORTS

PRACTICE OF LAW BOARD REPORT, Chair Michael Cherry

BOARD OF BAR EXAMINERS REPORT, Chair Bruce Turcott, Chair Cathy Helman, RSD Admissions Manager Gus Quiniones 273

LEGISLATIVE SESSION WRAP-UP, Gov. PJ Grabicki and Chief Communications Officer Sara Niegowski 279

UPDATE RE PROPOSED RULES FOR DISCIPLINE & INCAPACITY, Gov. Brett Purtzer

UPDATE ON THE FUTURE OF WORK AT WSBA, Terra Nevitt, Executive Director

GOVERNOR LIAISON REPORTS

5:00 PM – RECESS

FRIDAY, MAY 21, 2021

9:00 AM – RESUME MEETING

AGENDA ITEMS & UNFINISHED BUSINESS

- COUNCIL ON PUBLIC DEFENSE MATTERS**, Chair Travis Stearns
 - New General Rule: Independence of Public Defense 282
 - Amendments to Standard 18 – Standards for Indigent Defense Services
 - New Standard 19 – Standards for Indigent Defense Services
 - Amendments to CrRLJ 3.1(d)(4)
 - Amendments CrR 3.1
 - Amendments to JuCR 9.2(d)
 - Approve Guidance Re Responding to the Emergency Caused by Pandemic Driven Increased Public Defense Workloads 294
- DISCUSSION RE AT-LARGE YOUNG LAWYER GOVERNOR ELECTION**, Volunteer Engagement Advisor Paris Eriksen, WYLC Chair Brian Neuharth. 303
- BUDGET AND AUDIT COMMITTEE MATTERS**
 - Selection of WSBA Financial Auditor 315
 - Proposal to Increase the Facilities Reserve LM

12:00 PM – RECESS FOR LUNCH

- COMMITTEE ON PROFESSIONAL ETHICS RECOMMENDATION TO WITHDRAW PROPOSED AMENDMENTS TO RPC 7.2 AND 5.4**, Chair Pam Anderson 318
- PROPOSED AMENDMENTS TO APR 9**, Prof. Lisa Kelly, University of Washington School of Law; Prof. Christine Cimini, University of Washington School of Law; Prof. Lisa Brodoff, Seattle University School of Law; Prof. Gail Hammer, Gonzaga Law School; and Associate Director for Regulatory Services Bobby Henry 352

SPECIAL REPORTS

- REPORT ON THE BOARD’S EQUITY, DIVERSITY, AND INCLUSION ACTIVITIES, INCLUDING DISCUSSION OF APRIL 19 TRAINING**, Pres. Kyle Sciuchetti, Past Pres. Rajeev Majumdar, and ChrisTiana Obey Sumner of Epiphanies of Equity 385

NEW BUSINESS

- GOVERNOR ROUNDTABLE** (Governors' issues of interest)

4:00 PM - Adjourn

INFORMATION

- General Information 387
- Financial Reports..... 403
- Council on Professional Ethics Advisory Opinion No. 202102..... 446

2020-2021 Board of Governors Meeting Issues

JULY (Portland, OR)

Standing Agenda Items:

- Draft WSBA FY2022 Budget
- Court Rules and Procedures Committee Report and Recommendations
- WSBA Committee and Board Chair Appointments
- BOG Retreat
- Financials (Information)

AUGUST (Bosie, ID)

Standing Agenda Items:

- WSBA Treasurer Election
- Financials (Information)

SEPTEMBER (Seattle)

Standing Agenda Items:

- Final FY2022 Budget
- 2021 Keller Deduction Schedule
- WSBF Annual Meeting and Trustee Election
- ABA Annual Meeting Report
- Legal Foundation of Washington Annual Report
- Washington Law School Deans
- Chief Hearing Officer Annual Report
- Professionalism Annual Report
- Report on Executive Director Evaluation
- Supreme Court Meeting
- Financials (Information)

TO: Board of Governors
FROM: Kyle D. Sciuchetti, President
Paris Eriksen, Volunteer Engagement Advisor
DATE: May 13, 2021
RE: WSBA President-elect Candidate Interview & Selection Process

REVIEW: Elect one of the three candidates listed below to the 2021-2022 President-elect seat on the Board of Governors, for a one-year term starting at the conclusion of the Board meeting on September 23-24, 2021.

Listed in order as drawn randomly by President Sciuchetti and Executive Director Nevitt:

- Allen D. Brecke
- Daniel D. Clark
- C. Olivia Irwin

Application materials for the candidates follow this memo.

Interview Process:

The candidate interviews will take place the morning of Thursday, May 20. All candidates will be interviewed in public session. Candidates will be permitted up to 10 minutes for self-introduction, and 10 minutes to answer questions. At a minimum, each candidate should be asked the following questions:

1. What experience(s) do you have that is related to WSBA's mission?
2. What qualities do you think make for a successful WSBA President?
3. As a Board member, what would you do to promote diversity, equity, and inclusion on the Board itself and in the profession as a whole?

Governors are not limited to these questions and may ask others should time permit.

Voting Process:

Due to the pandemic, implementing the vote in complete accordance with the WSBA Bylaws is not feasible. Therefore, this election Board members will be conducted through an electronic ballot. After interviews, Board members will be asked to indicate their choice through the e-ballot. All votes will be secret and be tallied by and made available only to the Executive Director, myself and Chief Communications & Outreach Officer Sara Niegowski. I will announce the results of the election. The voting process will continue if needed until a winner is identified.

Relevant WSBA Bylaws:

D. ELECTIONS BY BOARD OF GOVERNORS

1. Office of President-Elect.

The BOG will elect an Active lawyer member of the Washington State Bar Association to serve as President-elect. The election shall take place during a BOG meeting not later than the 38th week of each fiscal year, and will be by secret written ballot. The President-elect will take office upon the incumbent President-elect becoming President or upon vacancy of the office of President-elect.

If at the time of election, no President-elect in the preceding three years was an individual whose primary place of business was located in Eastern Washington, the President-elect must be an individual whose primary place of business is located in Eastern Washington. For purposes of these Bylaws, "Eastern Washington" is defined as that area east of the Cascade mountain range generally known as Eastern Washington. In any year where the President-elect must be an individual from Eastern Washington and no qualifying application is received within the timeframe allowed, the President will advise the BOG, and the BOG, at any regular meeting or special meeting called for that purpose, will establish procedures to re-open and extend the application period or otherwise address the issue. Such action by the BOG may include waiver of any geographic limitation for the year in question.

3. Election Procedures

Elections of At Large Governors, President and President-elect elections, and any other elections held by the BOG under these Bylaws, except elections for the position of Treasurer, are conducted as follows:

- a. Notice of the position will be advertised in the Bar's official publication and on the Bar's website no less than 30 days before the filing deadline and must include the closing date and time for filing candidate applications.*
- b. Following expiration of the closing date and time identified, all candidate names will be posted publicly.*
- c. The BOG may appoint a committee to recommend candidates to the BOG from all who have submitted their applications for a position in a timely manner.*
- d. All recommended candidates, or others as determined at the discretion of the BOG, will be interviewed in public session of the BOG's meeting. Candidates who are competing for the same position must not be present for each other's interviews.*
- e. Discussion of the candidates will be in public session but candidates will be asked by the President not to be present.*
- f. Election of candidates will be conducted by secret written ballot.*
- g. If no candidate for a given position receives a majority of the votes cast, the two candidates receiving the highest number of votes will be voted on in a run-off election. In the event of a tie for the second highest vote total, all candidates who are tied will participate in the run-off election along with the candidate who received the most votes. The candidate with the most votes in the run-off will be deemed the winner.*
- h. Ballots will be tallied by three persons designated by the President, one of whom will be the Executive Director.*
- i. Proxy votes are not allowed; however, a Governor who participated in the interview and discussion process by electronic means may cast a vote telephonically via a confidential phone call with the Executive Director and the other persons designated by the President to count the ballots.*

- j. The elected candidate will be announced publicly following the vote. However, the vote count will not be announced and all ballots will be immediately sealed to both the BOG and the public and remain in the custody of the Executive Director for 90 days, when they will be destroyed.*

Attachments:

Allen D. Brecke, candidate materials

Daniel D. Clark, candidate materials

C. Olivia Irwin, candidate materials

April 20, 2021 via email to barleaders@wsba.org

Washington State Bar Association
Board of Governors Elections
1325 Fourth Ave., Suite 600
Seattle, WA 98101

Re: Application for President-elect position

Dear Folks:

Please accept this letter and attached resume as my interest in being selected president-elect of the WSBA. Instead of what seems an aggressive desire to start at the top, my intent is more in keeping with one letting most of adult life go by, then contributing earnestly as a senior citizen from experience.

I am native of the Tri-Cities and spent my 8 years of education in Walla Walla (2 years), Seattle (3 years) and Spokane (3 years). Seattle was my favorite; I have maintained a *pied d' terre* in Belltown since 1990. I was married and divorced in the 1980's, had a couple affairs, then settled in to a 25 year significant other relationship with the late Seattle personal injury attorney Karen Zimmer. We were in the same specialty, used the same software, enjoyed the same lifestyle perks, and generally loved each other very much. After she passed from cancer in 2016, I sponsored my live-in companion/caretaker from the Philippines to manage all IT issues at the office, graphics, and accounting. I'm close with my two sisters in Eugene and Denver and took care of our parents here until their deaths. Until the pandemic, I had active social lives in the Tri-Cities, Seattle, and Rancho Mirage, California. I have been debt free for several years.

During the pandemic I stayed healthy and kept my law firm afloat. I read or listened to about 15 books, saw dozens of streaming documentaries and biographies, and attended about 50 Zoom meetings. I updated all of my training materials and shot a bunch of YouTube public service videos.

The State of Washington is currently the most desirable place to live in the USA. I've always been impressed with our divergent climates, cultural and political attitudes divided by the Cascades, and the role our government plays in taking care of its citizens. We lawyers should celebrate and protect this. If selected, my experience from the Community Economic Revitalization Board will no doubt help with the process of learning the WSBA structure, its values and issues. I am confident I can do this and begin contributing rather quickly. Thank you for your consideration.

Very truly yours,



Allen D. Brecke
Allen Brecke Law Offices
allen@allenbrecke.com



Allen D. Brecke, WSBA 7962, OSB 021995

Office: 3360 W. Clearwater Avenue
Kennewick WA 99336
(509 or 888) 735-0546
(509) 783-6783 (fax)

allen@allenbrecke.com
allenbreckelawoffices.com



Professional Experience

Founder and President, Allen Brecke Law Offices, 3360 W Clearwater Ave, Kennewick, WA 99336
(October, 1983 - Present)

- Allen Brecke Law Offices is a consumer oriented firm representing individuals in liability claims and insurance coverage matters. Many clients are immigrants, minorities, or less privileged people who are not capable of pursuing their own claim.
- Allen has been responsible for the work of 6-10 full-time staff.
- Allen Brecke has been involved in over 150 jury trials, over 250 Civil Arbitration matters, and over 120 Mediations, collecting over \$96 million for injured victims.
- Allen has produced and co-directed over 200 television and online commercials.
- He was instrumental in bringing Civil Arbitration to Benton and Franklin Counties, WA.
- He tried the first injury jury trials in Benton and Franklin County District Courts.
- He is AV Preeminent® rated, Bar and Judiciary.

Associate and Partner, Raekes, Rettig, Osborne, Forgette & Brecke (February, 1979 - October, 1983)

- Insurance defense litigator; represented The Hartford, Farmers, American States, Oregon Mutual, North Pacific, Safeco and Allstate Insurance Companies
- Represented municipal corporations, including the South Columbia Basin Irrigation District, Richland, Kennewick, and Columbia-Burbank School Districts
- Represented numerous local businesses and real estate companies in sale transactions and general business matters

Law Clerk, Rule 9 Legal Intern, and Associate Attorney, Leavy, Taber, Schultz, Bergdahl & Sweeney (June, 1975 - February, 1979)

- Litigation support attorney, lead counsel in first jury trial, November 1977
- Represented several small businesses on sale transactions, commercial leases and tenant problems

Education

- Kennewick High School Diploma, 1969; local President of National Honor Society
- Attended Whitman College freshman and sophomore years; worked at Safeway
- B. A. in Sociology from University of Washington, 1974; worked at Quality Food Centers
- J. D. from Gonzaga University School of Law, 1977; Articles Editor, *Gonzaga Law Review*; finalist, *Linden Cup* moot court competition out of 37 teams

Professional Associations

- Washington State Bar Association, 1977-present. Member, Board of Bar Examiners, 1984-87; Funded Member, Rules of Professional Conduct Committee, 2001-2004
- Oregon State Bar Association, 2002-present
- Washington State Trial Lawyers Association (now Washington State Association for Justice), 1984-

present; Member, Eagle Program, 1987-present. Member, Continuing Legal Education Committee, 2002-2005. Presenter at Arbitration Seminar, June 14, 2002; Presenter at Motions Practice Seminar, September 26, 2003; Seminar Chair, March 27, 2003. Current member of the Judicial Relations Committee and the WSAJ PAC. Presenter at Motor Vehicle Litigation Seminar, March 31, 2010; invited member of a 3 lawyer team which trained 252 Civil Arbitrators in 2018.

- Oregon State Trial Lawyers Association, 2002 - present
- Benton-Franklin County Bar Association, Past secretary and board member, Presenter on Mandatory Arbitration, Personal Injury CLE Seminar; October 11, 2013
- Benton-Franklin County Legal Aid Society
- American Civil Liberties Union
- American Association for Justice

Affiliations

- Governor-appointed member, Washington State Community Economic Revitalization Board, 2006-2014; appointed chairman by the Director of Department of Commerce, 2013-2014
- United Way of Benton and Franklin Counties, member of the Board of Directors, 1998-2004; Chairman of the *Alexis de Tocqueville* Society and current fundraising committee member of the *Alexis de Tocqueville* Society
- Rotary Club of Columbia Center since 1985 (president 1989-2000), past chairman of the Columbia Center Rotary Charity, managing charitable donor funds and projects worth approximately \$1m
- Elected Commissioner and Vice Chairman of the Kennewick Public Hospital District, 1984-1990
- Member and Chairman, City of Richland Board of Ethics, 1985-1988
- Bishop's Committee member, St. Paul's Episcopal Church; three-time Senior Warden
- Past President, The Moorings at Columbia Point Homeowners Assoc. (55 units), 2005-2011
- Past Chairman, Tournament Villas HOA (50 units), Mission Hills, Rancho Mirage, CA
- Elected Precinct Committee Officer, Democratic Party, Franklin County, 2001-2005
- Member, Mission Hills Country Club, Rancho Mirage, CA, 2000 to present
- Member, Tri-Cities Regional Chamber of Commerce and predecessors, 25 years
- Member, Tri-City Industrial Development Council and predecessors, 25 years
- Member, Visit Tri-Cities and predecessors, 25 years
- Past Chairman, The Reach Foundation, associated with the Hanford Reach Interpretive Center, Richland, Washington
- Current Hanford Challenge Board Member
- Past Co-Chairman, Caring for Our Future Capital Campaign, Trios Southridge Hospital
- Seattle Art Museum supporting member
- Major sponsor of the Manhattan Project Exhibit, The Reach Museum (<http://www.tri-cityherald.com/2014/01/15/2776693/attorney-donates-100000-for-reach.html>)

Awards

- Heart of Humanity Award, Benton Franklin Counties Red Cross, 2013
- Selected Tri-Citian of the Year, the community's highest honor, 2013 (<http://www.tri-cityherald.com/2013/05/12/2391997/our-voice-winning-case-made-for.html>)
- Major Donor Award, Rotary International Foundation, 2014 and 2019

Interests

- Exercise and fitness, Educational travel, Seahawks football, Washington wines, Arts and culture, Boating, Golf, American history and biographies.

Candidate Statement

Allen Brecke is a native of the Tri-Cities, educated at Whitman College, the University of Washington, and Gonzaga Law. He did insurance defense work through 1983 and formed Allen Brecke Law Offices in 1986. He served on the WSBA Board of Bar Examiners 1984-87 and on the Rules of Professional Conduct Committee 2001-2004. He has been an “Eagle” in the Washington Association of Justice since 1987. He is AV Preeminent® (Bar *and* Judiciary) and was selected Tri-Citian of the Year in 2013. He was a governor-appointed member of the Washington State Community Economic Revitalization Board and Chairman, 2006-2014.

WASHINGTON STATE BAR ASSOCIATION

President-elect Application Form

INSTRUCTIONS

- 1) Complete this application form. If you are nominating someone else, ask them to sign it below and submit it along with the required attachments.
- 2) Attach the following:
 - A brief (100-word maximum) biographical statement including current occupation, relevant experience, and education.
 - A letter of interest.
 - A resume.
- 3) Scan and email the signed form and attachments to barleaders@wsba.org. **Applications must be received by 5 p.m. PST on Monday, April 20, 2021.**
- 4) Letters of support must be emailed to barleaders@wsba.org by April 20.
- 5) Applications will be included in the May Board of Governors meeting materials and posted on the WSBA website.
- 6) Questions? Contact Paris Eriksen, parise@wsba.org.

Candidate for President-elect position of the Washington State Bar Association

I, the undersigned active member of the Washington State Bar Association, am running for the President-elect position.

Allen Brecke

7962

Name of candidate (please print)

WSBA Bar #

Allen Brecke

Signature of Candidate

Signature of Nominator (if relevant)

WSBA Bar #

Note: By signing this form, the candidate understands and agrees that as part of the election process for this position, the WSBA routinely checks the grievance and discipline files for any records related to candidates. Thus, the candidate waives confidentiality of these materials to WSBA staff and the Board of Governors.

This form must be filed in the Office of the Executive Director of the WSBA no later than 5 p.m. PDT on April 20, 2021. Filing may be accomplished by emailing the form and attachment to barleaders@wsba.org.

Paris Eriksen

From: Tom Andrewjeski <tom.andrewjeski@cancer.org>
Sent: Tuesday, May 4, 2021 5:22 PM
To: Paris Eriksen
Subject: Message supporting Allen Brecke as Washington State Bar Association President-elect.

Follow Up Flag: Follow up
Flag Status: Flagged

Ms. Eriksen,

Please accept this message as my support of Allen Brecke's application to be the next President-elect of the Washington State Bar Association.

I am the Director of Estate and Gift Planning for the American Cancer Society, covering the State of Washington, and have been in my position for 21 years. I have been an active member of the Seattle Estate Planning Council for most of those years. I have hosted a booth at the Seattle Estate Planning Seminar for 20 straight years. I have professional relationships and friendships with numerous estate planning attorneys throughout the State.

I have known Allen on both a professional and a personal level for 20+ years. I am impressed with his integrity, love of his craft, and desire to make Washington State and the world a better place. He has residences in both Eastern and Western Washington and appreciates the variety of each. This gives him great understanding of Washington State's diverse economics and political viewpoints.

He has been actively involved with and contributed to numerous charities. He has mentored many young people and helped them become professionals in the world of law. He has given more of his time to help others than any attorney I have ever met. He would be an excellent President-elect for the Washington State Bar Association.

Please feel free to contact me if you have any questions.

Best regards,
Tom

Tom Andrewjeski

Director, Estate and Gift Planning
425.761.9696

American Cancer Society, Inc.
5601 6th Ave S Suite 491
Seattle, WA 98108
cancer.org | 1.800.227.2345



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Paris Eriksen

From: Mike Killian <Michael.Killian@co.franklin.wa.us>
Sent: Wednesday, May 5, 2021 2:02 PM
To: Paris Eriksen
Subject: PRESIDENT-ELECT RECOMMENDATION MR. ALLEN BRECKE

Follow Up Flag: Follow up
Flag Status: Flagged

May 5, 2021

Ms. Paris A. Eriksen (via email to parise@wsba.org)
Volunteer Engagement Advisor
Office of the Executive Director
Washington State Bar Association
1325 Fourth Avenue #600
Seattle, WA 98101

RE: Email Recommendation for Mr. Allen Brecke

Dear Ms. Eriksen:

It is a privilege for me to write this email of recommendation on behalf of Allen Brecke. I have known Mr. Brecke since 2002. He is a 40+year member of the Benton/Franklin Bar Association, and has been peer reviewed **AV Preeminent**[®]: The highest peer rating standard, by Martindale-Hubbell Peer Review Ratings. This is given to attorneys who are ranked at the highest level of professional excellence for their legal expertise, communication skills, and ethical standards by their peers.

As the Elected County Clerk and Clerk of the Superior Court for Franklin County for over 20 years, I have witnessed first-hand how Mr. Brecke interacts with the Court and those he represents. He is always professional, courteous and very well prepared!!

- Allen has done many wonderful things in our community over the years, and was the 2013 Tri-Citian of the year. The award is given to individuals who have demonstrated outstanding Service Above Self. The award is a way to show appreciation to efforts exerted in Building Community Through Service.
-
- I am confident that Mr. Brecke will be an excellent President of the WSBA. He will serve the public and the members of the Bar well, and he will continue to ensure that the integrity of the legal profession is maintained.
-

I do not make this recommendation lightly. I understand the responsibility that comes with this position and I know he will live up to this recommendation. Thank you for the opportunity to send this email. If you have any questions or a need further clarification, please do not hesitate to contact me.

Sincerely,

Michael J. Killian
County Clerk and
Clerk of the Superior Court
Certified Public Official(CPO)
1016 N 4th Avenue, B306
Pasco, WA 99301
(509) 546-3365
www.co.franklin.wa.us/clerk

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Paris Eriksen

From: Dennis Sweeney [REDACTED]
Sent: Tuesday, May 4, 2021 9:45 AM
To: Paris Eriksen
Subject: Allen Brecke's candidacy for Bar President

Follow Up Flag: Follow up
Flag Status: Flagged

Members of the Washington State Bar Association Board of Governors,
I write in support of Attorney Allen Brecke's candidacy for President of the Bar Association. I am a retired Court of Appeals Judge. I practiced law for twenty years before being elected to the Court. Allen worked for my law firm as an intern and as an associate, beginning in 1975. My wife Judy and I have kept a close personal relationship with Allen since then. I know that Allen has both the administrative skills and the enthusiasm to be an effective Bar President. And I encourage you to select him as your next President.

Dennis J. Sweeney

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Paris Eriksen

From: Victoria L. Vreeland <vicky@vreeland-law.com>
Sent: Wednesday, May 12, 2021 6:41 PM
To: Paris Eriksen
Subject: Support for Allen Brecke for WSBA Pres-Elect

Follow Up Flag: Follow up
Flag Status: Flagged

Ms. Eriksen:

It has recently come to my attention that Allen Brecke is a candidate for WSBA President-Elect. Please accept this email, in lieu of a more formal letter, given my late submission. I hope that you will be able to share it with the Board of Governors.

Who am I -- I graduated from Gonzaga University School of Law in 1976, became a WSBA member that year; and have served in many capacities with the Bar Association. Elected as WSBA 8th District Governor from 9/99 to 9/02, I served under the WSBA presidencies of Jan Peterson, Dick Eymann and Dale Carlisle. I had also been previously appointed to the WSBA Disciplinary Board; served as Special District Counsel, was selected as a member of the Labor & Employment Executive Committee 2013-2016, and was a chair or member on several other committees going back to 1979. I have also been Chair of the Washington Employment Lawyers Association from 2008-2011 and on its board since 2004; and was President of the Washington State Association for Justice in 2015-16, and on its board and numerous committees over the years. Currently since 2015, I am a member of the Washington State Supreme Court's Gender & Justice Commission.

My legal practice has been in both public and private capacities -- as an Assistant Attorney General in several divisions, and in private practice since 1983 -- first with Gordon Thomas Honeywell for 28 years, and in my own firm since 2011. Primarily, I represent plaintiffs in civil rights, employment and sexual misconduct cases.

Why I support Allen -- I have known Allen since our high school days in Kennewick, WA, although he was two years behind me. I grew up in the Tri-Cities, attended college and law school in Eastern Washington, and clerked for Division III under Judge Dale Green, as the first woman judicial clerk. My roots are in Eastern Washington, but I have lived in King County since 1978.

Allen has much deeper roots in Eastern Washington -- he returned there after law school to practice at a well-known local firm before founding his own firm. Not only has he had a very active legal practice and been an employer to many; he has also been very active in legal professional associations, both locally and state-wide, helping to advance the profession, legal services and education of lawyers. At the same time, he has served his community extensively and is well-known as a leader in public and private sectors in the Tri-Cities.

But his resume and accomplishments speak for themselves. I want to provide more personal insight for your consideration.

Presently, Allen and I both serve on the Board of Hanford Challenge, a non-profit organization dedicated to a safe and responsible clean-up of the Hanford site in Eastern Washington. There was no question that Allen was a great choice when the recruitment committee identified and solicited him to join the Hanford Challenge board. His commitment as a board member is not just superficial -- he actively participates, takes on tasks and challenges, is creative and proactive, provides calm and measured insight, treats all with respect, listens -- really listens, and is always an uplifting and positive presence. His leadership ability is innate, but has been well developed in all his work on committees and boards, where

all voices need to be heard and respected. He works to build consensus when possible, and understands the value of good debate and thorough consideration. He is a strong ally for diversity, equity and inclusion – which I have seen first hand in our work for Hanford Challenge – and as I have also seen over the last 40+ years.

And he is lots of fun too!

He would be an excellent WSBA officer, and would serve us well.

Vicky Vreeland

Victoria L. Vreeland

VREELAND LAW PLLC

MAIN 425.623.1300

FAX 425.623.1310

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WSBA TREASURER & DISTRICT 4 GOVERNOR DANIEL D. CLARK
WSBA PRESIDENT-ELECT CANDIDATE LETTER OF INTEREST
APRIL 12, 2021

WSBA Board of Governors:

It is with great enthusiasm, that I submit my formal letter of interest for the WSBA President-Elect position. I firmly believe that I possess the right relevant experience and have forged successful strong working relationships with fellow Governors, BOG Officers, WSBA staff, and stakeholders to be the most qualified candidate to serve as WSBA President-Elect for the 2021-22 BOG year and WSBA President for the 2022-23 BOG year.

Current & Prior BOG and WSBA Experience as District 4 Governor:

I have had the extreme honor of serving as District 4 Governor since July 27, 2017. I was first selected to fulfil a remaining 14 months of service of former District 4 Governor Bill Pickett's term. I was elected to a full term as District 4 Governor in the spring of 2018 and I'm now in my 4th year of Board of Governors service as District 4 Governor. Most recently, on April 1st I won the 2021 District 4 Governor contested election by over a 2 to 1 margin with 68 percent to 32 percent of the vote.

During my service, I have never missed a regular and/or special meeting, and I have consistently taken on more and more of a leadership role, and increased committee, workgroup, taskforce, and ad hoc committee assignments. I currently volunteer 140 hours plus a month as WSBA Treasurer & District 4 Governor. I believe I have formed friendships, trust, and collaborative working relationships between myself and Governors, BOG Officers, and WSBA staff.

I believe that my desire to serve as WSBA President is a natural evolution of my dedicated service since July 2017 which includes serving as a BOG officer as WSBA Treasurer.

Current & Prior BOG and WSBA Officer Leadership Experience as WSBA Treasurer:

In addition to the four years of direct relevant Governor experience, I also have had the honor and privilege of serving the last two years as the WSBA Treasurer. I believe I am the only member of WSBA to ever serve two terms as WSBA Treasurer. We have increased WSBA efficiencies and maximized use of member license fee expenditures while at the same time **managing to accumulate over 2.4 million dollars in net revenue to date to the WSBA General Fund!** We have frozen member license fees through 2026, and actually lowered the overall cost to practice law by \$20 dollars this year and \$10 dollars next year and hopefully beyond.

I believe that serving the last two years as WSBA Treasurer has given me a strong understanding of WSBA which truly is a complex entity with numerous moving parts. I've tried to really study and understand the many roles of the WSBA President, and I believe that having attended weekly Officer's meetings, as well as forged a strong collaborative working relationships and friendships with BOG Officers and the Executive Director. This relevant leadership experience gives me a strong advantage to be able to hit the ground running in service as President-Elect and

ultimately President of this organization. I have had an opportunity to show that I can meet deadlines, produce detailed quality work products, and work collaboratively and successfully with WSBA staff, the Board of Governors and other key stakeholders during my two years of service as WSBA Treasurer.

I believe that my unique understanding of the WSBA budget and finances as well as having forged strong working relationships with the Executive Director and WSBA Executive team will allow me to successfully serve as WSBA President-Elect, and ultimately WSBA President. WSBA's strategic planning and implementation into the future will require us to make several very difficult decisions regarding prioritization(s) and uses of our limited financial resources. I believe my current and prior experience and institutional knowledge of WSBA and its' finances makes me uniquely qualified to help guide this process into the future.

Right relevant skills & WSBA institutional & financial knowledge:

During my BOG service, I've successfully showed that I can represent the membership of my District, and also work respectfully and collaboratively with fellow Governors, Officers and WSBA staff to accomplish positive improvements to WSBA on behalf of our members.

I had the honor of serving as one of the three Board of Governors delegates on the WSBA Bar Structures work group. Serving on that workgroup gave me a unique insight regarding the current issues that WSBA will be facing moving forward with attacks on the structure of WSBA and the unified bar structure v. a bifurcated bar structure.

In addition, I have four years of experience on the WSBA Board of Governors Legislative Committee, Budget and Audit Committee, Superior Court Judges Committee, and the APR Rule 6 Law Clerk program liaison. I'm also a current APR Rule 6 mentor for a law clerk student, and we are in month 16 of the 48 month course. I'm also on the WSBA strategic planning workgroup and aware of current discussions for strategic goals of WSBA into the future.

Opportunity to advance Diversity, Equity and Inclusion and to promote leadership opportunity for traditionally underrepresented and marginalized Attorney member groups within WSBA:

WSBA has made significant strides in increasing diversity, equity and inclusion efforts within our leadership and the Board of Governors. We have adopted the inside out philosophy and accomplished several major accomplishments including electing attorney members to serve as President from several traditionally marginalized groups. To my knowledge however, the WSBA has not achieved this same diversity and advancements for attorneys that identify with disabilities. In the history of the Washington State Bar Association, to my knowledge we have never had a WSBA President that had a major disability and it is high time that changes!

I am a stutterer, and have a major speech communication disability of stuttering and it is a disability that I have had to deal with my entire life. I've been so incredibly proud to serve as the first WSBA Officer with a major disability, and I'd like to take the next step in service and serve as the first President with a major disability. Given that there are 2.79 percent of our membership that self-identify with a disability and approximately 8.8 percent of Washington citizens report having a disability, I believe it's the right time, and I'm the right candidate to be the first WSBA

President with a disability. We have the opportunity to show not only our 41,000 members, but also our State and the rest of the nation that the WSBA Board of Governors truly are bar leaders by selecting me as our next President-Elect.

Other traditionally under-represented Attorney groups:

My selection as WSBA President-Elect would also accomplish two other very important goals of helping to from the inside out to allow two other traditionally unrepresented attorney groups to have a representative that has a seat at the table of leadership of our organization.

Washington Association of Prosecuting Attorneys (WAPA):

In the history of our organization, to my knowledge, we've never had a member of WAPA, serve as WSBA President. I believe that this needs to change and that I have the relevant institutional knowledge, BOG experience and leadership skillset to successfully serve as the first WSBA President that is a member of WAPA. I've spent my entire career in governmental public service as a Senior Deputy Prosecuting Attorney doing civil work for Yakima County.

Representation of Governmental Attorneys:

Full-time governmental attorneys make up approximately 18 percent of overall WSBA attorney membership. Despite almost having 1/5 of the total membership, in the history of our organization, only one (1) full time governmental attorney has ever served as WSBA President. That happened in 1997-1998 when the Board of Governors elected former Chief Justice Mary E. Fairhurst as the WSBA President. Given it's been close to twenty-five years since the last and only WSBA President that was a full-time governmental attorney was elected, I believe I should be the second. I think that would go a long way to really showing our membership that we do practice what we preach in terms of the inclusion and inside out philosophy of diversity, equity and inclusion of traditionally underrepresented members and attorney groups.

Working relationship with President-Elect Brian Tollefson:

I've had the honor of working with and serving with current WSBA president-elect Brian Tollefson since September 2017. Brian and I have a very strong working relationship and friendship. I believe I would be able to help assist Brian next year as the President-Elect to achieve Brian's goals as President, and the Board of Governors goals for the 2021-22 Board of Governors BOG year.

Conclusion:

For the above reasons, I am respectfully submitting my application as a 2021 WSBA Board of Governors President-Elect Candidate. It has been and continues to be a true honor to serve as a member of the Board of Governors. I hope to take the next step in BOG leadership and am hopeful that my fellow Governors will agree that I have the right relevant experience, and skillset to be the next WSBA President-Elect following Judge Brian Tollefson (Ret.).

Respectfully,

Daniel D. Clark
WSBA Treasurer & District 4 Governor

WSBA #35901

DANIEL D. CLARK Esq.

Danclarkbog@yahoo.com ♦

Summary of Qualifications & Admissions:

- ❖ Current WSBA Treasurer & District 4 Governor. (17) years legal experience in municipal law, real estate transactions, civil and ad valorem property tax litigation. Extensive experience with complex governmental contract negotiation, drafting, review, litigation, and dispute resolution.
- ❖ From 2004 to the present, licensed in good standing to practice before all State Courts of Washington and Eastern District of Washington Federal Court system. WSBA #35901.

Experience:

Yakima County Prosecuting Attorney's Office (2007 to Present).

Senior Deputy Prosecuting Attorney: Corporate Counsel Division, Yakima, Washington

- ❖ Primary legal counsel for Yakima County Assessor, Treasurer, Auditor, Financial Services, Human Services, Assessment & Referral, Aging and Long Term Care, Veteran's Services, E.M.S. Services, Grants Accounting, Yakima Air Terminal, L.E.A.D. Drug Task Force, Yakima County Sheriff, Probation Services, B.O.E., and secondary legal counsel for Board of County Commissioners, Public Services, Information Services, Human Resources, District and Superior Court, and Department of Corrections.
- ❖ Directly responsible for negotiations, drafting, contract review, approval as to legal form, and litigation of \$60 million dollar annually worth of Yakima County Departments contracts, and \$6 million dollars of S.I.E.D. contracts.
- ❖ Primary legal responsibility for complex civil litigation involving Yakima County including foreclosure actions, forfeiture actions, Bankruptcy proceedings, defenses of Writ of Mandamus actions, various civil defense actions, & RCW 42.56 et. seq. Public Records Act defense litigation. Responsible for initiation through completion of annual ad valorem property tax foreclosure case for Yakima County each year resulting in average of 4.1 million dollars of collection of ad valorem taxes.
- ❖ Chief civil legal advisor for the Southeast Washington Aging and Long Term Care Council of Governments. Responsible for developing legal entity, operations policies and procedures and provide total sole civil representation of governmental entity comprising Asotin, Benton, Franklin, Walla Walla, Columbia, Garfield, Kittitas and Yakima Counties.

Yakima County Prosecuting Attorney's Office (2006-2007).

Special Deputy Prosecuting Attorney: Yakima, Washington

- ❖ Defended Yakima County on various ad valorem property tax valuation disputes including multiple tax years of one hundred six (106) million dollar assessed value ad valorem property tax dispute of Washington Beef LLC, at the Board of Tax Appeals and Yakima County & Thurston County Superior Courts. Successfully resolved litigation on behalf of clients. Provided in-house legal representation to BOCC and BOE members.

Yakima County Superior Court (2005-2007).

Law Clerk, Yakima County Superior Court, Yakima, Washington

- ❖ Served as Law Clerk for Superior Court Judges, including Judge Hutton, Schwab, Hackett and Lust on a rotational basis. Served as Assistant Administrator of Yakima County Drug Court program 2005-2007. Provided legal research and writing analysis and assisted in drafting of various judicial orders and bench rulings for Yakima County Superior Court Judges. Assisted in the operations and administration of Yakima County Drug Court. Performed head legal law librarian services for Yakima County Superior Court judicial library.

Yakima County Board of Equalization, (2004-2005).

Interim Clerk, Yakima County Board of Commissioners Yakima, Washington

- ❖ Served as Interim Clerk of Board for 18 months. This was an overtime possession approximately 100 hours a month in addition to full time employment with Yakima County Courts. Directly responsible for establishment of procedures and policies which resulted in clearing of approximately seven (7) years of ad valorem real and personal property tax appeals in Yakima County in an eighteen (18) month period.

Yakima County District, Superior Court & Board of County Commissioners (2002-2005).

Judicial Assistant Yakima County District & Superior Courts: Yakima Washington

- ❖ In-court clerk duties, data entry, file creation and management, and database management of Court records. Assisted in Yakima County Drug Court operations and records management. Worked with Microsoft Office, JIS, DISCIS, SCOMIS, Liberty, Westlaw and Lexis/Nexis. Assisted Board of County Commissioners in historical records research and archiving project. Managed B.O.C.C. records database, and imaging system.

Education:

Gonzaga School of Law: Spokane, Washington 2002

- ❖ **Juris Doctor, Cum Laude. Full academic scholarship, Class rank Top 1/3 of class 45/143. G.P.A. 3.20.** Earned C.A.L.I. award for top grade in Environmental Dispute Resolution, and Real Estate Transactions.

Central Washington University, Ellensburg, Washington 1999

- ❖ Bachelor of Arts in Political Science. Magna Cum Laude Honors. Deans Scholar Award for Collage of Social Science. GPA 3.73. Academic Scholarship, Phi Sigma Alpha Honor Society. Transferred from Y.V.C.C. with Associates in Arts & Science Direct Transfer Degree with Honors (1997). Phi Theta Kappa Honor Society.

Professional Skills & Activities:

- ❖ Type 93 w.p.m, highly proficient in Microsoft Office Suite, including Word, Excel, Power Point, Outlook, Access, and Internet Explorer. Highly skilled in electronic and manual legal research including Westlaw, Lexis/Nexis, and Internet search engines. Skilled in legal research and writing, negotiations, mediations, depositions, discovery, conflict resolution.
- ❖ Provide pro bono legal assistance to various members of the Yakima Valley Community averaging 175-200 hours a year. Provide pro bono elder law representation including drafting of wills, trusts, power of attorney forms, medical durable power of attorney forms, and quit claim deeds. Volunteers 140 hours plus on the WSBA Board of Governors & WSBA Treasurer positions. Rated 10.0 on AVVO.
- ❖ Avid Gonzaga Bulldogs Basketball and Seattle Seahawks fan. Been Governor on WSBA Board of Governors since July 2017, and WSBA Treasurer since October 1, 2019. Only 2 term WSBA Treasurer

WSBA TREASURER & DISTRICT 4 GOVERNOR DANIEL D. CLARK
WSBA PRESIDENT-ELECT CANDIDATE STATEMENT

I am the current District 4 Governor and two (2) time WSBA Treasurer from Yakima, WA. I've actively served on the Board of Governors since July 27, 2017. I am the longest serving WSBA Governor currently on the Board; always worked incredibly hard; and have never missed a BOG meeting. I have routinely advocated for increased member services and benefits; and have successfully advocated for increased transparency and communication of WSBA's activities and financial matters. I have the right relevant experience, institutional knowledge, collaborative working relationships, and skillset necessary to successfully serve as our next President after current President-Elect Tollefson.

WASHINGTON STATE BAR ASSOCIATION

President-elect Application Form

INSTRUCTIONS

- 1) Complete this application form. If you are nominating someone else, ask them to sign it below and submit it along with the required attachments.
- 2) Attach the following:
 - A brief (100-word maximum) biographical statement including current occupation, relevant experience, and education.
 - A letter of interest.
 - A resume.
- 3) Scan and email the signed form and attachments to barleaders@wsba.org. **Applications must be received by 5 p.m. PST on Monday, April 20, 2021.**
- 4) Letters of support must be emailed to barleaders@wsba.org by April 20.
- 5) Applications will be included in the May Board of Governors meeting materials and posted on the WSBA website.
- 6) Questions? Contact Paris Eriksen, parise@wsba.org.

Candidate for President-elect position of the Washington State Bar Association

I, the undersigned active member of the Washington State Bar Association, am running for the President-elect position.

Daniel D. Clark

35901

Name of candidate (please print)

WSBA Bar #



Signature of Candidate

Signature of Nominator (if relevant)

WSBA Bar #

Note: By signing this form, the candidate understands and agrees that as part of the election process for this position, the WSBA routinely checks the grievance and discipline files for any records related to candidates. Thus, the candidate waives confidentiality of these materials to WSBA staff and the Board of Governors.

This form must be filed in the Office of the Executive Director of the WSBA no later than 5 p.m. PDT on April 20, 2021. Filing may be accomplished by emailing the form and attachment to barleaders@wsba.org.

May 2, 2021

Board of Governors
Washington State Bar Association
1325 4th Avenue, Suite 600
Seattle, Washington 98101-2539

Re: WSBA President- Elect Candidate Daniel Clark

Dear WSBA Board of Governors:

My name is Terry Austin. I am a retired attorney and have been a member of the WSBA for forty-five years. I am writing to recommend my friend and former colleague, Dan Clark, for the position of WSBA President-Elect.

You are all aware of Dan's exemplary service as District Four Governor and WSBA Treasurer. However, you may not be as familiar with Dan as a practicing lawyer. I was fortunate to know and work closely with Dan at the beginning of his legal career and for the following eight years. It is because of my familiarity with Dan as a lawyer that I so strongly recommend him.

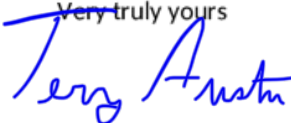
I was the Chief Civil Deputy for the Yakima County Prosecuting Attorney's Office when Dan began his legal career with the office in 2007. I directly supervised him until my retirement in 2015. Dan's primary responsibilities were to serve as the legal advisor to the elected Treasurer and Assessor, as well as the offices of Financial Services, Facilities, Human Services, and Grants Management. In addition, Dan also served as legal counsel to two multi-jurisdictional agencies; the L.E.A.D. Narcotics Task Force; and, the Southeast Washington Aging and Long-Term Care Conference of Governments. This is one of the most important positions in county government since it touches on every aspect of the county's finances as well as a broad range of other legal issues.

From the beginning, I was impressed with Dan's drive and determination to develop his legal skills and serve his clients effectively. As he gained experience, I developed absolute confidence and trust in Dan as an attorney. My confidence was shared by the elected officials and staff who were Dan's clients. Without exception, they expressed complete satisfaction with his sound advice and representation. Dan is one of the authorities in the state on all aspects of county taxation and finance.

One of the rewards of a long legal career is the opportunity to work with young lawyers as they develop as practitioners and leaders. I am fortunate in having had that experience with Dan, and it is my hope that I played some role in his becoming the excellent attorney he is today.

I highly recommend Dan for the position of WSBA President-Elect without reservation and with confidence that he will serve with distinction.

Very truly yours



Terry Austin
WSBA 6708



CARLA J. HIGGINSON
Attorney & Counselor at Law
carla@higginsonbeyer.com

GARRETT J. BEYER
Attorney & Counselor at Law
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175 SECOND STREET NORTH
FRIDAY HARBOR, WASHINGTON 98250

Seattle office:
701 FIFTH AVENUE, SUITE 5500
SEATTLE, WASHINGTON 98104

April 13, 2021

RESPOND TO: FRIDAY HARBOR OFFICE

WSBA Board of Governors
Washington State Bar Association
1325 Fourth Ave., Suite 600
Seattle, WA 98101-2539

Re: Recommendation of District 4 Governor & WSBA Treasurer Daniel D. Clark for
WSBA President-Elect

Board of Governors,

I write to you today to encourage you to select current WSBA District 4 Governor and WSBA Treasurer Daniel D. Clark the next WSBA President. During his tenure as Treasurer, Mr. Clark has demonstrated great professional competence with WSBA financial and budgetary matters and has exhibited long-needed transparency in his work through his monthly updates to the members of the WSBA. His high-level work ethic is more that apparent. With more than just words Treasurer Clark has repeatedly shared his connection with the common concern of WSBA members at having WSBA look at budgetary decisions which take members license fees and expenditure concerns into consideration. These traits alone, professionalism, competence and work ethic, empathy toward matters important to the general membership and the willingness to be transparent to the members in his work is why I believe Treasurer Clark would make a excellent WSBA President. As I give Treasurer Clark my support for the reasons stated above, and others stated below, I encourage the individual members of the Board of Governors to do so as well.

The WSBA has exhibited a strong commitment to advancing Diversity, Equity and Inclusion. I can think of no better way to further this commitment than for the WSBA and the Board of Governors choose to elect, for the first time, a highly qualified candidate for WSBA President who has a major speaking disability. Treasurer Clark has shown that he is determined not to let that disability hold him back, and he has served effectively as a Governor and WSBA Treasurer. I have no doubt that his same determination serves him well as an active practicing attorney with the Yakima Co. Prosecutor's office.

Treasurer Clark has actively pushed for increased communication and transparency in the WSBA as an organization. I have personally seen that he is able to work collaboratively with others in

Washington State Bar Association
Board of Governors
April 13, 2021
Page 2

WSBA public session meetings; he appears to set goals and then actively work with the individual members of Board of Governors in an attempt to accomplish them. These are, as well, important qualifications for a WSBA president. I urge you to support him for that position.

Very truly yours,

A large, handwritten signature in black ink, appearing to read "Garrett J. Beyer", is written over the typed name. The signature is somewhat stylized and loops around the text.
~~HIGGINSON~~ BEYER

Garrett J. Beyer
Attorney & Counselor at Law

GJB/tbm
cc: Gov. Daniel Clark (via email)

May 3, 2021

Keith M. Black
Attorney at Law
10001 Cherry Lane NW
Gig Harbor, WA. 98332

Re: Letter of Recommendation in Support of Dan Clark's Candidacy for President-Elect of the Washington State Bar Association

Dear President Sciuchetti and Members of the Board of Governors,

I am encouraged to learn of Dan Clark's candidacy for President-Elect of the WSBA, and wanted to write a letter of recommendation in strong support of his election. During my time as a Member of the Board of Governors, I came to know Dan in his early tenure on the Board, and gained a high respect for him, both as a person and his legal and professional abilities.

Having followed his time on the Board of Governors, including his outstanding service in the challenging role as WSBA Treasurer, I have gained an additional strong respect for Dan, and believe him to be eminently well qualified to serve in the role of President-Elect.

A review of Dan's dedicated and excellent work in his role as Treasurer for the WSBA, clearly reflects a person of real ability, focus, and a commitment to keeping the financial and best interests of the members of the WSBA at the forefront. His Treasurer's Reports in the Washington State Bar News have been excellent, most informative and greatly appreciated throughout the membership of our State Bar.

Equally important, Dan throughout his tenure has consistently proven himself to be a person of strong character, integrity, with a caring and compassionate perspective on the work of our State Bar and for its members.

Although I do not think of Dan as someone with a disability, it certainly would be unfair for me or anyone not to acknowledge and recognize it. I applaud him for his personal courage and perseverance to pursue what he cares deeply about, and seemingly remains undaunted by that challenge.

I wholeheartedly support Dan's candidacy and selection as our next President-Elect for the WSBA. I know he will prove to be a wise and excellent choice.

Warm and Best Regards,

Keith M. Black
Former WSBA Governor, District 6

May 3, 2021

**WSBA Board of Governors
1325 Fourth Avenue
Suite 600
Seattle, WA 98101-2539**

Re: Recommendation of Daniel Clark for WSBA President-Elect

To the WSBA Board of Governors:

Of the candidates running for the current President-Elect position, current District 4 Governor and WSBA Treasurer Daniel Clark is the best qualified. Daniel has relevant and recent proven experience having served on the Board of Governors the last four years to be the best and most qualified candidate for the position.

Daniel has served as District 4 Governor since July 2017. Since being elected as Governor, he's been very active and successful. Daniel has greatly increased communications and transparency of the Washington State Bar Association in terms of operations as well as being on top of what the Board of Governors is doing and what they are spending our license fees on. I appreciate his Treasurer column updates in the bar news magazines and, given the financial reports, he has worked hard with WSBA staff to ensure that our license fee revenue is spent prudently and with internal controls to ensure accountability. I've been very happy with his commitment to the organization and service not only as District 4 Governor but also as WSBA Treasurer. I think that other members in District 4 have been as well which was evident in the spring 2021 election results that Daniel won with over a 2 to 1 margin.

Daniel suffers from a major stuttering disability. It's my understanding that the WSBA has never elected a President with a major disability. For an organization that has a strong commitment to diversity, equity and inclusion, I think electing Daniel given his strong background of institutional knowledge and financial knowledge and WSBA operations seems to make the best sense not only for the organization, but also for our legal profession and the members of WSBA. I think it would send a great message to the public, and certainly throw in the fact that Daniel is a full-time government attorney that has spent his career in public service, and I think that would be outstanding as well to have for only the second time, a public attorney be elected to serve as WSBA President.

Given the successes and accomplishments that Daniel has managed the last four years as District 4 Governor and WSBA Treasurer, I'm very excited what the Board of Governors will be able to do over the next few years if you make the right choice and elect him as your next WSBA President-Elect, and ultimately President. As a member of WSBA, I hope that you will do so.

Respectfully

A handwritten signature in black ink, appearing to read "M. Scott Brumback". The signature is fluid and cursive, with the first letter of the first name being a large, stylized 'M'.

M. Scott Brumback
WSBA #21720

April 24, 2021

WSBA Board of Governors
1325 Fourth Avenue
Suite 600
Seattle, WA 98101-2539

Re: WSBA President-Elect Candidate Daniel Clark

Governors:

I am honored and privileged to write this letter of recommendation on behalf of Daniel Clark, current WSBA Treasurer and District 4 Governor, who has submitted his application for the open WSBA President-Elect position. It is my strong belief that Mr. Clark would make an excellent WSBA President-Elect and I strongly encourage you to elect him.

I was honored to become the elected Yakima County Prosecuting Attorney as of January 1, 2015. I became a colleague of Mr. Clark at that time and I have continually worked with him since. He has dutifully undertaken all tasks and assignments in our corporate counsel division and has wonderfully served the people of Yakima County in that role. Daniel Clark works tremendously hard for his clients here in Yakima County. He primarily works and counsels the Yakima County Treasurer and Assessor but also assists a local multi-agency drug task force, the Board of County Commissioners, public facilities, financial services, aging and long-term care and the Yakima County Sheriff's Office. He maintains direct contact, assists in creating workable solutions and provides legal expertise for elected officials that directly benefit the people of Yakima County. Dan writes exceptionally well and provides knowledgeable and well thought out opinions.

Just as important as his legal knowledge and assistance, I have observed Mr. Clark engage others in a professional and respectful way and build relationships within the county family to further our governmental organization. He is a man of integrity and character. These traits and more will continue to serve the Washington State Bar Association as well as the attorneys in our state if Dan is elected WSBA President-Elect. Dan Clark is prepared for this opportunity for service and will exhibit all those qualifications that the WSBA so clearly desires in its attorneys. I highly recommend Mr. Clark for this position of leadership. The Washington State Bar has an opportunity to select an excellent attorney who will make the bar association and all the attorneys in the state proud.

If you have any further questions or concerns, please contact me at your earliest convenience.

Sincerely,



Joseph A. Brusich
Yakima County Prosecutor

Date: April 20, 2021

To WSBA Board of Governors

RE: Recommendation of District 4 Governor & WSBA Treasurer Daniel D. Clark for WSBA President-Elect.

Board of Governors,

To many the Washington Bar Association is a distant organization that collects fees each year. However, as each of you know the WSBA is much more than that. It is an organization that strives to advance the legal system in Washington in both a responsible and equitable way. I can think of no better public servant to help lead the organization as the next president elect than Daniel Clark (Dan).

Having personally worked with Dan I can say unequivocally that he believes in advancing equality and diversity all while being a responsible steward of the resources he is trusted to manage. As Treasurer Dan has shown that he is willing to make hard budgetary decisions. Decisions that balanced advancing access to justice with the financial responsibility to the licensed members. believe he would make a great WSBA President and that is why I am supporting him and encourage you to do so as well.

WSBA has a strong commitment to advancing Diversity, Equity and Inclusion. I can think of no better way to actually demonstrate that WSBA and the Board of Governors does care than to elect for the first time a highly qualified candidate for WSBA President that has a major disability. As you all know, Dan has a major stuttering disability. He's determined not to let that disability hold him back, and despite having this disability, he's managed to serve incredibly effective not only as a Governor, and WSBA Treasurer but I also believe as an active practicing attorney.

Given today's political and social justice climate I believe Dan is also uniquely well suited to lead the WSBA. As a full time practicing governmental attorney Dan understands the bureaucracy that encompasses changing the criminal justice system from the inside out. Government attorneys make up a significant segment of our legal membership, however they seem to be notably absent from the records of prior WSBA presidents.

In sum, I highly endorse Dan's candidacy for that position.

Respectfully,



Jeremy Burke

WSBA #52537

Paris Eriksen

From: John Chessell <jwchessell@rockisland.com>
Sent: Tuesday, May 4, 2021 11:15 AM
To: Bar Leaders
Cc: danclarkbog@yahoo.com
Subject: Letter of support for Daniel Clark as next WSBA president
Attachments: ltr wsba bd dirs Daniel Clark as next wsba pres 5-2-2021.docx

Follow Up Flag: Follow up
Flag Status: Completed

Tuesday May 4, 2021

To: WSBA Board of Governors
Seattle, WA 98101
From: John Chessell, Atty at Law
RE: Ltr of support for Daniel Clark as next WSBA President

Via Email: barleaders@wsba.org

Dear Board of Governors members:

Please see the attached letter of support on behalf of Daniel Clark as the next WSBA president.

VTY,

John Chessell WSBA Mbr # 19370

[REDACTED]
[REDACTED]

cc: Daniel Clark

May 4, 2021

Board of Governors
Washington State Bar Association
1325 4th Avenue, Ste. 600
Seattle, WA 98101

Via Email: barleaders@wsba.org

RE: Recommendation of Daniel Clark as next WSBA President

Dear Board of Governors Members:

I'm writing in support of Daniel Clark as the next WSBA President. With his professional competence he has served faithfully and efficiently as WSBA Treasurer; with his many years as both a civil and criminal deputy in the Yakima County Prosecutor's Office - and now having served four years on the WSBA Board of Directors - he has the type of background, experience and dedication to be an active, productive, and effective WSBA president, especially in a time of potential modification and change.

Significantly, his educational background is also impressive. As highlighted in a 2020 WSBA press release, Mr. Clark earned his undergraduate and law degrees with significant honors.

I recently had the opportunity to read his 2018 report (as a member of the New Governor Exploration Board) concerning his research and conclusions regard optimal sizes of boards of directors in public administrative bodies (particularly bar and related associations, especially of adjoining states) and found it well organized, thorough and cogent – a nice piece of research, writing and reporting.

I believe he demonstrates the truth of the axiom “if you want a job done well, give it to a busy person.” In my own experience, prosecutors generally are the kind of people who “get things done;” in my opinion Mr. Clark's life and work-ethic reflect the seeming truth of that saying. In short, in my opinion he is well-qualified for the position, and I highly recommend his election as president.

Very Truly Yours,

JWC:cc

MAY 2, 2021

Dear WSBA Board of Governors:

My name is Kathleen Coffey and I worked with Daniel Clark as the Clerk of the Board of the Southeast Washington Aging and Long-Term Care Council of Governments (SE WA ALTC COG) for several years. I have been asked to write a letter of recommendation for Daniel Clark for WSBA President-Elect and I am very happy to do so! I know if you give Daniel a chance to do this job that he would do a fantastic job as your next President!

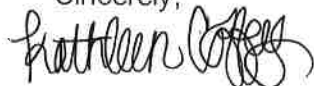
I have known and worked with Daniel since 2007 when he became the civil attorney that was assigned to our agency. In the time that I've worked with him, I've always found him to be very detail oriented, prompt and diligent in his work, and I believe that our agency has been very blessed to have him as our civil attorney.

In late 2013, a decision was made by the Yakima County Board of County Commissioners to move SE WA ALTC from a Yakima County Department to a separate legal entity overseen by a Council of Governments Governing Board. Daniel was instrumental in helping to draft bylaws and an interlocal agreement establishing and forming the legal entity. He successfully negotiated the agreement with Asotin, Benton, Columbia, Franklin, Garfield, Kittitas, Walla Walla and Yakima Counties. Daniel assisted in drafting and creating various policies for fiscal, human resources and agency operations that have greatly assisted SE WA ALTC COG run successfully.

Daniel also regularly attends our citizen advisory council meetings. He is wonderful in interactions with our elderly members and several of them fondly call Daniel "their favorite attorney." Daniel is very at ease with our clients, and it is very apparent that he has empathy and compassion for the mission that SE WA ALTC COG does in serving the elderly and long-term care citizens of the public.

I fully believe that if you give Daniel a chance to serve as WSBA President-Elect he will bring his hard work ethic, fiscal and budgeting knowledge, and passion for success that he's shown as our civil attorney the past decade. I therefore strongly recommend Daniel Clark and urge you to vote for Dan as the next President-Elect of the Washington State Bar Association.

Sincerely,



Kathleen Coffey

Former Clerk of the Board
Southeast Washington Aging and Long-Term Care
Council of Governments.

May 4, 2021

Subject: Recommendation of Dan Clark for WSBA President

Governors,

I would like to encourage you to select Dan Clark as your next WSBA President-Elect of your organization. I have known and worked with Dan at Yakima County for the past ten years or so, and I believe Dan would be a wonderful President of your organization.

Dan is an extremely talented civil attorney. I worked with him on assignments for the Yakima Valley Law Enforcement Against Drugs Narcotics Taskforce, as well as other civil legal matters involving the Yakima County Sheriff's Office. In every interaction with Dan, he's always been very professional, quickly responded with accurate legal advice and analysis and I believe it is fair to say he is very respected by everyone at Yakima County.

Dan, I believe, is very talented at working with various different personalities and defusing conflict when conflicts arise. He often offers common sense solutions that are reasonable, practical, and he really seems to care about everyone at the table reaching an agreeable consensus when dealing with multiple parties. I believe these skills and traits would really be valuable for him continuing to be a leader in your organization.

Sincerely,

A handwritten signature in cursive script that reads "Virginia Conway".

Virginia Conway



GRAINMILLERS

APRIL 26, 2021

RE: DAN CLARK LETTER OF RECOMMENDATION FOR WSBA PRESIDENT-ELECT POSITION

Dear Board of Governors:

I would like to take this opportunity to highly recommend Dan Clark, WSBA #35901 for selection as the WSBA President-Elect. I have known Dan for over 26 years and believe I am able to provide a very good judge of his character and strengths and weaknesses. I believe Dan has the skills and abilities to be able to serve in this position and be successful. He has served nearly the last four years as the WSBA District 4 Governor and last two as WSBA Treasurer. I know Dan is extremely committed to his Board of Governors service and would continue this commitment if given the opportunity to serve as WSBA President-Elect.

Several years ago, Dan provided me pro bono legal assistance for a pro se domestic relation litigation matter that I was involved in. The opposing party had legal counsel and I truly felt like I was at a disadvantage. Dan volunteered to help review legal pleadings I had received, explained to me what the other side was attempting to do, and helped review pro se documents that I prepared in response. I was a college student and could not afford to hire private legal counsel to represent me. Dan was not able to formally represent me because of his position as a Deputy Prosecuting Attorney with Yakima County, but he went over and beyond what I would expect as far as free legal assistance. I'm happy to say with his assistance, I was able to work out an amicable resolution to the litigation that all parties were satisfied with. I do not believe that would have been possible without his assistance. His assistance and suggestions also helped to defuse and quickly resolve what was a very contested matter and could have resulted in a lengthy and costly litigation.

I believe that my above story is one of many that Dan Clark has provided his legal skills to those in need in the Yakima valley area. I believe Dan is committed to helping provide pro bono legal assistance to those that are in need and to advancing access to justice by providing legal assistance and guidance to those that he can assist. Dan is also very good about serving as a referral to the public for such entities such as the



GRAINMILLERS

Northwest Justice project and Yakima Volunteer Attorney Services when the public needs formal legal representation which his current job will not allow him to do.

I believe if given the opportunity to serve as WSBA President-Elect on the Board that Dan would be successful as he has been as a Governor and as Treasurer. He is a very hard worker, possesses governmental budgeting skills and gives 110 percent to his work and Board Service. Over the last four years, every time I've talked with Dan, he's expressed just how honored he is to serve on the Board of Governors and volunteer for WSBA. I know if you select him as WSBA President-Elect that he will be successful in serving. To that end, I would like to encourage you to select Dan Clark for the WSBA President-Elect position. Thank you and please let me know if you have any questions regarding this recommendation.

Sincerely,

Nathan M. Decker
Quality and Food Safety Manager
Grain Miller Inc.

Date: May 3, 2021

WSBA Board of Governors

Re: Letter of recommendation of Dan Clark for WSBA President-Elect

Dear WSBA Board of Governors,

I am submitting this letter of endorsement on behalf of Dan Clark for WSBA President. Based on my interactions with Dan and knowledge of him and his professionalism and character over the last few years of working with him at Yakima County, I believe he would be a great WSBA President. I therefore highly encourage you to vote for him to be your next President!

I have worked with Dan at Yakima County in two different departments. First, I worked with him as an employee with the Yakima County Treasurer's Office. Dan is very respected by employees in the Treasurer and Assessor's offices, and he is very knowledgeable about ad valorem property tax matters and financial collection efforts. My interactions with him there were always very professional.

The last few years I've worked for the Yakima County Department of Corrections. My interactions with Dan have been less than when I worked for the Treasurer's Offices, but they have still been all positive. Dan also enjoys a very strong professional reputation at the Department of Corrections. Dan has worked for Yakima County for almost 19 years, and he is well known and well liked by everyone here.

A few years ago, I had a family law legal question involving a current parenting plan dispute that I needed assistance with. I don't have a private attorney at this point and certainly as a single parent that is currently also attempting to go to college, my financial resources are limited. Dan graciously agreed to provide legal advice to me, and the assistance was very much appreciated. His legal advice was reasonable, free, and certainly very much valued by me as the other side was represented by an attorney. I know of several employees and people in Yakima that Dan has also helped over the years. This is just the type of person that Dan is.

I interviewed Dan for a college class assignment I had a couple of years ago. Dan agreed to stay a couple of hours after work to do the interview for me, and certainly he was very encouraging and excited to hear that I was enrolled at Yakima Valley Community College and he highly encouraged me to pursue my college degree.

I believe if given a chance that Dan Clark will be an outstanding WSBA President. It's my understanding that he's served as the District 4 Governor the last 4 years for the WSBA. He's also served the last two as the Treasurer. I saw that a month ago he was re-elected to a new term as District 4 Governor by over a 2 to 1 margin. I think that really obviously says that members of your organization believe he's doing a great job. I think given that he's on your board, has been for 4 years, and certainly is a great attorney, that he would make a great president of your organization. Thank you.



Mari Diaz

Mdiaz509@yahoo.com

To: WSBA Board of Governors

From: James K. Doane

Date: April 16, 2021

Re: Endorsement of Dan Clark for WSBA President-Elect

Dan Clark, senior deputy prosecuting attorney, Yakima County Prosecuting Attorney's Office, Corporate Counsel Division, is serving his second term as WSBA Treasurer and has recently been elected for a third time as Governor, District-4, reflecting the continuing confidence of his peers on the Board of Governors and his constituents in Eastern Washington.

Dan's calm, competent, and courageous focus on WSBA's mission in a fiscally responsible manner is impressive. A former District-7 South Governor residing in Seattle, I overlapped with Dan on the Board of Governors. Our votes on the BOG often differed but his positions were thoughtful, collaborative, and non-judgmental. One thing we always agreed upon was that WSBA's mission (to serve the public and the members, ensure the integrity of the profession, and champion justice) is vital so that precious time and treasure serving it should not be squandered.

Dan impressed me with his dedication to diversity and inclusion and openness regarding innovative ways to facilitate access to justice while marshalling resources more effectively to serve those ends that are so integral to WSBA's mission.

As you may have noticed, Dan is less voluble than his deep intellect might otherwise permit. That is not a bad thing in Bar leadership. Dan's sincerity, integrity, and selflessness make him a great role model to all of us and will further WSBA's important mission.

Please accept this as my enthusiastic endorsement of Dan Clark as WSBA President-Elect.

Date: April 21, 2021

To: WSBA Board of Governors

Re: Daniel Clark – WSBA President-Elect Candidate

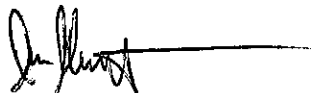
My name is Jeremie Dufault. I am a member of the Washington State Bar Association and represent District 15 in the Washington State House of Representatives. I have known Daniel Clark since we went to high school together over 25 years ago. Dan is reliable, has strong moral character, acts with integrity, and is a consummate professional. Additionally, he is a kind person who cares deeply about his community and the WSBA. I believe that Dan will make an excellent WSBA President.

Dan has served with distinction as our District 4 Governor for the past four years. He has actively engaged with WSBA members in our district through regular outreach and ongoing communication about WSBA events and issues. I was not surprised that he recently won re-election with 68 percent of the vote. Dan has also served for the last two years as WSBA Treasurer. I appreciate his initiative to explain in detail how license fees are being spent and the accountability measures the WSBA is developing to ensure good stewardship of association resources.

Dan has given me permission to share that he lives with a disability that for many would have precluded pursuit of a career as an attorney. Dan's resolve and determination to overcome personal and professional challenges is an inspiration to me and to many others in our community. Dan is respected by WSBA members and the people of Yakima County whom he serves for not only his persevering spirit, but also for his commitment to service and his competence.

Dan will bring the same level of effort and dedication to the WSBA Presidency that he exhibits in everything he does. He has my highest recommendation.

Respectfully,



Jeremie Dufault

May 4, 2021

**Washington State Bar Association
1325 4th Ave., Suite 600
Seattle, WA 98101**

RE: Dan Clark-Recommendation for President-Elect

Dear Board Members:

I am writing to recommend Dan Clark for the Washington State Bar Association President-Elect position. I have known Dan for approximately 14 years and have had to call upon him for pro-bono legal advice a time or two. Dan was always willing to help out and take the time to explain to me exactly what the legal issues were in terms that I could understand, which I greatly appreciated.

Dan has served in our community as a Yakima County civil deputy prosecutor for many years and continues to do so. He is an upstanding, honest, dedicated, and hardworking attorney who would make an excellent president of the Washington State Bar Association.

I know that Dan is very passionate about the Washington State Bar Association because the subject comes up every time Dan and I chat. It is clear that Dan knows the ins and outs of the organization and wants to help improve its mission and the people that it serves. We are at a time in this nation where folks that have previously gone under-represented need to have a place at the table and are given their time to shine and show the world that people with speech disabilities are intelligent, graduate at the top of their law school class, and excel in everyday life and their employment. Dan has a heart for service and he is absolutely the right person for this position.

I have zero reservations about recommending Dan for the President-Elect position and I know that he would absolutely lead with integrity and excellence as shown in his character daily.

Sincerely,



Tam Edmonston

April 30, 2021

Dear Sir or Madam,

My name is Sandra Evans and I would like to recommend to each of you to cast your vote for Daniel Clark for WSBA President. I have known Dan for about fifteen years and during that time I have known a man that has integrity, compassion and empathy for others. I think Dan has the right skill-set necessary to succeed if you elect him as WSBA President-elect.

Knowing Dan, I know that during the last several years, he has proudly and deeply emersed himself in service as a governor and now treasurer with the Washington State Bar Association. I know he's highly committed to service on the Board of Governors and he's incredibly proud to be a part of it. Dan is the type of person that when he commits to accomplishing something he puts his heart and his soul into doing it. I have seen him do that in practicing law and also in volunteering for the Washington State Bar.

Over the years, I have sought Dan's legal advice regarding various legal matters that have come up. Regardless of the complexity of the various issues, Mr. Clark has always been very willing to provide not only myself, but also various other members of my family with legal advice at no charge. Dan has been able to break things down to me, someone who doesn't really know about the law. As someone that is a senior citizen and on a fixed income, I greatly appreciate that there are people like Dan that are willing to offer free legal services and help to those of us in need!

I believe if given the opportunity to serve as WSBA President, that Dan would put forth the same effort that I've seen him put in everything that he does. I have full confidence that he will make a great WSBA President as he is a great attorney. Thank you.

Sincerely,



Sandra Evans



Facilities Services

18 East Lincoln Ave - Yakima, WA 98901

(509) 574-2416 - (509) 574-2401 - FAX (509) 574-2464

Brian Griff, Director

APRIL 27, 2021

**WSBA Board of Governors
1325 Fourth Avenue
Suite 600
Seattle, WA 98101-2539**

RE: Dan Clark for WSBA President-Elect Endorsement

WSBA Board of Governors:

My name is Brian Griff. I am the Yakima County Facilities Director. It is my understanding that District 4 Governor and WSBA Treasurer Dan Clark has applied as a candidate for the WSBA President-Elect position. I would like to encourage each of you to vote for Dan for this position and I believe that Dan would make an outstanding WSBA President if given the opportunity to serve!

Dan has been my primary civil legal counsel for my Department at Yakima County over the last several years. During my interactions with Dan, I've always found him to be a very professional, smart, and hard working attorney. He is very good at his job, and he is able to come up with practical and common sense solutions to problems that are presented to him. Dan is also very good at being able to recognize that in dealing with County Government, you have different stakeholders and you need to be able to collaboratively work together. I believe that this important skillset would serve him well as WSBA President, as he would be able to use similar strategies to get to yes in successfully serving as WSBA President with collaboratively working with bar staff, stakeholders, and fellow members of the Board of Governors.

Having worked with Dan, I know that he is incredibly proud to be a part of the WSBA Board of Governors and to be serving as the District 4 Governor and the WSBA Treasurer. Dan often times will talk about current things going on with WSBA and it is very apparent to me that he is very fully engaged as a full time WSBA volunteer. I believe this is very important for you to know because it's my understanding that the WSBA President-Elect and WSBA President positions require a lot of time and dedication in volunteering. I believe that Dan would be able to continue to successfully do so and I think that really separates him from others applying for this position. Dan has a proven track record of successful volunteering while working full time for Yakima County.

Dan also is someone that believes in access to justice and helping others. Dan has offered to help various employees of mine with outside of work legal matters and does so on his own time on a pro bono basis without any compensation. He does so because it is the right thing to do and

he says that he would want someone to help him if the situations were reversed and he needed legal assistance and couldn't afford it.

Dan is well liked at Yakima County and certainly is someone that I trust in his legal review and counsel. It's apparent he takes his job as a Senior Deputy Prosecuting Attorney very seriously, and he certainly always is very professional, and provides accurate, detailed and comprehensive written analysis to myself and other clients to back up when he says we can, cannot and/or the area of law is a gray area with uncertainty. I find that extremely valuable and certainly I'm very pleased to have Dan as my primary civil attorney.

For the above reasons, I really think that Dan Clark would be an outstanding WSBA President. I think he has the right skillset and demeanor to lead this organization, and certainly I encourage each of you to vote for him for WSBA President. Thank you and please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Brian Griff". The signature is written in a cursive, flowing style.

Brian Griff
Yakima County Facilities Director

HALL & GILLILAND P.L.L.C.

*1111 W. Yakima Ave
Yakima, WA 98902*

APRIL 30, 2021

Dear WSBA Board of Governors:

I would like to highly encourage each of you to cast your vote for Dan Clark for WSBA President-Elect. I've been a member of the WSBA since 2005. During my 16-year legal career I've never seen a Governor work as hard and show as much dedication to WSBA members as I've seen from Dan Clark. Dan really has done an amazing job at greatly expanding communications of what WSBA is doing to us members and to really be transparent in explaining WSBA finances in a way that really has been greatly refreshing versus previous treasurers before him.

I've known Dan for over 23 years, and we actually went to undergraduate college and law school together. Dan was 1 year above me in law school, but always was at the top of his class. After law school, we've stayed friends and we both practice in the Yakima area.

Dan has an outstanding reputation among local attorneys in Yakima. He is always very professional to deal with, and actually is who I typically will refer other attorneys to if they have any issue involving Yakima County. I do that because I know if it is his case or not, that Dan will be prompt, courteous and respectful and provide answers, or if not, steer the person to the right direction that can help.

It's apparent by Dan's actions as Treasurer that he really cares about the members, and I'm excited to hear that he is going to run for WSBA President-Elect. I would really encourage each of you on the Board of Governors to cast your vote for Dan Clark. I believe he would make an outstanding WSBA President. He has the integrity, the work ethic, and intelligence to help lead WSBA. I also think that despite his disability of stuttering that he would make an excellent president, and certainly I know Dan deeply cares about WSBA and wants to serve in this position.

I have full confidence that Dan would make an excellent WSBA President, and so I strongly encourage you to vote for him as the next President-Elect of the Washington State Bar Association.

Sincerely,



Timothy J. Hall
WSBA #36372



SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THE COUNTY OF YAKIMA

Judge Gayle M. Harthcock
Department No. 7

Yakima County Courthouse
128 North Second St.
Yakima, Washington 98901

Phone:(509) 574-2710
[REDACTED]

APRIL 22, 2021

To: WSBA Board of Governors

Re: Endorsement of Daniel Clark for WSBA President-Elect

To the WSBA Board of Governors:

I am writing to endorse Daniel Clark as the next WSBA President-Elect. I was pleased to learn of his application for WSBA President-Elect. I believe he would be an excellent WSBA President.

Mr. Clark serves as civil Senior Deputy Prosecuting Attorney for Yakima County in the Corporate Counsel Division. He has appeared before me several times in that capacity. When he appears before me, he is always respectful and professional. He is well prepared, and his written briefing is always excellent. He is a skilled legal writer, providing comprehensive as well as relevant case law. His analysis is detailed and clear. Mr. Clark's stuttering disability does not prevent him from performing his job in my court.

Mr. Clark is well respected by his peers in the legal community. He was recently re-elected as District 4 Governor.

Mr. Clark recently spearheaded the successful application for the late Yakima County Superior Court Judge Michael McCarthy for the 2020 WSBA Apex Judicial Officer of the Year Award. I joined Mr. Clark in endorsing Judge McCarthy posthumously for this well-deserved award.

In closing, I am confident, if given the opportunity to serve in this role, that Mr. Clark would excel and be successful in doing so. Picking him would also help to advance Diversity, Equity and Inclusion by having our first WSBA President-Elect with a major disability.

I base this letter endorsement on my personal observations and knowledge of Daniel Clark. In keeping with the Canon of Judicial Ethics, the views expressed herein are not necessarily those of other members of my court and I am not attempting to lend the prestige of my office to advance the private interests of Mr. Clark.

Sincerely,


Gayle Harthcock, Judge

Paris Eriksen

From: Sciuchetti, Kyle <Kyle.Sciuchetti@MillerNash.com>
Sent: Wednesday, April 14, 2021 12:52 PM
To: Terra Nevitt; Paris Eriksen
Subject: FW: Support for Dan Clark's campaign for President Elect position

Importance: High

Follow Up Flag: Follow up
Flag Status: Completed

Kyle D. Sciuchetti

Partner and Washington State Bar Association President (2020-2021)

Miller Nash Graham & Dunn LLP

3400 U.S. Bancorp Tower | 111 S.W. Fifth Avenue | Portland, Oregon 97204
Direct: 503.205.2643 | *Office:* 503.224.5858 | *Fax:* 503.224.0155

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*We are monitoring the legal and regulatory landscape in response to the **COVID-19** crisis. To visit our resource page, [please click this link](#).*

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From: Angela Hayes <ahayes@AIIN.COM>
Sent: Wednesday, April 14, 2021 11:48 AM
To: Sciuchetti, Kyle <Kyle.Sciuchetti@MillerNash.com>
Cc: Dan Clark <danclarkbog@yahoo.com>
Subject: Support for Dan Clark's campaign for President Elect position
Importance: High

Dear President Sciuchetti and members of the Board of Governors:

I am writing to extend my support for Dan Clark as candidate for WSBA President Elect. I had the privilege of working with Dan during my time as the District 5 Governor from 2015 to 2018. Dan was initially appointed to his seat in 2017 when then-governor Bill Pickett was elected to a leadership role. Dan interviewed with the BOG and we were impressed with his desire to step into the governor's role. From day one, we could count on Dan's preparedness and active participation in the issues facing the BOG. Rather than "playing politics" Dan was a solutions-oriented governor, which was essential for the BOG during a particularly polarizing time. Clearly Dan has been an effective governor, being re-elected by his district when his initial appointment expired. It also says something about Dan that he wanted to continue in the governor's role, and additionally took on the role of treasurer. As we all know from experience, service on the BOG is incredibly time consuming and can be quite personally draining.

Dan's elevation to the role of President Elect would represent many firsts for the WSBA. As Dan and I recently discussed, he would be the first in this leadership role to have a major disability, which would represent a significant, positive and

inclusive shift for the organization and a recognition of the incredible value that each and every unique attorney and professional brings to the organization. He would also be the first leader who was a member of the Washington Association of Prosecuting Attorneys, and only the second leader, after the Honorable Mary Fairhurst, to come from a governmental background.

I applaud Dan for stepping up and pursuing this opportunity. I am fortunate to know Dan, and am pleased to offer him my support.

Best regards –

Angela M. Hayes
Former Governor, District 5
2015-2018

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Karen Hofmann, CPA CGMA
261 Perry Way
Yakima WA 98901

April 22, 2021

Letter of Support for Daniel Clark for WSBA President-Elect

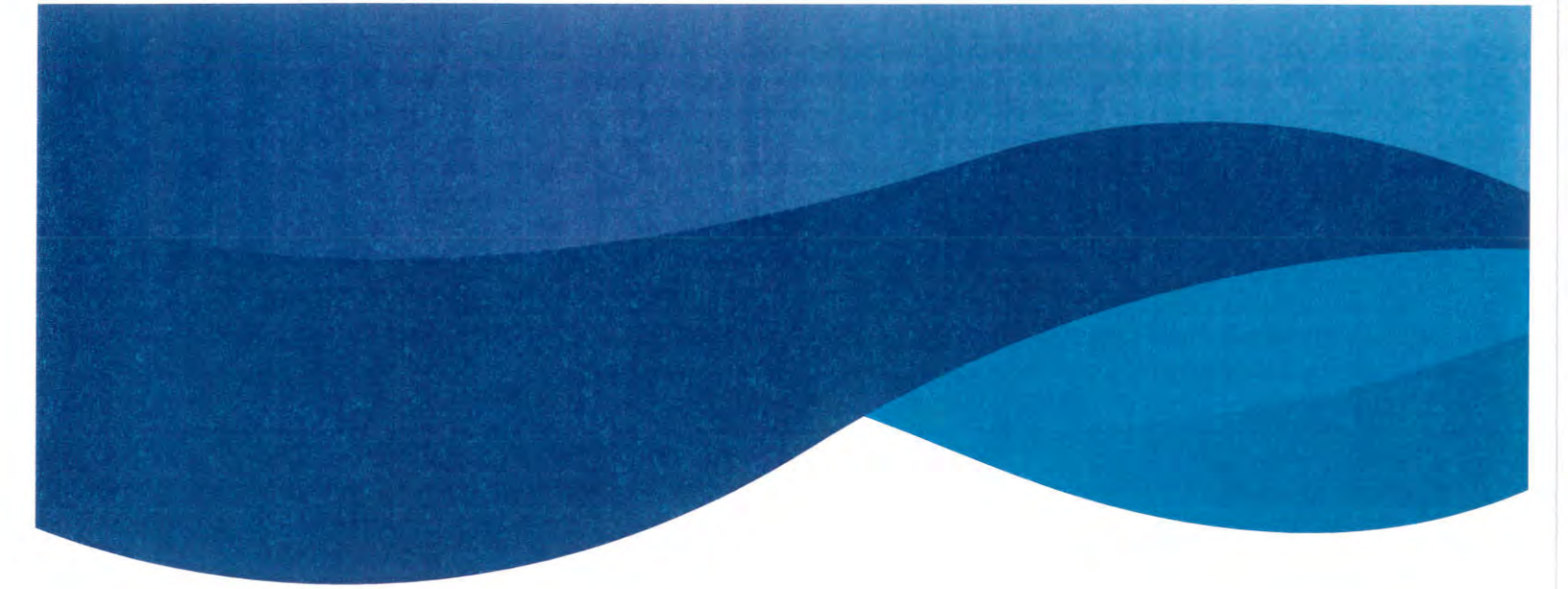
WSBA Board of Governors,

My name is Karen Hofmann. For over 10 years I have worked with Dan Clark at Yakima County as the Finance Manager for the Yakima County Auditor's Office. I had several professional interactions with Mr. Clark regarding various legal matters and I can say with absolutely certainty that Mr. Clark is one of, if not the best attorney that I have ever dealt with. It is my understanding he has applied to be the WSBA President-Elect. I am strongly supporting him for this position and I urge each of you to cast your vote for Dan Clark for WSBA President.

Throughout the years, Dan would always go the extra mile when it came to providing legal assistance, customer service, and he's also very professionally in doing so. My interactions with him have always been polite, professional and certainly I have the utmost confidence in the legal work that he performs.

One of the things that sets him apart from other attorneys is his work ethic. Dan is an extremely driven worker, and I know he volunteers over 100 hours a month for the WSBA on top of working full time for Yakima County and also providing numerous pro bono legal services to others. It's even my understanding that in between all of this he's also serving as a mentor to teach a law clerk student the law during whatever spare time he may have.

Having known Dan for several years, I can say that he is incredibly proud to serve on the Board of Governors. The last 18 months he's been absolutely driven in the opportunity to serve as WSBA Treasurer. As a CPA Dan has reached out to me



with various ideas and questions to try to potentially implement within WSBA, and it's really refreshing that someone would put so much effort into a volunteer

position. Dan believes in making your organization better for all members and spending his time and the resources towards that goal.

Dan may have a disability of stuttering, which does sometimes limit his ability to orally communicate, but he's one of the best writers that I've seen, and certainly he makes up for his difficulty in public speaking by the way that he treats others. Dan has a great personality, and is someone that I know if given the chance will make a great President for your organization. Dan regards everyone with fairness and the ability to succeed. Given that WSBA is supposed to serve the public and there are a lot of the public with disabilities, I think having Dan as your President would also show that WSBA and attorneys have empathy like I know Dan does for others.

Based on the above, I strongly urge each of you to vote for Dan Clark for WSBA President-Elect. If you give him the opportunity, I am fully confident he will make a great WSBA President. Please feel free to contact me with any questions regarding the above letter.

Sincerely,



Karen Hofmann, CPA, CGMA
Member of AICPA

Kim E. Hunter, Attorney at Law
Law Offices of Kim E. Hunter, PLLC
13036 SE Kent Kangley Rd #455
Kent, WA 98030

May 5, 2021

To Whom it May Concern:

RE: Endorsement & Recommendation of Dan Clark for WSBA President-Elect

WSBA Board of Governors,

I endorse and highly recommend Treasurer and District 4 Governor Dan Clark for WSBA President-Elect. Most of you know I stood up for the membership when I was Governor. It is the most important reason the Board exists. The members of the WSBA MUST come first, and issues that concern them must be addressed and solutions explored, and every member represented. Dan Clark is a huge proponent for the members since he became a Governor in July 2017. It is his commitment to the members which makes him an ideal candidate for President-Elect, and why I write this letter of recommendation.

Dan Clark was a stalwart partner in my attempt to put members first. His experience speaks for itself: he has an amazing ability to get down to the important issues, analyze them and present brilliant resolutions, and even if the Board doesn't agree, Dan does not stop in his efforts. As Treasurer he fought diligently for the members, kept WSBA costs down, brought clarification to the budget, and stood with me while I championed focusing on the membership of the Bar. I have no doubt as WSBA President-Elect and WSBA President, he will continue to be a zealous advocate for our members. We need a WSBA President that is willing to do so and I strongly believe Dan and Brian Tollefson would work collaboratively together next year as WSBA President and President-Elect.

Dan is an incredibly smart, humble and diligent individual whose goal as a Board member is to work for each of you. He is active in numerous committees and workgroups that directly effect members in our state. I served with him on the Board for three years and was impressed by his intelligence and perseverance. Dan never missed a meeting; had a strong work-ethic and is an individual of impeccable integrity.

The other two candidates running for WSBA President-Elect have not served on the Board of Governors, nor any of its committees. I think this is of paramount importance. Dan has that experience and over the last four years as District 4 Governor and the last two years as WSBA Treasurer. This is critical relevant experience that the other two candidates simply do not have, and I think this clearly puts Dan Clark as the clear choice for this Board to vote for!

Dan gets my highest recommendation and I encourage you take a moment and fill out your ballot for **DAN CLARK, FOR WSBA PRESIDENT-ELECT!**

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Hunter". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kim Hunter
Former District 8 Governor

JERE JOHNSTON

**24303 E. 1st Avenue
Liberty Lake, WA 99019**

Date: May 1, 2021

***Subject: LETTER OF RECOMMENDATION OF DAN CLARK FOR WSBA
PRESIDENT-ELECT***

Dear WSBA Board of Governors,

My name is Jere Johnston. My family and I have known Dan Clark since 1994 when he was a high school student. I've had the unique opportunity to watch Dan Clark as he grew and transitioned from a teenager, through undergraduate college and law school at Gonzaga School of Law, through his professional career. Given that I've known him for about 27 years, I believe I am a very good judge of his character and based on my knowledge of Dan and his strengths and character, I would strongly recommend him to be elected as the next WSBA President-Elect.

Dan has overcome many adversities in his life; from being the first in his family to go to college, to having to deal with a major stuttering speech disability his entire life, but still managing and excelling at being a successful attorney for Yakima County as a civil Deputy Prosecuting Attorney. He has faced numerous points of adversity and obstacles to success which frankly would cause many to give up and/or to have not pursued the legal profession. Instead, Dan has tenacity and a very strong internal drive to always exhibits a strong work ethic and to further accomplish whatever goal he sets for himself, no matter how lofty.

Over the years, I have sought his legal advice regarding various legal matters. Regardless of the complexity of the various legal issues that I have presented to him, Dan has always been very willing to provide not only myself, but also various other members of my family with legal advice, pro-bono. His legal skills are excellent and his explanation of the law and the complex legal issues presented to him are top notch. I am thankful that he has always been willing to do this without any compensation, even when it is offered to him.

Dan has proudly served as the District 4 Governor and the last two years as the WSBA Treasurer. He has shared with me his Treasurer columns that appear in the bar news magazines, which I believe provide excellent updates of WSBA's financial status. Whenever I talk to him, the Board of Governors is what the conversation normally turns to and how excited and honored he is to serve as WSBA Treasurer and District 4 Governor. I believe Dan is highly committed to service on the Board of Governors and he's incredibly proud to be a part of it. I know Dan was recently elected to another term as his District's Governor by over two to one! I will share that in talking with him, he was actually very nervous about the Board of Governor's District election, but myself and those that know of Dan and his work ethic were confident that other lawyers and his peers would recognize the work that he's done, and ultimately this proved to be true.

I have full confidence that Dan would make an excellent WSBA President. Dan has a very good ability to work well with numerous personality types and is a consensus builder. I believe he often times is successfully able to defuse situations and conflict and I have been very impressed with his ability to come up with creative and reasonable resolutions to various issues over the years. Based upon all of these things, I strongly

encourage you to vote for him as the next President-Elect of the Washington State Bar Association.

Sincerely,

A handwritten signature in black ink, appearing to read "Jere Johnston". The signature is fluid and cursive, with a prominent initial "J" and a long, sweeping tail.

Jere Johnston
Liberty Lake, WA.

May 4, 2021

Good afternoon,

It is my understanding that Dan Clark has applied as a candidate for the Washington State Bar President-Elect position. Dan has provided outstanding legal assistance to me on a few legal matters over the years including an eviction action, a real property partition action, and a family law matter. I am retired and on a fixed income and I cannot afford to hire private attorneys at several hundred dollars an hour. In all three of the times over the years that I've sought and obtained legal assistance from Mr. Clark, he's been very professional, prompt, respectful, and of great assistance to me as a litigant without an attorney and thankfully, has provided the services to me at no cost. I have known Dan for about 23 years and I know that he has also helped numerous other people in the Yakima area, and I certainly believe that without his help that the outcomes on most of my legal matters would have been much different and definitely not in my favor.

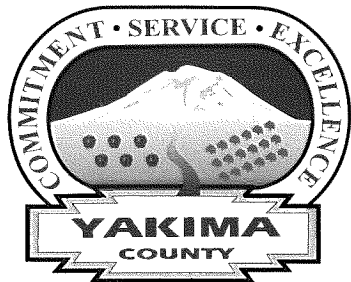
Dan has worked hard over the years to build trust with his clients. Despite his stuttering disability, he is really able to effectively communicate with clients and he always goes the extra mile to make sure that I understood what the law was and what a legal move during litigation would do. I really appreciate that about him and that he seems to actually care.

Therefore, I endorse and recommend Dan Clark for the position of President-Elect. Thank you.

Sincerely,



Rik Kane
Moxee, WA



Dave Cook, Assessor

Courthouse • Room 112 • Yakima, WA 98901 • (509) 574-1100

Toll Free 800-572-7354 • FAX (509) 574-1101

website: www.co.yakima.wa.us/assessor

May 3, 2021

Washington State Bar Association

Board of Governors

Letter in Support of Dan Clark for WSBA President-Elect.

Dear Governors,


My name is Troy Laurvick. I'm a Senior Commercial Appraiser in the Yakima County Assessor's Office. I have worked closely with Dan Clark for approximately 17 years. I have had the opportunity to observe Dan serve as my office's attorney, but also have sought his legal assistance and counsel on a few private matters outside of work. Based on my interactions with him, I strongly recommend and endorse him for the WSBA President-Elect position.

Dan is a very hard working, competent, and great guy to be around. He's built a level of trust, and working relationship(s) with myself and numerous other Appraisers and workers in the Yakima County Assessor and Treasurer's Offices. Dan's the go to person for anything ad valorem property tax related. He's got a great mind for taxation, and certainly he understands real estate transactions, real property valuations, and he's done this work for so long that he's actually someone that neighboring Counties will call for advice on particular issues. Despite not being an appraiser, Dan has been around real estate appraisal work for so long he certainly is someone that I can bounce off ideas and Yakima area market trends with him.

Years ago, I was involved in a very complex real property partition action for a golf course that I had started with my Uncle. The business relationship ended up not working out and I ended up having an attorney that I hire die, another retire, and another be suspended by the WSBA. Mr. Clark on a pro bono legal basis provided excellent advice that I was able to then use to ultimately work out an amicable settlement with my Uncle to reasonably resolve the litigation and dispute. I really truly appreciated his help as it was obvious he was there to try to achieve a reasonable outcome for all parties. In the end, he saved both myself and my Uncle several tens of thousands of dollars in litigation costs.

It's my understanding that WSBA's mission statement says it exists to serve the public. I believe Dan Clark has done so in his public service career since 2002. He's also served the individual public by helping numerous pro se litigants on a completely pro bono basis. I am very confident if you give Dan Clark the opportunity to serve in this position as WSBA President-Elect that he will do an outstanding job.

Sincerely,


Troy Laurvick
Selah, Washington

KOPTA & MACPHERSON
Attorneys at Law

Joseph R. Kopta
5801 Soundview Drive, Suite 258
Gig Harbor, WA 98335
(253) 858-0785 / (253) 851-6225 Fax
Joe@KoptaMacpherson.com

James E. Macpherson
265 Brien Dr SE, #103
Bainbridge Island, WA 98110
(206) 841-1518
Jim@KoptaMacpherson.com

May 10, 2021

Pres. Kyle Sciuchetti and
WSBA Board of Governors
1325 Fourth Ave., Suite 600
Seattle, WA 98101-2539

Re: Dan Clark, Candidate for WSBA President-Elect

Dear Kyle and Governors:

I am recommending that you select Dan Clark as our next WSBA President-Elect. I was present at the BOG meeting when Dan was selected to replace Bill Pickett, and I recommended Dan at that time based upon his submitted materials and presentation. Since then, I have become much more familiar with Dan as a governor and as a person, thereby confirming my initial reaction to his BOG candidacy. Clearly, Dan would be an excellent WSBA President.

Once again I have reviewed Dan's submitted materials, and his accomplishments remain impressive. More important to my recommendation, however, have been the more mundane and typical interactions I have had with Dan during BOG meetings and related gatherings. He is warm, and genuine, and really cares about people. Dan listens, and when he interacts on a difficult topic, his comments reflect a measured and reflective position that takes into account the recipient's position in a respectful manner. Dan brings people, and ideas, together – a critical skill for a WSBA president.

Finally, it cannot be denied: Dan gets things done. He has been one of the most hard-working governors it has been my pleasure to observe over twenty-plus years attending BOG meetings. You are not likely to see Dan without his sleeves rolled up (metaphorically) when he confronts a task, and his work product is flawless. Dan's tireless contributions to the WSBA to date are the best resume possible when considering his candidacy.

Please accept this opportunity to place a truly deserving candidate into the position of WSBA President-Elect – Dan Clark.

Sincerely,



James E. Macpherson

JEM/bm

Sylvia McClintock
11 N. 40th Ave
Yakima, WA 98908

Date: April 27, 2021

Re: Letter of recommendation of Dan Clark for WSBA President-Elect

Dear WSBA Board of Governors,

My name is Sylvia McClintock. I would like to recommend to each of you to cast your vote for Dan Clark for WSBA President. I have known him for approximately 15 years. I believe that Dan would make an excellent WSBA President, and I know that if you give him the chance in this position that he will do a fantastic job for your organization.

Over the years, I have sought his legal advice regarding various legal matters. As a retired teacher living on a fixed income, the high rates that private attorneys charge per hour present real barriers to providing actual legal representation and are a real access to justice issue, not only for myself, but also for other members of my family. Regardless of the legal complexity of the various legal issues, Dan has always been very willing to offer assistance on a pro bono basis without any compensation. His legal skills are excellent, his explanation of the law and analysis of the facts and relevant law, are outstanding, and he is very committed to making sure that those that he helps understand the issues and make clear and informed choices. It is very apparent that Dan cares about those that he provides legal services for and he does so completely free of charge.

Letter of Recommendation for Dan Clark

Knowing Dan, I know that during the last four years, he has proudly deeply emersed himself in service as a Governor and now Treasurer with the Washington State Bar Association. I know he's highly committed to service on the Board of Governors and he's incredibly proud to be a part of the Board of Governors and currently serving as the WSBA Treasurer. I know Dan is really excited to continue to be a part of the Board of Governors, and I believe that electing him as WSBA President would be a great thing, not only for WSBA as an organization but also for the members of the public in which WSBA serves.

I believe if given the opportunity to serve as WSBA President, that Dan would put forth the same effort that I've seen him put in everything that he does. I have full confidence that Dan would make an excellent WSBA President, and so I strongly encourage you to vote for him to serve in this important position. Thank you.

Respectfully,

Sylvia McClintock.



MENKE JACKSON BEYER, LLP

Attorneys at Law

807 NORTH 39TH AVENUE • YAKIMA, WASHINGTON 98902
(509) 575-0313 • FAX: (509) 575-0351

ANTHONY F. MENKE
KIRK A. EHLIS
KENNETH W. HARPER

QUINN N. PLANT
SEANN M. MUMFORD

ROCKY L. JACKSON, *Of Counsel*

G. SCOTT BEYER, *Of Counsel*

April 30, 2021

Board of Governors
Washington State Bar Association
1325 Fourth Avenue, Suite 600
Seattle, WA 98101-2539

RE: *Mr. Daniel D. Clark Candidate for WSBA President-Elect*

Dear WSBA Board of Governors:

My name is Anthony “Tony” Menke and I have been a proud member of the WSBA since 1974. In the past, I have served the WSBA on committees and have contributed to WSBA publications. I understand the commitment that comes with serving the WSBA. I am respectfully writing to you to endorse and recommend District 4 Governor and WSBA Treasurer Dan Clark to be selected as the WSBA President-Elect.

Our firm has been privileged to represent Yakima County on many legal matters. Attorneys in our firm, including me, have had the opportunity to routinely interact and work with Dan Clark. I have found Dan to always be extremely prepared, extraordinarily professional and remarkably competent in his work. I have also found Dan to be a formidable consensus builder and coordinator.

I have a great deal of respect for the service that Dan has committed to the Board of Governors, the WSBA membership and our District. Dan has excelled in communicating with the attorneys regarding subjects impacting the WSBA. Dan has consistently presented detailed Board of Governor reports to our District. Dan’s service the past two years as the Treasurer has demonstrated his knowledge and familiarity with fiscal details which will significantly benefit our membership and the WSBA Board.

In today’s world, communication is key! As a long time and dedicated WSBA member, I’d like to express my appreciation for Dan’s refreshing transparency with the WSBA organization. Dan has created credibility for the WSBA Board and the administration in serving the membership.

There are times when departure from tradition and history are not only relevant but merited. While our profession relies on precedent, sometimes departure from precedent is progressive.

Board of Governors
Washington State Bar Association
April 30, 2021
Page 2

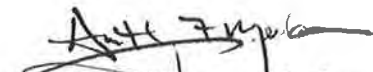
My understanding of the history of the WSBA is that full time governmental lawyers are not elected to serve the office of WSBA President.

Dan is an extraordinarily gifted person with a great deal to share with the Board, the attorneys and the public. Dan, as President, would present the opportunity for the WSBA and the Board of Governors to meaningfully impact our society. Dan's perspective will introduce positive perceptions about the legal community and the public.

I am respectfully recommending that it is time for change and electing Dan sends a meaningful message to the WSBA membership and the public that our Association cares a great deal about diversity, equity and inclusion. It is my understanding that our WSBA Board of Governors has never elected a WSBA President who has a major disability. I'm extremely proud of our WSBA organization for being progressive with its programs and services. I'm extraordinarily proud to express that Dan Clark would be the first with a challenging circumstance to serve and this opportunity would be an expression by the WSBA of a compelling positive commitment to those persons who have a major disability and have demonstrated the courage to provide leadership.

I respectfully encourage you to vote for Dan Clark for WSBA President-Elect. I am passionate about recognizing persons of intellect, talent, commitment and dedication who are breaking barriers. We have a truly extraordinary chance to communicate what our WSBA stands for. Dan deserves, on the merits, the opportunity to serve as President-Elect, then President. Thank you and please let me know if you have any questions you wish to address with me.

Respectfully yours,


Anthony (Tony) F. Menke
WSBA #5737

500 University Parkway #165
Yakima, WA 98901

April 20, 2021

WSBA Board of Governors
1325 Fourth Avenue Suite 600
Seattle, WA 98101-2539

Board of Governors:

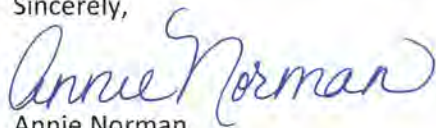
I am writing to recommend Mr. Daniel Clark, WSBA #35901 for selection as WSBA President-Elect. I have known Dan for approximately 25 years, and in that time he has proven to be a hardworking, dedicated and trustworthy person. Dan has always displayed a high degree of integrity, ethics and ambition.

In my observations and interactions with Dan, I have found him to be an extremely intelligent and competent professional who is always willing to share his wisdom and knowledge to assist family, friends, and the community in which he resides. Dan has provided pro bono legal support to myself, friends, and family on numerous occasions during the time that I have known him. I have found Dan to have astounding knowledge regarding the law and feel confident with the guidance that he provides.

In my day to day discussions with Dan, it is very apparent that he is dedicated to doing what is best for his community and for the WSBA. I know Dan is incredibly proud and excited to have served and continue to serve as District 4 Governor and WSBA Treasurer. Dan strives to better Yakima and WSBA in every aspect of his life. Through his work with Yakima County and well as WSBA, his main focus is on creating trust, relationships and friendships to collaboratively serve and improve both organizations. I believe if given the opportunity to serve as WSBA President-Elect, and ultimately President, Dan will be successful.

Dan would be a valuable addition to the Board of Governors as WSBA President-Elect, and such it is with great honor that I recommend Dan for the position of WSBA President-Elect without hesitation. I believe Dan has the passion, skills and commitment to excel with pride in this role. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,



Annie Norman
(509) 969-7113

APRIL 21, 2021

TO WSBA BOARD OF GOVERNORS

**RE: TREASURER & DISTRICT 4 GOVERNOR DAN CLARK FOR WSBA
PRESIDENT-ELECT**

WSBA, Governors,

My name is Ben Phillabaum. I am currently the Chair of the APR Rule 6 Law Clerk Board. I have worked with District 4 Governor and WSBA Treasurer Daniel Clark the last four (4) years on the APR Rule 6 Board. It is my understanding that he has applied for the WSBA President-Elect position. It is with great excitement that I urge you to vote for him for this important position.

Mr. Clark has been a strong advocate and BOG Liaison for the APR Rule 6 program the last four years during his term as District 4 Governor. He has actually invited me to come and present to the Board of Governors on the Program after several years of not doing so the last two years. Mr. Clark is a very strong advocate for the program and he also the last 16 months has participated in it as a Law Clerk Tutor.

Last year when the Supreme Court did not include the APR Rule 6 Law Clerk graduates in the program, Mr. Clark urged President Majumdar to urge the court for reconsideration. He also helped draft a resolution that the Board of Governors passed formally urging the Court reconsideration and inclusion of the APR Rule 6 students with the privilege. He also helped us draft a letter requesting the same from the APR Rule 6 Law Clerk Board. While ultimately the Court chose to ignore these requests to include the APR Rule 6 Law Clerk graduates and treat them the same as law school graduates, Mr. Clark's efforts were very much appreciated.

I believe Mr. Clark believes in transparency and increased communications of what WSBA is doing for its members. I am very confident that if you give him the opportunity to continue to serve in an officer leadership role, that as WSBA President-Elect he will continue the outstanding service that he has done as WSBA Treasurer the last two years.

Respectfully,


Ben Phillabaum

Date: April 21, 2021

To: WSBA Board of Governors

Re: Endorsement of Daniel Clark for WSBA President-Elect

To the WSBA Board of Governors:

I am writing to give my full support and endorsement for your selection of Daniel Clark as the next WSBA President-Elect. I believe that Dan has the relevant necessary skills and abilities to successfully serve as WSBA's next WSBA President-Elect.

Daniel has worked for Yakima County since September 2002. I've had an opportunity over that time to have him work for me as a prior Court employee early in his career. I've also had the opportunity to have him appear in front of me as an Attorney after he successfully passed the bar exam and became licensed. It has been exciting to see his growth as a professional over the years and that he has taken on leadership at WSBA.

Daniel serves as a civil Senior Deputy Prosecuting Attorney for Yakima County in the Corporate Counsel Division. He has appeared before me several times and he always has a respectful and professional demeanor, is well prepared, and his written bench brief materials are always very comprehensive with relevant case law and detailed analytical analysis. Daniel is normally very successful in Court because of his preparation, analytical analysis and attention to detail.

Daniel has served as District 4 Governor since July 2017. Since being elected as Governor, he really has been a very active and successful Governor and I've been very impressed with his commitment to the organization and service not only as District 4 Governor but also as WSBA Treasurer.

Daniel spearheaded the successful application for the late Yakima County Superior Court Judge Michael McCarthy for the 2020 WSBA Apex Judicial Officer of the Year Award. I was very happy that Daniel did this as certainly Judge McCarthy was a very deserving award winner, and I know that his family was very honored to receive this award on behalf of Mike.

Daniel has an incredibly strong work ethic, and commitment to service, and I think that shows in his employment and volunteer activities. I'm very confident that if this Board selects him as the next WSBA President-Elect he will continue to successfully serve as he has on the Board with his current roles as District 4 Governor and WSBA Treasurer.

For the above reasons, I strongly encourage you to vote for Daniel Clark for WSBA President-Elect.

Respectfully,



Honorable Ruth E. Reukauf



LAW OFFICE OF MILTON G. ROWLAND, PLLC

ATTORNEY AND COUNSELOR AT LAW

April 26, 2021

WSBA Board of Governors
1325 Fourth Avenue
Suite 600
Seattle, WA 98101-2539

Re: WSBA President-Elect Candidate Daniel Clark

Dear WSBA Governors:

I write this letter of recommendation on behalf of Daniel Clark. He is the current WSBA Treasurer and District 4 Governor. He has submitted his application for the open WSBA President-Elect position. I believe Dan is highly qualified, highly motivated, and has the right demeanor and skillset to make an excellent WSBA President. I would, therefore, like to strongly urge you to cast your vote for him for WSBA President-Elect.

I've had the opportunity to watch Dan develop since he was my law student at Gonzaga School of Law. He has become a fine attorney and a real asset to the legal community. Dan is someone I'm proud to say was a former student and is a friend. Dan's career in public service for Yakima County as well as service on the Board of Governors the last four years as a Governor (and as the two-time WSBA Treasurer) have been exemplary, and I know he is putting in a tremendous number of hours as the WSBA Treasurer. Dan is an exceptionally hard worker and I think that his commitment to service at WSBA speaks for itself.

A couple of years ago I was truly honored to have been successfully nominated by Dan for the WSBA Apex Lifetime Achievement award. Dan's commitment to WSBA is apparent and I was very humbled by the words that he wrote about me in his nominating letter. It was amazing and humbling to get to be a part of Apex before the Pandemic changed how WSBA does the awards.

In closing, despite having a stuttering disability which caused me to wonder, as his professor, how he would make a career in law for himself, Dan Clark has done himself proud by persevering and by learning how to effectively communicate and interact with numerous people. It is that determination, along with his obvious public-spiritedness, that will make him an effective and memorable governor.

I have no doubt if you give him the opportunity to serve as WSBA President that he will do an outstanding job in leading this organization, just as he has done as WSBA Treasurer. Given that Dan has direct experience on the Board in service as a Governor and WSBA Officer, I think that clearly separates him from his opponents for this position. If you have any further questions or concerns, please feel free to contact me at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Milt Rowland". The signature is fluid and cursive, with a large, stylized initial "M" and "R".

Milt Rowland
WSBA 15625



WSBA Office of the Executive Director
1325 Fourth Avenue, Suite 600
Seattle, WA 98101

Re: Dan Clark for WSBA PRESIDENT-ELECT

Dear WSBA Board of Governors:

I would like to strongly encourage you to vote for Daniel Clark for WSBA President-Elect. Dan served as my primary civil legal counsel for approximately 9 years when I worked for Yakima County, and I believe that based on that experience that I am a very good judge of Dan's professional work ethic, abilities to meet deadlines, provide outstanding quality work, and his successful ability to interact with various stakeholders and different personalities to achieve success. I had the opportunity of interacting with Dan from 2006 to 2015 when I served as the Yakima County Department of Human Services as Senior Manager of the County's Homeless Housing Programs. Dan always provided me and other programs within the Human Services Department with exceptional legal services and customer service during the entire time that he was my attorney.

Dan is very knowledgeable about financial matters, grant compliance, and always recommends very prudent and sound business practices. Dan's legal services typically included drafting and reviewing various contract and request for proposal language to meet funder requirements of various grants while at the same time protecting Yakima County from potential liability. Dan understands meeting client goals and is able to achieve success, even when there are competing goals and/or conflicting ones. He often came up with common sense solutions that I really appreciated and believe he has continued to do during his service as District 4 Governor and WSBA Treasurer.

The qualities that I admire most about Dan are his honesty, compassion and commitment towards his job, fellow employees, family, friends, and community. I believe it is these qualities that would make Dan a great choice to be the next WSBA President-Elect. I believe his disability has really given him empathy and compassion towards others that shows in his commitment to public service, access to justice, and treatment of others. I know Dan would continue to work extremely hard to advance the public trust and goals of the WSBA. I truly hope that you will consider these important qualities when you make your decision and cast your vote for the next WSBA President-Elect.

Please feel free to contact me at (509) 654-7866 if you have any questions regarding Dan's qualifications for this position.

Respectfully yours,

Tim Sullivan

A handwritten signature in black ink, appearing to read "Tim Sullivan".

Washington 211 State Director



Dave Cook, Assessor

Courthouse • Room 112 • Yakima, WA 98901 • (509) 574-1100
Toll Free 800-572-7354 • FAX (509) 574-1101
website: www.co.yakima.wa.us/assessor

Date: April 27, 2021

**WSBA Board of Governors
1325 Fourth Avenue
Suite 600
Seattle, WA 98101-2539**

RE: Dan Clark for WSBA President-Elect

Dear Board of Governors:

I would like to encourage each of you to vote for Dan Clark for WSBA President-Elect. I have worked with Dan Clark for approximately 19 years. I have worked with him closely from when he started as an Interim BOE clerk for Yakima County. I have continued to work with him very collaboratively in his current position as a Senior Deputy Prosecuting Attorney and the primary civil attorney assigned to represent the Yakima County Assessor's Office. Dan has been an exemplary employee and someone whose judgment and knowledge I trust greatly.

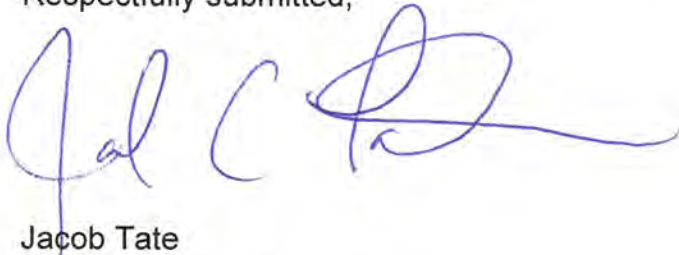
I have always been impressed by Dan's professionalism and hard-working behavior. His legal search is always thorough and comprehensive, and his fact checking is always very accurate. Dan's attention to detail is very refreshing on even the most obscure of legal questions.

In working with Dan, I have observed him routinely do exceptionally well when he has had to work with conflicting difficult issues with both the Assessor and Treasurer on difficult issues when occasionally his clients have opposing viewpoints. His ability to bring acceptable solutions to all parties within the contexts of the rules of professional conduct is very appreciated. He has been instrumental in the resolution on numerous cases and situations brought to and involving our office over the several years that he has served as our attorney.

I believe if Dan is selected for the WSBA President-Elect position, he will bring the same level of commitment, competency, and hard work and dedication that I have witnessed him exhibit for Yakima County taxpayers for almost 19 years. I therefore strongly

recommend Dan Clark for the position of WSBA President-Elect. If you have any questions regarding the contents of this letter, please contact me.

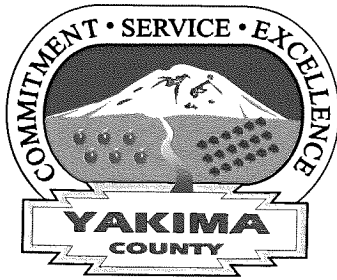
Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jacob Tate". The signature is fluid and cursive, with the first name "Jacob" written in a larger, more prominent script than the last name "Tate".

Jacob Tate

Yakima County Assessor

Database Manager



Dave Cook, Assessor

Courthouse • Room 112 • Yakima, WA 98901 • (509) 574-1100
Toll Free 800-572-7354 • FAX (509) 574-1101
website: www.co.yakima.wa.us/assessor

May 3, 2021

Board of Governors
Washington State Bar Association
1325 Fourth Avenue, Suite 600
Seattle, WA 98101-2539

Subject: Letter of Recommendation for *Mr. Daniel D. Clark Candidate for WSBA President-Elect.*

WSBA Board of Governors:

My name is Brianne Tucker. I've worked for Yakima County in various County Departments since 2013. During my employment with Yakima County, I've had the opportunity to work with Mr. Dan Clark as an in-court Clerk, subsequently as his legal assistant, and most recently as a real property appraiser working for the Yakima County Assessor's Office where he serves as our primary civil attorney and legal advisor. I believe that based on these various professional interactions with him which include working with him directly every day and being somewhat supervised by him as a legal assistant of his that I am a very good judge of Dan Clark and how he interacts with opposing counsel, stakeholders, coworkers, subordinates, clients and the public. It is based on this that I firmly believe that Dan Clark has the right relevant people skills to successfully serve as the next WSBA President of your organization.

Dan is an extremely talented Attorney. He is very well respected at Yakima County and numerous county departments including the Courts, Assessor's Office, and many others routinely will go to him first with legal questions they may have. Dan is very humble and a very good worker that will quickly be able to normally provide a comprehensive legal analysis and to answer client's questions and needs. I have always been very appreciative of working with him, and certainly he has been always very professional and respectful in working with an in interactions.

When I worked with Dan as his office's legal assistant, he was always very positive in supporting me in my professional career development and was always very appreciative when he would assign a task for me to assist him with and I would complete it for him. On the rare occasion when there would be an error or issue that came up, instead of being mad and critical, Dan calmly would try to use such issues as a learning experience and to resolve whatever error in a fashion that I really appreciated.

In working with and knowing Dan, I know that he is very proud of his service with the Washington State Bar Association and the Board of Governors. Since July 2017, every conversation that we have had ends up having Dan turn to talking about something that he's currently doing in volunteering with WSBA and serving on the Board. I believe he is extremely committed to serving on both and this would also greatly assist him in being able to competently serve as your next President.

Dan does suffer from a stuttering speech communication disorder. He's very open about this, and he actually really makes people at ease by being freely willing to answer any questions that people have about the disability. Despite this disability, through written communications and one on one communications, Dan's incredibly well versed at being able to effectively communicate with people and helps to decipher "legalese" to non-attorneys very well.

Based on the above, I strongly encourage you to vote for Dan Clark for WSBA President-Elect. I think electing him President would serve your organization well, and would also send a very positive message that you've elected an exceptionally well qualified and talented governmental attorney with a disability to lead your organization. Thank you and please let me know if you have any questions with the contents of this letter and recommendation.

Sincerely,

Brianne Tucker
Residential Real Estate Appraiser
Yakima County Assessor's Office

A handwritten signature in black ink, appearing to read 'Brianne Tucker', with a long horizontal line extending to the right.



YAKIMA COUNTY FINANCIAL SERVICES

Craig M. Warner
Director
574-1313
craig.warner@co.yakima.wa.us

Forrest A. Smith
Sr. Manager
574-1316
forrest.smith@co.yakima.wa.us

APRIL 27, 2021

WSBA Board of Governors
1325 Fourth Avenue
Suite 600
Seattle, WA 98101-2539

RE: Daniel Clark for WSBA President-Elect Endorsement

WSBA Board of Governors:

My name is Craig Warner. I am the Financial Services Director for Yakima County. I am writing on behalf of Daniel Clark and have been asked to write a letter of recommendation for him for consideration for the WSBA President-Elect position. I have known Daniel for almost nineteen (19) years. Daniel started at Yakima County in my office, and over that time I've watched him grow professionally, study for and pass the bar exam, and become my primary civil attorney. It is based on my knowledge of Daniel, his work ethic, and character that I make this endorsement of him and strong recommendation to be your next WSBA President.

I'd like to detail a little about Daniel's work ethic in case you don't already know. In 2004, a severe backlog of unscheduled Board of Equalization ad valorem property tax hearing appeals were discovered. This backlog went back in some cases from 1997-2004, and, consisted of hundreds of unscheduled BOE appeals. Without any training in the area, Daniel volunteered to work an extra help overtime position as Interim Clerk of the Board of Equalization to tackle this need for the County. He did so stepping in to try to help a fellow co-worker that had to go out on an unexpected extended medical leave. He did so while he was trying to also work full time and study for the Washington State Bar Exam! In less than a year's time, Daniel was able to bring all appeals current, and he created and implemented policies, procedures and processes that are still utilized by the current BOE Clerk and Yakima County BOE Board to ensure that this situation never occurs again. His hard work and dedication to the taxpayers of Yakima County saved the County from a potential audit finding as well as helped to ensure that hundreds of taxpayers had their ad valorem property tax appeals timely heard. I should also note that he did this in addition to studying for and passing the bar exam on his own without taking any formal bar prep course.

Daniel has served as my office's attorney since 2007. He is very knowledgeable and understands the Yakima County budgeting process, which is the priority of government budgeting model. He is also very knowledgeable regarding grant applications and



YAKIMA COUNTY FINANCIAL SERVICES

Craig M. Warner
Director
574-1313
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Forrest A. Smith
Sr. Manager
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compliance and grant management and administration. He helps to draft our financial contracts and reviews them as to legal form. Daniel is also involved in many financial issues in Yakima County such as contractor debarment issues, recoupment of overpayments, garnishments, Bankruptcy matters and other related financial issues. I believe if Daniel is selected as WSBA President-Elect that he will continue to bring the same passion and dedication that he has during the last four years of service on the Board of Governors as District 4 Governor and WSBA Treasurer. He has done this since starting at Yakima County in September 2002, and this is just the type of employee and person that Daniel Clark is. I believe his knowledge of governmental budgeting, financial matters and operations will continue to be an asset to the Board of Governors, WSBA and allow him to be a successful WSBA President.

Daniel has the ability to work with a large different range of personalities and do so successfully. He's able to routinely manage to come up with common sense and practical good resolutions to issues that the County is facing, and I honestly believe he would be able to continue to be a leader on the Board of Governors and serve as a full-time governmental attorney. Knowing Daniel as I do, I know he's very committed to serving on the Board of Governors and extremely proud to serve as the current Treasurer and WSBA District 4 Governor.

In closing, I fully recommend Daniel Clark for the position of WSBA President-Elect. If you have any questions regarding the contents of this letter of recommendation please do not hesitate to contact me. My direct number is (509) 574-1313.

Sincerely,

Craig M. Warner.
Yakima County Director of Financial Services

Paris Eriksen

From: Barnaby Zall [REDACTED]
Sent: Saturday, May 1, 2021 3:21 PM
To: Bar Leaders
Subject: Supporting Dan Clark for President-Elect

Follow Up Flag: Follow up
Flag Status: Flagged

President Sciuchetti and Governors:

I strongly support District 4 Governor Daniel D. Clark as the next President-elect for the Washington State Bar Association. As the current Treasurer, Dan Clark is one of the few with the right skills and knowledge to meet what will be the biggest tests of his term: the financial measures that will allow WSBA to survive and prosper during what will likely be a difficult period of change and rebuilding.

For several years, I have had the pleasure of watching Dan on Work Groups and on the Board of Governors. He is adept at handling difficult questions at the highest levels of Washington governance, including on the recent Supreme Court Work Group on the WSBA Structure. On that Restructuring Group, Dan was a thoughtful, but proactive member, trying to build consensus under the careful eye of the Chief Justice. I did not agree with some of his proposals, but, because of the arguments and positions he developed, I understood and respected what he was crafting. I also understood the coalition-building he was engaged in, necessary in that unique environment.

Dan and I both worked on the recent Addition of New Governors Work Group (along with current President Kyle Sciuchetti, President-elect Brian Tollefson and other current officers and Governors). That was a particularly difficult discussion, complex, controversial and far-reaching. Each member was assigned a particular hot topic Sub-Group. Dan's was "Board Size Best Practices & Neighboring States' Use of Public Members." He produced a ten-page report, drawing from academic research, law review articles, and surveys. Throughout his report, he posed questions for discussion and ultimately succinctly described several options for proceeding. He clearly is not afraid to work hard.

On a more personal note, I, like Dan, have a physical disability that has greatly affected my legal career. Soon after my first "first chair" oral argument in the Supreme Court of the United States in 1997, I lost most of my hearing. It took me ten years and much new technology to work back into a full-time legal career at the same level; I have done it and so have many others. It is possible to operate at a high level as a lawyer with communication challenges; President Joe Biden is one. Although I can no longer argue before the Court, I can still make an impact; last Monday, during oral argument in a case with national implications, both counsel and Justices cited to a brief I had written, one of many such instances in recent years. Having seen Dan Clark operate, I am confident that he has the same capability and drive.

Dan Clark can, and should, lead this organization. He has the knowledge, the drive, and the ability.

Please give him the chance.

Barnaby Zall
WSBA No. 50976
Friday Harbor

C. Olivia Irwin Candidate Statement

Longtime social justice activist and UW alumna C. Olivia Irwin joined the WSBA in 2011. She has litigated in metropolitan and rural courts across Washington State, and earned a reputation of being an outspoken advocate for equal access to justice. Work and volunteer experience includes work on civic/community initiatives through the Access To Justice Systems Delivery Committee, the Stevens County Bar Association, the League of Women Voters of Greater Seattle, and United Way of King County. She brings a geographically and ethnically diverse voice for innovative systemic reform.

CHRISTAL OLIVIA IRWIN, J.D.

204 S. Oak St. #304, Colville, WA 99114 ♦ [REDACTED]

EDUCATION

Juris Doctor, 2007

University of Washington School of Law
V. P., Black Law Students Association, 2006-07;
Internships with Jeffrey Steinborn, P.S., and the
Oakland City Attorney's Office, advisory division

Bachelor of Arts, 2000

Communications, Society & Justice,
University of Washington, Seattle

Associate of Arts, 1998

Green River Community College,
Auburn, Washington,
Member, Phi Theta Kappa; President, Black Student
Union; Office Assistant, Green River Foundation;
News & Public Affairs Director/ On-Air Personality,
KGRG 89.9 FM Radio;
Reporter, The Current newspaper

CIVIC AND OTHER PROJECTS

Stevens County Bar Association (6/2015-
1/2018); **Law Library Board**(9/2015-
10/2017)

Candidate/Treasurer, Ferry/Stevens/Pend
Orielle Superior Court Judge(2016)

Access to Justice Systems Delivery/
Washington WebLawyer Advisory
Committee (2015-16)

Candidate/Treasurer, Ferry County
Prosecuting Attorney (2014) 17%

Executive Director, Gotham City
Communications,
a civic media think tank. (2002-2009)

Member, Seattle League of Women Voters
(2005-Present) Board of Directors (2008-2009),
Ballot Issues Committee (2008), Speakers
Bureau 2008-2011

Appointed Opposition, Seattle Parks and
Green Spaces Levy. (2008 Election)

Appointed Opposition, Seattle City Charter
Amendments 17 & 18. (2007)

Candidate for City of Seattle Mayor (2001,
2005); **Seattle City Council, Position 7**
(2003):

CAREER HISTORY

January 2015 – Present

Principle Attorney, **Irwin Law Firm, Inc.**

204 S. Oak St. #304, Colville, WA 99114

Criminal Defense and General Practice Civil Litigation; Full and limited
representation, unbundled services.

August 2011 – 1/2015

C. Olivia Wood, J.D., Attorney & Counselor-at-Law

70 W Delaware, #4, Republic, Washington 99166

Private solo general practice attorney handling all aspects of civil and
criminal defense litigation including media support. Full and limited
representation, "low bono" civil legal assistance. Civic, public interest, and
social justice authorship and advocacy.

August 2009 – December 2010

Intern/Legal Assistant, Integrity Law Group, PLLC,

1032 Jackson St., Ste. 205, Seattle, Washington.

Legal research, writing, client relations and documentation assistance.

April 2004 to October 2005

Program Assistant II, Lutheran Community Services,

433 Minor Avenue, Seattle, Washington.

Administrative support and adoption archives/relations for Permanency
Planning (foster-to-adopt) and Refugee Children's Foster Care Programs.

October 2002 to December 2003

Executive Administrative Assistant, W. Seattle **Psychiatric Hospital/ Highline-West Seattle Mental** **Health Center,** 2600 S.W. Holden Street, Seattle,

Washington. *Administrative Support of Chief Executive Officer, Chief*
Operations Officer, Quality Officer, and Training Coordinator of dual
mental health entities.

March - July 2001, January - August 2002:

Museum Educator,

February - August 2002

Aviation Learning Center Design Team Lead,

Museum of Flight, 9404 E. Marginal Way S., Seattle,

Washington. *Conducted aviation and aerospace education programs for*
children and youth. Led team of 4-5 aerospace volunteers in development of
a 45-minute, computer-based educational workstation on flight dynamics.

March 1993 – September 1997:

Division Assistant II, Planning and Distribution,

United Way of King County, 107 Cherry Street, Seattle,

Washington. *Administrative support to Director of Community*
Initiatives, and Human Service Managers to facilitate strategic planning
and funding allocation to over 123 human service agencies.

WASHINGTON STATE BAR ASSOCIATION

President-elect Application Form

INSTRUCTIONS

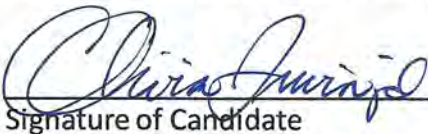
- 1) Complete this application form. If you are nominating someone else, ask them to sign it below and submit it along with the required attachments.
- 2) Attach the following:
 - A brief (100-word maximum) biographical statement including current occupation, relevant experience, and education.
 - A letter of interest.
 - A resume.
- 3) Scan and email the signed form and attachments to barleaders@wsba.org. **Applications must be received by 5 p.m. PST on Monday, April 20^{19?}, 2021.**
- 4) Letters of support must be emailed to barleaders@wsba.org by April 20.
- 5) Applications will be included in the May Board of Governors meeting materials and posted on the WSBA website.
- 6) Questions? Contact Paris Eriksen, parise@wsba.org.

Candidate for President-elect position of the Washington State Bar Association

I, the undersigned active member of the Washington State Bar Association, am running for the President-elect position.

C. Olivia Irwin
Name of candidate (please print)

43924
WSBA Bar #


Signature of Candidate

Signature of Nominator (if relevant)

WSBA Bar #

Note: By signing this form, the candidate understands and agrees that as part of the election process for this position, the WSBA routinely checks the grievance and discipline files for any records related to candidates. Thus, the candidate waives confidentiality of these materials to WSBA staff and the Board of Governors.

This form must be filed in the Office of the Executive Director of the WSBA no later than 5 p.m. PDT on April 20, 2021. Filing may be accomplished by emailing the form and attachment to barleaders@wsba.org.

WASHINGTON STATE BAR ASSOCIATION

BOARD OF GOVERNORS MEETING

Minutes

Held Virtually

April 16-17, 2021

Call to Order and Welcome ([link](#))

The meeting of the Board of Governors of the Washington State Bar Association (WSBA) was called to order by President Kyle Sciuchetti on Friday, April 20, 2021 at 9:02AM. Governors in attendance were:

Hunter Abell
Sunitha Anjilvel
Lauren Boyd
Treas. Daniel D. Clark
Matthew Dresden
Peter J. Grabicki
Carla Higginson
Russell Knight
Tom McBride
Bryn Peterson
Brett Purtzer
Alec Stephens

Also in attendance were President-Elect Brian Tollefson, Immediate Past President Rajeev Majumdar, Gov-Elect Serena Sayani, Executive Director Terra Nevitt, General Counsel Julie Shankland, Chief Disciplinary Counsel Doug Ende, Director of Advancement Kevin Plachy, Chief Equity & Justice Officer Diana Singleton, Chief Financial Officer Jorge Perez, Chief Regulatory Counsel Renata Garcia, Executive Administrator Shelly Bynum, Chief Culture Officer Glynnis Klinefelter Sio, Chief Communications & Outreach Officer Sara Niegowski, Betsylew Miale-Gix (WSAJ), Nancy Hawkins (Family Law Section), James E. MacPherson (WDTL), and Kari Petrasek.

Executive Session Announcement ([link](#))

Pres. Sciuchetti made welcoming remarks and announced the purpose and basis for moving into Executive Session pursuant to the WSBA Bylaws Article VII (B)(7)(a)(4) in order to receive advice from legal counsel regarding a request to indemnify the attorneys fees of Robin Haynes pursuant

to WSBA Bylaws Article XIV. He noted that the Board would be in executive session until 9:40 AM. Pres. Sciuchetti announced an extension of executive session to 10:00 AM.

Action Related to Executive Session ([link](#))

Gov. Grabicki moved to decline to indemnify Robin Haynes because her actions were not qualified acts under the Bylaws. Motion passed unanimously. Gov. Higginson was not present for the vote.

Consent Calendar ([link](#))

Gov. Grabicki moved for approval of the consent calendar. Motion passed unanimously with Gov. Boyd abstaining. Gov. Higginson was not present for the vote.

President's Report & Presentation of Spokane County Bar Special Recognition ([link](#))

Pres. Sciuchetti discussed the hybrid nature of this meeting and the future of WBSA Board meetings. Discussion followed about the safety of holding a meeting in Idaho. Pres. Sciuchetti reported on a meeting with the Washington Supreme Court regarding the WSBA climate, which was attended by Pres. Sciuchetti, Executive Director Nevitt, Chief Culture Officer Sio, and our consultant Jeff Turner. Pres. Sciuchetti noted the Court's suggestion that we revisit the WSBA Governance Task Force report from 2016.

Pres. Sciuchetti reported that during the lunch break, WSBA will be honoring one individual as a Local Hero and one group from the Spokane County Bar with a Presidential Commendation for its work challenging systemic racism in the regional justice system.

Executive Director's Report ([link](#))

Executive Director Nevitt reported that the organization is planning for transitions related to COVID-19, noting that there are two aspects to these discussions (1) responding to the relaxation of public health restrictions and (2) establishing a new normal. She noted that the latter will be discussed tomorrow. In terms of the former, she noted that the WSBA office remains closed through the end of June; however WSBA is beginning to grant exceptions for employees to come into the office and is also beginning to allow for in-person events, subject to restrictions.

Executive Director Nevitt congratulated Treasurer Dan Clark on his reelection as the Governor for District 4 and Governors-Elect Francis Adewale of District 5 and Serena Sayani of District 7S. She reported that the runoff election for District 1 between Gov. Anjilvel and Paul Taylor will run from April 13 to April 23.

Member & Public Comments ([link](#))

The Board took public comment from James E. MacPherson, Jean Cotton, and Nancy Hawkins about concerns related to a proposed rule change to CR 71 affecting withdrawal of attorneys.

Jean Cotton also gave public comment about her concerns about the new Case Management System and a draft local rule that has been circulated to implement the mandatory fee of \$5/filing that must be made by credit or debit card, which is only charged to private attorneys. Nancy Hawkins requested the Board propose a policy to allow Sections to comment directly to the Supreme Court. Pres. Sciuchetti confirmed there would be an opportunity to speak to the proposed bar exam resolution and proposed disciplinary rules when those topics are taken up. The Board heard public comment from Ailene Limric in opposition to the proposed resolution regarding the bar exam.

Reports of Standing or Ongoing Board of Governors Committees ([link](#))

Executive Committee. Pres. Sciuchetti reported that the committee continues to receive reports from WSBA entities, including most recently from the Editorial Advisory Committee and the Washington Young Lawyers Committee. He reported that at its last meeting the committee discussed the *Crowe v. Oregon State Bar Association* case, a proposal to create a rural practice committee, and heard a request for refinements to the sections legislative comment policy.

APEX Awards Committee. No report.

Legislative Committee. Deferred.

Long-Range Planning Committee. Pres. Sciuchetti reported that the committee has a number of recommendations for discussion tomorrow.

Personnel Committee. Gov. Anjilvel noted that she and Gov. Williams-Ruth have formed a work group to review the results of the WSBA Climate Survey and report back to the Personnel Committee.

Member Engagement Work Group. Gov. Peterson reported on the committee's last meeting, which was focused on gathering feedback about the proposed resolution regarding the bar exam. The committee also continued discussion about conducting a member survey.

Budget & Audit Committee. Treas. Clark referred to his written report in the late materials and reported that through February WSBA has generated a positive fund balance; however anticipated expenses may diminish the positive balance before the close of the fiscal year.

Equity & Disparity Work Group. Gov. Stephens noted that the Work Group's subcommittees continue to do their work and the steering committee will meet in the next couple of weeks to check-in to see where we are at in terms of potential recommendations.

Supreme Court Bar Licensure Task Force. No report.

Judicial Recommendations Committee. Chief Communications Officer Niegowski reported that we are able to restart the activities of the Judicial Recommendations Committee and are seeking applications, which are due May 10.

Diversity Committee. Gov. Anjilvel reported that the committee is focused on the pipeline to the legal profession by working with law schools and law students, as well as collaborating with Bar News to develop magazine content. She noted that the Legal Lunchbox last month on structural racism was attended by thousands. Gov. Anjilvel also reported that the committee co-chairs attended the last MBA leaders meeting to provide updates. She also reported that the Diversity Committee has proposed comments to APR 11 and has been encouraging others to comment.

In response to a question, Executive Director Nevitt announced a restructuring of the WSBA's equity and justice work, including the creation of a new department and appointment of Diana Singleton as the Chief Equity & Justice Officer.

Nominations Review Committee. Gov. Dresden noted that the committee did not have any activity in the last month.

Discussion of Proposed Rules for Discipline & Incapacity ([link](#))

Gov. Purtzer introduced the topic and his proposal to extend the comment period for the proposed rules for discipline and incapacity, which would otherwise end on April 30, 2021. Chief Disciplinary Counsel spoke to the proposed rules as well as the process by which the proposed rules were developed. He encouraged the Board and sections to make comments. Discussion followed, including support for the process that was undertaken.

Anne Seidel addressed the Board in support of the request for extending the comment period, while also recommending the Board at least make a comment that identifies that there are some concerns about the proposed rules among members. Anne Seidel presented her concerns about the rules and the process by which they were developed. Discussion followed, including a recommendation that the Board authorize all WSBA entities to comment on the proposed rules, subject to compliance with the 75% rule. Gov. Abell moved for approval of the proposal from Govs Purtzer and Higginson.

Solo & Small Practice Section Executive Committee Request to Comment on the Proposed Rules for Discipline and Incapacity. At-Large Committee Member Nicholas Pleasants presented the proposal. He noted that the Executive Committee unanimously voted to comment on the proposed rules and conducted a GR 12 analysis, explained that the comment is not in opposition to a position of the Board of Governors, and requested permission to comment. He spoke in favor

of all sections being able to comment on the proposed rules. Gov. Grabicki noted his desire to make a motion in support of sections making comments to the Court following resolution of the motion on the table.

Criminal Law Section Executive Committee Comment on the Proposed Rules for Discipline and Incapacity. John Straight spoke in favor of the sections being able to make comments to the Court. He noted that the Criminal Law Section is in support of some of the proposed rules but not all and has not yet had the opportunity to comment. He spoke to his concerns about the rules and the process by which they were developed. He requested that the Board permit the Section to comment to the Court and to request remand of the rules for input by those most impacted.

The Board heard public comment from Nancy Hawkins on behalf of the Family Law Executive Committee, which is requesting that the Board oppose the proposed rules. She spoke in favor of the ability of sections to comment directly, the value of fairness over efficiency, and the problems created by frivolous grievances. Betsylew Miale-Gix spoke in opposition to the proposed rules on behalf of the Washington State Association for Justice. She noted the organization would support the Board taking a position in opposition to the proposal and expressed concern about the Court not granting the request for more time.

Michael Cherry gave comments regarding the process, specifically the challenge of things taking too long to develop and then the Board being asked to re-start the process.

Gov. Stephens requested whether there could be more specificity to the period of time being requested for additional comment. Discussion followed about the appropriate timing. Gov. Grabicki proposed that the language be amended to ask the Court for an additional 90 days. Gov. Abell modified his motion to include a request to extend the comment period by "90 days." Motion passed unanimously.

Gov. Grabicki moved to authorize the sections to comment directly to the Court on the proposed rule, without any further review or intervention by the Board. The motion passed unanimously.

Gov. Peterson moved that WSBA forward any comments received directly to the Court. Discussion followed in term of the content of those comments, and giving notice to members about what will happen with their comments. Gov. Peterson indicated that he expects that WSBA will do what is legally appropriate in carrying out the motion. Motion passed 11-1.

Discussion & Resolution Regarding the Bar Exam in Washington State ([link](#))

Gov. Knight recapped the discussion on this topic at the prior board meeting, noting what he believes to be three areas of general agreement, (1) some form of bar exam is appropriate to protect the public, (2) the way in which diploma privilege was granted was problematic, and (3) there are concerns about whether the current form and content of the bar exam has a

discriminatory impact. He provided an overview of how input has been gathered. He noted the role of the Board is not to do the work of the Task Force, but to take the pulse of the membership, which is overwhelmingly in support of the resolution and noted the perils of the Board not weighing-in.

Co-Chair Andrea Jarmon presented the feedback of the Diversity Committee, urging the Board to take action consistent with the feedback received and set aside the resolution in favor of allowing the Task Force to do its work without predetermined conclusions. Discussion followed about the weight that should be given to the comments of the Minority Bar Associations, which represent hundreds of members, and about the fact that the resolution does not support the current bar exam.

Gov. Grabicki amend his motion (back on the table from the March meeting) to add to the end of paragraph three the language, "the WSBA commits to working with testing and academic professionals to accomplish this review" and to add a new paragraph four that reads that sections of the WSBA are authorized to provide comments directly to the Supreme Court without the prior review of the BOG of the Legislative Committee.

Discussion continued, including that many of the comments related to diploma privilege; that the resolution is premature; that now is the time to be optimally effective; the role of WSBA in having this dialogue as licensing agency; the role of Governors in representing their districts; that the Court should be aware of current member sentiment; that the message sent by the resolution to the Task Force is ambiguous; that the impact of the resolution is a data point and not an action; that the primary barrier for a first generation law student is law school, rather than the bar exam; that there is no harm in participating in the debate; whether not acting will reinforce the idea that WSBA is out of touch with members and slow to act; and that the Court should have the benefit of hearing this input. It was clarified that the intent of the amended language is to authorize support for the task force with WSBA resources. Discussion continued, including that it would be preferable not to state a position and instead raise questions/concerns and the importance of a feedback loop with our own task forces, work groups, and committees.

The Board heard public comment from Nancy Hawkins on behalf of the Family Law Executive Committee in opposition to the resolution and any comment at this time, as well as comments on the weight given to comments by the MBAs; James E. Macpherson commented on various aspects of the resolution and the process taken to arrive here; Jordan Couch spoke in opposition to the resolution, and to the impact of the Board's comments; Ailene Limric commented in opposition to the resolution and read a comment signed by Washington Women's Lawyers, the Filipino Lawyers Association, and QLaw, and noted that there was not sufficient time or process for meaningful comment; Diversity Committee Co-Chair Jarmon spoke in opposition to the resolution and read a comment from the Loren Miller Bar Association.

Discussion followed regarding the budget impact of the amendment, its intent, and how it will fit with the expectations of the Task Force. Motion carried 6-5. Gov. Peterson abstained.

[Diversity Committee Matters \(link\)](#)

Request to Partner with the Joint Minority Mentorship Program. Gov. Anjilvel requested that the Diversity Committee be able to support and partner in this program. Discussion followed, including a comment in support of the request. Gov. Grabicki moved to approve the request. Discussion followed about promoting the program. Motion passed unanimously. Gov. Higginson abstained from the vote.

Proposed Comment to MCLE Board Proposed Amendments to APR 11. Gov. Anjilvel presented the request to approve the Diversity Committee's comment in support of the MCLE Board's proposed amendment to APR 11. Treas. Clark moved for approval. Gov. Grabicki seconded. Motion passed unanimously. Gov. Higginson abstained from the vote.

Law Clerk Board Proposed Amendments to APR 6 and Law Clerk Program Regulations ([link](#))

The Board shared a promotional video regarding the law clerk program. Law Clerk Board Member Alexa Ritchie provided an overview of the program, noting increasing interest and growth. Law Clerk Board Member Christell Casey presented the suggested amendments. She highlighted the amendments to expand beyond the geographic borders of Washington State and to expand the pool of those eligible to be mentors. She noted that the other changes are meant to bring consistency, clarity, and to close loopholes. Discussion followed in support of the proposed amendments.

Legislative Session Report ([link](#))

Gov. Grabicki reported on the legislative session, noting that the two bar request bills are pending the signature of the Governor. He noted that the Committee has referred more than 700 bills to sections and are at their request are tracking 489.

Update on the Future of Work and WSBA ([link](#))

Executive Director Nevitt reported that WSBA has initiated the plan outlined at the March Board meeting. Departments are currently assessing their activities to identify which require physical presence and where changes in work flows or technology might allow those activities to be done remotely; WSBA is also examining potential changes to the sixth floor, which is a public floor; and WSBA is examining policies, procedures, and rules that may require revisions or amendments. She noted that the intent is to bring any policy proposals for the Board of Governors alongside the budget in July.

Governor Liaison Reports ([link](#))

Gov. Peterson reported on his work with the District and Municipal Court Judges Association. Gov. Dresden reported on his work with the Office of Civil Legal Aid, which is expecting the Governor's signature on a bill that will fund the right to counsel for indigent tenants in unlawful detainer actions. He also reported that the International Practice Section recently put on CLEs from Vietnam and Brazil. Gov. McBride reported on his work with the Senior Lawyers Section and expressed appreciation for WSBA resolving an issue they had with their Executive Committee selection process. Gov. Stephens reported on his work with the Civil Rights Law Section, which is

moving forward with expanding its connections with communities around their work. He noted that in addition they recently adopted a values statement; they are working on a CLE with the World Peace Through Law Section; and they are collaborating with the Environmental Law Section on a law school networking event. Gov. Stephens noted that they are having a difficult time recruiting folks to serve on their executive committee. Discussion followed about the nature of the challenge and the steps WSBA is taking to support entities.

Fiscal Year 2021 Reforecast Budget ([link](#))

CFO Perez presented the current and reforecast fund balances for FY 2021, noting that the process did not reforecast the Sections Fund. He presented the key issues impacting the reforecast, including a reduction in CLE revenue as a result of the 2020 MCLE extension, the impact of COVID-19, and a reduction in anticipated revenue in the area of late fees. He noted that the losses in revenue were largely offset by savings on the expense side. Discussion followed about whether we should assume assessment of late fees in the budget.

Director of Advancement Kevin Plachy presented the actual and anticipated financial results for the CLE Fund, including actions taken to mitigate the loss of revenue. Discussion followed about how sales revenue is split with sections and the shelf life of recorded CLEs.

CFO Perez presented the two net FTEs included in the reforecast, noting the FY 2021 impact of \$15,360, as well as the annual impact of \$207,110. He also noted that we will be eliminating the WSBA Connects contract at \$43,000 as an additional annual offset. Discussion followed regarding the need for additional resources in MCLE, and whether outsourcing had been considered as an alternative to increasing FTEs.

CFO Perez and Chief Communications Officer Sara Niegowski presented changes to the WSBA Deskbook model in an effort to reduce our production costs. Discussion about whether this was on for action and the impact of the action with regard to the additional FTEs.

Gov. Grabicki moved for approval of the reforecast budget. Motion passed 11-1.

Discussion of Crowe v. Oregon State Bar and Potential Implications for Mandatory Bars ([link](#))

General Counsel Shankland presented on the significance of cases such as *Crowe v. Oregon State Bar*. Discussion followed about the difference between *Crowe* and *Lathrop*; germaneness as a standard; the state bar activities that resulted in the lawsuits discussed and what we can learn from it; the larger constitutional values at issue; and the need for us to envision what the best structure is for WSBA. The Board heard public comment from Nancy Hawkins opposing additional discussion of the bar structure following the conclusion of the Supreme Court Bar Structure Work Group.

Governor Equity, Diversity, and Inclusion Reports ([link](#))

Pres. Sciuchetti referenced the Board's response to the letters from the Minority Bar Associations. He noted that he has appointed to the Gov. Stephens as a liaison to the Race Equity & Justice Initiative. Discussion followed about the intent of this agenda item and individual reports about work within and outside of WSBA.

Proposal to Create a Rural Practice Committee ([link](#))

Former Governor Paul Swegle, Director Plachy, and Gonzaga Law School Assistant Dean Laurie Powers provided an update on the rural practice project and presented the proposal to create the STAR committee to continue to explore the issue. They presented information about the need and the research conducted, including stakeholder outreach. Gov. Stephens moved to approve the proposal, Discussion followed in support of the proposal; the reason for a committee to sustain the effort; the positive interactions with members of the bar that have resulted from this project; the law clerk program as a potential avenue of solutions and whether a law clerk or representative from that Board should be included on the committee; and that the charter and materials set forth should not be considered limitations, but rather foundations of the work. Motion passed unanimously.

Long Range Planning Committee Matters ([link](#))

Pres. Sciuchetti noted the work the committee has been doing since the last Board meeting and introduced the three topics and presenters.

Proposed Charter for WSBA Long Range Strategic Planning Council. Past Pres. Majumdar identified the Committee's goal in developing and maintaining a strategic plan that continues with consistency and presented the proposed charter for a new council. Gov. Peterson moved for approval. Discussion followed regarding whether the Council should have the responsibility to reach out directly to members and the public rather than leaving that to the direction and discretion of the Board. The Board took public comment from Nancy Hawkins expressing concern that charter vests too much authority in the Council. Gov. Grabicki moved the question. Gov. Dresden seconded. Motion passed 7-3. Govs. Knight and McBride were not present. Gov. Higginson sought to move to table. The motion was ruled out of order over Gov. Higginson's objections. The underlying motion passed 7-3. Govs. Knight and McBride were not present for the vote.

Draft Strategic Goals. Gov. Peterson the draft goals developed out the Board's September brainstorming session. Gov. Grabicki moved for approval. Discussion followed regarding whether outreach should occur before approval; whether a fiscal analysis has occurred regarding these goals; and whether the goals set forth a specific plan that can be operationalized. Gov. Grabicki moved the question. Motion failed for lack of second. The underlying motion passed 6-1 with Gov. Clark abstaining. Govs. Abell, Knight, and McBride were not present for the vote.

Communications & Outreach Recommendations. Executive Director Nevitt presented a recommendation for best practices for outreach and engagement. Discussion followed on expectations for outreach moving forward; how the goals will be operationalized and where that decision will be made; that outreach should occur about the goals; and an understanding that the Board passed draft goals for outreach and not final goals to take action on. Executive Director Nevitt sought to clarify next steps including that the draft goals should be sent to the membership and that specific stakeholder outreach is also appropriate.

Report on the Board's Equity, Diversity, and Inclusion Activities ([link](#))

Pres. Sciuchetti reported on three upcoming trainings and a planned meeting with MBAs, possibly in connection with the May meeting. Past Pres. Majumdar provided further detail on the planned training.

Governor Roundtable ([link](#))

Gov. Peterson asked whether a tutor in the law clerk program should be able to seek CLE credit for the work that they do. Chief Garcia noted that both the MCLE Board and the Law Clerk Board are discussing the idea. Gov. Stephens shared his thoughts about the planned in-person Board meeting in Idaho in August and urged reconsideration of that plan.

ADJOURNMENT

There being no further business, Pres. Sciuchetti adjourned the meeting at 3:10PM on Saturday, April 17, 2021.

Respectfully submitted,

Terra Nevitt
WSBA Executive Director & Secretary

WASHINGTON STATE
BAR ASSOCIATION

TO: WSBA Board of Governors
FROM: Russell Knight, Chair, WSBA Awards Committee
CC: Sara Niegowski, WSBA Chief Communications and Outreach Officer
Jennifer Olegario, WSBA Communications Strategies Manager
Sue Strachan, WSBA Legal Community Outreach Specialist
DATE: May 5, 2021
RE: Recommendations for 2021 WSBA APEX Awards

ACTION: Approve the 2021 APEX nominations as presented by the WSBA Awards Committee and the Washington State Bar Foundation.

The WSBA BOG Awards Committee met via Zoom on April 26, 2021 for the purpose of reviewing nominations for the 2019 APEX Awards and preparing a slate of recommended recipients for Board approval. The committee's recommendations are available in the Governor's materials via the WSBA BOX cloud-sharing service.

TO: WSBA Board of Governors
FROM: Executive Director Terra Nevitt
DATE: May 12, 2021
RE: Executive Director's Report

Remote Exam Q&A Session June

We received positive feedback from attendees after our Bar Exam FAQ session in February, and we have decided to host a similar event prior to the summer licensing exams. The first session was focused on the remote format (concerns and logistics as WSBA administered its first-ever remote exams) and we expect the second session may have similar themes. If you would like to attend or spread the word, here is the information: Please join us for an online Bar Exam FAQ session from noon to 1:30 p.m. Wednesday, June 2. RSVP to BarLeaders@wsba.org to receive access information.

Well-Being Week In Law

Last week we honored Well-Being Week In Law, a campaign of the [Institute for Lawyer Well-Being](#) with a ton of great content for WSBA members, including an article in *Bar News* called [WSBA's Commitment to Wellness](#); a presentation by Frances Schopick, JD, MSW called [Bar Complaints and Wellness: Forearmed is Forewarned](#); a [crowdsourced video](#) from a diverse group of attorneys working in various capacities at various corners of the state (including Pres. Sciuchetti and Past Pres. Rajeev Majumdar); and [this blogpost on Sidebar](#). You can find all of this content and more on our website: <https://www.wsba.org/for-legal-professionals/member-support/wellness/well-being-week-in-law>.

Appreciation to our internal planning team led by Dan Crystal and including Shanthi Raghu, Jennifer Olegario, Margeaux Green, Noel Brady, Julianne Unite, and Sue Strachan. Also thanks to Whitney Johnson and Colin Rigley for their work on content.

COVID-19 Response

The WSBA Coronavirus Internal Task Force ("Internal Task Force") has continued working to deliver resources and programs to support WSBA members and the public during these unprecedented times. Please review WSBA's COVID-19 Resource Page at <https://www.wsba.org/for-legal-professionals/member-support/covid-19> for complete information.

At its last meeting the task force discussed a plan for winding down. The task force was established to provide active support to members of WSBA and the public throughout the pandemic. The task force has accomplished a great deal over the past 14 months and with the wider availability of the COVID vaccine the task force members agree it is time to take steps to wind down the committee. The task force plans to meet a few more times with the goal of drafting a final memo to the WSBA President that documents the accomplishments of the task force over its tenure along with our recommendations of the supportive measures provided by the courts and WSBA that should continue post-pandemic.

2021 Board of Governor Elections Update

The Congressional District 1 run-off election ended April 23. Congratulations to Governor Sunitha Anjilvel who was elected to a second term.

Total Electorate: 2,344	Sunitha Anjilvel: 118 Votes, 53%
Total Votes: 221	Paul W. Taylor: 103 Votes, 47%
Total Turnout: 9.4%	

There is one candidate for the Governor At-Large Young Lawyer seat: Jordan Couch. The Washington Young Lawyers Committee (WYLC) interviewed Jordan on May 8. The WYLC's recommendation to place the candidate on the ballot will be discussed at the upcoming May Board meeting.

Future of Work at WSBA

The COVID-19 global pandemic has shifted how we work in ways that are expected to have a lasting influence on the organization and its operations. By the end of May, the WSBA Remote Workforce Assessment will be completed and the Remote Operations Team will provide recommendations on the enterprise-wide projects to promote a hybrid approach to work and volunteering with WSBA. In addition, we will conduct two pulse surveys this month to gauge employee interest in staying remote and volunteers' experiences with remote meetings. As we prepare the FY2022 budget, the survey results will help us gain an understanding of what we need to include in the budget, such as remote work equipment and office renovations. We expect the assessments will help us build a successful remote hybrid operation that is intentional, nimble, and flexible.

Law Clerk Board's Amendments to APR 6 and Regulations

At the April 16-17 Board of Governors meeting, the Board reviewed suggested changes to APR 6 and related regulations from the Law Clerk Board. The Law Clerk Board met on May 7, 2021, and approved additional suggested amendments related to character and fitness procedures as well as suggestions to remove redundant and unnecessary language. The Law Clerk Board will present the suggested amendments for approval by the Board of Governors at the July 15-17, 2021 meeting.

Transition to a New Online Platform for Bar News

By the end of the fiscal year (which ends September 30, 2021), we will transition to a new platform to host the online version of our member magazine, *Bar News*. We expect this to be a win-win for usability and cost savings. Magazine content will be available in a web-friendly HTML format (think of how you access the New York Times online with articles searchable and available on separate webpages), but users will also have the option to view the magazine just like they do now, in one flipbook-style document. There are several benefits to the new platform: Long-term, we are moving toward a convenient central news hub for WSBA, where all sorts of content will merge, such as NWSidebar posts and multi-media supplements to magazine articles (again, think of how NYTimes.com contains newspaper articles, magazine articles, film, pictures, and crossword content all in one place); we are working with our advertising reps to build in space and opportunities for online ads; the new platform is considerably less expensive than our current platform; and we expect users will like having multiple options for viewing online magazine content. Another bonus: We would like to explore the option of using some of the cost savings/new ad revenue to scan and upload our entire archive of historical magazines to the site.

ATJ Conference

Save the Date for the 2021 Access to Justice Conference on August 11-13! The 2021 Access to Justice Conference theme is *Crisis and Reckoning: A Call to Dismantle Unjust Systems*. The COVID-19 crisis and resulting economic downturn have laid bare and contributed to deep systemic inequalities, and particularly exposed the ways in which systemic racism continues to impact Black, Indigenous, and other people of color. This time of crisis calls upon law and justice advocates, working in partnership with communities of color most impacted by systemic racism, to reckon with and dismantle injustice within the legal system.

This year will be the first ever entirely virtual Access to Justice Conference. The Planning Committee chose to move forward with a virtual conference as a way to improve accessibility and ensure the health and safety of conference attendees and presenters. Registration will open soon and will be free (attorneys seeking CLE credit will be charged \$100). For more information, visit the [conference website](#).

Appreciating WSBA Volunteers

Last month we celebrated National Volunteer Week with special appreciations of and spotlights on the more than 1,000 volunteers that help WSBA to deliver on its mission by serving one of our many entities, as CLE faculty, or as a contributor to *Bar News* or *NWSidebar*. If you haven't already, please take a look at the wonderful volunteer profiles we ran on our blog last week, including one with our own Gov-Elect Francis Adewale.

- [Q&A With Francis Adewale](#)
- [Q&A With Michele Carney](#)
- [Q&A With Andrea Jarmon](#)
- [Q&A With Kristina Larry](#)
- [Q&A With Nicholas Larson](#)
- [Q&A With Kari Petrusek](#)
- [Q&A With Stacey L. Romberg](#)

Judicial Information Systems Committee Update

Our WSBA Representative on the Judicial Information Systems Committee, Bob Taylor, reports that the Committee received a good budget report at its April 23 meeting, noting that state revenues are projected at pre-pandemic levels, putting AOC in a good position for necessary funding. Taylor also reported that the Court of Limited Jurisdiction (CLJ) project is making progress with both the Efiling aspect and getting the Case Management System architecture in place. He noted that concerns about paying filing fees, which are charged by the system developer, Tyler Technology, to support the Efiling with local clerks deciding if they want to add anything to the fee. Taylor reports that they are still planning to go live with Efiling in the pilot courts of Pierce District, Tacoma Municipal, Gig Harbor Municipal and Fircrest/Ruston Municipal on June 7, 2021. The JISC also received updates on a number of other projects, including the Appellate Court letter generation tool, Seattle Municipal's data upload to the Enterprise Data Repository, and the modernization of the WSP's criminal history system. He notes that all of these projects are on track.

Having served on the Committee as the WSBA Representative since 2015, Bob will complete his distinguished service at the June 25, 2021 meeting. Outreach for this position is underway. Information is posted online [here](#) with a deadline of June 11. The Board Nominations Committee will nominate a member to be appointed by the Court for a three-year term.

Attachments

LLLT Materials Requested by the BOG Executive Committee

First Quarter Discipline Report

Litigation Update

Media Report

WSBA Demographics Report

TO: WSBA Board of Governors
FROM: Bobby Henry, Associate Director for Regulatory Services, WSBA Staff Liaison to LLLT Board
DATE: May 11, 2021
RE: LLLT License/Program and LLLT Board

INFORMATION: In response to a request for information made at the May 3, 2021, Executive Committee meeting, the following materials are provided as information items only.

1. **LLLT Board’s Annual Report to the Washington Supreme Court, April 21, 2021.** The LLLT Board provided a written report to the Court. In addition, the LLLT Board met with the Court on April 28, 2021. The meeting was broadcast and recorded on TVW: <https://www.tvw.org/watch/?eventID=2021041310>.
2. **LLLT Board Report Attachments.** The attachments to the LLLT Board’s annual report are in this document.
3. **“The Surprising Success of Washington State’s Limited License Legal Technician Program”.** This is a white paper by the Stanford Center on the Legal Profession at Stanford Law School.
4. **Responsive Law Comments on Sunset of LLLT Program, April 29, 2021.** [Responsive Law](#) is a consumer watch non-profit organization whose mission is “to make the legal system more affordable, accessible, and accountable to the people it is meant to serve.” This is its comment to the Washington Supreme Court regarding the sunset of the LLLT program.
5. **“Sometimes a lawyer is overkill”, Seattle Times Editorial, April 15, 2021.**
6. **“Legal services: Technician licenses help assure equity”, Seattle Times, Letter to the Editor, April 23, 201.** A letter in response to the Seattle Times editorial, from WSBA member Kelby Fletcher.
7. **Change.org Petition and Signatures.** This is a petition effort led by LLLT student, Connie Major. Neither the WSBA nor the LLLT Board participated in the collection of signatures.

LLLT BOARD REPORT TO WASHINGTON SUPREME COURT

APRIL 21, 2021

INTRODUCTION

The LLLT license continues to be a successful program offering access to affordable legal assistance to individuals who might otherwise have handled their family law matters completely unrepresented. It took several years to develop the program, gather the support of the community colleges, and to get the word out about the opportunity to enter the legal profession with a limited license. Despite the COVID-19 pandemic and the Court's decision to sunset the program, we are seeing the highest number of people, by far, applying for the LLLT exam and license. These individuals, together with currently licensed LLLTs, are excited to be part of the legal profession and to assist those who may otherwise go unassisted. Because of this Court's courage and leadership in launching the LLLT program, jurisdictions all across the United States and Canada are implementing and exploring limited license programs in their jurisdictions. The LLLT Board implores the Court to reverse its decision to sunset the LLLT program so that it can continue to be a model for the nation, and, most importantly, so that low and moderate income individuals may have more access to legal assistance in Washington state.

LLLT PROGRAM BY THE NUMBERS

There are currently 46 LLLTs with an active license. The February 2021 LLLT exam saw 17 applicants, about double the average number of test takers at recent past exams. There are at least 40 and up to 56 individuals who are or will be eligible for the LLLT exam by the end of the Spring quarter. This means that the number of LLLTs is expected to double by July 2022. With eight people passing the Winter 2021 LLLT exam (which is the highest pass rate in recent years) we are well on our way. Finally, the LLLT program is forecast to have the lowest expenses since the first year of the program in addition to the second highest revenue¹.

LLLT PROGRAM SUCCESS & VIABILITY

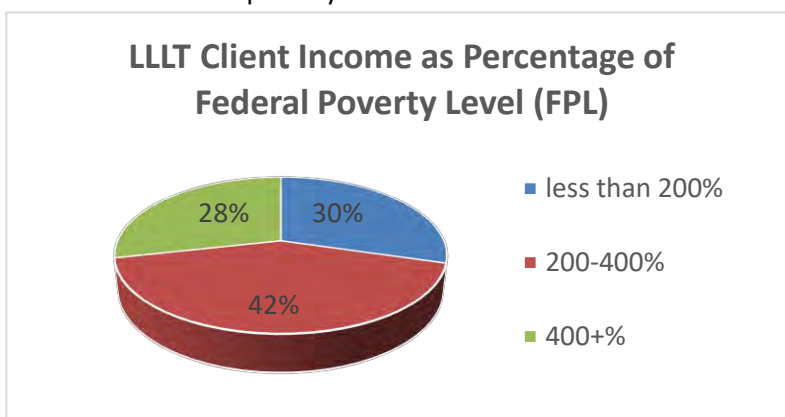
The LLLT program has been and continues to be a success for the Washington legal profession in terms of providing competent limited legal assistance, increasing access to justice and leading by example for other jurisdictions across the United States. Most importantly, LLLTs have had a significant impact on the lives of the clients they serve. Not only is the LLLT program successful in terms of its original goals, but it is also a viable program and is more so every day. The original reasons for sunsetting the LLLT program were the high costs and the low interest in becoming licensed as a LLLT. However, both of these factors are improving significantly.

¹ Fiscal year 2019 saw higher revenue due to mandatory attendance of a series of courses held by the LLLT Board related to changes to the scope of the LLLT license.

MANY CLIENTS SERVED BY LLLTs

The greatest success of the LLLT program has been the ability to provide legal assistance to individuals who in most cases would not have been able to afford a lawyer, or who were in fact rejected by lawyers as clients. LLLTs have been an invaluable resource to their clients and to the judges and commissioners in the courts who interact with parties who have benefited from the assistance of a LLLT. It not only helps the parties, but increases the administration of the justice by reducing the burden placed on courts when dealing with pro se parties.

The LLLT program has always been considered as one way to increase access to justice in Washington, not the only solution. To demonstrate the significant impact the LLLT program has on clients in Washington, four LLLTs provided data about their clients for this report. The four LLLTs, who have been in practice for an average of 52 months, have assisted 562 clients. Of these, 30% of the clients were people of color, and nearly a third, 30%, had income that was less than 200% of the federal poverty level. Overall, 72% of clients served had income less than 400% of the federal poverty level. See Attachment 1 for additional client detail.



NEW LIMITED LICENSE PROGRAMS ACROSS THE U.S. & CANADA

The Washington Supreme Court's groundbreaking decision to implement the licensing of limited licensed legal practitioners has spurred jurisdictions all across the United States and Canada to consider the value of limited legal license programs. Because of both experience in developing a program and observing the impact that the LLLT license has had on individuals in family law cases in Washington, the LLLT Board members continue to lend support to other jurisdictions across the United States and Canada which are exploring, developing and implementing their own limited license programs. LLLT Board members talk about their experiences, provide insight on lessons learned, and provide any information and resources available to them.

Four U.S. jurisdictions are licensing or are on the verge of licensing limited legal practitioners: Utah has already begun licensing Licensed Paralegal Practitioners; Arizona has recently adopted licensing of Legal Paraprofessionals; Minnesota has a two-year pilot project for licensing Legal Paraprofessionals; and California adopted the licensing requirements for its Paraprofessional Program in February 2021.

In addition to the four jurisdictions above, twelve additional U.S. jurisdictions and five Canadian jurisdictions are at some phase of exploring, developing and preparing limited license programs. A table of these jurisdictions with links to additional information is attached to this report; Attachment 2.

COST OF ADMINISTERING THE LLLT PROGRAM

One of the primary reasons for sunseting the LLLT program was the cost of administering the program. These costs are forecast to be as low as, if not lower, than when the program first started due to various factors. One key factor is the way in which the WSBA now allocates the time of its management staff. Middle and upper management used to allocate their time amongst all the cost centers in a department. Now they allocate a substantial portion of time, if not all of it, to a general department management cost center because regardless of whether or not a certain program exists within the department, the management position would still exist.

Another factor leading to decreased staff allocation is the way in which the program, specifically the licensing, is administered. When LLLTs and LPOs became members of the Bar, many of the rules, procedures and processes were aligned with those of the lawyers. Now LLLT admission is handled by the admissions team, MCLE by the MCLE team, license renewal by the licensing lead, etc. The cost of administration for licensing is absorbed into the other cost centers who are already handling the licensing and admissions of thousands of lawyers and other licensed legal professionals. Even with no limited licenses to administer, the number of staff would not be reduced in these teams because the number is so small compared to the number of lawyers. Although the processes are incorporated into the other work of the other teams, the Board of Governors requires WSBA staff to separate out LLLT revenue and expenses into the LLLT cost center. There is still some specific support for the LLLT Board and general LLLT issues but not nearly as much as was allocated in past years.

There would most likely be less of a financial impact on the WSBA's budget if LLLTs continued to be licensed, even in only one practice area. The future projected revenue and expenses of the LLLT program show that the LLLT program may never get out of deficit spending because there are no new additional sources of revenue. On the other hand, if additional LLLTs are licensed then exam and license fee revenue will continue to increase, eventually bringing the program into an income generating scenario. Attachment 3 illustrates projected finances with a complete sunset of the LLLT program. Attachment 4 illustrates possible projected finances if licensing of family law LLLTs were to continue.

INTEREST IN BECOMING LICENSED AS A LLLT

Another reason provided for sunseting the LLLT program was the apparent lack of interest by people in becoming licensed as a LLLT. The LLLT Board spent many years developing the scope, procedures, licensing requirements, rule sets, etc. for a new license to practice law, the likes of which had not been done before. (And now other jurisdictions are piggy-backing off of Washington's trail-blazing efforts.) The LLLT Board shifted focus a few years ago to researching the possibility of expanding into other practice areas, increasing the number of schools available to teach the LLLT curriculum, and exploring additional sources for access to financial aid. After much effort by the community colleges, the LLLT career was listed in two databases that are driven by information from the U.S. Department of Labor². This was a valuable tool for promoting the LLLT as a career opportunity in the legal profession for students in the community college system. Unfortunately, just as interest began to increase and students were reaching the end of

² www.wois.org and www.onetonline.org

the three year education pipeline (for those students who were able to attend full time), the Court decided to sunset the program. As a result, LLLT is no longer listed as a career option in those databases.

Recently, 15 students finished the family law practice education in the Fall and 40 students are anticipated to complete it at the end of Spring quarter this year. This, combined with additional former LLLT students who have not taken or passed the LLLT exam, means 50 – 60 or more individuals are pursuing the LLLT license. It would not be surprising if the number of LLLTs licensed by July 2022 is 92 or more which would be double the current number of active LLLTs.

The number of people in the pipeline would have been greater but the Court's decision to sunset the program and the COVID pandemic significantly impacted students in the following ways:

- Covid has placed a number of extra hardships on students including loss of jobs, housing issues, taking on additional jobs to compensate for household income loss, etc.;
- Some students have had to become caretakers of family members or friends for healthcare reasons or provide educational support to their children;
- Many students tried to take a particularly large load of credits in order to finish the LLLT requirements by the sunset deadline including LLLT/paralegal core curriculum and the LLLT practice area classes which created additional academic and economic burdens that have been exacerbated by the pandemic challenges;
- The rushed timeline reduced the availability of academic financial resources including federal and state financial aid, Veteran funds and disability resources; and
- Many potential students simply could not, or did not want to, carry the high class load to finish in the shortened window of time and chose instead to pursue something else.

Washington community and technical colleges and other educational institutions went through a rigorous process to set up LLLT classes, hire instructors and fund the LLLT courses. These institutions have been negatively impacted by the sudden decision to end the LLLT program.

INCREASED INTEREST BY MALES AND BY BLACK, INDIGENOUS AND PEOPLE OF COLOR (BIPOC)

The LLLT program has been criticized for being a profession of mostly white women. The LLLT program had a waiver of some of the education requirements for people who had 10 years of experience as a paralegal; people with such experience are mostly white women. However, as new paralegals entered the educational pipeline we began to see a more diverse pool of LLLTs. Whatcom Community College was able to provide some demographic data on the current LLLT students finishing the final quarter of the LLLT family law practice area courses. This data shows that 32.5% of the students are BIPOC, 52.5% are adults 40 years old and above, and at least 7.5% are men. See Attachment 5.

The decision to sunset will have a negative impact on BIPOC who had an interest in an affordable career in the legal profession (and on BIPOC clients who, as discussed above, represent 30% of the reported LLLT clients). This, at a time when the Court is advocating that it “administer justice and support court rules in a way that brings greater racial justice to our system as a whole.”

CONCLUSION

The LLLT program is so successful that jurisdictions across the nation are already implementing their own programs. Washington state's innovation, with this Court's leadership, led the way for increasing access to legal assistance with well-educated and regulated legal professionals with a limited license to practice law. The LLLTs are attracting low to moderate income clients, BIPOC clients, and creating opportunities in the legal profession for working age, family-rearing age, and BIPOC adults. The LLLT Board asks the Court to reconsider its decision to sunset the LLLT program and continue to be a leader of change in the legal profession and access to justice.

Attachments

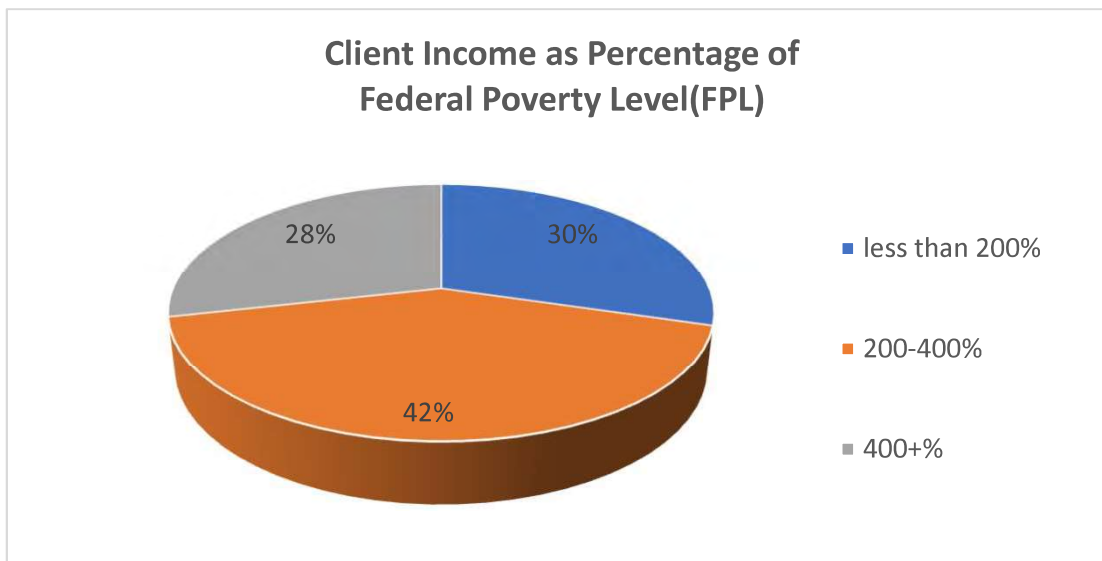
1. LLLT Client Data
2. Legal Regulation Innovation Table
3. Finance Projection with Sunset
4. Finance Projection Continuing Family Law
5. LLLT Practice Area Course Student Demographics

CLIENT DATA FROM FOUR LLLTS

AVG # months in practice	Total Clients retained	Total Consults only	Total Clients Assisted	Client Income as Percentage of Federal Poverty Level(FPL)			AVG % Clients of color
				less than 200%	200-400%	400+%	
52	353	209	562	30%	42%	28%	30%

Type of Service Provided by LLLT to Client*	
Divorce or Legal Separation with Children	146
Divorce or Legal Separation without Children	86
Child Support Modification	31
Parenting Plan Modification	15
Establish Parenting Plan/Child Custody	45
Paternity	2
Non-Parental Custody	2
Domestic Violation Protection Order	10

* Total does not match total clients retained, due to difference in types of service reported



Legal Regulation Innovation Table

Locale	Rules and Innovation
United States	
Utah	LPP – Licensed Paralegal Practitioner - several already licensed ¹ Office of Legal Services Innovation - Regulatory Sandbox: now active ²
Arizona	LP - Legal Paraprofessionals – adopted by Supreme Court ³ Non-Lawyer Law Firm Ownership ⁴
Minnesota	Legal Paraprofessional Pilot Project - runs March 2021-March 2023 ⁵
California	Paraprofessional Program - Licensing Requirements adopted February 2021 ⁶
Colorado	Paraprofessionals and Legal Services (PALS) Subcommittee - actively working on pilot project for LPPs ⁷
North Carolina	North Carolina Legal Technician – proposed to NC Supreme Court, presented March 23, 2021 ⁸
Oregon	Paraprofessional Licensing Implementation Committee - actively working to define license; approved by OR BOG in 2019 ⁹
New York	Court Navigators - since 2014 ¹⁰ , proposed training social workers to provide legal services, expanding role of navigators Dec 2021 ¹¹
New Mexico	Court Navigator Pilot Program – adopted by Order No. 19-8110 ¹²
Illinois	Licensed Paralegal – Optimizing Committee of Bar proposed rule September 28, 2020 ¹³
Connecticut	State of the Legal Profession Task Force – exploring limited licensing ¹⁴
Florida	Advanced Florida Registered Paralegals – delegated for further study by FL BOG ¹⁵
Montana	A task force is exploring limited licensing ⁸

¹ <https://www.utcourts.gov/legal/lpp/>

² <https://sandbox.utcourts.gov/>

³ <https://www.azcourts.gov/Licensing-Regulation/Legal-Paraprofessional-Program>

⁴ <https://www.azcourts.gov/Licensing-Regulation/Alternative-Business-Structure>

⁵ <https://www.mncourts.gov/Implementation-Committee.aspx>

⁶ <https://paraprofessional.osbar.org/files/Paraprofessional-Program-Licensing-Requirements-Adopted-February-2021-1.pdf>

⁷ <https://www.coloradosupremecourt.us/AboutUs/Subcommittees.asp>

⁸ <https://ncbarblog.com/pd-limited-licensing-proposal-watch-the-presentation-to-the-state-bar-on-mar-23-2021/>

⁹ <https://paraprofessional.osbar.org/>

¹⁰ <https://www.nycourts.gov/courts/nyc/housing/rap.shtml>

¹¹ https://www.nycourts.gov/LegacyPDFS/publications/RWG-RegulatoryInnovation_Final_12.2.20.pdf

¹² <https://iaals.du.edu/blog/new-mexico-implement-court-navigators-pilot-program>

¹³ <https://chicagobarfoundation.org/pdf/advocacy/task-force-report.pdf>

¹⁴ <https://www.ctbar.org/members/sections-and-committees/task-forces/state-of-the-legal-profession-task-force#:~:text=The%20CBA%20has%20convened%20a,and%20better%20manage%20legal%20dockets.&text=To%20accomplish%20these%20goals%2C%20the,include%20EF%BB%BFfive%20sub%2Dcommittees>

¹⁵ <https://www.floridabar.org/the-florida-bar-news/advanced-florida-registered-paralegals-plan-gains-conceptual-approval-from-bars-rules-committee/>

Legal Regulation Innovation Table

Virginia	A task force is exploring limited licensing ⁸
Pennsylvania	A task force is exploring limited licensing ⁸
Vermont	A task force is exploring both document preparers and limited licensing ⁸
Nevada	Document Preparer Program, licensed legal document preparers - since 2013 ¹⁶
Canada	
British Columbia	Licensed Paralegal Task Force Innovation Sandbox ¹⁷
Ontario	Licensed Paralegals, now considering Family Legal Service Providers (FLSP) ¹⁸
Manitoba	Special Committee on Alternative Legal Services Providers ¹⁹
Nova Scotia	Public Navigator Program ²⁰
Saskatchewan	Investigating limited licensing ²¹

¹⁶ <https://www.leg.state.nv.us/nrs/NRS-240A.html>

¹⁷ <https://www.lawsociety.bc.ca/our-initiatives/innovation-sandbox/>

¹⁸ <https://lso.ca/about-lso/initiatives/family-law-action-plan>

¹⁹ <https://lawsociety.mb.ca/about/lsm-initiatives/alternative-legal-services-providers/>

²⁰ <https://www.legalinfo.org/navigator/public-navigator-training>

²¹ <https://www.lawsociety.sk.ca/initiatives/access-to-justice/future-of-legal-services/>

Sunset

LLLT DRAFT BUSINESS PLAN FOR DISCUSSION ONLY												
REVENUE	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	
Grants	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
License Fee	\$ 7,203	\$ 12,382	\$ 15,388	\$ 16,638	\$ 20,047	\$ 23,168	\$ 23,811	\$ 24,264	\$ 24,725	\$ 25,195	\$ 25,675	
LLLT Education Fee (CLEs and practice a	\$ 9,580	\$ 2,319	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Exam Application Fee	\$ 5,355	\$ 17,955	\$ 15,750	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Waiver Application Fee	\$ 150	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
MCLE LATE FEE	\$ 150	\$ 300	\$ 300	\$ 450	\$ 450	\$ 600	\$ 600	\$ 750	\$ 750	\$ 750	\$ 750	
Education approval fee (core education)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
TOTAL REVENUE	\$ 22,438	\$ 32,956	\$ 31,438	\$ 17,088	\$ 20,497	\$ 23,768	\$ 24,411	\$ 25,014	\$ 25,475	\$ 25,945	\$ 26,425	
DIRECT COSTS	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY2027	FY 2028	FY 2029	FY 2030	
LLLT Board	\$ 5,656	\$ 2,450	\$ 1,200	\$ 1,236	\$ 1,273	\$ 1,311	\$ 1,351	\$ 1,391	\$ 1,433	\$ 1,476	\$ 1,520	
LLLT Outreach	\$ 1,507	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
LLLT Exam Writing	\$ 8,373	\$ 6,287	\$ 9,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Facility, Parking and Food (LLLT Exam)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Staff Travel/Parking	\$ 102	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
LLLT Education	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Postage	-	-	-	-	-	-	-	-	-	-	-	
Licensing Forms	\$ -	\$ 4	\$ 5	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
TOTAL DIRECT COSTS	\$ 15,638	\$ 8,741	\$ 10,205	\$ 1,236	\$ 1,273	\$ 1,311	\$ 1,351	\$ 1,391	\$ 1,433	\$ 1,476	\$ 1,520	
NET DIRECT INCOME/LOSS	\$ 6,800	\$ 24,215	\$ 21,233	\$ 15,852	\$ 19,224	\$ 22,457	\$ 23,061	\$ 23,623	\$ 24,042	\$ 24,470	\$ 24,905	
INDIRECT COSTS	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY2027	FY 2028	FY 2029	FY 2030	
Salary and benefits	\$ 136,939.00	\$ 88,451.00	\$ 17,157.12	\$ 17,671.84	\$ 18,201.99	\$ 18,748.05	\$ 19,310.49	\$ 19,889.81	\$ 20,486.50	\$ 21,101.10	\$ 21,734.13	
Other indirects	\$ 38,688.00	\$ 23,292.00	\$ 6,125.98	\$ 6,309.76	\$ 6,499.06	\$ 6,694.03	\$ 6,894.85	\$ 7,101.70	\$ 7,314.75	\$ 7,534.19	\$ 7,760.21	
TOTAL INDIRECT COSTS	\$ 175,627.00	\$ 111,743.00	\$ 23,283.11	\$ 23,981.60	\$ 24,701.05	\$ 25,442.08	\$ 26,205.34	\$ 26,991.50	\$ 27,801.25	\$ 28,635.28	\$ 29,494.34	
NET INCOME/LOSS (all revenue and direct and indirect costs as currently calculated)	\$ (168,827.00)	\$ (87,528.19)	\$ (2,049.98)	\$ (8,129.42)	\$ (5,476.82)	\$ (2,985.22)	\$ (3,144.46)	\$ (3,368.91)	\$ (3,759.11)	\$ (4,165.63)	\$ (4,589.06)	
Salaries and Benefits Base	\$ 102,193.28	\$ 83,287.00	\$ 85,785.61	\$ 88,359.18	\$ 91,009.95	\$ 93,740.25	\$ 96,552.46	\$ 99,449.03	\$ 102,432.50	\$ 105,505.48	\$ 108,670.64	
FTE's	1.34	1	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	
Overhead Base	\$ 28,871.64	\$ 29,737.79	\$ 30,629.92	\$ 31,548.82	\$ 32,495.29	\$ 33,470.15	\$ 34,474.25	\$ 35,508.48	\$ 36,573.73	\$ 37,670.94	\$ 38,801.09	

Sunset

Assumptions:

1. No new examinees or LLLTs after 2022; 89 LLLTs paying full annual licensing fees starting 2025, 10 paying \$120 annual inactive fee
2. 3% annual increase in LLLT Board expenses
3. 2% annual license fee increase (Social Security Cost of Living Adjustment (COLA) average over last 20 years (2001 – 2020) is 2%)
4. Salaries & Benefits Base and Overhead Base includes 3% annual increase

Continue Licensing in Family Law

LLLT DRAFT BUSINESS PLAN FOR DISCUSSION ONLY

REVENUE	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Grants	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
License Fee	\$ 7,203	\$ 12,382	\$ 15,388	\$ 17,580	\$ 23,386	\$ 30,541	\$ 38,557	\$ 49,252	\$ 62,516	\$ 79,615	\$ 99,586
LLLT Education Fee (CLEs and practice a	\$ 9,580	\$ 2,319	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Exam Application Fee	\$ 5,355	\$ 17,955	\$ 15,750	\$ 6,300	\$ 15,750	\$ 25,125	\$ 31,425	\$ 34,725	\$ 40,800	\$ 49,950	\$ 62,025
Waiver Application Fee	\$ 150	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MCLE LATE FEE	\$ 150	\$ 300	\$ 300	\$ 450	\$ 450	\$ 600	\$ 600	\$ 750	\$ 750	\$ 750	\$ 750
Education approval fee (core education)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL REVENUE	\$ 22,438	\$ 32,956	\$ 31,438	\$ 24,330	\$ 39,586	\$ 56,266	\$ 70,582	\$ 84,727	\$ 104,066	\$ 130,315	\$ 162,360
DIRECT COSTS	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
LLLT Board	\$ 5,656	\$ 2,450	\$ 1,200	\$ 1,236	\$ 1,273	\$ 1,311	\$ 1,351	\$ 1,391	\$ 1,433	\$ 1,476	\$ 1,520
LLLT Outreach	\$ 1,507	\$ -	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500
LLLT Exam Writing	\$ 8,373	\$ 6,287	\$ 9,000	\$ 9,000	\$ 9,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
Facility, Parking and Food (LLLT Exam)	\$ -	\$ -	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200
Staff Travel/Parking	\$ 102	\$ -	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100
LLLT Education	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Postage	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Licensing Forms	\$ -	\$ 4	\$ 5	\$ 5	\$ 7	\$ 8	\$ 10	\$ 13	\$ 16	\$ 18	\$ 21
TOTAL DIRECT COSTS	\$ 15,638	\$ 8,741	\$ 11,005	\$ 11,041	\$ 11,080	\$ 12,119	\$ 12,161	\$ 12,204	\$ 12,248	\$ 12,294	\$ 12,342
NET DIRECT INCOME/LOSS	\$ 6,800	\$ 24,215	\$ 20,433	\$ 13,289	\$ 28,506	\$ 44,147	\$ 58,421	\$ 72,523	\$ 91,818	\$ 118,020	\$ 150,019
INDIRECT COSTS	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Salary and benefits	\$ 136,939.00	\$ 88,451.00	\$ 85,785.61	\$ 88,359.16	\$ 91,009.95	\$ 46,870.13	\$ 48,276.23	\$ 49,724.52	\$ 51,216.25	\$ 52,752.74	\$ 54,335.32
Other indirects	\$ 38,688.00	\$ 23,232.00	\$ 30,629.92	\$ 31,548.82	\$ 32,495.29	\$ 16,735.07	\$ 17,237.13	\$ 17,754.24	\$ 18,286.87	\$ 18,835.47	\$ 19,400.54
TOTAL INDIRECT COSTS	\$ 175,627.00	\$ 111,743.00	\$ 116,415.53	\$ 119,908.00	\$ 123,505.24	\$ 63,605.20	\$ 65,513.36	\$ 67,478.76	\$ 69,503.12	\$ 71,588.21	\$ 73,735.86
NET INCOME/LOSS (all revenue and direct and indirect costs as currently calculated)	\$ (168,827.00)	\$ (87,528.19)	\$ (95,982.40)	\$ (106,619.15)	\$ (94,998.90)	\$ (19,458.50)	\$ (7,092.48)	\$ 5,044.17	\$ 22,314.81	\$ 46,432.18	\$ 76,282.80
Salaries and Benefits Base	\$ 102,193.28	\$ 83,287.00	\$ 85,785.61	\$ 88,359.16	\$ 91,009.95	\$ 93,740.25	\$ 96,552.46	\$ 99,449.03	\$ 102,432.50	\$ 105,505.48	\$ 108,670.64
FTE's	1.34	1	1.00	1.00	1.00	0.50	0.50	0.50	0.50	0.50	0.50
Overhead Base	\$ 28,871.64	\$ 29,737.79	\$ 30,629.92	\$ 31,548.82	\$ 32,495.29	\$ 33,470.15	\$ 34,474.25	\$ 35,508.48	\$ 36,573.73	\$ 37,670.94	\$ 38,801.07

Continue Licensing in Family Law

PROJECTIONS										
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
# LLLTs	76	99	108	130	164	206	257	311	369	429
% Increase	50%	29%	9%	21%	26%	26%	25%	21%	19%	16%
# Examinees	57	50	20	50	75	95	115	120	130	135
% Increase	235%	-12%	-60%	150%	50%	27%	21%	4%	8%	4%

Licensing Fee	\$ 229	\$ 234	\$ 238	\$ 238	\$ 245	\$ 253	\$ 263	\$ 273	\$ 287	\$ 301
% Increase	0%	2%	2%	3%	3%	3%	4%	4%	5%	5%

Exam Application Fee

FL + PR	\$300	\$300	\$300	\$300	\$300	\$300	\$300	\$300	\$300	\$300
PR only	\$80	\$80	\$80	\$80	\$80	\$80	\$80	\$80	\$80	\$80
FL only	\$250	\$250	\$250	\$250	\$250	\$250	\$250	\$250	\$250	\$250

Assumptions

1. 3% annual increase in LLLT Board expenses
2. 47% Exam Passage Rate thru 2024, 50% in 2025, 53% in 2026, 55% in 2027, 58% in 2028, 60% in 2029, & 63% in 2030 with development of training materials
3. Salaries & Benefits Base and Overhead Base includes 3% annual increase

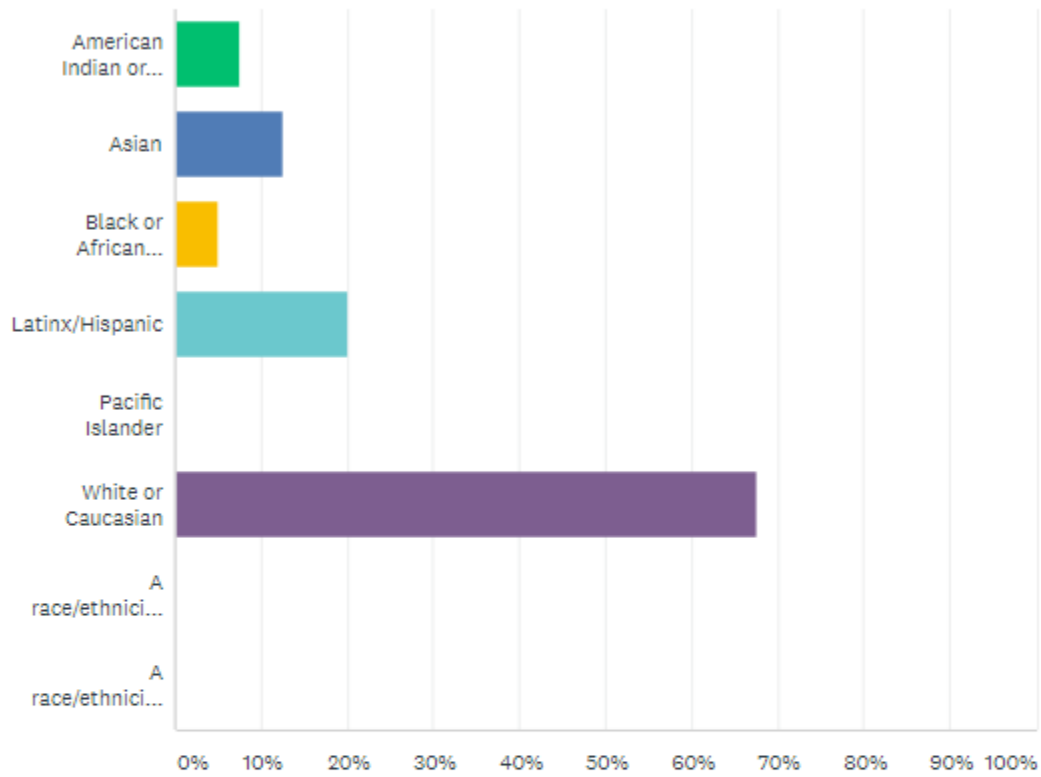
LLLT Practice Area Course Demographic Survey

Q1



Race/ethnicity (check all that apply)

Answered: 40 Skipped: 0



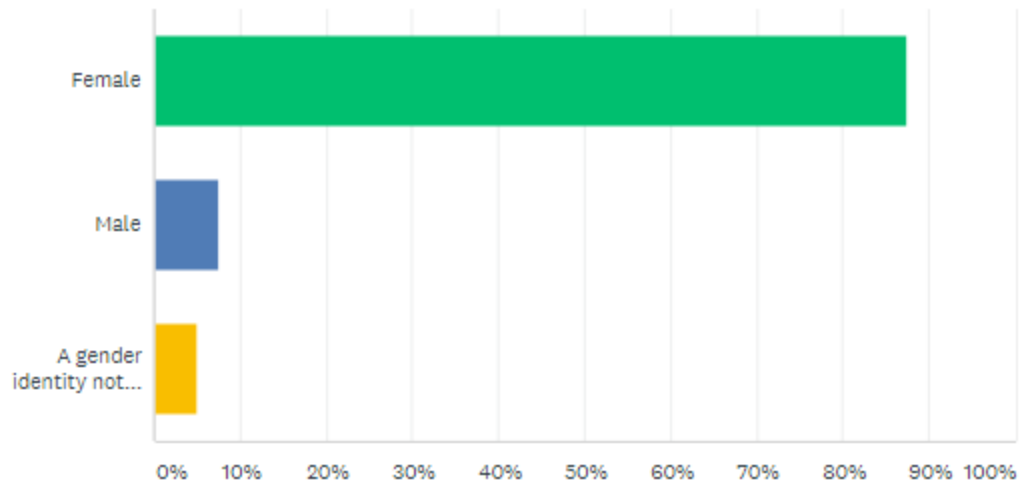
ANSWER CHOICES	RESPONSES	
American Indian or Alaska Native	7.50%	3
Asian	12.50%	5
Black or African American	5.00%	2
Latinx/Hispanic	20.00%	8
Pacific Islander	0.00%	0
White or Caucasian	67.50%	27
A race/ethnicity not listed	0.00%	0
A race/ethnicity not listed	Responses	0.00%
Total Respondents: 40		

Q2



Gender identity

Answered: 40 Skipped: 0



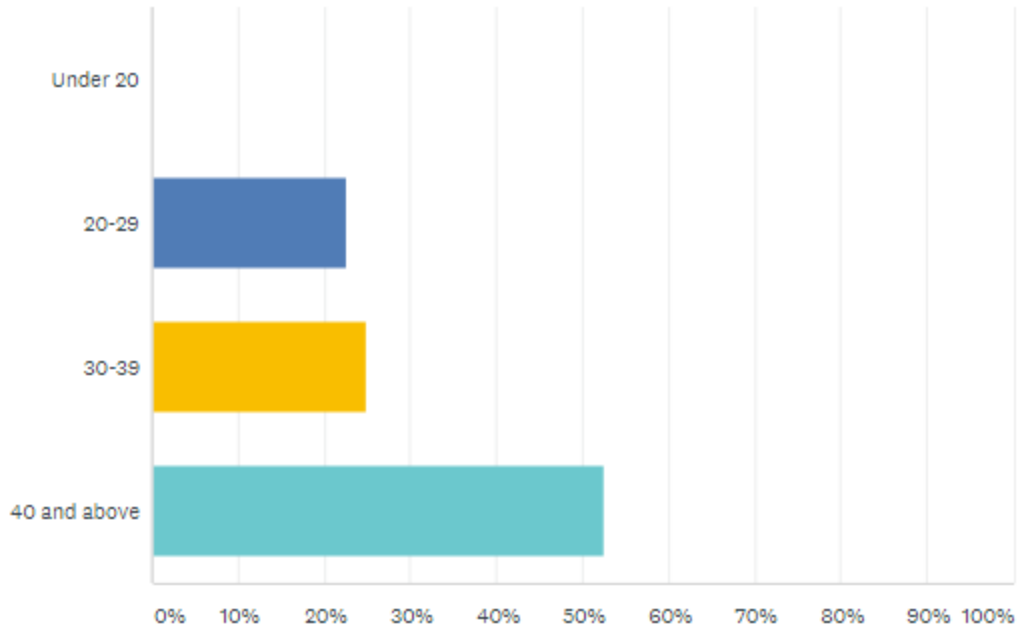
ANSWER CHOICES	RESPONSES	
Female	87.50%	35
Male	7.50%	3
A gender identity not listed	5.00%	2
Total Respondents: 40		

Q3



Age range

Answered: 40 Skipped: 0



ANSWER CHOICES	RESPONSES	
Under 20	0.00%	0
20-29	22.50%	9
30-39	25.00%	10
40 and above	52.50%	21
TOTAL		40

Stanford Law School | Stanford Center on the Legal Profession

THE SURPRISING SUCCESS OF WASHINGTON STATE'S LIMITED LICENSE LEGAL TECHNICIAN PROGRAM

By Jason Solomon and Noelle Smith*

EXECUTIVE SUMMARY

Washington State launched the Limited License Legal Technician program in 2015, aiming to provide competent, regulated, and reasonably priced legal services to moderate means Washingtonians with family law issues. By 2020, the Washington Supreme Court had soured on the program and voted to sunset it. What happened? For this white paper, we interviewed key stakeholders and looked at the available public data to answer that question. We found that:

The LLLT program was demonstrating real success in expanding access to justice in Washington.

- LLLTs provided legal services to many Washingtonians who would have otherwise proceeded without representation in their family law cases. In family law court, cost "is the most consistently referenced motivation for proceeding without an attorney."
- LLLTs provided expanded legal services to traditionally underserved communities, including Washington's immigrant communities. Commissioner Jonathon Lack, a King County judge who handles pre-trial litigation in family law cases, observed that the program "provides access for women and people of color, who are also getting better results in their cases." One bilingual LLLT in Eastern Washington reported that 90% of her clients were Spanish-speaking individuals.
- LLLTs allowed for more efficient proceedings and better decision-making for family law judges and commissioners by reducing procedural errors, submitting high-quality work product, and preparing clients to present their cases effectively.
 - One family law commissioner said that "with LLLTs, I saw an immediate improvement in the information I received in family law and domestic violence cases."
 - One judge reported that having a LLLT involved can reduce trial time by about one-third because the judge did not have to explain to the parties what information he would need and could rely on LLLTs for proposed orders.
- LLLTs obtained improved legal outcomes for moderate means clients and empowered clients to feel confident in the courtroom.
 - One LLLT client said that "I have no question in my mind that without [my LLLT's] assistance we would be starting over again, having missed some form, or mis-entered some value, dragging this process on." Another reported that "[a]fter 3 years of going in and out of court trying to square away my divorce without hiring a lawyer . . . [my LLLT] was able to get my orders finalized and provide me the relief I have been waiting for."
- Adding LLLTs allowed lawyers to expand their practice by capturing a previously untapped market. Lawyers who hired LLLTs report that the relationship between LLLTs and attorneys at the firm is "absolutely symbiotic" with LLLTs providing services to clients the firm would have otherwise turned away and attorneys assisting LLLTs in matters that fall outside of LLLT scope of practice.

The LLLT program’s most fundamental issues were political and structural.

- The WSBA and the Washington Supreme Court took several steps to limit the program, including declining to expand to new practice areas, declining to establish a LLLT fund, and refusing to allow the LLLT program to use Bar technology for its practice area curriculum. The program also had a high barrier to entry, with the original **experiential requirement** (3,000 supervised hours) quite high compared to comparable programs in other states and provinces.
- The LLLT program was housed at and funded by the Washington State Bar Association (“WSBA”), which had **“a long-standing, vocal group opposed to the program, thinking it would take away business.”** The WSBA is both the trade association and the regulatory agency for legal services. And the Justices of the Supreme Court are elected and depend on lawyers for campaign contributions.
- The sunseting of the program occurred when two justices retired within a few months and their replacements – both facing imminent retention elections – swung the balance in opposition to the program.

The Supreme Court’s reasons for sunseting – cost and lack of interest – ring hollow.

- The WSBA Treasurer persuaded the Court deemed the program too expensive to justify, but that argument is not persuasive. The LLLT program cost \$1.3 million over seven years, or less than \$200,000 per year. That means **the cost to lawyers of administering the program was just \$7 per attorney per year, and less than 1% of the WSBA budget.** The WSBA Treasurer also argued that it was “tremendously unfair” for lawyers to be subsidizing the program, but this misunderstands the Bar’s dual role. Lawyers’ annual payment to the bar in WA are both “dues” to the trade association and “fees” to the regulatory agency, and the latter can be seen as the price of being the last self-regulating profession.
- **Over 200 students were in the LLLT pipeline when the court chose to sunset the program**, with interest increasing. At the time of sunseting, the LLLT Board had proposed expanding the program to two new practice areas, and reducing the experiential requirement to 1500 hours. Based on those changes, the Board’s model was reasonable in suggesting that the program would be on track to become self-sustaining by 2029.
- **The Court also did not have any evidence of the benefits of the program when it made the decision.** The National Center on State Courts was in the middle of a full-scale evaluation at the time of sunseting, but the sunseting decision brought the evaluation to a halt.

INTRODUCTION

It is a shameful irony that the nation with one of the world's highest concentrations of lawyers does so poorly in making legal services available to its citizens. The U.S. ranks just 109 out of 128 countries in access to justice and affordability of civil legal services, below Zambia, Nicaragua, and Afghanistan.¹ Two-thirds of American adults reported having a civil legal problem in the past year, but only one-third of those received any help.²

And the access to justice problem is not limited to low-income Americans. As former New Hampshire Chief Justice John T. Broderick observed, "the population of people who go at it alone ventures far outside our traditional definition of those the legal system would have historically defined as indigent."³ Rather, according to former Chief Justice Broderick, the "access to justice gap is now enveloping an entirely new class of self-represented party—those who are modest and/or of moderate means."⁴

Studies estimate that 40-60% of legal needs go unmet for middle-class individuals.⁵

The "access to justice gap is now enveloping an entirely new class of self-represented party—those who are modest and/or of moderate means."

- Former New Hampshire Chief Justice Broderick

In 2003, Washington State conducted its own civil legal needs study and found that low-income people in Washington State faced more than 85% of their legal problems without assistance from an attorney.⁶ The study also found that legal assistance—even limited assistance—made a difference.

Nearly two-thirds of those who sought and received some level of legal assistance were able to solve at least a portion of their problem.⁷

Low-income Washingtonians faced 85% of their legal problems without assistance from an attorney.

While the justice gap spans many different legal areas, it is particularly acute in family law cases, where upwards of 80-90% of cases involve at least one self-represented party.⁸ Cost is the biggest barrier to representation.⁹ Individuals who cannot afford to put down thousands of dollars for a retainer fee or pay an attorney hundreds of dollars per hour are left with no representation at all. Legal aid organizations lack both the capacity to meet the extensive demand for free- and reduced-cost legal services and the mandate to support moderate means individuals.

Litigants and courts alike are frustrated. As one study found, "the cycle of litigant mistakes and court rejections is taxing for both."¹⁰ Pre-trial proceedings must frequently be continued because of a procedural defect in a document submitted by a self-represented party. Self-represented parties fumble to reach settlements without legal guidance and waste the time of commissioners – the judges who handle pre-trial litigation – expounding on legally irrelevant facts. And when cases go to trial, self-represented litigants struggle to identify and communicate relevant aspects of their case to judges, who then must wade through the record to attempt to understand the parties' goals. In fact, when parties are self-represented, judges often have to physically fill out paperwork for the parties, leading to incredible inefficiency in the family law court system.

Washington State chose to begin addressing its justice gap by targeting moderate means individuals. In 2012, the Washington Supreme Court adopted Admission and Practice Rule 28 which authorized the Limited License Legal Technician (“LLLT”) role.¹¹ Through the LLLT license, Washington State created a novel blueprint for addressing access to justice challenges by licensing technicians to provide family law services at a price point affordable for moderate means clients.

This blueprint was based on an idea that had been circulating among scholars and access-to-justice advocates for years: that the legal profession expand its ranks to include professionals who, akin to nurse practitioners in medicine, can perform certain kinds of legal services.¹² Ontario has employed such a program since 2007, and though their “independent paralegals” are limited to certain practice areas, they can do essentially all that a lawyer can – including conducting trials – within those areas. People without law degrees also provide legal advice in England and other countries, and in the U.S., lay advocates can represent clients before federal administrative agencies in areas like immigration and Social Security benefits. But before Washington, no U.S. state had launched such a program.¹³

Just five years after issuing the first LLLT license, the Washington Supreme Court voted to sunset the program. The vote split 5-4 and the decision was issued without notice, process, or any substantial evidence to support the Court’s decision. The upshot was that the 46 active licensees would be able to continue, with a number of students in the pipeline able to complete the license as well. But after that no more licenses would be issued.

With just one sentence of explanation, the majority cited “the overall costs of sustaining the program and the small number of interested individuals” as reasons why the program was not an effective way to help people who could not afford a lawyer. The dissent criticized the majority’s reasoning as “hollow,” while objecting to the notable lack of process around this significant decision.



At the time of the decision, the National Center on State Courts (NCSC) was in the midst of a full-scale evaluation of the program that was supported and authorized by the Court, but the evaluation came to a halt with the sunset decision. A preliminary evaluation, completed in 2017, suggested the results of the NCSC evaluation could be promising. The preliminary evaluation found that the LLLT program “offers an innovative way to extend affordable legal services to a potentially large segment of the public that cannot afford traditional lawyers” and that the program “offers the possibility of improving the quality of filings in court cases involving self-represented litigants and thus reducing the time and cost required for courts to deal with such cases.”¹⁴ However, the sunset decision means these outcomes were never fully measured by the full-scale NCSC evaluation.

The pause in the NCSC evaluation – combined with the short lifespan of the program – make it challenging to provide a comprehensive assessment of the program thus far. But given the lack of process and accompanying developed record around the sunseting decision, there was a troubling gap in our knowledge around this landmark program: What have been the costs and benefits of this program so far? We embarked on this study to begin to answer that question.

To conduct the study, we interviewed more than twenty of the key stakeholders involved in the design, implementation, and day-to-day work of the LLLT program including lawyers, judges, educators, LLLT clients, and LLLTs themselves.

To encourage participants to speak candidly about the program, we granted all interviewees anonymity. We also examined the publicly available data collected throughout the life of the program. This includes all prior reports on the program and all submissions to the Supreme Court before and after its recent sunseting decision. In addition to speaking with individual LLLT clients, we reviewed testimonials gathered from a broad swath of clients by the LLLT Board to better understand the client experience. Finally, we reviewed all public comments made by LLLTs and the LLLT Board. Quotes from these interviews are attributed to the speakers.

Our conclusions are surprising in light of the sunseting decision: There is considerable evidence that for the LLLTs, their clients, the lawyers who work with them, the judges who decide family-law cases, and attorneys who employ LLLTs, the program has been a real success. The LLLTs have provided competent legal services to moderate means Washingtonians at critical moments in their lives. Their professionalism and proficiency in family law have enabled more efficient proceedings and better decision-making for the commissioners who conduct pre-trial proceedings and judges who hold trials, improved outcomes for clients, and added more business for attorneys who have hired LLLTs to capture a previously untapped market.

This report proceeds in five sections. First, we outline the contours of the Washington LLLT program, including program requirements and scope of practice. Second, we recount and analyze the experience of clients, attorneys, and judges who work with LLLTs. Third, we discuss current LLLT practice models in Washington. Fourth, we describe challenges that the LLLT program has faced. Finally, we provide important context around the decision to sunset the LLLT program in Washington.

Timeline of the LLLT Program Sunset

Understanding how the LLLT program fits into the broader timeline of other changes on the Supreme Court is critical to understanding the political pressures that ultimately brought the downfall of the LLLT program. In 2015, Washington issued its first legal technician licenses for practice in family law.

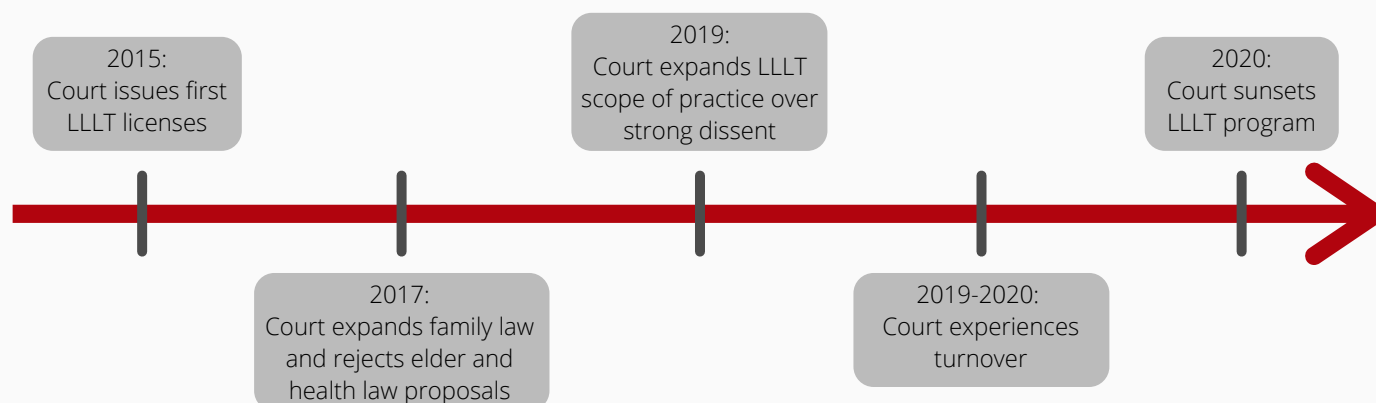
In 2017, the Court agreed to expand the scope of family law practice for LLLTs but rejected the recommendation to add health and elder law as practice areas.¹⁵ A majority of the Court asked that additional practice areas be explored.¹⁶

On May 1, 2019, the Court voted 5-4 to expand the role of legal technicians to allow them to negotiate with representatives of opposing parties and appear and answer questions from the judge in court.¹⁷ The dissent, written by Justice González, complained that the LLLTs' role was being expanded without evidence of success, and expressed "serious doubts" about the financial sustainability of both the program and individual LLLT practices.¹⁸

Around the same time, a divided Court addressed scrutiny regarding the structure of the bar. In September 2018, the Court announced it would undertake a "comprehensive review of the structure of the bar" in light of recent case law questioning whether the mandatory nature of bar membership violated the First Amendment and whether the Bar's current structure violated antitrust law.¹⁹

The Court appointed a working group, chaired by Chief Justice Fairhurst. Among the issues the group examined was whether to retain an "integrated" bar structure, where the professional association and regulatory agency are the same organization. The group delivered its recommendations on August 28, 2019, including a recommendation to retain the integrated bar structure, while the minority report to the working group described the "strong disquiet felt by some members about the recommendation to maintain, without further discussion, the current Washington State Bar Association (WSBA) structure."²⁰ The Court voted 5-4 in September 2019 to retain the integrated bar structure "for now."²¹

The court soon faced turnover. Between October 2019 and April 2020, two justices retired, both part of the May 2019 majority to expand the LLLTs' roles. One of the retirees was Chief Justice Fairhurst, a strong proponent of the program. Governor Inslee appointed their replacements, Justice Montoya-Lewis and Justice Whitener, and they both faced imminent retention votes in November 2020. On June 4, 2020, the Court voted to sunset the program, with Justices Montoya-Lewis and Whitener swinging the balance against the LLLT program.²²



LLLT PROGRAM STRUCTURE

Comprehensive Education, Experience, and Examination Requirements

The LLLT Board carefully designed rigorous requirements to become a LLLT. The requirements reflect the LLLT Board's mission to serve and protect the public by providing qualified and regulated legal providers. Throughout its deliberations, the Board focused on accessibility, affordability, and academic rigor.²³

First, LLLTs must complete an associate-level degree or higher, including forty-five credit hours of core curriculum at an ABA- or LLLT-Board-approved paralegal program. The core curriculum includes familiar legal courses such as Civil Procedure, Contracts, and Legal Research and Writing.²⁴ LLLTs without previous legal experience must complete 3,000 hours working under the supervision of a licensed attorney. The Supreme Court reduced this requirement to 1,500 hours in July 2020 to help candidates already in the pipeline complete their experiential hours before the sunset date.²⁵ Additionally, all LLLTs must complete the practice- area curriculum which consists of fifteen credits specifically covering family law, including five credits of basic family law and ten credits of advanced and Washington law-specific topics.²⁶ Professors from all three Washington law schools developed the courses which cover the fundamentals of family law as they would appear in a traditional JD family law course and additionally cover practical applications to prepare LLLTs for practice.²⁷ Finally, LLLTs must take three exams throughout their training – the Paralegal Core Competency Exam upon completion of the core education requirements, the LLLT Rules of Professional Conduct Exam, and a family law exam upon completion of the practice area education.

KEY LLLT REQUIREMENTS

- **Core curriculum:** Associate degree and 45 hours of paralegal coursework
 - **Experiential requirement:** Originally 3,000 hours; now 1,500 hours; waiver for highly experienced paralegals
 - **Practice area curriculum:** 15 family law credits from LLLT Board-designed program
 - **Three licensing examinations:** Paralegal Core Competency Exam, Ethics Exam, and Family Law Exam
-

Initially, existing paralegals who had (a) spent at least ten years performing substantive legal work under the supervision of an attorney and (b) had a paralegal certification from a national paralegal association could bypass the core curriculum and experiential requirements and proceed directly to the practice area education and exams.²⁸ The waiver option extended through December 31, 2016 to attract highly experienced paralegals to bolster the program, although the LLLT Board repeatedly advocated to extend the waiver even further.²⁹ Most of the initial candidates utilized the waiver.

Clearly Defined – and Limited – Scope of Practice

SCOPE OF LLLT PRACTICE

- Prepare and review legal documents
- Explain legal proceedings to clients
- Assist clients in meeting upcoming filing deadlines
- Assist clients in obtaining necessary records
- Assist and confer with clients during court or administrative proceedings
- Respond to direct questions from the court

LLLTS MAY NOT:

- Speak for a client during an administrative or court proceeding unless the court asks a direct question
 - Participate in any activity not enumerated in APR 28
-

Initially, LLLTs could do many legal tasks associated with preparing a family law case but LLLTs could not speak on clients' behalf in court or administrative proceedings.³⁰ Specifically, they could assist clients in preparing and reviewing legal documents and forms; keep clients apprised of upcoming filing deadlines, explain legal proceedings to clients, assist clients in obtaining necessary records, and communicate with the opposing party regarding procedural matters.³¹

After a few years of the program, the Court added the ability for LLLTs to accompany their clients to court or administrative proceedings, assist and confer with their clients during the proceedings, and respond to direct questions from the court regarding factual and procedural issues at certain hearings.³² Legal technicians can also provide legal advice on any issues that fall within their scope of practice and negotiate a client's legal rights or responsibilities.³³

Once licensed, LLLTs are subject to a similar regulatory framework as attorneys. LLLTs must pay annual licensing fees, fulfill annual continuing education requirements, and set up IOLTA accounts where relevant. In fact, some regulatory requirements for LLLTs are more stringent than those for attorneys. For instance, LLLTs are required to maintain malpractice insurance of at least \$100,000 per claim and \$300,000 annual aggregate (at a cost of over \$1,000 per month) while Washington attorneys are not required to carry malpractice insurance.

ANECDOTAL REPORTS ON LLLTs

Improved Client Outcomes and Reduced Stress with LLLTs

A TYPICAL LLLT CASE

Laura (name changed to protect confidentiality) was in a relationship with a long history of domestic violence. Her partner made all of the money and owned all of the community property except a car. Laura's ex-partner hired an attorney for the divorce. Initially, Laura tried to manage her case by herself. But her ex-partner ended up getting nearly everything in the initial stages, including custody of the children.

After hiring a LLLT, Laura was able to regain custody over her children. Her abusive ex-partner is no longer permitted to see the children and Laura has a domestic violence protection order against him. Laura and her LLLT reached an agreement that the LLLT would not bill Laura up front for any costs and would wait until Laura's former house sold to collect payment.

Interview with LLLT (Feb. 24, 2021)

Clients describe overwhelmingly positive experiences with LLLTs. According to a 2017 report on the Washington LLLT program, “[c]lients uniformly reported that LLLTs provide competent services.”³⁴ One former LLLT client shared that her LLLT’s “experience and expertise was as good as many of the attorneys I consulted with.”³⁵ Another client reported that after hiring a LLLT she felt confident that everything was in order when she arrived at the courthouse, and “had the sense that the judge did too because my case was heard and processed quite quickly and smoothly compared to others.”³⁶ The lack of bar complaints also reflects LLLTs’ competent work. LLLTs have faced only two complaints in seven years, and both complaints were dismissed.³⁷ No LLLT has ever been disciplined.

LLLTs have improved clients’ legal outcomes as well.³⁸ One client shared that before she hired a LLLT, her spouse was taking advantage of her, filing repeated restraining orders, misleading law enforcement officers, and threatening to limit her access to the children.³⁹ If the client had not hired a LLLT, she said, “I would have struggled to make it through my divorce on my own, or gone into debt to pay my attorney bills.”⁴⁰ Another client reported going “from having nothing to having 50/50 joint custody” after hiring a LLLT.⁴¹ And another client shared that “[m]y divorce ended well with details such as child custody and assets/debt distribution as I had hoped for, I believe all thanks to [my LLLT].”⁴²

Clients frequently acknowledged that hiring a LLLT reduced the stress, fear, and confusion related to their legal proceedings.⁴³ To illustrate this, one client said that “[d]ealing with family court can be very confusing and scary for most people, but I can

honestly say that [my LLLT] has made it very tolerable for me to deal with. She has made navigating the court system stress free.”⁴⁴ Another client described feeling frightened, intimidated, and alone when her ex-husband came to the

A TYPICAL LLLT CASE

Hannah (name changed to protect confidentiality) originally hired an attorney to handle her divorce and custody issues. She had no choice but to leave her attorney when the attorney’s bill ran over \$20,000 and her case had not yet reached trial. As an elementary school teacher, continuing to pay her attorney was simply not an option. It would have required Hannah to sell her car or go into debt. Hannah hired a LLLT who was able to assist her with filing her paperwork, preparing for trial, compiling evidence binders, and corresponding with the opposing party for around \$4,000. For Hannah, her LLLT’s prices were “100% affordable” and “did not cause any financial stress.” In fact, Hannah felt that her LLLT “was worth so much more than every penny [she] paid.” Hannah felt equally prepared with her LLLT as when she had an attorney.

Hannah’s LLLT empowered her to understand her legal proceedings in a way her attorney did not. Often Hannah’s attorney would use big words that she would google after the appointment whereas her LLLT broke everything down for her in a digestible manner.

Hannah’s LLLT took time to understand her goals and listened with empathy. The divorce was highly stressful for Hannah but preparing with her LLLT made her feel calm, relaxed, and confident in the most high-stress moments during trial. Her LLLT prepared her in advance for various contingencies that could happen at trial and helped her craft a compelling statement to communicate her goals regarding her son’s safety to a skeptical judge. Having a LLLT made Hannah believe in herself and feel powerful enough to advocate for herself and her son in the courtroom—all while remaining financially stable.

(Interview with LLLT Client, Feb. 18, 2021)

pre-trial, conference with an attorney.⁴⁵ After finding a LLLT the client said, “it made me feel safe—like I have a voice and have rights.”⁴⁶ Another client described that “I knew when I started this process it was over my head . . . There’s no way I could have made it through the legal process without [my LLLT’s] help.”⁴⁷

In fact, because LLLTs are not allowed to provide full scope representation at trials, LLLTs have to train their clients in how to participate in a trial by objecting or making statements. LLLTs often educate and coach their clients about the law and process more than an attorney who provides full representation, and who may not have time to provide comprehensive explanations of court proceedings to clients. This leaves LLLT clients feeling confident about their understanding of their own legal proceedings.

“My clients report to me that [their LLLT] offers a compassionate listening ear, and is able to break down the paperwork and court processes in ways that are understandable.”

- Nonprofit Program Advocate

Many clients viewed their LLLT’s involvement as critical to wading through the complex forms required in family law proceedings. One client

reported that “I have no question in my mind that without [my LLLT’s] assistance we would be starting over again, having missed some form, or mis-entered some value, dragging this process on.”⁴⁸ Another client hired her LLLT after she noticed that enlisting a LLLT was a “gamechanger” for her ex-husband’s case.⁴⁹

Prior to engaging a LLLT, he frequently missed deadlines but with his LLLT he was highly organized and consistently turned detailed paperwork in on time.⁵⁰

“I have no question in my mind that without [my LLLT’s] assistance we would be starting over again, having missed some form, or mis-entered some value, dragging this process on.”

- LLLT Client

Several LLLTs reported that some of their clients had unsuccessfully attempted to execute their divorces on their own for years before approaching a LLLT who was able to assist with filing the final dissolution documents in just months.⁵¹ One client reported that “[a]fter 3 years of going in and out of court trying to square away my divorce without hiring a lawyer . . . [my LLLT] was able to get my orders finalized and provide me the relief I have been waiting for.”⁵²

Reflections from Attorneys, Judges, and Commissioners

Attorneys

Attorneys who work with LLLTs report high satisfaction with their work. Several attorneys stated that LLLTs at their firm started with far more knowledge about family law than most beginning attorneys and required less training than new attorneys.⁵³ In one attorney's view, most law school graduates require about two years to get up to speed in family law practice because law school provides little to no instruction in family law.⁵⁴ In contrast, most LLLTs have at least two years of hands-on experience in a firm – and many complete the experiential requirements at a family law firm. Further, LLLTs' practice area education focuses exclusively on family law while most beginning attorneys have taken only one or two family law courses, if any. As one attorney remarked, "LLLTs' experience and extensive education in family law allows LLLTs to provide competent representation from day one in a way that new associates may find challenging."⁵⁵

Professors who teach LLLTs agree. One professor from the University of Washington Law School said that because of their specialized training, LLLTs "know a lot more about family law than the ordinary JD graduate."⁵⁶ This makes sense: LLLTs graduate with fifteen quarter credits in family law, whereas even a University of Washington Law graduate intending to practice family law might have no more than five quarter credits in family law.

Solo attorneys who try cases prepared by LLLTs express similar sentiments. One attorney who represented a LLLT client at trial said that working with a LLLT was "a very positive experience" that "made trying the case a lot easier."⁵⁷ He shared that most of the paperwork submitted to the court was

actually completed by the LLLT.⁵⁸ For this attorney "it was like having an associate attorney or high-quality paralegal working with me on a case."⁵⁹

And for attorneys who prefer trying cases over the legwork required to prepare a case for trial, collaborating with a LLLT can provide an ideal arrangement.

LLLTs "know a lot more about family law than the ordinary JD graduate."

- University of Washington Law Professor

Several public interest attorneys who have worked with LLLTs also expressed appreciation for their work. One executive director of a volunteer attorney program "saw LLLTs as an additional source of help for us and our clients."⁶⁰ The director reported that the LLLT who volunteered at his organization's clinic "was extremely helpful" and that the organization "was looking forward to more LLLTs being licensed."⁶¹ Additional support from LLLTs – both in terms of volunteer hours and taking on sliding scale clients – is particularly critical for legal aid providers in semi-rural and rural counties. For instance, one attorney in a semi-rural county said that it is a constant challenge to find enough attorneys to assist the over 15,000 clients his organization serves each year.⁶² Family law is particularly challenging. He said, "we don't have enough family law attorneys in the county to handle all of the family law questions we get. Even paying clients sometimes have a hard time finding a family law attorney."⁶³ Genissa Richardson, an

employee at a Volunteer Lawyer Program in a semi-rural county, echoed the same sentiment in her submission to the court, saying that “[i]n Whatcom County, someone who can afford to pay full price for an attorney can scarcely find a family law attorney to take a case right now. There aren’t enough attorneys practicing family law.”⁶⁴ Given this dearth of available legal service providers, legal aid attorneys – particularly in rural counties – recognize the important role LLLTs could play in expanding access to legal services. As one federal judge who previously worked in legal aid noted, “low-bono and legal services are not getting the job done. Many people live in smaller communities without any legal services.”⁶⁵

Unfortunately, many attorneys have resisted LLLT practice. Both commissioners and judges reported observing attorney opposition in their courtrooms. For instance, one attorney refused to speak with the opposing LLLT or work with them outside of court.⁶⁶ The presiding commissioner would have to force the parties to work on orders while in court thus hampering efficient resolution of the case.⁶⁷ LLLTs also reported negative interactions with some attorneys – what one LLLT likened to a “hostile work environment.”⁶⁸ Even outside the adversarial setting, some lawyers were hesitant to certify their paralegals’ hours towards the experiential requirement to become a LLLT.

Judges and Commissioners

The judges and commissioners that we spoke with highly valued LLLT work. One judge reported that most family law judges are grateful when otherwise unrepresented litigants work with a LLLT.⁶⁹ He called LLLTs “enormously helpful” and reported that the quality of LLLT work product is “very high,”

even when forms required legal acumen.⁷⁰ In fact, the judges and commissioners we spoke with reported that LLLT work product is often higher quality and easier for the court to consume than attorney work product.⁷¹ Because LLLTs have a limited ability to participate during the hearing, LLLTs must lay out everything clearly in advance of a hearing.⁷² According to one family law judge, LLLTs do critical legwork prior to a hearing to ensure a party knows what she needs to communicate to the court.⁷³ Without this assistance, the judge said, parties often do not know what to tell the judge or what to ask each other, leaving the judge to wade through the facts and attempt to understand the parties’ goals.⁷⁴

“With LLLTs, I saw an immediate improvement in the information I received in family law and domestic violence cases.”

- Family Law Commissioner

Judges and commissioners we spoke with reported significant efficiency gains when parties had a LLLT. To begin, having a LLLT involved can help keep matters from ever reaching trial. One family law judge analogized handling family law matters without legal assistance to not having health insurance.⁷⁵ For individuals without health insurance, a minor health problem can fester until the individual is forced to seek care at an Emergency Room. Similarly, basic family law problems can balloon and litigants can end up at trial simply because they are unable to successfully navigate the paperwork on their own.⁷⁶

We spoke with commissioners who said that having a LLLT increases efficiency in the pre-trial proceedings as well. At the pre-trial stage about half of family-law cases have to be continued because of some procedural defect, according to one family-law commissioner.⁷⁷ The commissioners we spoke with reported that these procedural problems simply do not happen when a party has a LLLT.⁷⁸ As compared to unrepresented parties, the commissioners noted that LLLT clients were more likely to reach a settlement and were more likely to complete their cases.⁷⁹ They also reported that LLLTs were more likely to submit a proposed order than a lawyer, which allows the commissioner to process the case more efficiently by entering orders during the hearing.⁸⁰ During pre-trial proceedings, parties have limited time to speak. Commissioners we spoke to found that parties with LLLTs typically used their time more efficiently, presented more focused statements, and avoided raising legally irrelevant material such as a spouse's past affair (Washington is a no-fault divorce state).⁸¹

When LLLT clients have complex cases that go to trial, one judge we spoke to reported efficiency gains. He said that having a LLLT involved can reduce trial time by about one-third.⁸² When hearing a LLLT-client case, the judge did not have to stop and explain to the parties what information he would need or fill out proposed order paperwork for the parties.⁸³ While LLLTs cannot advocate at a trial, one judge who had presided over LLLT-client trials noted that the LLLTs attended the trials to observe and consulted with clients during the breaks to explain what was happening in the trial.⁸⁴

The judge said he could tell that LLLTs were paying close attention and taking careful notes because the parties would promptly turn in new proposed forms the following day that encompassed all of the requested revisions.⁸⁵

LLLTs AND EFFICIENCY

- LLLT clients are **more likely to settle** and more likely to complete their cases than unrepresented parties.
- Having a LLLT **eliminates frivolous motions and unnecessary continuances.**
- LLLT clients present focused statements and **avoid legally irrelevant information.**

At least one commissioner noted improved outcomes for people who would otherwise go unrepresented. Commissioner Jonathon Lack, a King County commissioner who handles pre-trial litigation in family law cases, told the California Paraprofessional Program working group that he was a “huge fan of the program.” He said the legal technicians “can answer questions, they’re prepared, and they really do help people,” while observing that the program “provides access for women and people of color, who are also getting better results in their cases.”⁸⁶

CURRENT LLLT PRACTICE

There are currently fifty-three licensed LLLTs in the WSBA database.⁸⁷ Forty-six have active licenses. Over 50% of current LLLTs have at least ten years of substantive law-related experience, and some LLLTs have bachelors or advanced degrees in addition to the minimum LLLT requirements.⁸⁸

This section profiles typical LLLT clients, examines the LLLT program's impact on racial and gender equity, and discusses the viability of LLLT business models.



LLLT Clientele

In family law matters, at least one party appears without a lawyer in upwards of 80-90% of cases. And representation matters.⁸⁹ Unlike other areas of the law where parties may settle without ever setting foot in a court, family law litigants have no choice but to participate in court. Studies of family law cases reveal that unrepresented litigants often give up claims for important resources like maintenance and child support.⁹⁰

Most litigants who chose to forego counsel in family law proceedings cite the expense. One study found

Cost “is the most consistently referenced motivation for proceeding without an attorney.”

*- Natalie Anne Knowlton,
Cases Without Counsel: Research on Experiences
of Self-Representation in U.S. Family Courts*

that cost “is the most consistently referenced motivation for proceeding without an attorney.”⁹¹ The retainer fee is a particular barrier. One judge stated that “[p]eople don’t have cash for the retainer, so even if they could potentially afford it over time, they don’t have the money that a lawyer wants to get into a case.”⁹² Unfortunately, as one legal aid advocate told the Washington Supreme Court, “[t]he volunteer lawyer programs and other non-profit agencies cannot meet the demand for free or reduced-cost legal services.”⁹³ Washington has a few programs that provide full or limited representation to domestic violence victims.

Otherwise, individuals who do not fit that criteria are left with legal clinics. Most clinics allow individuals to consult with a lawyer for about thirty minutes. While people can talk through their legal issues and get general advice, they still have to draft their paperwork and navigate court procedures on their own. Often, people end up returning to the clinics multiple times for help which can be a slow process because it can take weeks to book an appointment

at the busy clinics. And in rural or semi-rural counties, the problem is exacerbated. One volunteer attorney program in a semi-rural county receives calls from 15,000 clients per year in a county with only a few hundred attorneys—a small handful of whom volunteered.⁹⁴ At times, legal aid organizations can become so overwhelmed that calls slip through the cracks. As one legal aid attorney said, “we have referred people to CLEAR [legal aid hotline] for legal assistance, but that system is overwhelmed and we are hearing that calls are not answered much of the time.”⁹⁵

TYPICAL LLLT CLIENT PROFILE

- **Moderate means:** often between 200-400% of FPL, get by month-to-month
- **Common occupations:** substitute teachers, soldiers, daycare workers, construction workers, receptionists, firefighters

The LLLT program provides services to moderate-income clients who are either ineligible for legal aid, or beyond legal aid’s capacity to serve. LLLTs we spoke with reported that the bulk of their clients fall between 200-400% of the federal poverty level – people that LLLTs often described as working

class or “moderate means.”⁹⁶ LLLT clients are substitute teachers, soldiers, daycare workers, construction workers, receptionists, and firefighters. They work for power or electric companies, or are stay-at-home military spouses. They generally get by on a month-to-month basis. They may own a home or have a small retirement nest egg but they would have to mortgage their house or draw on their 401K to pay an attorney’s legal fees. Some clients have already gone to an attorney and run out of money. Others have called firms and discovered that attorneys require a \$5,000 to \$10,000 retainer fee – an untenable price with their limited monthly income. One LLLT summed up the typical client by saying that LLLT clients are average people with pressing problems who would fall through the cracks if LLLT services were not available.⁹⁷

LLLTs also serve some clients who fall below 200% of the federal poverty level. LLLTs described that a typical client in this category may have already sought help from a free legal clinic and received a packet with instructions on how to fill out the forms and submit them to the court.⁹⁸ But the client then feels completely overwhelmed by completing the task. In these cases, LLLTs reported filling the gap by helping clients complete the paperwork and file it properly.⁹⁹ When working with these clients, LLLTs often did some or all of the case pro bono at their discretion. In fact, LLLTs do more pro bono work per capita than most lawyers.¹⁰⁰ In addition to directly serving some low-income clients, LLLTs hoped that their services would relieve some of the pressure on Washington’s legal aid system.

Racial and Gender Equity

LLLTs have played a role in bringing legal services to diverse communities across Washington. According to a recent survey of four LLLTs, the LLLTs surveyed serve about 30% clients of color.¹⁰¹

One example are the large Latinx immigrant communities in southern King County and Eastern Washington.¹⁰² Many Latinx immigrants are familiar with the concept of “notarios” in their home country. Unlike American notaries, notarios are trained and licensed to provide some limited legal services. A family law commissioner reported that many members of the Latinx community in southern King County feel comfortable working with LLLTs because of their cultural comfort with the concept of a notario.¹⁰³ And providing bilingual legal services increases client comfort by allowing clients to communicate directly with their legal provider, instead of through a translator. LLLTs who speak Spanish and can provide culturally competent services have benefitted the immigrant community across Washington, particularly as increased

immigration enforcement made immigrants nervous to appear in court. And unlike notarios, LLLTs are licensed, trained, and subject to ongoing regulation to protect consumers.

Latinx communities in Washington otherwise struggle to access justice. One bilingual LLLT in Eastern Washington reported that 90% of her clients were Spanish-speaking individuals.¹⁰⁴ They worked jobs like agriculture and truck driving.¹⁰⁵ These Spanish speakers could not engage with the court system prior to finding a LLLT because the court facilitator in their county – the person to whom judges often referred pro se clients to for assistance in organizing their papers – did not speak Spanish.¹⁰⁶

Beyond serving a racially diverse clientele, the legal-technician program provides expanded legal job opportunities for women and people of color. One practitioner who taught LLLT and paralegal courses at a community college noted that the students were frequently women and disproportionately people of color.¹⁰⁷ The practitioner noted that the LLLT

LLLTs AND UNDOCUMENTED IMMIGRANTS

Bilingual LLLTs are critical to helping undocumented immigrants access their rights. In one case, a bilingual LLLT worked with an undocumented client whose wife wouldn't let him see their child. Until the client spoke with a LLLT, the client assumed he had no rights with regard to his child because of his lack of citizenship status. The LLLT helped the client through the divorce process. By the end of the process, the client obtained a domestic violence order against his ex-partner and had full custody of the child.

Interview with LLLT (Apr. 1, 2021)

students represented a much more diverse slice of the population in terms of gender, race, and income than many law school student bodies.¹⁰⁸ One family law commissioner noted that the increase in women in the family law field may be particularly important for domestic violence victims who may prefer to work with a female legal provider.¹⁰⁹

Several current LLLT candidates have shared that they joined the program with the goal of returning to their communities to provide much needed bilingual legal services.¹¹⁰

The diversity of LLLTs also increases the probability that LLLTs may have experienced the challenges that their clients face. In fact, one LLLT reported that clients' "lived experience is more similar to [the LLLT's] own than an attorney."¹¹¹

Many have their own experiences with divorce or domestic violence.¹¹² Others navigated divorces alone when they were unable to afford an attorney.¹¹³ And working with a LLLT may reduce the cultural barriers between the "low income person who comes in and needs some help sitting across the table from someone who was able to afford law school."¹¹⁴ Shared backgrounds also help LLLTs anticipate challenges their clients may face. When

one LLLT asked her client about transportation to court and discovered that her client was struggling to arrange transportation, the LLLT personally picked the client up and drove her to court.¹¹⁵

One LLLT speculated that LLLTs may bring a particularly "empathetic, communicative skill set" to their work.¹¹⁶ And clients agree. One client said that "[i]n addition to the legal side of matters, [my LLLT] was empathetic and always willing to listen when I felt frustrated or overwhelmed."¹¹⁷ Another client said that she felt like her LLLT was invested in her well-being – "it felt like she was there to support me and not to make a paycheck. My LLLT would check in on me to make sure I felt safe, not just to discuss the logistics of my case."¹¹⁸

Finally, for several LLLTs, earning a LLLT license was only the beginning of their legal career. A handful of LLLTs have continued their legal studies through Washington's Rule 6 program which allows individuals to become attorneys through four years of experience and education.¹¹⁹ Across the board, LLLTs strengthen the legal profession by adding diversity of backgrounds and experience.

LLLT Business Models and Billing Practices

LLLTs operate under a variety of business models in Washington. LLLTs in Washington have gravitated towards the setting that best fits their personal and professional goals. Regardless of the practice setting, LLLTs uniformly reported financially sustainable practices. LLLTs in a variety of practice settings said that they frequently have to turn away clients due to a full calendar.

Solo, LLLT firm, or mixed practice

Some LLLTs choose to set up solo practices or LLLT firms. These LLLTs cite the flexibility and autonomy inherent in setting their own rates and selecting their clients.¹²⁰ This model also allows LLLTs to continue to work on a case pro bono if they want to stay with a particular client who has run out of money.¹²¹ Solo practice also has the added benefit of increased control over workflow. Other LLLTs do a mix of contract work and solo practice.

LLLTs in solo practice or LLLT firms report that their business models are sustainable. Teaming up to create LLLT firms has allowed many LLLTs to reduce overhead costs.¹²² Some LLLTs expressed concern that a LLLT practicing in a rural area might struggle to establish a sustainable business with family law as the only practice area. This concern is reflected in the fact that very few LLLTs practice in Eastern Washington. However, LLLTs that practice in mid-size cities report an overwhelming demand for their services.¹²³ In fact, one LLLT in a mid-size city in Western Washington said that she could not keep up with demand and frequently had to refer cases to other LLLTs.¹²⁴

In addition to private practice, several LLLTs we spoke with volunteer with their local volunteer

lawyer program or offer some portion of their services at a low-bono or pro-bono rate.¹²⁵ In addition, within five months of inclusion in the WSBA's Moderate Means Program, 29% of active LLLTs signed up to reduce their fees by 50% when serving clients in the 200-250% of federal poverty level bracket.¹²⁶

Traditional law firms

Some LLLTs work in traditional law firms. Both LLLTs and attorneys reported advantages to this arrangement, calling it an “absolutely symbiotic” relationship.¹²⁷ Individuals who approach the firm but are unable to pay a retainer fee can be referred to a LLLT within the firm. Thus, employing a LLLT allows firms to capture additional business that the firm would otherwise lose, while consumers get legal services that they would otherwise go without.

When issues arise in a case that are outside of a LLLT's scope, the LLLT can easily approach a firm attorney so that the client is billed at the attorney rate only for the discrete tasks that require attorney attention. This hybrid representation saves clients money and leaves attorneys available to spend more of their time on complex matters. Additionally, clients working with a LLLT who are particularly apprehensive about appearing in court may retain a firm attorney solely for court representation. Because the LLLTs and attorneys work together frequently at a firm, attorneys often feel comfortable stepping into this role because they are familiar with the LLLT's work and trust that everything will be properly prepared in advance of the hearing.¹²⁸

The symbiotic relationship extends to attracting business. One firm with a LLLT reported that some clients approach the firm specifically because of the option for lower cost services.¹²⁹ And the same firm reported that its LLLT generated more five-star

Google reviews than any other attorney, and perhaps more than all of its attorneys combined.¹³⁰

In fact, many firms frequently turn away LLLT-income-level clients because their LLLTs are already at capacity.¹³¹ Further, if clients initially seek attorney services, firms can transfer the client to a LLLT if the client runs out of money, which allows the firm to avoid losing the client altogether.

Other states that have implemented comparable paraprofessional programs have discovered similar benefits for law firms. The Associate General Counsel for the Utah State Bar wrote that practitioners licensed under Utah's version of the LLLT program "make firms more well-rounded in their offerings and thus capture more of the market as a 'full-service firm,' and in doing so, have the potential to greatly benefit the public at large."¹³²

"[T]he market predominantly captured by [paraprofessionals] are not those who would otherwise hire lawyers, but instead those who would opt for self-representation."

-Scotti Hill, Associate General Counsel at the Utah State Bar

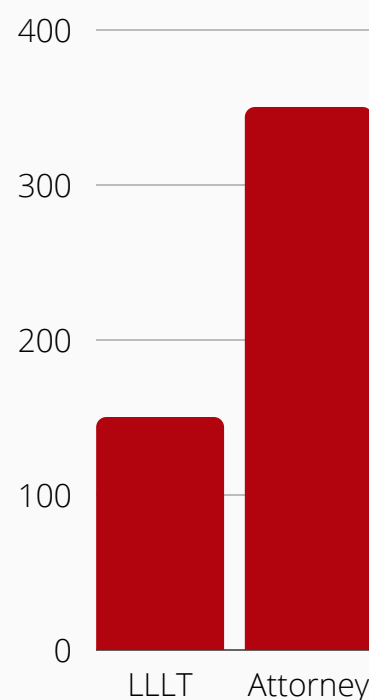
Attorneys at Utah firms recognize the benefits too. One partner said that "[h]aving a [paraprofessional] at our firm allows us to meet the needs of more clients than we could have helped previously" and that when "it's an issue that doesn't justify a

partner's fees, it's great to have the option to still take care of that person."¹³³ And in Utah, "[t]he data bears out that the market predominantly captured by [paraprofessionals] are not those who would otherwise hire lawyers, but instead those who would opt for self-representation."¹³⁴

Billing practices

LLLTs' billing practices are responsive to the clients they serve. Most LLLTs bill hourly, and many bill on a sliding scale based on the client's income. For instance, one LLLT in King County billed an average of \$125 per hour, although her full fee was \$175 per hour.¹³⁵ LLLTs at firms billed around \$160 per hour. For comparison, attorneys in King County (Seattle) may charge between \$300 to \$375 per hour.

TYPICAL HOURLY RATES IN KING COUNTY



LLLTs located in small cities also chose to bill on a sliding scale, but adjusted their scale downward to about \$65 to \$120 per hour to meet the local demand.¹³⁷ Some LLLTs also offer flat fee sessions for individuals who cannot afford hourly rates, which allows the LLLT to conduct a one-time consultation with a client about their case.¹³⁸

Other LLLTs opt for flat rates for most services. This model means the LLLT can spend less time on administrative tasks like billing clients and more time on substantive work. It also means clients won't receive a surprise bill at the end of representation, which provides clients peace of mind about their financial commitment. As an example, one LLLT charges \$1,200 for a divorce or legal separation with children, but the rate reduces to \$1,000 for individuals who are 200-400% of the federal poverty level, and \$850 for individuals who are below 200% of the federal poverty level.¹³⁹ For comparison, an individual filing for dissolution of marriage with children with the help of an attorney could pay over \$20,000 per side.

One LLLT client's experience illustrates the disparity between attorney and LLLT fees. This client worked with her LLLT for about a year to prepare for a divorce trial.¹⁴⁰ She then hired an attorney for about five weeks to do the final preparations and represent her at trial.¹⁴¹ Although the client felt like the LLLT did the vast majority of the legwork in her case, she owed the LLLT only \$5,000 for her year of work while she owed the attorney \$28,000 for his five weeks of work.¹⁴²

As we have seen, the LLLT program has achieved remarkable success in its first five years. Clients, judges, many lawyers, and the legal technicians themselves are quite pleased with the contribution that LLLTs are making to the justice system. These achievements are all the more remarkable given the challenges the program faced – specifically, the opposition from the Bar, the reluctance to expand to other practice areas, significant barriers to entry, and the lack of a stable home for the practice-area curriculum.

CHALLENGES FOR THE LLLT PROGRAM

Opposition from the Washington State Bar Association

The LLLT program has faced strong hostility from many lawyers from the start, and increasingly from the WSBA itself – a level of resistance that one attorney described as “just remarkable.”¹⁴³ The WSBA’s Board of Governors voted twice to reject the program in 2006 and again in 2008.¹⁴⁴ The Board of Governors voted to support the program in 2016, but annual turnover quickly produced changes in the makeup of the Board of Governors. The new Board pushed out the WSBA’s Executive Director Paula Littlewood, who was a strong advocate for the program.¹⁴⁵ Many of the newer members were hostile to the LLLT program which led the Board of Governors to impose more barriers to the LLLT program. One federal judge put it succinctly: “There has been a long-standing, vocal group opposed to the program, thinking it would take away business.”¹⁴⁶ Indeed, as one observer put it, opposition from some Washington attorneys was the “fundamental problem with the program from the beginning.”¹⁴⁷

“The Supreme Court basically forced the Bar to be in charge of the LLLT program. From the start, it has been a program supervised by an organization that was officially opposed to doing it.”

- Washington Attorney

Some of the Bar’s opposition hampered the LLLT Board’s ability to balance its budget. For instance, the Board of Governors rejected the LLLT Board’s

“My impression as a member of the Bar was that I never felt that the Bar Association rallied support for the program.”

- Washington Attorney

request to use WSBA technology to host the practice area courses, despite the fact that the Bar’s chief regulatory counsel estimated to the ABA Journal that “it would net somewhere between \$5,700 and \$7,300 per quarter, or [three] times that amount per year” because courses are offered for three quarters.¹⁴⁸ The WSBA also requested that its logo be removed from bench cards designed to inform judges about the role of LLLTs in the courtroom.¹⁴⁹ And the WSBA directed the LLLT Board to revise “rack cards” (cards designed to raise public awareness of LLLT services) to remove the WSBA logo and any reference to lower costs for services.¹⁵⁰ In addition to their symbolic significance, these decisions carry a price for the LLLT program which must spend money to redesign and reprint the cards.

Other opposition from the WSBA did not affect the LLLT Board’s bottom line, but made clear where the Bar stood on the LLLT program. For instance, the Bar asked the Supreme Court to approve bylaw changes that would eliminate a seat on the board for LLLTs.¹⁵¹ According to one LLLT, “[i]t seems like

any opportunity that [the WSBA] had, they've acted in a way to quiet, limit or undermine this license."¹⁵²

And many lawyers in Washington remain resistant to the idea of LLLTs. When LLLTs were eventually permitted to join the family law section of the WSBA, family law attorneys created Domestic Relations Attorneys of Washington ("DRAW"), an exclusive organization open only to family law practitioners with JDS.¹⁵³ Much of the opposition stems from concerns about losing clientele. The ABA Journal reported that many Washington lawyers fear "that their market share [would] be eroded by non-lawyers."¹⁵⁴ But as one Washington family law

attorney offered as a rebuttal, "attorneys who are charging \$400 per hour should not be concerned about LLLTs taking their clients."¹⁵⁵ LLLTs pointed out that many attorneys could actually add business by hiring a LLLT, allowing firms to capture business from moderate-income clients. And some lawyers have done this. Other lawyers argue that every individual deserves nothing short of full representation by an attorney – an impossible goal as the Civil Legal Needs Survey made clear¹⁵⁶ – and research from around the world indicates that advocates who are not lawyers do as well or better in less complex cases.¹⁵⁷

Failure to Approve Additional Practice Areas

Washington's decision to limit LLLT practice to a single area of law may have dampened interest in the program, and raised challenges for LLLTs trying to build a sustainable practice. Selecting family law as the sole area of law created unique challenges in attracting LLLTs, although the need for family-law services is great. Family law can be an intense and contentious area of law to practice.¹⁵⁸ Many potential LLLT candidates have little desire to enter such an emotionally draining practice area.

Further, family law involves heavy motions practice. Deadlines that are out of a LLLT's control can arise with little notice, which makes establishing a healthy work-life balance challenging for LLLTs practicing full time.¹⁵⁹

"There are paralegals in many other practice areas who are ready to jump on the opportunity to enter in the program if other practice areas are offered."

- Christy Carpenter, LLLT

In fact, the LLLT Board reported in 2020 that many students who have completed the LLLT education waiting for new practice areas to be developed

before they complete their licensure or become more active in representing clients.¹⁶⁰ Christy Carpenter, a current LLLT, told the ABA Journal that “[t]here are paralegals in many other practice areas who are ready to jump on the opportunity to enter in the program if other practice areas are offered.”¹⁶¹ Other states have recognized the importance of providing multiple practice areas.

For instance, paraprofessionals in Utah’s parallel program can assist with eviction and debt collection matters, in addition to certain family law issues.¹⁶²

While not unique to family law, designating a single practice area could make building a sustainable LLLT practice challenging. This is particularly true in rural areas. One LLLT reported that if she wanted to leave King County for a more affordable area of the state, she would likely be unable to sustain a full-time business if she were limited to solely family law cases.¹⁶³ However, other LLLTs working in rural or semi-rural counties reported turning away clients due to high caseloads.¹⁶⁴

The Washington Supreme Court rebuffed several attempts by the LLLT Board to expand LLLT practice areas. In 2017, the LLLT Board submitted a recommendation that elder law and health law be adopted as new practice areas.¹⁶⁵ In a brief letter, the Washington Supreme Court rejected the proposal and said “a majority of the court would like the LLLT Board to explore other areas.”¹⁶⁶ In 2020, the LLLT Board submitted a new proposal, this time for state administrative law, and eviction and debt matters. The administrative law proposal carried the strong support of the Chief Administrative Law Judge because LLLT assistance would allow ALJs

to have more efficient hearings.¹⁶⁷ Instead of responding to the proposals, the court elected to sunset the LLLT program. By failing to expand the practice areas, the Washington Supreme Court may have hindered interest in and sustainability of the LLLT program.

The LLLT Board's proposal "would promote access to administrative justice for Washingtonians by addressing some of the need for civil legal services noted in the 2015 Civil Legal Needs Study."

- Chief Administrative Law Judge Lorraine Lee

Finally, within the single practice area, many practitioners found the LLLT rules convoluted and arbitrary.¹⁶⁸ Even when LLLTs provided detailed, correct explanations of their scope of practice, clients were sometimes confused about exactly what LLLTs can and cannot do.¹⁶⁹ APR 28’s distinctions often make no sense to a lay client.¹⁷⁰

For example, APR 28 Regulation B(2)(a) permits LLLTs to assist their clients with discovery and trial for *establishment* of parenting plans, but under APR 28 Regulation B(3)(b)(ix) LLLTs cannot assist clients with discovery and trial for *modification* of their parenting plan. As the Seattle Times Editorial Board argued, “[r]egulators hobbled the program, then blamed it for limping.”¹⁷¹

Experiential and Cost Requirements

Some stakeholders view the 3,000-hour experiential requirement as an overly burdensome barrier to entry. Compared to many states – and Ontario, which has a robust and well-established “independent paralegal” program – this requirement is quite high.¹⁷² 3,000 hours requires about one-and-a-half years of full-time work. For the many LLLT candidates who work part time, the experiential requirement can stretch over three years. Compounding this challenge, some lawyers have resisted signing off on their paralegals’ hours for LLLT certification because of opposition to the LLLT program.¹⁷³ Other attorneys have avoided hiring paralegals who want to become LLLTs.¹⁷⁴ Perhaps the Washington Supreme Court recognized this burden when it chose to lower the number of experience hours to 1,500 as part of the sunseting process.¹⁷⁵ In addition, the LLLT Board and other stakeholders argued that the experiential-requirement waiver available for experienced paralegals should be a permanent fixture of the program.¹⁷⁶

Some LLLTs see benefits to the robust experiential requirement. LLLTs commented that the practical

experience requirement “provided them with valuable networking experience and opportunities to learn more about strategies for running a business.”¹⁷⁷

Many of the early LLLTs thought the experience requirement was about right, but would recommend a subset of the hours be practice-area specific.¹⁷⁸ Other LLLTs recommended a scaled approach, whereby candidates with an associate’s degree complete more experiential hours than candidates with a bachelor’s degree.¹⁷⁹

Cost was also a barrier for candidates. The typical cost to become an LLLT was about \$15,000. While significantly lower than the price tag for law school, the program had very little financial aid available for the practice-area curriculum for the first four years, which made completing the program dependent on having the money to invest in pursuing the license. The LLLT Board reported in 2016 that “[t]he lack of financial aid appears to be the largest barrier to students in continuing their education as they transition from the core curriculum at the community college level to the practice area curriculum at the law school level.”¹⁸⁰

Practice Area Curriculum

The LLLT Board faced challenges in finding a stable and cost-effective home for the practice area curriculum. The fifteen-credit practice area component was developed and taught by instructors at all three Washington law schools, but it was initially housed at the University of Washington School of Law. A preliminary evaluation of the LLLT program identified the year of training at the University of Washington as the most significant bottleneck in the process of scaling up the program.¹⁸¹ The evaluation noted that it was unclear whether the university would be able to staff the program as the cohort size grew.¹⁸² The University of Washington stopped hosting the program at the law school in fall 2019 because of budgetary concerns.

Subsequently, the LLLT Board approached the WSBA about building an online LLLT education platform. The WSBA declined, despite the fact that the proposal would have generated at least \$15,000 a year in revenue for the Bar.¹⁸³

Instead, current cohorts are taking practice area classes at a community college.¹⁸⁴ Because the practice area education was designed as a “curriculum in a box” to be used at multiple educational institutions, the program was easily able to shift to the community college setting.¹⁸⁵ In fact, instructors were able to begin curriculum only one month after reaching an agreement to host the practice area curriculum at Whatcom Community

College.¹⁸⁶ Ultimately, community college has provided a stable home for the practice area curriculum. Some of the same professors teach the classes as taught the course when it was provided at UW School of Law, and the courses are offered remotely and at a lower price to students.

In the end, the community-college setting provided several advantages to the program. Students are able to access some financial support that was not

available at the university to reduce the price tag. The program was able to raise its profile by recruiting directly from the community college's paralegal program. The program also benefitted the community college by expanding its curriculum and opening up a new career path to community college students. These benefits were not considered in the sunset decision. In fact, community college leaders were not contacted prior to the decision to sunset the program.



SUNSET DECISION

On April 22, 2020, the chair of the LLLT Board, Steve Crossland, sent a report to the Washington Supreme Court about the program. The report included a recommendation that the program be expanded into two new practice areas, as well as a business plan for raising more revenue to cover program's costs. On May 12, 2020, the WSBA Treasurer Daniel Clark sent a letter to the Supreme Court following up on a discussion about the LLLT program that day before the Court. The letter expressed serious concern about “clear deficiencies in the LLLT Board’s current proposed business plan and request for expansion.” Clark repeatedly mentioned the “continued subsidization” of the program by WSBA’s attorney membership.

The role of the WSBA Treasurer here is ambiguous. Did the Treasurer represent the WSBA’s position? It would be strange if not, and yet it is strange that the Treasurer – and not the WSBA President – was the author and sole signatory. And did the Treasurer speak for of the WSBA as professional association or regulatory agency? The language about WSBA “members” having to “subsidize” the LLLTs certainly sounds like a professional association, but the WSBA is also (and most relevant here) the regulatory agency that administers the LLLT program.¹⁸⁷

Either way, the Court was convinced. On June 5, 2020, the Washington Supreme Court wrote that “after careful consideration of the overall costs of sustaining the program and the small number of interested individuals, a majority of the court determined that the LLLT program is not an effective way to meet” the needs of Washington residents who cannot afford a lawyer.¹⁸⁸

Two dimensions of the political and institutional context in Washington are particularly important to understanding the sunseting decision. First,

Washington has a “unified” bar where the regulatory agency and professional association are combined in one organization. Although the intent of the program was to be self-sustaining eventually, the outrage from some lawyers about having to “subsidize” the perceived competition misunderstands the Bar’s role. As a regulatory agency, it is “part of the judicial branch,” and charged with regulating legal professionals in a way that best serves the public, not lawyers.¹⁸⁹

Lawyers complaining about the “subsidy” seem to be thinking of their annual payment as simply trade-association dues when it is also a fee to fund the government function of regulating legal services in the public interest. At the same time, the Court’s original order establishing the program expressed confidence that there would be a “fee-based system” for licensing and regulating legal technicians that would be “cost-neutral to the WSBA and its membership.”¹⁹⁰ And Justice Susan Owens’ dissent to the creation of the program specifically objected to “the significant start up costs which the court order requires the WSBA to pay.”¹⁹¹

Second, the LLLT program was disadvantaged by structural issues related to the Washington Supreme Court. Unlike states like Utah and Arizona who have recently launched similar paraprofessional programs, the Supreme Court Justices in Washington are elected, not appointed.¹⁹² Justices facing competitive races rely on lawyers for campaign contributions. Some lawyers have expressed concern that legal technicians will encroach on their territory with lower-cost alternatives, ignoring that lawyers and legal technicians serve vastly different populations. So it is unsurprising, if disappointing, that elected justices seem to have prioritized the interests of lawyers over consumers.

Administrative Process

The Court's decision to bypass standard administrative process in making the sunseting decision was unfortunate. State supreme courts are adept at deciding disputes between a limited number of parties according to an established judicial process. But on policy decisions like this, the Washington Supreme Court acts not as a court deciding a dispute but rather in its role as the regulatory agency overseeing the legal services market: deciding the parameters of legal services.

Administrative law rests on the fundamental tenet that regulatory agencies follow a transparent process when making policy decisions. Such a process gives all stakeholders the opportunity to weigh in and provide evidence on the costs and benefits of a particular policy decision. Following the comment period, the agency provides reasons supported by evidence for its decision – a practice critical to both the legitimacy and soundness of the decision.¹⁹⁴ Providing a standard and open process bolsters legitimacy by reducing concerns that the regulator will base its decision solely on input from lobbyists and campaign contributors. The stated evidence and reasoning must stand on its own, and can be evaluated as such.

Notice and comment is particularly important where concentrated interest groups have an incentive and ability to guide a regulator towards a particular outcome. In fact, legal services regulation is a classic example of an administrative decision subject to what political scientists call “agency capture.” This can happen when “the diffuse public is limited in its capacity to affect public decisions through the public political process, while concentrated interest groups possess an unequalled ability to ‘capture’ lawmakers and regulators and steer them to shape public policy that favors narrow special interests at the expense of the broad public interest.”¹⁹⁵ Additionally, administrative law doctrine

also recognizes that abrupt changes in policy – like this one – particularly require a “reasoned explanation . . . for disregarding facts and circumstances that underlay or were engendered by the prior policy.”¹⁹⁶

“There was no process. No questions. No comments. The public was not consulted . . . In no other professional area would a regulated license be so summarily erased with so little thought given to those who will be most affected.”

- Justice Barbara Madsen

Despite the fact that the program took over a decade to build with input from many stakeholders, the court decided unilaterally to rescind the program in an afternoon. Justice Madsen's dissent reveals the surprising lack of administrative process: “There was no process. No questions. No comments. The public was not consulted . . . In no other professional area would a regulated license be so summarily erased with so little thought given to those who will be most affected.”¹⁹⁷

Stakeholders worry that this lack of process means that the court failed to fully take into account the views of LLLT clients, students in the LLLT pipeline, community colleges that host LLLT curriculum, and LLLTs themselves. And to the extent the Washington Supreme Court simply followed the recommendation of the WSBA's Treasurer without any process, it raises questions about whether the Court is really practicing “active supervision” over the bar as required by the U.S. Supreme Court's antitrust doctrine.¹⁹⁸

This remainder of this section discusses the court's stated reasons – the size and cost of the program – for the sunseting decision.

Small Size

Although the court attributed the small number of licensees to lack of interest in the LLLT program, the program's stringent requirements, lack of marketing, and insufficient time to complete the program may have also impacted the size of the program.

HOW BIG IS THE LLLT PROGRAM?

- **46** LLLTs have active licenses.
- **17** LLLT candidates took the most recent bar exam.
- Over **40** candidates are enrolled in the practice area courses.
- Over **150** candidates were enrolled in core curriculum courses prior to the sunset decision.

As discussed above, the significant number of experiential hours, and the lack of financial aid for the practice area component may have discouraged some potential applicants. Similarly, the limited practice area may have deterred others. Had the court expanded practice areas or reduced the experiential requirement to 1,500 hours before sunseting the program, the program likely would have received more interest.

Sunseting the program after only five years meant many students barely had time to complete the licensure process. In an ideal scenario, an individual who heard about the program in 2015 when the first LLLT licenses were issued and who could work on the program full-time would take

about five years to complete the requirements. That student would need two years to complete an associate degree along with forty-five credits of paralegal courses – if the courses aligned perfectly. They would then need to take the year-long practice area curriculum, and complete a year and a half of experiential work. The candidate would also need to study for and complete the three required exams, at which point they may have been working on becoming an LLLT for over five years. More realistically, many LLLT applicants complete their education while working part- or full-time. This is particularly true because about 53% of current LLLT practice area candidates are over 40 years old, meaning many split time between studying and working or raising a family. For many of these candidates, the time to complete the program requirements could extend well beyond five years. Thus, the current number of LLLTs may not reflect the full interest in the program.

HOW LONG IS THE LLLT PROGRAM?

- **2 years** to complete an associate degree.
- **1 year** to complete the practice area curriculum.
- **1.5 years** of experiential work.
- Additional 1-3 years if completing the program part-time.

Despite the program's rigorous requirements, over 200 students were in the LLLT pipeline when the court chose to sunset the program. And interest

was increasing. About twice as many applicants sat for the February 2021 exam as for recent past exams, and between 40-56 candidates will be eligible for the next exam, more than double the participation in the February 2021 exam.¹⁹⁹ In all, the LLLT Board projects that the number of licensed LLLTs could nearly double by July 2022.²⁰⁰

"Not enough people were recruited to support this program as something that would be good for the profession as a whole and good for society."

- Washington Attorney

Lack of marketing may have also hampered the program. Initially, the LLLT Board shied away from aggressive advertising to avoid over-promoting the LLLT program before it was firmly established.²⁰¹

Once the Board was ready to increase outreach, it was limited by its budget – only \$3,000 to cover outreach to potential LLLTs and the legal community, and to increase public awareness of the availability of LLLTs.²⁰² As a result, potential

LLLT candidates were unlikely to hear about the program unless they were already steeped in the Washington legal community. Seen this way, just under 50 licensees after five years of the program might be a reasonable outcome. Indeed, it is not clear there were projections at the outset that one could use to say how the program did relative to expectations.

LLLT and client experiences reflect the challenges associated with limited outreach. One LLLT described it as random luck that she heard about the program while helping a co-worker stay organized at a settlement conference.²⁰³ A client said that “[i]t was a total fluke that I found out about the LLLT program” and that “it should really be more advertised.”²⁰⁴ Increased marketing may have assisted the program in growing more rapidly. And of course, the WSBA did not invest in selling the program to attorneys.²⁰⁵

"It was a total fluke that I found out about the LLLT program . . . it should really be more advertised."

- LLLT Client

Cost Rationale

Justice Madsen critiqued the Court's cost rationale as "hollow," suggesting that the fiscal justification deserves greater scrutiny.²⁰⁶ A closer look suggests that the LLLT Board outlined reasonable expectations for growth to reach self-sufficiency by 2029, but the WSBA Treasurer took advantage of a lack of clarity on a date for achieving sustainability to argue the program failed to become self-sustaining quickly enough.

What constitutes a reasonable period of time to achieve cost neutrality?

The Supreme Court never made clear when exactly the program should become fully cost-neutral. The original recommendation to establish the program from the Court's Practice of Law Board required the program to be "financially self-supporting within a reasonable period of time."²⁰⁷ But no one ever articulated what qualified as a "reasonable period of time" for an unprecedented access to justice project to become self-sustaining. In the absence of clear expectations for "a reasonable period of time" to achieve self-sufficiency, some lawyers opposed to the program understandably seized on this issue.

And the Supreme Court may have limited its flexibility by using very strong language about the LLLT program being cost-neutral in its initial order creating the program. The order responded to concerns that attorneys would be asked to "underwrite the costs of regulating non-attorney limited license legal technicians against whom they are now in competition for market share" by saying bluntly "[t]his will not happen." Given the lack of clear expectations around "a reasonable period of time," we are unsure why a majority of the Court settled on five years. If the Court was guilty of overpromising or a lack of clarity on self-sufficiency in its initial order, people of modest means seeking legal help ought not bear the burden.

This is particularly true given the Court's role in slowing the LLLT program's growth. The LLLT Board has submitted four separate proposals for new practice areas that would allow the program to reach complete self-sufficiency.²⁰⁸ The Court has rejected every proposal despite the potential revenue gains for the program. For example, when the LLLT Board proposed new practice areas in 2020, they projected that if the Court accepted just one of their proposals the program would collect over \$27,000 per year more in licensing and new admittee fees by 2029 on top of the projected \$78,000 for family law LLLTs.²⁰⁹

BUDGET FACTS

- The LLLT program uses **<1%** of the total annual WSBA budget.
- It costs **\$7 per lawyer** per year to administer the LLLT program.
- LLLT revenue is projected to fully cover all program expenses by **2029**.

Further, some stakeholders questioned whether self-sufficiency was an appropriate goal for an access to justice program in the first place.²¹⁰ The total net cost of creating and maintaining the LLLT program from 2013 to 2019 was about \$1.3 million, including both direct and indirect costs.²¹¹ The Bar's Treasurer argued that it was unfair for Bar members, who include LLLTs, to subsidize the LLLT program.²¹² But at less than \$200,000 per year, the subsidy represents less than one percent of the WSBA's total expenses paid from the general fund over the same period of time.²¹³

And the “tremendously unfair” subsidy amounts to *just \$7 per attorney per year*.²¹⁴ Nevertheless, the LLLT Board projected that the program would generate enough revenue to cover WSBA’s direct costs for administering the program by 2022 and to cover all costs of administering the program by 2029.²¹⁵

The LLLT Board projected reasonable program growth.

The LLLT Board’s model assumed a reasonable annual growth in licensees – an average of 23% yearly growth in the program across the next ten years, leading to more than 200 licensees by 2030.²¹⁶ This level of growth was based on the Washington Supreme Court adopting two additional practice areas – each driving an additional 5% in growth – and reducing the experiential requirement to 1,500 hours.²¹⁷ Given the level of growth over the past few years, the assumed level of growth seems quite realistic.²¹⁸ And this level of growth would provide more than \$200,000 in revenue by 2029 – exactly what was discussed at the outset of the program.²¹⁹

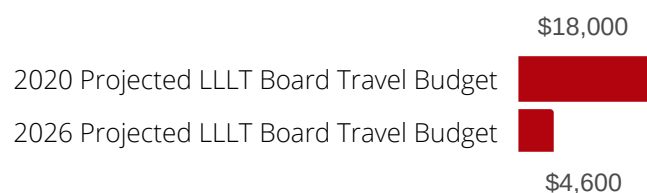
The only issue is whether it was “reasonable” that it would take nearly fifteen years to achieve self-sufficiency, or whether five years is the outer limit of reasonableness in this context.

The LLLT Board’s plan for growth by adding administrative practice seems particularly promising. Chief Administrative Law Judge Lee stated that the Office of Administrative Hearing receives approximately 50,000 requests for administrative hearings a year.²²⁰ Many of these are for unemployment or other government benefits, and over 7,500 of those hearings involve child support disputes – an area of law with which many LLLTs are already familiar.²²¹ The potential for growth – in an area frequently underserved by

attorneys – is enormous. And data suggests LLLTs are eager to expand to a new practice area. A December 2019 survey of LLLTs found that 74% were either definitely or possibly interested in another practice area.²²² Thus the LLLT Board’s projection that 70% of active LLLTs would become licensed in a second practice area within three years seems reasonable.²²³

Just as the Board predicted reasonable growth, it reasonably expected expenses were declining. The LLLT Board spent the majority of its budget on start-up costs. For instance, much of the Board’s direct costs consisted of paying for LLLT Board members’ travel to and from Board meetings in Seattle. Because the program is now established, the LLLT Board forecasted fewer costs and more revenue from new LLLTs in the future. For instance, by 2026, the LLLT Board estimated spending on \$4,600 on LLLT Board travel – down from a projected budget for the Board of \$18,000 in 2020.²²⁴ For reference, \$4,600 would cover one in-person meeting per quarter.²²⁵ This number could be further reduced by holding all meetings virtually.

PROJECTED LLLT BOARD TRAVEL BUDGET

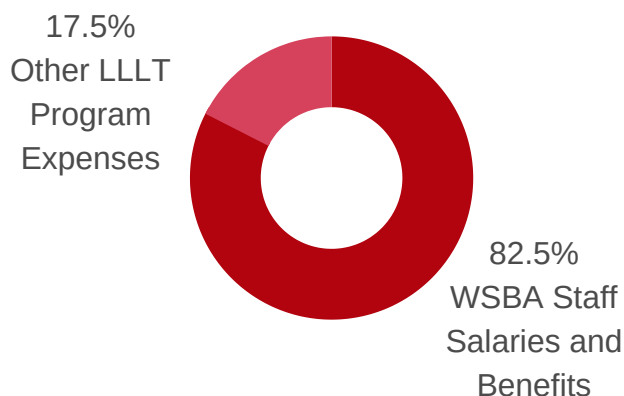


Of course, reasonable growth would depend, in part, on the Court’s actions. The LLLT Board’s model assumed that the Court would permanently extend the experiential waiver and present 1,500-hour experiential requirement.²²⁶ The Board also assumed that Court would expand the program to two additional practice areas.²²⁷

Housing the LLLT program at the WSBA may have hampered growth.

The overwhelming majority of the LLLT budget pays for the WSBA staff time spent administering the program. Over the life of the program, this was 82.5% of the LLLT program budget, which pays for the equivalent of between 1 and 1.5 full-time employees. Though there is one main staff liaison for the program, that person and other WSBA staff split their time among various WSBA programs. In practice, the volunteer LLLT Board is primarily responsible for administering the program with the help of WSBA staff. There is nothing in the record to suggest that the Court or WSBA explored the option of using less staff time – and leaning more on the LLLT Board and other volunteers – until the revenue from licensing and exam fees increased.

BREAKDOWN OF LLLT PROGRAM EXPENSES



Even though a large portion of the LLLT budget went to WSBA staff salaries, the WSBA continued to make decisions that slowed the program's self-sufficiency. At the outset, the Board elected not to

pursue outside funding. Later, when the LLLT Board proposed that the WSBA create an LLLT fund to enable the LLLT Board to seek contributions from potential donors and grantors, the WSBA denied the proposal.²²⁸ As already discussed, decisions to refuse to permit the LLLT Board to use WSBA technology for the practice area curriculum and the lack of investment in widespread advertising may have also reduced the number of LLLT applicants, thus diminishing revenue and hampering the program's self-sufficiency.

"The program didn't get enough of a chance. It was like a start-up company that was undercapitalized from the start. They never got enough buy-in from the profession to get a good start."

- Washington Attorney

One LLLT offered an apt analogy to evaluate the cost rationale offered by the Court: Critiquing the cost of the LLLT program at this stage is like critiquing the cost of a subdivision intended for 100 houses where the builders lay down the water line, the power lines, and other infrastructure, then build only five houses, divide the cost among the five houses, and find that the subdivision is too expensive.²²⁹ Put simply, the program was never allowed to grow to a size to benefit from economies of scale.



CONCLUSION

Key Takeaways for Other States Considering LLLT-Style Programs

As the considerable benefits of the program continue to emerge, perhaps the majority of the Washington Supreme Court will reconsider its decision not to allow additional licensees. Even if they do not, there are important lessons for policymakers in other states from Washington's experience.

- **Expect that ramping up enrollment in the program will take several years.** Recognize that more onerous education and experiential requirements mean that the program may take more time to grow to a robust size.
- **Consider setting the experiential requirement at 1,000-1,500 hours concentrated in the given practice area.** Many other states use 1,500 as a benchmark, and the Washington Supreme Court reduced the required number of hours to 1,500 as part of the sunseting decision. New lawyers, of course, are allowed to practice with zero hours of experience in a practice area, and their education is often less relevant to practice than that of LLLTs.
- **Implement a permanent waiver for experienced paralegals** to allow individuals with significant legal experience to easily make the transition to the paraprofessional role.
- **Set aside resources to advertise the program** to the public and promote the program among potential candidates.
- **Promote buy-in among the attorney community.** Explain efficiency benefits of LLLTs to judges. Discuss with attorneys who practice in the relevant area how they can use LLLTs to expand their practice to capture a larger market share.
- **Consider seeking funding from outside of the state bar** to reduce reliance on the bar. Grants or corporate sponsorships may assist in funding the program.
- **Expect reasonable start-up costs** and that the program will require financial support from the bar or other sources before become self-sustaining.

FOOTNOTES

* Jason Solomon is the Executive Director of the Stanford Center on the Legal Profession. Noelle A. Smith is a third year student at Stanford Law School and a research assistant for the Center.

¹ See *Rule of Law Index*, WORLD JUST. PROJECT, <https://worldjusticeproject.org/rule-of-law-index/country/2020/United%20States/Civil%20Justice/> (last accessed April 21, 2021) (listing the U.S. at 109th out of 128 countries for the factor “people can access and afford civil justice”).

² *Id.*

³ Krista A. Hess, *The Broad Reach of Limited Scope Representation: A Pathway to Access to Justice*, 39 W. NEW ENG. L. REV. 263, 277 (2017).

⁴ *Id.*

⁵ Brooks Holland, *The Washington State Limited License Legal Technician Practice Rule: A National First in Access to Justice*, 82 MISS. L.J. SUPRA 75, 79 (2013).

⁶ CIV. LEGAL NEEDS STUDY UPDATE COMM., WASH. STATE SUP. CT., Civil Legal Needs Study Update 15 (2015); Robert Ambrogio, *Washington State Moves Around UPL, Using Legal Technicians to Help Close the Justice Gap*, ABA J., Jan. 1, 2015.

⁷ CIV. LEGAL NEEDS STUDY UPDATE COMM., *supra* note 6, at 16.

⁸ NATALIE ANNE KNOWLTON ET AL., INST. FOR THE ADVANCEMENT OF THE AM. LEGAL SYS., CASES WITHOUT COUNSEL: RESEARCH ON EXPERIENCES OF SELF-REPRESENTATION IN U.S. FAMILY COURT 1 (2016), https://iaals.du.edu/sites/default/files/documents/publications/cases_without_counsel_research_report.pdf (citing TASK FORCE ON SELF-REPRESENTED LITIGANTS, JUD. COUNCIL OF CAL., IMPLEMENTATION TASK FORCE: FINAL REPORT 2-3 (2014)) (discussing the rise in self-representation in various states over the last 30 years); Marsha M. Mansfield, *Litigation Without Lawyers: Measuring Success in Family Court*, 67 HASTINGS L.J. 1389, 1391 (2016).

⁹ KNOWLTON ET AL., *supra* note 8, at 12-14.

¹⁰ KNOWLTON ET AL., *supra* note 8, at 2.

¹¹ THOMAS M. CLARKE, NAT’L CTR. FOR STATE CTS., PRELIMINARY EVALUATION OF THE WASHINGTON STATE LIMITED LICENSE LEGAL TECHNICIAN PROGRAM 5 (2017).

¹² DEBORAH L. RHODE, THE TROUBLE WITH LAWYERS 47-51 (2015).

¹³ Annemarie E. Bonkalo, *Family Legal Services Review*, MINISTRY OF THE ATT’Y GEN. (Dec. 31, 2016), https://www.attorneygeneral.jus.gov.on.ca/english/about/pubs/family_legal_services_review/#_Toc469667352. One existing analog is legal document assistants, which exist in Arizona, California and other states, but they are limiting to assisting clients in filling out forms. See, e.g., *Legal Document Preparer Program*, ARIZ. JUD. BRANCH, <https://www.azcourts.gov/cld/Legal-Documents-Preparer-Program>; *What Is a Legal Document Assistant?*, CAL. ASS’N OF LEGAL DOCUMENT ASSISTANTS, [https://calda.org/What-is-a-Legal-Documents-Assistant-\(LDA\)](https://calda.org/What-is-a-Legal-Documents-Assistant-(LDA)); FLA. ASS’N OF LEGAL DOCUMENT PREPARERS, <https://www.faldp.org/>.

¹⁴ CLARKE, *supra* note 11, at 15.

¹⁵ Letter from Mary E. Fairhurst, C.J., Wash. State Sup. Ct., to Stephen Crossland, Chair, LLLT Board (Apr. 3, 2017).

¹⁶ *Id.*

¹⁷ Washington Supreme Court Order No. 25700-A-1258, IN THE MATTER OF PROPOSED AMENDMENTS TO APR 28 (May 1, 2019).

¹⁸ *Id.* (González, J., dissenting).

¹⁹ Letter from Mary E. Fairhurst, C.J., Wash. State Sup. Ct., to Wash. State Bar Bd. of Governors (Sept. 21, 2018), available at <https://www.courts.wa.gov/content/publicUpload/Communications/SupremeCourtLettertoWSBA092118.pdf>.

²⁰ Letter from Eileen Farley and Hunter Abell, to Mary E. Fairhurst, C.J., Wash. State Sup. Ct. (Aug. 28, 2019), available at https://www.wsba.org/docs/default-source/legal-community/committees/bar-structure-work-group/wsba-work-group---minority-report-final-2.pdf?sfvrsn=d0710df1_0.

²¹ Letter from Mary E. Fairhurst, C.J., Wash. State Sup. Ct., to Wash. State Bar Bd. of Governors (Sept. 25, 2019), available at https://www.wsba.org/docs/default-source/legal-community/committees/bar-structure-work-group/9-25-19-executive-director-and-wsba-bog-re-court-decision-on-work-group-recommendations.pdf?sfvrsn=7f3e0df1_0.

²² Justice Johnson, also part of the May 2019 majority to expand the LLLTs’ roles, shifted and supported sunseting as well.

²³ Stephen R. Crossland, *The Evolution of Washington’s Limited License Legal Technician Rule*, BAR EXAM’R, June 2014, at 23.

²⁴ STEVE CROSSLAND, PAULA LITTLEWOOD & ELLEN REED, REPORT OF THE LIMITED LICENSE LEGAL TECHNICIAN BOARD TO THE WASHINGTON SUPREME COURT: THE FIRST THREE YEARS 56 (2016).

²⁵ CLARKE, *supra* note 11, at 6; Letter from Debra L. Stephens, C.J., Wash. State Sup. Ct., to Stephen R. Crossland, Chair, LLLT Board, Rajeev Majumdar, Pres., Wash. State Bar Assoc. & Terra Nevitt, Exec. Dir., Wash. State Bar Assoc. (July 9, 2020).

- ²⁶ CLARKE, *supra* note 11, at 6; CROSSLAND, LITTLEWOOD & REED, *supra* note 24 (see attached slides).
- ²⁷ Interview with University of Washington Law Professor, Mar. 30, 2021.
- ²⁸ CLARKE, *supra* note 11, at 7.
- ²⁹ CROSSLAND, LITTLEWOOD & REED, *supra* note 24, at 15, 25.
- ³⁰ Washington State Court Rules: Admission and Practice Rule 28(H)(5).
- ³¹ *Id.* 28(F).
- ³² *Id.* 28 Reg. 2(B)(2)(h); Washington Supreme Court Order No. 25700-A-1258, *supra* note 17.
- ³³ Washington State Court Rules: Admission and Practice Rule (F)(13). The client must give written consent defining the parameters of the negotiation prior to the onset of the negotiation.
- ³⁴ CLARKE, *supra* note 11, at 9.
- ³⁵ LLLT CLIENT SATISFACTION TESTIMONIALS 1 (2017) (on file with author).
- ³⁶ *Id.* at 2.
- ³⁷ Interview with Steve Crossland, Jan. 26, 2021.
- ³⁸ CLARKE, *supra* note 11, at 9.
- ³⁹ LLLT CLIENT SATISFACTION TESTIMONIALS, *supra* note 35, at 3.
- ⁴⁰ *Id.*
- ⁴¹ *Id.* at 7.
- ⁴² *Id.* at 4.
- ⁴³ CLARKE, *supra* note 11, at 9.
- ⁴⁴ LLLT CLIENT SATISFACTION TESTIMONIALS, *supra* note 35, at 1.
- ⁴⁵ Interview with LLLT Client, April 5, 2021.
- ⁴⁶ *Id.*
- ⁴⁷ LLLT CLIENT SATISFACTION TESTIMONIALS, *supra* note 35, at 2.
- ⁴⁸ Joshua Robinson, Reviews of Genesis Law Firm, PLLC, GOOGLE REVIEWS.
- ⁴⁹ Interview with LLLT Client, Feb. 18, 2021.
- ⁵⁰ *Id.*
- ⁵¹ Interview with LLLT, Jan. 22, 2021; Interview with LLLT, Jan. 29 2021.
- ⁵² Karen Mathieu, Reviews of Genesis Law Firm, PLLC, GOOGLE REVIEWS.
- ⁵³ Interview with Attorney, Feb. 3, 2021; Interview with Attorney, Apr. 2, 2021.
- ⁵⁴ Interview with Attorney, Feb. 3, 2021.
- ⁵⁵ *Id.*
- ⁵⁶ Interview with University of Washington Law Professor, Feb. 26, 2021.
- ⁵⁷ Interview with Attorney, Apr. 6, 2021.
- ⁵⁸ *Id.*
- ⁵⁹ *Id.*
- ⁶⁰ Interview with Non-Profit Executive Director, Mar. 1, 2021.
- ⁶¹ *Id.*
- ⁶² *Id.*
- ⁶³ *Id.*
- ⁶⁴ Letter from Genissa Richardson, Licensed Legal Intern, LAW Advocates, to JJ. of the Wash. State Sup. Ct. 2 (Sept. 9, 2018), available at https://www.courts.wa.gov/court_Rules/proposed/2018Jun/Prpsd%20Chngs-APR%2028%20and%20APR%2028%20Appendix%20Regs%20%20and%203/Genissa%20Richardson%20-%20APR%2028.pdf.
- ⁶⁵ Interview with Federal Judge, Mar. 1, 2021.
- ⁶⁶ Interview with Family Law Commissioner, Feb. 23, 2021.
- ⁶⁷ *Id.*
- ⁶⁸ Interview with LLLT, Feb. 24, 2021.
- ⁶⁹ Interview with Family Law Judge, Feb. 18, 2021.
- ⁷⁰ *Id.*
- ⁷¹ Interview with Family Law Commissioner, Feb. 19, 2021; Interview with Family Law Commissioner, Feb. 23, 2021.
- ⁷² Interview with Family Law Commissioner, Feb. 19, 2021.
- ⁷³ Interview with Family Law Judge, Feb. 18, 2021.
- ⁷⁴ *Id.*
- ⁷⁵ *Id.*
- ⁷⁶ *Id.*

- ⁷⁷ Interview with Family Law Commissioner, Feb. 19, 2021.
- ⁷⁸ *Id.*; Interview with Family Law Commissioner, Feb. 23, 2021.
- ⁷⁹ Interview with Family Law Commissioner, Feb. 19, 2021.
- ⁸⁰ Interview with Family Law Commissioner, Feb. 23, 2021.
- ⁸¹ Interview with Family Law Commissioner, Feb. 19, 2021.
- ⁸² Interview with Family Law Judge, Feb. 18, 2021.
- ⁸³ *Id.*
- ⁸⁴ *Id.*
- ⁸⁵ *Id.*
- ⁸⁶ Remarks at Feb. 26, 2021 meeting of the California Paraprofessional Working Group.
- ⁸⁷ *Legal Directory*, WASH. ST. BAR ASS'N, <https://www.mywsba.org/PersonifyEbusiness/default.aspx?TabID=1536&ShowSearchResults=TRUE&LicenseType=LLLT> (last visited Feb. 21, 2021).
- ⁸⁸ STEPHEN R. CROSSLAND, REPORT OF THE LIMITED LICENSE LEGAL TECHNICIAN BOARD TO THE WASHINGTON SUPREME COURT: THE CHALLENGES OF BEING FIRST IN THE NATION 4 (2020).
- ⁸⁹ KNOWLTON ET AL., *supra* note 8, at 1; Mansfield, *supra* note 8, at 1391.
- ⁹⁰ Russell Engler, *And Justice For All—Including the Unrepresented Poor: Revisiting the Roles of the Judges, Mediators, and Clerks*, 67 FORDHAM L. REV. 1987, 2049 (1999).
- ⁹¹ KNOWLTON ET AL., *supra* note 8, at 12.
- ⁹² *Id.* at 14.
- ⁹³ Letter from Genissa Richardson, *supra* note 64 at 1.
- ⁹⁴ Interview with Non-Profit Executive Director, Mar. 1, 2021.
- ⁹⁵ LLLT CLIENT SATISFACTION TESTIMONIALS, *supra* note 35, at 2.
- ⁹⁶ Interview with LLLT, Jan. 29, 2021; Interview with LLLT, Feb. 1, 2021. *See also* LLLT BOARD REPORT TO WASHINGTON SUPREME COURT (Apr. 21, 2021) (attachment one) (showing in a survey of four LLLTs that 42% of LLLT clients fall between 200-400% of FPL and 30% of LLLT clients fall under 200% of FPL).
- ⁹⁷ Interview with LLLT, Feb. 1, 2021.
- ⁹⁸ Interview with LLLT, Jan. 29, 2021.
- ⁹⁹ *Id.*
- ¹⁰⁰ Letter from Stephen R. Crossland, Chair, LLLT Board, to JJ. of the Wash. State Sup. Ct. 1 (June 19, 2020).
- ¹⁰¹ 2021 LLLT BOARD REPORT TO WASHINGTON SUPREME COURT, *supra* note 96 (attachment one).
- ¹⁰² Interview with Family Law Commissioner, Feb. 19, 2021; Interview with LLLT, Apr. 1, 2021.
- ¹⁰³ Interview with Family Law Commissioner, Feb. 19, 2021.
- ¹⁰⁴ Interview with LLLT, Apr. 1, 2021.
- ¹⁰⁵ *Id.*
- ¹⁰⁶ *Id.*
- ¹⁰⁷ Interview with Family Law Commissioner, Feb. 19, 2021.
- ¹⁰⁸ *Id.*
- ¹⁰⁹ *Id.*
- ¹¹⁰ Interview with LLLT, Apr. 2, 2021.
- ¹¹¹ Nicole Schilling, Loosening a Legal Monopoly: Perspectives from Paraprofessional Pioneers 15 (May 16, 2018) (unpublished manuscript) (on file with author).
- ¹¹² Interview with LLLT, Apr. 8, 2021.
- ¹¹³ *Id.*
- ¹¹⁴ Schilling, *supra* note 112, at 15.
- ¹¹⁵ Interview with LLLT Client, Apr. 5, 2021.
- ¹¹⁶ Schilling, *supra* note 112, at 16.
- ¹¹⁷ LLLT CLIENT SATISFACTION TESTIMONIALS, *supra* note 35, at 6.
- ¹¹⁸ Interview with LLLT Client, Apr. 5, 2021.
- ¹¹⁹ Interview with LLLT, Apr. 2, 2021; Interview with Family Law Commissioner, Feb. 23, 2021.
- ¹²⁰ Interview with LLLT, Jan. 22, 2021.
- ¹²¹ Interview with LLLT, Jan. 29, 2021.
- ¹²² Interview with LLLT, Jan. 22, 2021.
- ¹²³ Interview with LLLT, Apr. 1, 2021; Interview with LLLT, Apr. 2, 2021; Interview with LLLT, Feb. 24, 2021.
- ¹²⁴ Interview with LLLT, Feb. 24, 2021.
- ¹²⁵ Interview with LLLT, Jan. 22, 2021; Interview with LLLT, Jan. 29, 2021.
- ¹²⁶ CROSSLAND, CHALLENGES OF BEING FIRST, *supra* note 88, at 4.

- ¹²⁷ Interview with LLLT, Feb. 1, 2021; Interview with Attorney, Feb. 3, 2021.
- ¹²⁸ Interview with Attorney, Feb. 3, 2021.
- ¹²⁹ *Id.*
- ¹³⁰ *Id.*
- ¹³¹ *Id.*
- ¹³² Scotti Hill, *Why Lawyers Should Embrace LPPs*, 34 UTAH. B.J. 44, 44 (2021).
- ¹³³ *Id.* at 45.
- ¹³⁴ *Id.* at 46.
- ¹³⁵ Interview with LLLT, Jan. 22, 2021.
- ¹³⁶ Interview with LLLT, Feb. 1, 2021.
- ¹³⁶ Interview with LLLT, Feb. 24, 2021.
- ¹³⁸ Interview with LLLT, Jan. 22, 2021.
- ¹³⁹ *Services Pricing*, MYLLLT.COM, <http://mylllt.com/about-mylllt/fees/> (last visited February 21, 2021).
- ¹⁴⁰ Interview with LLLT Client, Apr. 5, 2021.
- ¹⁴¹ *Id.*
- ¹⁴² *Id.*
- ¹⁴³ Interview with University of Washington Law Professor, Mar. 20, 2021. *See also* Holland, *supra* note 5 for a discussion of opposition to the LLLT program by WSBA members.
- ¹⁴⁴ Ambrogi, *supra* note 6.
- ¹⁴⁵ Lyle Moran, *How the Washington Supreme Court's LLLT Program Met Its Demise*, ABA J., July 9, 2020.
- ¹⁴⁶ Interview with Federal Judge, Mar. 1, 2021.
- ¹⁴⁷ Interview with Attorney, Apr. 2, 2021.
- ¹⁴⁸ Moran, *Demise*, *supra* note 145.
- ¹⁴⁹ STEPHEN R. CROSSLAND, LLLT BOARD ANNUAL REPORT TO THE COURT 4 (Apr. 22, 2020).
- ¹⁵⁰ *Id.* at 5.
- ¹⁵¹ Moran, *Demise*, *supra* note 145.
- ¹⁵² *Id.*
- ¹⁵³ Interview with University of Washington Law Professor, Mar. 20, 2021.
- ¹⁵⁴ Moran, *Demise*, *supra* note 145.
- ¹⁵⁵ Interview with Attorney, Apr. 2, 2021.
- ¹⁵⁶ CIV. LEGAL NEEDS STUDY UPDATE COMM., *supra* note 6, at 15.
- ¹⁵⁷ *See* Deborah Rhode, *Professional Integrity and Professional Regulation: Nonlawyer Practice and Nonlawyer Investment in Law Firms*, 39 HASTINGS INT'L & COMPARATIVE L. REV. 111, 115 (2016) (citing Richard Moorhead et al., *Contesting Professionalism: Legal Aid and Nonlawyers in England and Wales*, 37 L. & SOC'Y REV. 765, 785-87 (2003)); *id.* (citing Herbert Kritzer, LEGAL ADVOCACY: LAWYERS AND NONLAWYERS AT WORK (Univ. of Mich. Press 1998)); Deborah J. Cantrell, *The Obligation of Legal Aid Lawyers to Champion Practice by Nonlawyers*, 73 FORDHAM L. REV. 883, 888-90 (2004).
- ¹⁵⁸ CROSSLAND, 2020 ANNUAL REPORT, *supra* note 149, at 5.
- ¹⁵⁹ Interview with LLLT, Jan. 22, 2021.
- ¹⁶⁰ CROSSLAND, 2020 ANNUAL REPORT, *supra* note 149, at 5.
- ¹⁶¹ Moran, *Demise*, *supra* note 145.
- ¹⁶² Rules Governing the Utah State Bar 14-802(c); Moran, *Demise*, *supra* note 145.
- ¹⁶³ Interview with LLLT, Jan. 22, 2021.
- ¹⁶⁴ Interview with LLLT, Feb. 24, 2021; Interview with LLLT, Apr. 1, 2021.
- ¹⁶⁵ Moran, *Demise*, *supra* note 145.
- ¹⁶⁶ Letter from Mary E. Fairhurst, C.J., *supra* note 15.
- ¹⁶⁷ CROSSLAND, 2020 ANNUAL REPORT, *supra* note 149, at 5. (citing Letter from Lorraine Lee, C. Admin. L.J., to Debra L. Stephens, C.J., Wash. State Sup. Ct. (March 20, 2020) ("I support the LLLT Board's proposal. It would promote access to administrative justice for Washingtonians by addressing some of the need for civil legal services noted in the 2015 Civil Legal Needs Study.")).
- ¹⁶⁸ Interview with LLLT, Apr. 2, 2021; Interview with Attorney, Apr. 2, 2021.
- ¹⁶⁹ CLARKE, *supra* note 11, at 9.
- ¹⁷⁰ *Id.*
- ¹⁷¹ Editorial, *Supreme Court Should Reinstate Low-Cost Legal-Assistance Program*, SEATTLE TIMES, Aug. 2, 2020.
- ¹⁷² CROSSLAND, 2020 ANNUAL REPORT, *supra* note 149, at 6 (noting that 1,500 experiential hours seems to be the most common requirement).

- ¹⁷³ *Id.*
- ¹⁷⁴ *Id.*
- ¹⁷⁵ Letter from Debra L. Stephens, *supra* note 25.
- ¹⁷⁶ CROSSLAND, LITTLEWOOD & REED, *supra* note 24, at 33.
- ¹⁷⁷ Andrea L. Miller, Paula Hannaford-Agor, and Kathryn Genthon, An Evaluation Framework for Allied Legal Professional Programs: Assessing Improvements in Access to Justice (National Center for State Courts 1st ed. 2021).
- ¹⁷⁸ CLARKE, *supra* note 11, at 9.
- ¹⁷⁹ Interview with LLLT, Jan. 22, 2021.
- ¹⁸⁰ CROSSLAND, LITTLEWOOD & REED, *supra* note 24, at 33.
- ¹⁸¹ CLARKE, *supra* note 11, at 3.
- ¹⁸² *Id.* at 7-8.
- ¹⁸³ CROSSLAND, 2020 ANNUAL REPORT, *supra* note 149, at 7.
- ¹⁸⁴ *Id.*
- ¹⁸⁵ Interview with LLLT, Apr. 2, 2021.
- ¹⁸⁶ *Id.*
- ¹⁸⁷ Indeed, its website refers to it as part of the judicial branch.
- ¹⁸⁸ Letter from Debra L. Stephens, C.J., Wash. State Sup. Ct., to Stephen R. Crossland, Chair, LLLT Board, Rajeev Majumdar, Pres., Wash. State Bar Assoc. & Terra Nevitt, Exec. Dir., Wash. State Bar Assoc. 1 (June 5, 2020).
- ¹⁸⁹ *History of the WSBA*, WASH. STATE BAR ASS'N, <https://www.wsba.org/about-wsba/who-we-are/history-of-the-wsba> (last updated Jan. 14, 2021).
- ¹⁹⁰ Washington Supreme Court Order No. 25700-A-1005, IN THE MATTER OF THE ADOPTION OF NEW APR 28 – LIMITED PRACTICE RULE FOR LIMITED LICENSE LEGAL TECHNICIANS (June 15, 2012).
- ¹⁹¹ *Id.* at n.2 (J. Owens, dissenting).
- ¹⁹² Note, however, that Justices in WA are appointed to vacancies in between elections.
- ¹⁹³ See Cary Coglianese, *Administrative Law in the Automated State*, DAEDALUS (forthcoming 2021) (manuscript at 8) (calling one of administrative law's "primary tenets" that "governmental processes should be transparent and susceptible to reason-giving").
- ¹⁹⁴ *Id.* at 12 ("Reasoned decision-making provides a basis for helping ensure that agencies both remain faithful to their democratic mandates and base their decisions on sound evidence and analysis.").
- ¹⁹⁵ Eyal Benvenisti and Amnon Morag, *Regulatory Capture and the Marginalized Majority: The Case for the Constitutional Protection of the Majority's Disposable Income*, 22 J. CONST. LAW 171, 173 (2019) (citing Mancur Olson, *The Logic of Collective Action: Public Goods and the Theory of Groups* (1965)).
- ¹⁹⁶ *FCC v. Fox*, 556 U.S. 502, 515-16 (2009).
- ¹⁹⁷ Letter from Barbara A. Madsen, J., Wash. State Sup. Ct., to Stephen R. Crossland, Chair, LLLT Board, Rajeev Majumdar, Pres., Wash. State Bar Assoc. & Terra Nevitt, Exec. Dir., Wash. State Bar Assoc. 3 (June 5, 2020).
- ¹⁹⁸ *North Carolina State Board of Dental Examiners v. Federal Trade Commission*, 574 U.S. 494, 506-07 (2015).
- ¹⁹⁹ 2021 LLLT BOARD REPORT TO WASHINGTON SUPREME COURT, *supra* note 96, at 1.
- ²⁰⁰ *Id.* at 4.
- ²⁰¹ Interview with Steve Crossland, Chair, LLLT Board, Jan. 26, 2021.
- ²⁰² CROSSLAND, 2020 ANNUAL REPORT, *supra* note 149, at 4.
- ²⁰³ Interview with LLLT, Jan. 22, 2021.
- ²⁰⁴ LLLT CLIENT SATISFACTION TESTIMONIALS, *supra* note 35, at 13.
- ²⁰⁵ Interview with Non-Profit Executive Director, Mar. 1, 2021.
- ²⁰⁶ Letter from Barbara A. Madsen, J., *supra* note 197, at 3.
- ²⁰⁷ General Rule (GR) 25, Practice of Law Board.
- ²⁰⁸ CROSSLAND, 2020 ANNUAL REPORT, *supra* note 149 (see attached proposals) (proposing administrative law and eviction and debt practice); Moran, *Demise*, *supra* note 145 (discussing elder law and health law proposals).
- ²⁰⁹ LLLT Board, Draft LLLT Business Plan (March 27, 2020) (on file with author).
- ²¹⁰ CROSSLAND, 2020 ANNUAL REPORT, *supra* note 149, at 2 n.1.
- ²¹¹ *Id.* (see attached slides).
- ²¹² Letter from Daniel D. Clark, Treas., Wash. State Bar Assoc., to Debra Stephens, C.J., Wash. State Sup. Ct. 3 (May 12, 2020).
- ²¹³ Letter from Barbara A. Madsen, *supra* note 197, at 3.
- ²¹⁴ Letter from Danial D. Clark, *supra* note 212, at 4 (arguing that the LLLT program "is unwise, improper, and most of all tremendously unfair to the members of the Washington State Bar Association")

²¹⁵ Lyle Moran, *Washington Supreme Court Sunsets Limited License Program for Nonlawyers*, ABA J., June 8, 2020. Direct expenses include costs such as LLLT Board travel, LLLT outreach, exam writing. Indirect expenses include WSBA staff salaries and benefits.

²¹⁶ Draft LLLT Business Plan, *supra* note 209.

²¹⁷ CROSSLAND, 2020 ANNUAL REPORT, *supra* note 149 (see attached slides).

²¹⁸ The LLLT Board's model assumed that each additional practice area would drive an additional 5% of growth. Draft LLLT Business Plan, *supra* note 209.

²¹⁹ The \$200,000/year figure is referenced in Justice Owens dissent from the original order.

²²⁰ CROSSLAND, 2020 ANNUAL REPORT, *supra* note 149, at 5. (citing Letter from Lorraine Lee, C. Admin. L.J., to Debra L. Stephens, C.J., Wash. State Sup. Ct. (March 20, 2020)).

²²¹ *Id.*

²²² Draft LLLT Business Plan, *supra* note 209.

²²³ *Id.*

²²⁴ *Id.*; WSBA Budget and Audit Committee Minutes 24 (Feb. 24, 2020), <https://www.wsba.org/docs/default-source/legal-community/committees/budget-and-audit-committee/final-materials.pdf#page=97>.

²²⁵ Draft LLLT Business Plan, *supra* note 209.

²²⁶ *Id.*

²²⁷ *Id.*

²²⁸ Letter from Stephen R. Crossland, Chair, LLLT Board, to Wash. State Bar Found. Bd. of Trs. (Mar. 13, 2020); Letter from Kristina Larry, Pres., Wash. State Bar Found. Bd. of Trs., to Stephen R. Crossland, Chair, LLLT Board (Apr. 10, 2020).

²²⁹ Statement of Sarah Bove to California Paraprofessional Program Working Group, Feb 26, 2021.



Comments on: Sunset of Limited License Legal Technician (“LLLT”) Program

Tom Gordon,
Executive Director

Comments to the
**Washington Supreme
Court**

Consumers for a Responsive Legal System (“Responsive Law”) thanks the Court for the opportunity to present these comments. Responsive Law is a national, nonprofit organization working to make the civil legal system more affordable, accessible, and accountable to its customers. In particular, we support policies that expand the range of legal services available to meet people’s legal needs. **Responsive Law urges the Court to reconsider its decision to end the LLLT program.**

Washington Has Fallen Behind Other States in Allowing Consumers Access to Lawyer Alternatives

April 29, 2021

When the Court launched the program in 2012, it was heralded as a model for the country in how to expand access to affordable legal help. In retrospect, the high barriers to entry and limits on practice for LLLTs guaranteed that only a small number of LLLTs would be licensed. By requiring LLLTs to take 45 credit hours of courses and have 3000 hours of attorney-supervised work just to qualify to perform a small set of tasks within family law, it’s little wonder that only a few dozen people have chosen to become LLLTs.

Meanwhile other states have moved forward with proposals for limited licenses that better calibrate license requirements with a demonstration of competence. Arizona has launched a Legal Practitioner (LP) program that allows prospective LPs to substitute work experience for course requirements. The program also will license LPs to practice cross multiple areas of law, and perform a wider range of services, including in-court representation. The State Bar of California Paraprofessional Program Working Group is considering a similar set of license requirements and allowable services.

Rather than abandon the idea of allowing consumers access to an affordable, competent alternative to lawyers, the Court

should have allowed the LLLT profession to more fully serve consumers by adopting reformed regulations that more closely mirror those enacted by Arizona and under consideration in California.

The Court's Decision Combines the Worst Elements of the Adjudicatory and Regulatory Mindsets

Although the main function of a state supreme court is to serve as the arbiter of last resort for disputes between parties, in most states they are also responsible for serving as the primary regulator of legal service delivery. Courts have varied in the degree to which they are able to pivot from an adjudicatory mindset to a regulatory mindset. Unfortunately, in this instance, the Court has taken the worst elements of both, leading it to a decision that harms those whom regulation is supposed to benefit.

Lack of Public Involvement and Transparency

Transparency and an opportunity for public comment are hallmarks of good government. The Court's decision to end LLLT licensure demonstrated neither of these attributes. Not only was there no opportunity for public comment as part of the Court's process of reaching the decision, but the Court quietly released the sunset order on a Friday afternoon, in a manner reminiscent of an executive branch official "taking out the trash" by releasing undesirable stories right before the weekend.

Ignoring Stare Decisis

Ironically, the Court ignored one part of the adjudicatory mindset that it should have honored: *stare decisis*. The public expects policies and regulations to change based on who holds office in the legislative and executive branches. However, the judicial branch is supposed to hold a greater respect for consistency, whatever the opinions of its individual members. The Court established LLLT licensure less than a decade ago; to reverse course after such a short time follows one of the worse examples of the political branches.

Money, Politics, and Judicial Recusal

Chief Justice wrote a sharp dissent from the Court's decision to slightly expand the LLLT scope of practice in 2019, and then voted to sunset in 2020.

In 2018, Justice Gonzalez was reelected in a contested election in which he raised the highest amount for a Washington Supreme Court Justice race in recent memory.¹ He held at least three fundraisers hosted by family lawyers during his 2018 campaign.²

If a member of the Court had one of her campaign donors appear before them in a contested case, she would—one hopes—recuse herself to avoid the appearance of impropriety. In contrast, members of the political branches do not usually recuse themselves from matters affecting their campaign donors. Unfortunately, Justice Gonzalez chose the less restrictive standard of lawmakers, rather than the standard he would have been required to follow had this been a contested case rather than a regulatory decision.

Individually, none of these three examples of an ill-suited mindset would necessarily call the Court's decision process into question (although the last of the three might). However, in combination, they diminish the public's confidence in the Court's decisions, not only in this matter, but overall. **We urge the Court to stay its order to sunset LLLT licensure pending an open process in which the public is given an opportunity to comment.**

¹ Justice Gonzalez raised and spent more money in a campaign cycle than any other candidate since at least 2010, according to Public Disclosure Commission data (<https://www.pdc.wa.gov/browse/campaign-explorer>, searched April 29, 2021).

² See, e.g., April Showers of Support for Justice Gonzalez, April 7, 2018 (reception hosted by Adrienne Stuart of Tacoma); Reception to Re-Elect Justice Gonzalez, April 18, 2018 (co-hosted by Dennis Cronin and Paul Mack of Spokane) available at <https://justicegonzalez.com/events/>; July 29, 2018 fundraiser for Justice Gonzalez (hosted by Dennis McGlothlin at his home), available at <https://twitter.com/dennislawyer?lang=en>. See also Retain Justice Montoya-Lewis, August 25, 2020 (co-hosted by Dennis McGlothlin and Shiki Izuka), available at <https://twitter.com/dennislawyer/status/1294288021882171393/photo/1>.

[seattletimes.com](https://www.seattletimes.com)

Sometimes a lawyer is overkill

April 15, 2021 at 3:02 pm Updated April 15, 2021 at 3:02 pm

3-4 minutes

Washingtonians should hope they never need the services of a Limited Legal License Technician (LLLT), but if they do, they should hope one is available. Unless the state Supreme Court has a change of heart, LLLTs are an endangered species.

LLLTs are trained legal professionals, a step up from paralegals. They aren't full-blown lawyers with the same extensive education, but they have learned specialized areas of the law and been tested on that knowledge. Think of them as akin to nurse practitioners in medicine. You'd want a doctor for surgery and a lawyer for a court case, but for a lot of run-of-the-mill stuff, the nurse practitioner or LLLT is plenty, and much more affordable.

Washington state [pioneered LLLTs](#) when the Supreme Court authorized them in 2012. Other states have created or are considering their own versions.

Since inception, though, the Supreme Court has offered little support for the fledgling program. LLLTs may work only in family law, for example. They have proposed expanding into elder care, health law, landlord/tenant issues, immigration and other practice areas, but the Supreme Court repeatedly rebuffs them.

By keeping their practice area so narrow, the legal establishment prevents the program from flourishing. Just as not every lawyer wants to practice family law, so too with potential LLLTs.

The limited scope also denies low-income residents and communities of color an affordable option in legal matters that don't wind up in court and don't require an expensive attorney. It would be better, for example, if a family facing eviction from a low-cost apartment could get some professional help filing paperwork.

The Washington State Bar Association and the state Supreme Court haven't been fans of LLLTs for a while. The reason offered is the high cost of the program and limited participation. Perhaps more realistically it's because every person who goes to an LLLT is lost billable hours for a lawyer.

Last summer, the Supreme Court, without any public input, voted to [sunset the LLLT program](#). Current LLLTs and those in the pipeline could continue, but there would be no new ones within a couple of years.

Now, that decision might not be final. The court has relented and at least is letting the public weigh in on the regulations that would enact the sunset. We encourage readers to do so. Tell justices that everyone should have access to affordable legal services. Tell them that in a lot of cases, a lawyer is overkill. Tell them to expand practice areas for LLLTs.

And tell them that, in [the words](#) of former Chief Justice Barbara Madsen, who was instrumental in creating the program, "The elimination of the LLLT license, which was created to address access to justice across income and race, is a step backward in this critical work. It is not the time for closing the doors to justice

but, instead, for opening them wider.”

Contact the Supreme Court at supreme@courts.wa.gov, and keep your comments to no more than 1,500 words.

The Seattle Times editorial board members are editorial page editor Kate Riley, Frank A. Blethen, Jennifer Hemmingsen, Mark Higgins, Derrick Nunnally and William K. Blethen (emeritus).

[seattletimes.com](https://www.seattletimes.com)

Legal services: Technician licenses help assure equity

April 23, 2021 at 1:45 pm

2 minutes

The editorial about the limited license legal technician program and criticism of the state Supreme Court to sunset that program was spot on [[“Sometimes a lawyer is overkill,”](#) April 15, Opinion].

The decision to abolish the law technician license is flawed. It is a step back from providing legal assistance for people of low or modest incomes.

I’ve practiced law for more than 40 years and can vouch for the fact that many people who need legal assistance don’t really need lawyers. They need someone to help navigate the court system, for example.

One reason for the high cost of lawyers is to recover the cost of legal education. A legal technician will not incur that cost. And, legal technicians will not be able to provide the full range of services a lawyer is able to provide.

The Supreme Court and the legal profession should embrace what the medical profession has known for years: that many services do not need to be performed by a doctor. Hence physician assistants, nurse practitioners and medical assistants.

One can easily imagine that if the court won't reverse its decision, the Legislature or the people, through initiative, will take on the task of assuring more equitable availability of legal services.

Kelby Fletcher, Seattle

[View](#)

LLLT Board Mission: To serve and protect the consuming public with qualified and regulated legal service providers at a price that they can afford.

Affordable Legal Services in Family Law by a Legal Technician

A limited license legal technician, also known as a legal technician or a LLLT, is licensed by the Washington Supreme Court to advise and assist people going through divorce, child custody, and other family law matters in Washington.

Legal technicians provide **limited legal services in family law** by consulting with and advising clients, completing and filing necessary court documents, and assisting pro se clients at certain types of hearings and settlement conferences. They also help with court scheduling and support clients in navigating the legal system. **LLLTs are well trained, experienced, and competent licensed legal professionals who may be able to provide you with the legal help you need.** If you cannot afford a lawyer, a legal technician might be an affordable option for your family law matter.

The following people request that the Washington Supreme Court Review and Reconsider their decision eliminating the LLLT Program. LLLT's assist in affordable legal assistance within Washington. Do not end the LLLT Program without discussion or public feedback. Keep justice affordable for all people, of all races, income and/or disability. The LLLT Program began because of the need in this state. Other states are now following in our footsteps. Please don't abandon our public or the need this will fulfill!

To the Washington Supreme Court Re: Limited License Legal Technicians (LLLT or triple LT)

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Major. Connie @ gmail, com

To the Washington Supreme Court Re: Limited License Legal Technicians (LLLT or triple LT)

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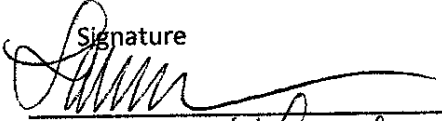

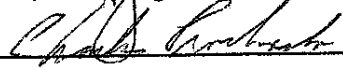


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Diane JORDAN		SNO	360 722-9588
Richard Blackwell		SNO	360 322-9510

To the Washington Supreme Court Re: Limited License Legal Technicians (LLLT or triple LT)

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To the Washington Supreme Court Re: Limited License Legal Technicians (LLLT or triple LT)

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Downa Alexander	<i>Downa Alexander</i>	Snohomish	Plant4u@aol.com
Rick Robinson	<i>Rick W. Robinson</i>	Island	my34pfxx@gmail.com

Recipient: Individuals

Letter: Greetings,

Washington Supreme Court Review/Reconsideration Comment Limited
License Legal Tech Program

Signatures

Name	Location	Date
Connie Major	US	2020-11-30
Tonyha Davies	Tacoma, WA	2020-11-30
Michelle Carlill	Lynnwood, WA	2020-11-30
Dianna Bryant	Puyallup, WA	2020-11-30
Breanna Nichols	Seattle, WA	2020-11-30
Shayla Maxey	Spokane, WA	2020-11-30
Cynthia Surber	Longview, WA	2020-12-01
Alicia DEGON	MUKILTEO, WA	2020-12-01
Crystal Chinzorig	Torrance, US	2020-12-01
Jordan Levan	Reno, US	2020-12-01
Angela Calavicci	Snohomish, WA	2020-12-01
Tanja Cook	Woodinville, WA	2020-12-01
Mabel Dominguez	Elizabeth, US	2020-12-01
Mitchel Miller	Bennett, US	2020-12-01
Adam Ducar	Denton, US	2020-12-01
Julie Knight	Camano Island, WA	2020-12-01
Ranae York	Yakima, WA	2020-12-01
David Levine	Bellevue, WA	2020-12-01
Debra Warden	Edmonds, WA	2020-12-01
Tina over	Mukilteo, WA	2020-12-01

Name	Location	Date
Rosalind Weller	Spokane, WA	2020-12-02
Olivia Schroder	Sedro Woolley, WA	2020-12-02
Charity Rotinski	Spokane, WA	2020-12-02
Melanie Gurr	Spokane, WA	2020-12-02
Veaney Martinez	Walla Walla, WA	2020-12-02
Krystina Williams	Bellingham, WA	2020-12-02
Vanesa Alvarado	Spokane, WA	2020-12-02
Shana Stewart	Longview, WA	2020-12-02
Brianna Harrington	Spokane, WA	2020-12-02
Michelle Hedge	Spokane, WA	2020-12-02
Michelle Sager	Bellingham, WA	2020-12-02
Jasmine Long	Columbus, US	2020-12-02
Ayanna Batchelor	Saint Cloud, US	2020-12-02
Grayden Doerr	Palo Alto, US	2020-12-02
Shoun Collins	Houston, TX	2020-12-02
Tiffany Toungett	Pataskala, US	2020-12-02
Shanna Weaver	Bend, OR	2020-12-02
Fabiha Amin	Jamaica, US	2020-12-02
Ananya Putta	Bridgewater, US	2020-12-02
Stephany Hernandez	Perkins, US	2020-12-02
Collin Hagen	South Elgin, US	2020-12-02
Teya Brown	Fort Wayne, US	2020-12-02

Name	Location	Date
Victoria Wieczorek	Boynton Beach, US	2020-12-02
Lily Hutch	Huntsville, US	2020-12-02
Jordyn Beeson	New York, US	2020-12-02
Jayne V	Fort Collins, US	2020-12-02
darien khalaf	Half Moon Bay, US	2020-12-02
Donald Troutman	Rio Rancho, US	2020-12-02
Alexys Kallsen	Sioux City, US	2020-12-02
gracie ish	lewiston, US	2020-12-02
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Eliana Brock	Xenia, US	2020-12-02
Christina Campos	San Antonio, US	2020-12-02
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THERESA YOST	Longview, WA	2020-12-02
America Bible	Sedro-Woolley, WA	2020-12-02
Marya Noyes	Edmonds, WA	2020-12-02
Michael Begley	Spokane, WA	2020-12-02
Sharon Crook	Marysville, WA	2020-12-02
Christopher Leer	Blaine, WA	2020-12-02
Liberty Queen	Spokane, WA	2020-12-02
Tiffany Bergsma-Evans	Bellingham, WA	2020-12-02
sarah price	Coeur d'Alene, ID	2020-12-02
Stacey Begley	Spokane, WA	2020-12-02

Name	Location	Date
Ronald Duncan	Spokane, WA	2020-12-02
Anna Beer	Spokane, WA	2020-12-02
Troy Hedge	Spokane, WA	2020-12-02
Ginny Dye	Bellingham, WA	2020-12-02
Julie Watson	Spokane, WA	2020-12-02
Amanda Tarmann	Spokane, WA	2020-12-02
Maleea Rennaker	Puyallup, WA	2020-12-02
Thomi Manker	Cancun, Mexico	2020-12-02
Melinda Jackson	Bellingham, WA	2020-12-02
Tena Kibbey	Everett, WA	2020-12-02
Denise Zahller	Spokane, WA	2020-12-02
Sophia Melendrez	Sacramento, US	2020-12-02
Shiretha White	Houston, US	2020-12-02
Heather Sims	Puyallup, WA	2020-12-02
Lex .	New Market, US	2020-12-02
Bin Casinos	Mooresville, US	2020-12-02
dorothy arnwine	New York, US	2020-12-02
Brandon Ochoa	Oakland, US	2020-12-02
Moreshma Aponte	Bronx, NY	2020-12-02
Aqsa Choudry	Brooklyn, US	2020-12-02
Theo Armentrout	Liberty Lake, US	2020-12-02
Brielle O'Brien	Richmond, US	2020-12-02

Name	Location	Date
Brad Scott	Willowbrook, US	2020-12-02
Siaay Patel	Smithtown, US	2020-12-02
Nick Keith	Santa Ana, US	2020-12-02
Adeline Bennett	St.paul, US	2020-12-02
Camila Canler	Pembroke pines, US	2020-12-02
Eline Guantos	Laredo, US	2020-12-02
Sheila Bailey	Auburn, WA	2020-12-02
Rakesh Sharma	Langhorne, US	2020-12-02
Timothy Paich	Loveladies, US	2020-12-02
Jose Francisco	Sugar Land, US	2020-12-02
Adrianna Ray	Park Forest, US	2020-12-02
Patti Segreti	Wheaton, US	2020-12-02
Deseree Keith	Philadelphia, US	2020-12-02
Michael Soto	Flushing, US	2020-12-02
Steven Gareri	Minneapolis, US	2020-12-02
William Hill	Marysville, WA	2020-12-02
Tori Vega	Danvers, US	2020-12-02
Taylor Arch	Cape Coral, US	2020-12-02
Jatinderpal Singh	Fresno, US	2020-12-02
Colleen Nagl	Tarkio, US	2020-12-02
Bridgette 	Rochester, US	2020-12-02
Lily Tostevyn	Marysville, US	2020-12-02

Name	Location	Date
Lupita Correa	Cape Girardeau, US	2020-12-02
Michael Lucero	Anaheim, CA	2020-12-02
Caroline Conner	Plano, US	2020-12-02
Sophia Day	Syracuse, US	2020-12-02
Sean Ahearn	Brick, US	2020-12-02
Xochitl Sanchez	Everett, US	2020-12-02
bonnie iveor	Chula Vista, US	2020-12-02
Tanya Loka	Minneapolis, US	2020-12-02
esteban devega	Wilmington, US	2020-12-02
John Kramer	Marshfield, US	2020-12-02
Camie Anderson	Hesperia, US	2020-12-02
JoAnna warnock	Maple valley, WA	2020-12-02
Nick Brown	Benton Harbor, MI	2020-12-02
Lesli Ashley	Bonney Lake, WA	2020-12-02
Shelley Sims	Ocean Shores, WA	2020-12-02
Cynthia Warnock	Olympia, WA	2020-12-03
Karie Koethke	Longview, WA	2020-12-03
Natalia Corduneanu	Tacoma, WA	2020-12-03
Angie Fair	Lake Stevens, WA	2020-12-03
Cynthia Silva	Bellingham, WA	2020-12-03
Karen Poore	Buckley, WA	2020-12-03
Michael Tibbetts	Selah, WA	2020-12-03

Name	Location	Date
John Slomnicki	Seattle, WA	2020-12-03
Carolyn Wendt	Bandon, OR	2020-12-03
Lori Irwin	Auburn, WA	2020-12-04
Torchy Lawton	Everett, WA	2020-12-04
Tamara Garrison	Everett, WA	2020-12-04
Sean Ostenberg	Everett, WA	2020-12-04
Amy Peterson	Seattle, WA	2020-12-04
Erin Bersch	Bellingham, WA	2020-12-04
Amy Walker	Edmonds, WA	2020-12-04
Jacob Sims	Spanaway, WA	2020-12-04
Charles Peterson	Everett, WA	2020-12-06
Nancy Oldenkamp	Seattle, WA	2020-12-06
Miryam Gordon	King, WA	2020-12-06
Dara Tremblay	Tacoma, WA	2020-12-06
deasyah testman	Rochester, US	2020-12-06
Ray Collins	Tampa, US	2020-12-06
Leeana Soto	New York, US	2020-12-06
Judith Romero	Anaheim, US	2020-12-06
Ayvee Booth-Marques	Honolulu, US	2020-12-06
Lily Ramirez	Dallas, US	2020-12-06
Lulu Bearson	Los Angeles, US	2020-12-06
Akossi Kouadio	Mooresville, US	2020-12-06

Name	Location	Date
Shatyra Jones	US	2020-12-06
Alexandria Bautista	Jackson, US	2020-12-06
Ahmad Darwish	Kenner, US	2020-12-06
Surjit Kooner	Mountain View, US	2020-12-06
Vel Davidson	Lisbon, US	2020-12-06
Diany Mirabal Ramirez	Brooklyn, US	2020-12-06
Haven Aguilar	Burbank, US	2020-12-06
Chanapa Grenier	San Diego, US	2020-12-06
Lindda Wilson	Indianapolis, US	2020-12-06
Sergiy Tereshchenko	Seattle, WA	2020-12-06
Francesca Pollock	Crystal Lake, US	2020-12-06
Victoria Smith	Lithonia, US	2020-12-06
ethan grimm	Seguin, US	2020-12-06
Alyssa Lang	Omaha, US	2020-12-06
Camron Johnson	Cleveland, US	2020-12-06
Ethan Smith	Hinesburg, US	2020-12-06
Nasir Chhipa	Woodbridge, VA	2020-12-06
Zoi Poletto	Bloomington, US	2020-12-06
Mary Mcdonald	Clearwater, US	2020-12-06
Anahi Vasquez	Bronx, US	2020-12-06
Shelly Bryant	Washington, US	2020-12-06
Chiara Thomas	San Luis Obispo, US	2020-12-06

Name	Location	Date
Kimora Hogan	Pittsburgh, US	2020-12-06
Tarkeshian Ali	Irvine, US	2020-12-06
Ethan Greer	Burke, US	2020-12-06
Nabira Zainab	Brooklyn, US	2020-12-06
Addie Sanelli	Akron, US	2020-12-06
Breanna Reynolds	Bridgewater, US	2020-12-06
John Murray	Alexandria, US	2020-12-06
Anya Murray	Hope Mills, US	2020-12-06
Jason Delaney	Louisville, US	2020-12-06
Sharonette Sanderson	Queens Village, US	2020-12-06
Maggie Orlando	Shepherdstown, US	2020-12-06
Kayce Schulz	Harrisonburg, US	2020-12-06
Jack Kaczorowski	Pittsford, US	2020-12-06
Raymond Berrios	US	2020-12-06
grace oneal	Marion, US	2020-12-06
Hallah Awwad	Yonkers, US	2020-12-06
Javon Pack	Detroit, US	2020-12-06
Quinn Cowan	Oklahoma City, US	2020-12-06
Tory Durand	Swansea, US	2020-12-06
Marin Xiques	Mill Valley, CA	2020-12-06
Marie Aronsem	Everett, WA	2020-12-06
Karina Gomez	Tieton, OR	2020-12-06

Name	Location	Date
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Darla Jara	Pacific, WA	2020-12-06
Douglas Vickroy	Mountlake Terrace, WA	2020-12-06
Lisa Bedker-Madsen	Arlington, WA	2020-12-06
David Lopez	Louisville, KY	2020-12-06
Victoria Rogers	Chickamauga, GA	2020-12-06
Francine Sutton	Overland Park, KS	2020-12-06
Annie Vandegrift	Everett, WA	2020-12-06
Courtney Powell	US	2020-12-07
Elizabeth Daniels	Seattle, WA	2020-12-07
Teresa Bushnell	Seattle, WA	2020-12-07
Jennie Schober	Sumner, WA	2020-12-07
Mike Schober	Puyallup, WA	2020-12-07
Robert Fox	Amelia, OH	2020-12-07
Lavenski Sampson	Everett, WA	2020-12-07
Suzie Navarro	Bothell, WA	2020-12-07
Kiara sims	Modesto, CA	2020-12-07
Amy Jones	Bellingham, WA	2020-12-07
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tereasa schnetter	LAKE STEVENS, WA	2020-12-07

Name	Location	Date
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Nicole Lindquist	Lynnwood, WA	2020-12-07
michelle freedman	stanwood, WA	2020-12-07
Alexandra Gallegos	Tacoma, WA	2020-12-07
Emily Manley	Edmonds, WA	2020-12-07
Brandi Estrada	Spokane, WA	2020-12-07
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KATHLEEN MCCULLOCH	Camano Island, WA	2020-12-07
Ryan W.	Las Vegas, NV	2020-12-07
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Luisa Patroni	Miami Beach, FL	2020-12-07
Kirsten bodenhamer	Marysville, WA	2020-12-07
Susana Hackmiller	Lake Stevens, WA	2020-12-07
Kurt Fischer	Seattle, WA	2020-12-07
John Grimm	Renton, WA	2020-12-07
Sharon Nilsen	Seattle, WA	2020-12-07
Rebecca Tanner	Burbank, CA	2020-12-07
Margaret Fischer	Kent, WA	2020-12-07
Marisa Empfield	Lynnwood, WA	2020-12-07
Joanne Sprague	Port Orchard, WA	2020-12-08

Name	Location	Date
Katherine Wickline	Littleton, CO	2020-12-08
Lynda Fenton	Seattle, WA	2020-12-08
Kecia Reichstein	Seattle, WA	2020-12-08
Laura Larsen	Lynnwood, WA	2020-12-08
Brian Faris	Lynnwood, WA	2020-12-08
Amy McIntyre	Port Angeles, WA	2020-12-08
Kelly Haner	Tacoma, WA	2020-12-08
natalie torve	everett, WA	2020-12-08
Charlie Stone	Lynnwood, WA	2020-12-09
YVONNE CHRISTISON	Stevens Point, WI	2020-12-09
Nikki Jutte	Tulalup, WA	2020-12-10
Karen Miller	Everett, WA	2020-12-10
Sarita Shrestha	Corona, US	2020-12-11
hrang thang	Indianapolis, US	2020-12-11
Lisa Hedgecock	Wichita, US	2020-12-11
Nathaly Castillo	Los Angeles, US	2020-12-11
Jekayh Thomas	Prairieville, US	2020-12-11
Shamir Hayes	Brooklyn, US	2020-12-11
Mariam Ameha	Saint Louis, US	2020-12-11
Ellie Karr	Tampa, US	2020-12-11
olivia rodriguez	tucson, US	2020-12-11
Gisell Chacon	Fountain, US	2020-12-11

Name	Location	Date
brynn theurer	lititz, US	2020-12-11
Nyia Doss	Cleveland, US	2020-12-11
Audrey Stack	Oakley, US	2020-12-11
Caitlyn Bretting	Houston, US	2020-12-11
Vi Lennon	Gilbert, US	2020-12-11
shannon contreras	Sykesville, US	2020-12-11
Toni McGhee	Roxboro, US	2020-12-11
Haley Wolfing	Fort Collins, US	2020-12-11
Unique De La Cruz	Merced, US	2020-12-11
Estrella Molina	Grand Prairie, US	2020-12-11
Kaylee Wray	Sheridan, US	2020-12-11
vanessa salazar	jamestown, US	2020-12-11
dil howlter	San Francisco, US	2020-12-11
Hazel Hernandez	Houston, US	2020-12-11
Sara Garcia	Chicago, US	2020-12-11
Jenny Jia	Great Neck, US	2020-12-11
Mihret Abadi	Lakewood, US	2020-12-11
Ayan Mohamed	San Diego, US	2020-12-11
Emily Benitez	Waukesha, US	2020-12-11
Kylie Borwege	Marinette, US	2020-12-11
Ashlyn Fitzgerald	Solon, US	2020-12-11
Jnajah Joppy lefeged	Gathierburg, US	2020-12-11

Name	Location	Date
micah sellers	Mesa, US	2020-12-11
Nicole M	Newark, US	2020-12-11
ipplee iko	Park Forest, US	2020-12-11
Alissa Gasca	Bakersfield, US	2020-12-11
Iliana Reyes	Houston, US	2020-12-11
Benjamin Tarkenton	Charlotte, US	2020-12-11
Amber Graham	Atlanta, US	2020-12-11
Lara Townes	San Jacinto, US	2020-12-11
Raikiah Faircloth	Charleston, US	2020-12-11
Maricarmen Nolasco	White Plains, US	2020-12-11
Lili B	Pepperell, US	2020-12-11
Brianna Tadlock	Stafford, US	2020-12-11
Joel Garcia	Newark, US	2020-12-11
Emmy Armour	Harrisburg, US	2020-12-11
Peyton York	Levittown, US	2020-12-11
Nathan Hernandez	Los Angeles, US	2020-12-11
xander inskip	Graham, US	2020-12-11
Kyra K	Hawthorne, US	2020-12-11
Kylie Villalobos	Spokane, WA	2020-12-11
Kim Lancaster	Seattle, WA	2020-12-11
Lena Robel	Spokane, WA	2020-12-12
Barbara Dean	Edmonds, WA	2020-12-12

Name	Location	Date
Andrei Teretchenko	Everett, WA	2020-12-12
Phillip Wolf	Poulsbo, WA	2020-12-12
Cherrise Brownson	Bellevue, WA	2020-12-12
Cara James	Bellingham, WA	2020-12-12
Jennifer Kobayashi	Olympia, WA	2020-12-12
Audrey Wolf	Poulsbo, WA	2020-12-13
Kathleen Karr	San Antonio, TX	2020-12-13
Janis Kipp	Kent, WA	2020-12-13
LeeAnn Halpin	Mount Vernon, WA	2020-12-13
joe mama	Laredo, US	2020-12-13
Lizzy Starr	Altus, US	2020-12-13
Markie Mihalko	Pittsburgh, US	2020-12-13
charlie pinter	elyria, US	2020-12-13
shane yaw###	US	2020-12-13
Evelyn Pineda	Woodland Hills, US	2020-12-13
Max Moede	Fox Lake, US	2020-12-13
Kiarah Payne	Fontana, US	2020-12-13
Megan Hughes	Amherst, US	2020-12-13
Fanny Moreno	Dallas, US	2020-12-13
Emaan Taquie	San Diego, US	2020-12-13
Suvasini Subbaraman	Chandler, US	2020-12-13
Lara Britto Pinheiro	Bethesda, US	2020-12-13

Name	Location	Date
Tiba Alrubaye	Phoenix, US	2020-12-13
Katherine Labrake	Hampton, US	2020-12-13
Jonquelle Carlson	Naples, US	2020-12-13
Nayeli Ramirez	Los Angeles, US	2020-12-13
Paulina Rodriguez	Palo Alto, US	2020-12-13
Catherine Mccabe	Philadelphia, US	2020-12-13
Lucy W	Oconomowoc, US	2020-12-13
summer獵 sikes	Kansas City, US	2020-12-13
Michael Sharpe	Shelby, US	2020-12-13
Luisa Arana	Orlando, US	2020-12-13
Annette Laporte	Billerica, US	2020-12-13
Cara Ferguson	Phoenix, US	2020-12-13
m molar	Corte Madera, US	2020-12-13
Kylie Collins	Chicago, US	2020-12-13
Michelle Perez	Miami, US	2020-12-13
Lyreik Anderson	Dalton, US	2020-12-13
Cameryn McCann	Shelbyville, US	2020-12-13
Kaylee Norman	Wasilla, US	2020-12-13
Bridget Akpom	Tuscaloosa, US	2020-12-13
Nylah Miller	Calumet City, US	2020-12-13
Alexa Villanueva	San Antonio, US	2020-12-13
Ashley Ordonez	Los Angeles, US	2020-12-13

Name	Location	Date
Eli Rojas	Lawrence, US	2020-12-13
Krisa Kharel	Columbus, US	2020-12-13
Ren Whitney	Oakland, US	2020-12-13
Avah Fox	Claremont, US	2020-12-13
Beth I	Concord, US	2020-12-13
Briana Sumes	Washington, US	2020-12-13
Kaylee Kobylski	Mentor, US	2020-12-13
charissa foreman	Wilmington, US	2020-12-13
kristin brown	Arlington, US	2020-12-13
gab crysler	Evesham Township, US	2020-12-13
Milana Podlinevas	Buffalo Grove, US	2020-12-13
Jayden Nguyen	Dacula, US	2020-12-13
Valentina Torres	Bakersfield, US	2020-12-13
Irene Saroukos	Bronx, US	2020-12-13
jaelee Rodriguez	Colorado Springs, US	2020-12-13
Bev Okwabi	Saint Paul, US	2020-12-13
Makenzie Garner	Andrews, US	2020-12-13
Melissa Stewart	Climax, US	2020-12-13
trinity stephens	Athens, US	2020-12-13
bob fred	Portland, US	2020-12-13
Carolina Pollack	Roswell GA, US	2020-12-13
Melisa Arslan	Campbell, US	2020-12-13

Name	Location	Date
Deborah Humphrey	Clearlake, US	2020-12-13
Mike James	GREENSBORO, US	2020-12-13
brooklyn lames	Owasso, US	2020-12-13
evie tabor	eden prairie, US	2020-12-13
Chakshu Shukla	Sparks, US	2020-12-13
lovina bishop	Garden Grove, US	2020-12-13
katia frausto	Long Beach, US	2020-12-13
flor castro	Holmdel, US	2020-12-13
Priya Upadhyaya	Keller, US	2020-12-13
Julie Faucett	Washington, US	2020-12-13
Yes dont	766, US	2020-12-13
chels n	US	2020-12-13
Jina Maloberti	Cranberry Township, US	2020-12-13
Camila Sucre	Irving, US	2020-12-13
Chloe Michelle	Portland, US	2020-12-13
Rachyl Gularf	Ellicott City, US	2020-12-13
Lucas Kennedy	Crystal lake, US	2020-12-13
Connor Hieb	Gillette, US	2020-12-13
Dae Mason	Laurelton, US	2020-12-13
Leilani Quiles	Killeen, US	2020-12-13
Sista Luna	Silver City, US	2020-12-13
Marty Dugan	Seattle, WA	2020-12-13

Name	Location	Date
hannah nguyen	Port Orchard, US	2020-12-14
Carmen kelley	Little rock, US	2020-12-14
Aaron Wright	Edison, US	2020-12-14
Haley Stewart	Cupertino, US	2020-12-14
Clare Son	Roslyn Heights, US	2020-12-14
Christina Saint-Vil	Jamaica, US	2020-12-14
Yaritza Garnica	Orlando, US	2020-12-14
Katlyn Sterling	Sherman, US	2020-12-14
Maria Petradakis	Rockville, US	2020-12-14
Jessica Martin	Cookeville, US	2020-12-14
Alyssa Knowles	Fernandina Beach, US	2020-12-14
Cooper Plouffe	Lithonia, US	2020-12-14
lily vincent	Columbus, US	2020-12-14
Leisle Rey	Odessa, US	2020-12-14
Lakelsi Dodd	Columbus, US	2020-12-14
grace wellbroxk	Smithtown, US	2020-12-14
abigail gomez	Hartford, US	2020-12-14
shreya mudaliar	Lawrenceville, US	2020-12-14
Vanessa Andrade	Dallas, US	2020-12-14
Madalyn Connor	Saratoga Springs, US	2020-12-14
Chad Smith	Travelers Rest, US	2020-12-14
Emma Maloberti	Cranberry, US	2020-12-14

Name	Location	Date
Kevin Maloberti	Pittsburgh, PA	2020-12-14
Michelle White	Portland, OR	2020-12-15
Barbara Fischer	Edmonds, WA	2020-12-16
Justin Dainard	Bremerton, WA	2020-12-16
Castill Hightower	Lake Stevens, WA	2020-12-27
Angela Sampson	Everett, WA	2021-01-01
Robin Wheeler	Woodinville, WA	2021-01-03
Heidi Sanchez	Seattle, WA	2021-01-16
Heather Johnson	Spokane, WA	2021-01-16
Hanne Thiede	Sammamish, WA	2021-01-16
Stephen Thompson	Redmond, WA	2021-01-16
Gloria Alexis Maya	Union City, US	2021-01-16
Briannah Shaw	Sewell, US	2021-01-16
katie bowers	Madison, US	2021-01-16
Princess Ingram	Brooklyn, US	2021-01-16
gabriella hammonds	Birmingham, US	2021-01-16
Janelle Coleman	East Orange, US	2021-01-16
Jeniyah Harris	Atlanta, US	2021-01-16
Kaitlin Victor	Orlando, US	2021-01-16
Desirae Walsh	Fredericksburg, US	2021-01-16
Tabreya Foster	Philadelphia, US	2021-01-16
Isabel Gonzalez	Lodi, US	2021-01-16

Name	Location	Date
mia trujillo	Birmingham, US	2021-01-16
Roshelle Jackson	Hawthorne, US	2021-01-16
Gia Gavin	Lockport, US	2021-01-16
Andrew Murtha	Guilford, US	2021-01-16
Grace Cardoza	Rialto, US	2021-01-16
Divani Guerrero	Oneonta, US	2021-01-16
Kayla Marcinkowski	Frankfort, US	2021-01-16
Oka Ruto	Homestead, US	2021-01-16
Betsey Thoennes	Kirkland, WA	2021-01-16
M Anne Wangeman	Bellevue, WA	2021-01-16
Steven Oien	Sammamish, WA	2021-01-16
Jan Gifford	Snoqualmie, WA	2021-01-17
Daniel Byrnes	Snoqualmie, WA	2021-01-17
Qingci Cai	Seattle, WA	2021-01-17
David Nordstrand	Bellevue, WA	2021-01-17
Dawn Weller	Puyallup, WA	2021-01-17
Kim Christianson	Renton, WA	2021-01-18
Toni Hamilton	Detroit, US	2021-01-18
watermelon guy	Sanford, US	2021-01-18
Nancy Thelot	Maplewood, US	2021-01-18
Jaida Sieu	Alameda, US	2021-01-18
Sherelle Pierce	New Kent, US	2021-01-18

Name	Location	Date
Stephanie Santana	Long Beach, US	2021-01-18
mathew heffele	centerville, US	2021-01-18
jenny lee	San Antonio, US	2021-01-18
Byron Breauxjr	Lafayette, US	2021-01-18
Aidan Kelly	Meriden, US	2021-01-18
McKinley Simmons	Upper Marlboro, US	2021-01-18
Angela Garcia	Manteca, US	2021-01-18
Xiaoying Li	Greensboro, US	2021-01-18
Sydney Akana	Honolulu, US	2021-01-18
Jessica Carroll	Roseville, US	2021-01-18
Lisset Rocio-Potente	US	2021-01-18
Samani Singampalli	Montville, US	2021-01-18
erin galut	US	2021-01-18
Elva Clasen	Pompano Beach, US	2021-01-18
Joshua Groover	Walterboro, US	2021-01-18
Carletta Wilson	Escondido, US	2021-01-18
Dennis Casto	Perry, GA	2021-01-18
KRISSEY HESS	North bellmore, US	2021-01-18
Raslin Hooker	Dallas, US	2021-01-18
Sofie Rdz	Royse City, US	2021-01-18
Tiffany Angel	Bluffton, US	2021-01-18
Torie M	Houston, US	2021-01-18

Name	Location	Date
Naidelyn Deciga	Houston, US	2021-01-18
Arron Watkins	Seattle, US	2021-01-18
Allyson Hillman	Marietta, US	2021-01-18
Angelica R	Torrance, US	2021-01-18
Jaelyn Dougherty	La Quinta, US	2021-01-18
Ben Cassidy	Columbia, US	2021-01-18
collin wolff	chico, CA	2021-01-18
Chevay Brownlee	Altamonte Springs, US	2021-01-18
Amaury Mosquera	Homestead, US	2021-01-18
Mariela Wilkes	Salem, US	2021-01-18
Maggie Yang	San Francisco, US	2021-01-18
Diana Sung	Denver, US	2021-01-18
Riley Kelis	San Antonio, US	2021-01-18
Zawadi Tumaini	Philadelphia, US	2021-01-18
Aliiyah Cole	Methuen, US	2021-01-18
Juliana Martinez	Lubbock, US	2021-01-18
Christine Nguyen	San Francisco, US	2021-01-18
Alexis D Nolasco Aviles	Rochester, US	2021-01-18
William Brugman	Skagit, WA	2021-01-19
Linda Kinsel	Anacortes, WA	2021-01-19
Barbara Westfall	Kingston, WA	2021-01-20
Anna Casey	Bellingham, WA	2021-01-27

Name	Location	Date
Sharon Dixon	Bellingham, WA	2021-01-27
Keana Cruse	Burlington, WA	2021-01-27
Ian Dore	Bellingham, WA	2021-01-27
Tyler Washburn	Burlington, WA	2021-01-27
Kayla Reed	Spokane, WA	2021-01-27
Timothy Abbott	Burlington, WA	2021-01-27
Nikki Estrada	Mount Vernon, WA	2021-01-27
Allie Barbosaa	Bainbridge Island, WA	2021-01-27
Valerie Torstenson	Bainbridge Island, WA	2021-01-27
Trevor Kirby	Bellingham, WA	2021-01-28
Jana Zook	Bellingham, WA	2021-01-28
Sheila Rowe	Bellingham, WA	2021-01-28
Kendra Nicholas	Bellingham, WA	2021-01-28
Stephen Winkles	Lake Charles, US	2021-01-28
Matthew Hoag	Philadelphia, US	2021-01-28
Destiny Garcia	Federal heights, US	2021-01-28
Evan Hernandez	Riverside, US	2021-01-28
Sara Bacchus	Winnipeg, US	2021-01-28
Kaylynn Tejada	Visalia, US	2021-01-28
trevor bailey	Belle Chasse, US	2021-01-28
olivia cervantes	Corpus Christi, US	2021-01-28
Janet Oceguera	North Hollywood, US	2021-01-28

Name	Location	Date
Adrian Duran	Santa Ana, US	2021-01-28
Kimberly Sullivan	Dorchester, US	2021-01-28
Jane Walker	Chicago, US	2021-01-28
Jesus Conde	Palm Desert, US	2021-01-28
Wilda Hollen	Alexandria, US	2021-01-28
John Patterson	Brooklyn Park, US	2021-01-28
Chris Powell	Savannah, US	2021-01-28
Chelsie Knight	Plattsburgh, US	2021-01-28
Richard Quintero	Paso Robles, US	2021-01-28
April Robinson	San Diego, US	2021-01-28
Allan Frederick	Houston, US	2021-01-28
Cindy Chen	Brooklyn, NY	2021-01-28
Andrew Flynn	Akron, US	2021-01-28
lisa Anderson	Goffstown, US	2021-01-28
PRISCILLA WALLIS	Bellingham, WA	2021-02-01
Shawna Frolich	Bellingham, WA	2021-02-01
Ann Handy Handy	US	2021-02-04
George Magill	Mount Vernon, WA	2021-02-04
Derek Ralph	Mount Vernon, WA	2021-02-09
Ah'Nira Wilson	Albany, US	2021-02-15
Morgan Hudson	Oak Harbor, US	2021-02-15
Maribel Marulanda	New York, US	2021-02-15

Name	Location	Date
Chinonye Mgboji	Houston, US	2021-02-15
Laura Cotter	US	2021-02-15
Clayton Jenkins	Avon, OH	2021-02-15
Hussaini Abdullahi	US	2021-02-15
Jazmin Corral	Dallas, US	2021-02-15
Reem Ghneim	Fenton, US	2021-02-15
Mimi Leung	Redmond, US	2021-02-15
Alena Burrell	Eagle River, US	2021-02-15
Hannah Grandt-Turke	Lake Mills, US	2021-02-15
Yazmin Arenas	Salado, US	2021-02-15
Brianna Sharpley	Pittsburgh, US	2021-02-15
Sonia Valencia	Los Angeles, US	2021-02-15
Emily Alejandro	Uvalde, US	2021-02-15
Gjelberime Kaja	Monroe, US	2021-02-15
James Ramsey	Harrisville, US	2021-02-15
Andren Moyer	Spokane, WA	2021-02-15
Roxanna Alcantar	Moreno Valley, US	2021-02-15
Chris Barwick	Newnan, US	2021-02-15
Connie Majoe	Seattle, WA	2021-02-15
Marsha Blye	Richmond, US	2021-02-15
Marcela Veverka	Buford, US	2021-02-15
Amaya Click	Aurora, US	2021-02-15

Name	Location	Date
Mindy Mielnikowski	Marietta, US	2021-02-15
Roger Lopez	New Iberia, US	2021-02-15
Cherie Letts	Spokane, WA	2021-02-15
Barbara Nelson	Modesto, CA	2021-02-15
Alexis Schreiber	Minneapolis, US	2021-02-15
Charlie Brink	Denison, US	2021-02-15
Ramses Alberto Pena	Salem, US	2021-02-15
alana adornato	Staten Island, US	2021-02-15
Mansooreh Metanat	Sunnyvale, US	2021-02-15
Dawn Cave	Victorville, US	2021-02-15
Hailey Kling	Weatherly, US	2021-02-15
Jaymi Trimble	Prosser, WA	2021-02-15
Allan Nordling	Spokane, WA	2021-02-15
Michael Ortiz	Brooklyn, US	2021-02-17
Michael Ryan	Bel Air, US	2021-02-17
Robert Marshall	Riverside, US	2021-02-17
Wyatt Ruzichka	Minneapolis, US	2021-02-17
Mk Ray	Jersey City, US	2021-02-17
Zachary Kozycz	US	2021-02-17
Yoiner Ortiz	Memphis, US	2021-02-17
James Zeller	Portland, US	2021-02-17
EDIVERTO GALVEZ	US	2021-02-17

Name	Location	Date
gacha riri	Brooklyn, US	2021-02-17
Precious Ngwe	Hyattsville, US	2021-02-17
Ariana Romero	Athens, US	2021-02-17
Kendrick Collins	Harrisburg, US	2021-02-17
avia critchett	vernon, US	2021-02-17
Teresa Greene	Asheboro, US	2021-02-17
Jazz Viator	Dallas, US	2021-02-17
Angela Gullett	Columbus, US	2021-02-17
Dariana Carrizoza	Tucson, US	2021-02-17
Atma Dayal	Mountain View, US	2021-02-17
Melissa McDaniel	Pittsburgh, US	2021-02-17
Manuel A. Elecciri	Alhambra, US	2021-02-17
Amy Abraham	Laguna Niguel, US	2021-02-17
Lisa Sealey	Crofton, US	2021-02-17
Steve Saltzman	Apple Valley, US	2021-02-17
Nicole Akumatey	Ijamsville, US	2021-02-17
Jahmar Gathright Sr	Fitchburg, US	2021-02-17
Tatiana Matthews	Irmo, US	2021-02-17
Jeremy Anderson	US	2021-02-17
Ahjalynn Collins	Queens, US	2021-02-17
Sincere Wilson	Bronx, US	2021-02-17
Carolyn Padilla	York, US	2021-02-17

Name	Location	Date
Marlen Gonzalez	Sacramento, US	2021-02-17
Shawn Holdman	Chicago, US	2021-02-17
Maria Carver	Houston, US	2021-02-17
Karma Bynum	Trout creek, US	2021-02-17
Carol Cabisca	Bolivar, US	2021-02-17
Willa Johns	Roseville, US	2021-02-17
Paulina Mastryukov	Brooklyn, US	2021-02-17
John Bartow	Howell, US	2021-02-17
Bella H	Swell, US	2021-02-17
Iamarr hull	US	2021-02-17
Dawn Geller	Voorhees, US	2021-02-17
Logan Murphy	Middletown, US	2021-02-17
Brendan Butler	Youngstown, US	2021-02-17
Teey Croom	Burgaw, NC	2021-02-17
Teresa Ricchiuti	Laureldale, US	2021-02-17
Melanie Saldarriaga	Las Vegas, US	2021-02-17
Anna Friedmann	Houston, US	2021-02-17
Nicole booth	Frankfort, US	2021-02-17
Aranza Cruz	Peachtree Corners, US	2021-02-17
Valerie Wagon	Charlotte, US	2021-02-17
Aaliyah Godoy	Baltimore, US	2021-02-17
Scott Haddock	Edmonds, WA	2021-02-23

Name	Location	Date
Ashley Church	Seattle, WA	2021-02-25
Jeanne Barrans	Everett, WA	2021-03-01
Cecilia Ripke	Everett, WA	2021-03-01
Thomas Helean	Pullman, WA	2021-03-01
Eric Nothdurft	Seattle, WA	2021-03-01
Jazmine Ford	Buffalo, US	2021-03-01
Ruby Fox	South Burlington, US	2021-03-01
Victoria Burchette	US	2021-03-01
Eva Barber	Tulare, US	2021-03-01
Ashlyn Whitham	Las Vegas, US	2021-03-01
Delilah Brown	US	2021-03-01
Adrian De Leon	Brighton, US	2021-03-01
karen parnell	Clinton Township, US	2021-03-01
Laurel Steckman	New Cumberland, US	2021-03-01
Laura Genoves	Bainbridge, WA	2021-03-01
Tobi Solvang	Fall City, WA	2021-03-01
Janna Slechta	Seattle, WA	2021-03-01
Andrew Helean	Seattle, US	2021-03-01
Colleen Barrans	Everett, WA	2021-03-02
Cherie Eifler	Yorba Linda, CA	2021-03-02
Judy Stilson	Everett, WA	2021-03-04
Emily Kent	Enumclaw, US	2021-03-04

Name	Location	Date
bella heyser	Wilmington, US	2021-03-04
Sophia Orozco	Miami, US	2021-03-04
Esbeydy Cedano	Modesto, US	2021-03-04
Alissa Bailey	Mesa, US	2021-03-04
nathan dahlberg	Plano, US	2021-03-04
Meaghan Pustizzi	Dracut, US	2021-03-04
Gia Morell	US	2021-03-04
Eujin Kim	Fontana, US	2021-03-04
Rebecca Anderson	Chicago, US	2021-03-04
Sofia Hillerich	US	2021-03-04
Rowan Collins	Dedham, US	2021-03-04
Jean Chagnon	Montréal, US	2021-03-04
Hope Rush	Camp Hill, US	2021-03-04
Eddom Hiskias	Seattle, US	2021-03-04
Axel Galicia	Los Angeles, US	2021-03-04
Maryam William	Hackensack, US	2021-03-04
Jamar Jefferson	ellenwood, US	2021-03-04
Martyn McFrazier	Escondido, US	2021-03-04
Pranshu Sangal	Allen, US	2021-03-04
Isabella Soto	Fort Lauderdale, US	2021-03-04
Olivia Bonner	Wayne, US	2021-03-04
sadie smith	Redwood City, US	2021-03-04

Name	Location	Date
laura la rosa	Hull, US	2021-03-04
Destinee Perez	Phoenix, US	2021-03-04
Naomi Chee	Albuquerque, US	2021-03-04
samantha fajardo	Ossining, US	2021-03-04
Oneda Boakye	Keller, TX	2021-03-04
Ana Stanley	Hattiesburg, US	2021-03-04
Xander Saez	Kenilworth, US	2021-03-04
John S	Lemont, US	2021-03-04
Jasmine Richardson	Hampton, US	2021-03-04
lori langlais	Indian Trail, US	2021-03-04
David Long	northreading, US	2021-03-04
Aiyana Carbajal	Grand Prairie, US	2021-03-04
Sara Ziemer	Indian Trail, US	2021-03-04
Jessica Darby	Kingsport, US	2021-03-04
Jenna Demelio	New York, US	2021-03-04
Bryan Rodriguez	Des Moines, US	2021-03-04
ariana kirk	Columbia, US	2021-03-04
Briana Keenan	Beachwood, US	2021-03-04
Lillian Sorg	Fort Wayne, US	2021-03-04
Nekha Duraisamy	Lilburn, US	2021-03-04
Kayla Zapata	Berlin, US	2021-03-04
Aviana Brown	Del rio, US	2021-03-04

Name	Location	Date
lailyn swayE	Mount Juliet, US	2021-03-04
katie barnes	Allen, US	2021-03-04
Maria Uraje	Queens, US	2021-03-04
rebecca hernandez	Elizabeth, US	2021-03-04
Emily Reilly	Belle Mead, US	2021-03-04
Eleni Castellon	Miami, US	2021-03-04
William Wood	Port Orchard, WA	2021-03-04
Wendy Cox	Mount Vernon, WA	2021-03-07
Michelle Doyer	Seattle, WA	2021-03-08
Lisa Tilghman	Lithia, FL	2021-03-08
Laurie Barbisa	Marysville, WA	2021-03-08
James Overaa	Lake Stevens, WA	2021-03-08
Bryan Barrett	Lacey, WA	2021-03-08
Jesse Hulett	Blaine, WA	2021-03-09
Tori Eckhoff	Bellingham, WA	2021-03-09
Karen Hulett	Bellingham, WA	2021-03-10
Robert Toner	Bellingham, WA	2021-03-10
Michelle Riley	Poolesville, MD	2021-03-10
Penny Penny W Morris	White Salmon, WA	2021-03-10
Laurel Brown	Seattle, WA	2021-03-10
Nora Hulett	Blaine, WA	2021-03-10
Doris Gonzales	Santa Maria, US	2021-03-18

Name	Location	Date
Crystal Nelson	Lake Stevens, WA	2021-03-22
Tracy Strand	Marysville, WA	2021-03-24
Michael Morasse	Snohomish, WA	2021-03-24
Susan Hughes	Arlington, WA	2021-03-25
Heidi May	Stanwood, WA	2021-03-28
Mark Gonzwlez	San Antonio, US	2021-03-28
Heather Stringham	Glendale, US	2021-03-28
Brandy Lines	Mountlake Terrace, WA	2021-03-28
Edith Acua	Weslaco, US	2021-03-28
rukia Abu	Hilliard, US	2021-03-28
Salem casillas	Chatsworth, US	2021-03-28
Mark Eaker	Edmonds, WA	2021-03-28
Lisa Cao	Houston, US	2021-03-28
Michelle Meadows	Shoreline, WA	2021-03-28
Joaquin Holguin	Odessa, US	2021-03-28
Samuel Mischio	Madison, US	2021-03-28
Angela Guadamuz	Stanwood, WA	2021-03-28
Adela Feratovic	Elmwood Park, US	2021-03-28
nastassia cooper	Philadelphia, US	2021-03-28
Ronald McCallum	Kansas City, US	2021-03-28
Momodu Jall	Braintree, US	2021-03-28
Ashlynn Southerland	Pittsburgh, US	2021-03-28

Name	Location	Date
Abel Jara	Auburn, WA	2021-03-28
Darleen Jara	Seattle, WA	2021-03-28
María Silvestre	Auburn, WA	2021-03-28
selma hidayat	Jackson Heights, US	2021-03-28
Agim Demirovski	Staten island, US	2021-03-28
Karin Fritsch	Yelm, WA	2021-03-28
Riley Ford	Saint George, US	2021-03-28
Pamela stewart	Lemon grove, US	2021-03-28
Christian Cole	Belleville, US	2021-03-28
Adriana Gastelum	Long Beach, US	2021-03-28
Brianna Sanchez	Marshfield, US	2021-03-28
tr.jãmãĩçãñĐöll懶 Auguste	North Miami Beach, US	2021-03-28
Chana Vazquez	Rhode Island, US	2021-03-28
Gillian A	Burlington, US	2021-03-28
Sally Lang	Dubuque, US	2021-03-28
Bonnie Chambers	Marysville, WA	2021-03-28
Corey Meyers	Lakeland, US	2021-03-28
Melissa West	Seattle, WA	2021-03-28
Janice Watson	Columbus, GA	2021-03-29
Zachary Carson	Louisville, US	2021-03-29
Amber Swartour	Alliance, US	2021-03-29
Jahvir Hutchinson	Philadelphia, US	2021-03-29


Name	Location	Date
John Campbell	Deltona, US	2021-03-29
Tina Plant	Roseburg, US	2021-03-29
Beverly McRae	Willingboro, US	2021-03-29
Jim Wise	Wichita, KS	2021-03-29
Larissa Gracey	Kerens, US	2021-03-29
Laura Genoves	Seattle, WA	2021-03-29
Arsenio Reynolds	Wichita, US	2021-03-29
Kennedy Mcclelland	Queens, US	2021-03-29
Shaka Kuykendall	Woodbridge, US	2021-03-29
gentry cooper	houston, US	2021-03-29
Jamil White	Columbia, US	2021-03-29
Lecia Swinton	Stanwood, WA	2021-03-29
Andree-Maryse Duvalsaint	Monroe Township, US	2021-03-29
Anthony Alfaro	La Habra, US	2021-03-29
Sarah Kepler	Kennewick, US	2021-03-29
Violet Chavez	Vallejo, CA	2021-03-29
Sunset Luster	La Puente, US	2021-03-29
Robert Pugh	Fredericksburg, US	2021-03-29
Spooky Spook	Brownsburg, US	2021-03-29
Haley Polly	St. John's, US	2021-03-29
Brianna Arnold	Decatur, US	2021-03-29
Becky Allard	Montpelier, VT	2021-03-29

Name	Location	Date
Serenidee Collum	Douglasville, US	2021-03-29
Edson Braham	New York, US	2021-03-29
Derrick Thomas	Ypsilanti, US	2021-03-29
Damian Laflamme	Rising Sun, US	2021-03-29
Erin Hartsough	Seattle, WA	2021-03-29
Brianna Martinez	Sebring, US	2021-03-29
Julie Olson	Vancouver, WA	2021-03-29
Angel Sojobi	Katy, US	2021-03-30
Erika LoPresti	Cleveland, US	2021-03-30
Kimorah Edwards	Lakeville, US	2021-03-30
Sean Dunn	El Cajon, US	2021-03-30
Emily Luckman	Milwaukee, US	2021-03-30
Maolys Ventura	Cranston, US	2021-03-30
Lip Ha	Los Angeles, US	2021-03-30
Bernardo Bernard	Miami, US	2021-03-30
Lisa VanKampen	Holland, US	2021-03-30
jack smith	Snellville, US	2021-03-30
Cheyenne McInnis	Lawton, US	2021-03-30
Mila Johnson	Oklahoma City, US	2021-03-30
Josilyn Units	Garner, US	2021-03-30
Tracy Black	US	2021-03-30
Ajara Jarra	Houston, US	2021-03-30

Name	Location	Date
Danais Gomez	West Chicago, US	2021-03-30
Ella Mell	Birmingham, US	2021-03-30
sugi chan	Phoenix, US	2021-03-30
Zubaidah Bandele	Newark, US	2021-03-30
Logan Grunig	Fairfax, US	2021-03-30
Savina Iniguez	Flagstaff, US	2021-03-30
PAMELA Lanphier	Leander, TX	2021-03-31
Pat Clifton	Bellingham, WA	2021-03-31
Cheryl Palmquist	Camano Island, WA	2021-03-31
alytza avila	Las Vegas, US	2021-03-31
Ralph Groves	Chicago, IL	2021-03-31
Erica Whisenant	Tulsa, US	2021-03-31
Sarah Mcgee	Greenville, US	2021-03-31
Akraya Trachu-Hanvichith	Troutdale, US	2021-03-31
Jose Martinez	Richmond, US	2021-03-31
Ava Mazella	Bronx, US	2021-03-31
dayton book	Newport News, US	2021-03-31
Diego Alba	Huntington Park, US	2021-03-31
Kathleen Yearwood	Bronx, US	2021-03-31
Twjuan Fonseca	Los Angeles, US	2021-03-31
Casey Hall	Terre Haute, US	2021-03-31
Kia Causby	Rossville, US	2021-03-31

Name	Location	Date
Coen Rivera	Allison Park, US	2021-03-31
Mahnnoor Hashmi	Bronx, US	2021-03-31
Cynthia Surber	Longview, WA	2021-03-31
John Stroia	Henrico, US	2021-03-31
annie white	Ladera Ranch, US	2021-03-31
Misty-dawn Spooner	Federal Way, WA	2021-03-31
Lianna Furnari	Southbury, US	2021-03-31
Angelina Arias	Newburgh, US	2021-03-31
rose blake	Albany, US	2021-03-31
Adriana Alonso	Miami, US	2021-03-31
Jacob Galloway	Morganton, US	2021-03-31
Caroline Coventry	Elizabeth, US	2021-03-31
Maggie M	US	2021-03-31
Dayna Ahumada	South Gate, US	2021-03-31
melani bernal	Washington, US	2021-03-31
noah -	newark, US	2021-03-31
Mohammad Hamid	Lansdale, US	2021-03-31
Robert Bivens	Montpelier, US	2021-03-31
Mike Villa	Carson City, US	2021-04-01
Randall Bookings	Gardena, US	2021-04-01
Lois Lothschutz	Grand Rapids, US	2021-04-01
Grady Youngblood	Fort Lauderdale, US	2021-04-01

Name	Location	Date
Ashley Gamez	Jacksonville, US	2021-04-01
Shacutte Jackson	Camilla, US	2021-04-01
allyson crook	Irvine, US	2021-04-01
Cardi Mosley	Crawford, US	2021-04-01
Betsy Warner	Grand Junction, US	2021-04-01
Ruby Garcia	Cypress, US	2021-04-01
Mia Alvarez-Rolon	Indio, US	2021-04-01
Amayah Woodruff	Hawthorne, US	2021-04-01
Angelica Elia	Escondido, US	2021-04-01
Sofia Aguirre	New York, US	2021-04-01
Erica Kandill	Leesburg, US	2021-04-01
caleb winterbottom	Lincoln, US	2021-04-01
Brianna Ramon	Dallas, US	2021-04-01
Canecia Mcmillian	Hinckley, US	2021-04-02
Gavin Hall	London, US	2021-04-02
Vanai Buchanan	US	2021-04-02
Rashanda Kindell	orlando, US	2021-04-02
Lourdes Cruz Andújar	Oviedo, US	2021-04-02
Melissa Warner	Ellsworth, ME	2021-04-02
Galilea Valencia	Las Vegas, US	2021-04-02
Sarah Alexander	Oakland, US	2021-04-02
Brittany Benson	US	2021-04-03

Name	Location	Date
Jada Simmons	Houston, US	2021-04-03
a s	East Brunswick, US	2021-04-03
John Stofko	Allentown, US	2021-04-03
Randy Reynolds	Mesa, US	2021-04-03
Taiwo Abdulkareem	US	2021-04-03
Frank Vasquez	Los Angeles, US	2021-04-03
Maya pie	Lutz, US	2021-04-03
Gloria Martinez	Manassas, US	2021-04-03
kylie lanphier	New Orleans, US	2021-04-03
Rachel Pagan	Brooklyn, US	2021-04-03
Lynn Somma	Nanuet, US	2021-04-03
leila soto	San Dimas, US	2021-04-03
Peach.xxi 	Glenwood, US	2021-04-03
jonathan hayes	Gilbert, US	2021-04-03
jam frog	Pahrump, US	2021-04-04
Phebe Youn	Havertown, US	2021-04-04
Mariel Martínez	Little Rock, US	2021-04-04
Anthony Kurzinski	Snohomish, WA	2021-04-04
Dawn Nelson	Tacoma, WA	2021-04-05
jae scarboro	Seattle, WA	2021-04-05
Stone Jones	Bellingham, WA	2021-04-06
Mark Dawson-Ziglar	Bellingham, WA	2021-04-06

Name	Location	Date
Ray Banks	Bellingham, WA	2021-04-06
Ashley Vonsovic	Enumclaw, WA	2021-04-06
Alicia Martinez	Bellingham, WA	2021-04-06
Sheri Nansel	Oak Harbor, WA	2021-04-06
Emma Welling	Bellingham, WA	2021-04-06
Kyle Arthur	Canyon Country, US	2021-04-06
Ariella Correa	Yonkers, US	2021-04-06
Jocelyn Floriano	Conover, US	2021-04-06
Denice Diaz	Tucson, US	2021-04-06
Christian Brown	Verona, US	2021-04-06
Sarah Sjovold	Sacramento, US	2021-04-06
Reese Garcia	Chino Hills, US	2021-04-06
Alyssa Ng	San Francisco, US	2021-04-06
Ava-Rose Shaffer	Silver Spring, US	2021-04-06
Christopher Capri	Vancouver, WA	2021-04-06
Alyssa Moore - Duarte	Lexington, US	2021-04-06
Peace Tenge	Tucson, US	2021-04-06
Jady Azcona	Trenton, US	2021-04-06
Irma Solache-Lopez	Stockton, US	2021-04-06
Adam Trammell	Wyoming, US	2021-04-06
Calliope Brown	Santa Rosa, US	2021-04-06
Tonio Borges	Eagan, US	2021-04-06

Name	Location	Date
Sofia Chavez	Algonquin, US	2021-04-06
Rose Jaminzen	Sioux City, US	2021-04-06
Nancy Thelot	Maplewood, US	2021-04-06
Sher Storey	Snohomish, WA	2021-04-06
Graci Shonfelt	Wichita, US	2021-04-06
Jackie Merola	Novato, US	2021-04-06
Mackenzie Tarde	Chula Vista, US	2021-04-06
David Martinez	East Chicago, US	2021-04-06
Michael Acciarito	Massapequa Park, US	2021-04-06
Matt Hamilton	Uncasville, US	2021-04-06
Zach Slovonik	Canonsburg, US	2021-04-06
Brittany Forbes	Longview, WA	2021-04-06
Kristie Matthews	Elma, WA	2021-04-06
Jonathan Ortega-Mercado	Pomona, US	2021-04-06
Lisa Phillips	Houston, US	2021-04-06
Makenzie Coutu	US	2021-04-06
Elizabeth Medina	Galesburg, US	2021-04-06
Arielys Bonnet	Miami, US	2021-04-06
RONALD King	BROOKLYN, US	2021-04-06
Jackson Smith	Riverside, US	2021-04-06
Sharon Anderson	Issaquah, WA	2021-04-06
Roselle Williams	Seattle, WA	2021-04-06

Name	Location	Date
Carol Bersch	Ferndale, WA	2021-04-06
Priscilla Perez	Sacramento, US	2021-04-06
Jerin Pagan	Alvin, US	2021-04-06
LaRaena Rogers	Fort Rucker, US	2021-04-06
Peter McGonagall	Littleton, US	2021-04-06
Sherlyn Cajamarca	North Myrtle Beach, US	2021-04-06
Camille Brown	Bronx, US	2021-04-06
D. Bouta	Seattle, WA	2021-04-07
Alahna Lopez	Fuquay Varina, US	2021-04-07
Hannah Baker	Placerville, US	2021-04-07
Marie Quick	Atlanta, US	2021-04-07
Serena S	Fort Collins, US	2021-04-07
Leticia Blanco	Greenfield, US	2021-04-07
Mia Walker	Fort Collins, US	2021-04-07
Brian Pava	Lawrenceville, US	2021-04-07
juli e	Ogden, US	2021-04-07
Jess Barroso	Los Angeles, US	2021-04-07
Aaron Meza	Clute, US	2021-04-07
Ryan Chase	Seattle, WA	2021-04-07
Kayla Romero	Arlington, US	2021-04-07
Kayla Romero	Dallas, US	2021-04-07
Victoria Castillo	Mission, US	2021-04-07

Name	Location	Date
Jahnya Bedward	Brooklyn, US	2021-04-07
Scott Watts	Deptford, US	2021-04-07
Isis Rodriguez	Irvington, US	2021-04-07
Ashley Duarte	Fort Myers, US	2021-04-07
emilia stleger	NY, US	2021-04-07
Bisrat desta	Washington, US	2021-04-07
Jayla Hunt	Hyattsville, US	2021-04-07
EDG gaming	US	2021-04-07
alexis summerhays	Happy Valley, US	2021-04-07
Akara Flamefall	Hamilton, US	2021-04-07
Jon Wakil	Round Rock, US	2021-04-07
Connor Hughes	Sicklerville, US	2021-04-07
Aisha Ali	Hehehehehe, US	2021-04-07
London Huff	Fort Worth, US	2021-04-07
ttt LII	Bronx, US	2021-04-07
WALTER TANUI	Vincennes, US	2021-04-07
Asanti Payne	Mount Morris, US	2021-04-07
Guadalupe Luna	Hayward, US	2021-04-07
Jeannette Chen	Plano, US	2021-04-07
kaylee Norwalk	Fort Wayne, US	2021-04-07
Abi S	Marietta, US	2021-04-07
Mahima Ramanathan	Plano, US	2021-04-07

Name	Location	Date
Maisha Mungai	Jersey City, US	2021-04-07
Zenasia Tucker	Fredericksburg, US	2021-04-07
Vivek Patel	north palm beach, US	2021-04-07
Neviah Bennett	Bronx, US	2021-04-07
Mary Ellen Flattes	Fairfield, US	2021-04-07
Chuck Noyes	Lynnwood, WA	2021-04-07
Joseph Kalitovic	Lake Stevens, WA	2021-04-07
Estefany Escobar	Carson, US	2021-04-07
Kenia Banda	Houston, US	2021-04-07
JUSTIN FROST	Phoenix, US	2021-04-07
Ann Mounkes	Folsom, US	2021-04-07
Antonio Gonzalez	Riverside, US	2021-04-07
pat Segura	San Antonio, US	2021-04-07
Sabrina Roofe	US	2021-04-07
Vanessa Rodriguez	Sylmar, US	2021-04-07
Kimberly Summers	Carbondale, US	2021-04-07
Wesley Kalitovic	Seattle, WA	2021-04-07
Colin Lane	Libertyville, US	2021-04-07
Carla Shepard	Overland Park, US	2021-04-07
John Kimani	Pepperell, US	2021-04-07
Lisa Bowen	Stanwood, WA	2021-04-07
Deborah Thomas	San leandro, CA	2021-04-07

Name	Location	Date
Janea Zaragoza	Castro Valley, CA	2021-04-07
Diane Aronsen	Seattle, WA	2021-04-07
Jaime Aronsen	Seattle, WA	2021-04-07
Davette Walker	Greensboro, US	2021-04-07
Selena Garcia	Los Angeles, US	2021-04-07
Orianna Remaly	Murfreesboro, US	2021-04-07
Abby Vidonic	Fort Mill, US	2021-04-07
Cole Carda	Big Lake, US	2021-04-07
Isabella Hoadrea	Los Angeles, US	2021-04-07
Merielyn Jaquez Gerez	Saint Georges, US	2021-04-07
Erica Meredith	San Antonio, US	2021-04-07
Andrew Elliott	Chico, US	2021-04-07
Mackenzie Bartel	La Verne, US	2021-04-07
callie brennan	Portland, US	2021-04-07
maya adderson	Arlington, US	2021-04-07
Jaleah Braxton	Sanford, US	2021-04-07
Kevin Melfi	Providence, US	2021-04-07
Uma Phillip's	Leggett, US	2021-04-07
Leia Todd	Whiteville, US	2021-04-07
Pearl Cobblah	Peekskill, US	2021-04-07
Maria Holmes	Champlin, US	2021-04-07
Olivia Elias	Jersey City, US	2021-04-07

Name	Location	Date
Danielle Dressel	Apple Valley, US	2021-04-07
Sylvia Gossett	Bellingham, US	2021-04-07
Yosi Martinez	Menifee, US	2021-04-07
Emily Russell	Rochester, US	2021-04-07
Avery Vigh	Newnan, US	2021-04-07
Diamond Mosley	Newton, US	2021-04-07
molly mahoney	Winchester, US	2021-04-07
Mayaline Martinez	North Port, US	2021-04-07
Sanya Shah	Phoenix, US	2021-04-08
Giavonna Sylvestre	Naperville, US	2021-04-08
Aleciram Selasor	Los Angeles, US	2021-04-08
Salomon Levin	Kirkland, US	2021-04-08
Alexa Alvarez	Blackshear, US	2021-04-08
Carolina Ellsworth	San Francisco, US	2021-04-08
Master Rooks	College Station, US	2021-04-08
Mary B tolno Toleno	Lehigh, US	2021-04-08
Riley Brown	Cincinnati, US	2021-04-08
Aliyah Lambiotte	Sun City, US	2021-04-08
Diane Frasure	Frisco, US	2021-04-08
Dianne Nasibog	US	2021-04-08
Cameron Menzano	Sterling, US	2021-04-08
murtaza aminalhaq	Rochester, US	2021-04-08

Name	Location	Date
Michael Chen	Spruce Pine, US	2021-04-08
Judie Stringfield	Coos Bay, OR	2021-04-08
Emily Tobias	Los Angeles, US	2021-04-08
Nyssa Neel	Salem, US	2021-04-08
Maria Duarte	Sonoma, US	2021-04-08
Jesse Dye	Aurora, US	2021-04-08
MICHAEL FERRYMAN	mesa, US	2021-04-08
amelia kraus	Harrison, US	2021-04-08
Rylie Johnston	Rockwall, US	2021-04-08
Jaida Hayes	Romulus, US	2021-04-08
Chloe Lucas	Pleasant Valley, US	2021-04-08
Cheals Lamb	Houston, US	2021-04-08
Elio Cipriano	Garden Grove, US	2021-04-08
Amariah Craig	Uou, US	2021-04-08
Ekresha Thompson	Pinellas Park, US	2021-04-08
Hamza Khan	Anaheim, US	2021-04-08
Gabriel Dayan	New York, US	2021-04-08
Myra Vasquez	New York, US	2021-04-08
Yaz Pickaxe	Germantown, US	2021-04-08
Kaylee Lidren	Rochelle, US	2021-04-08
Amanda Springer	Pompano Beach, US	2021-04-08
Macey Jordan	Covington, US	2021-04-08

Name	Location	Date
nitya sagubadi	Mchenry, US	2021-04-08
Camila Fuentes	Bronx, US	2021-04-08
Steve Hine	Stratford, US	2021-04-08
Heather Hamood	Whitmore Lake, US	2021-04-08
Tisha Cox	Reynolds, US	2021-04-08
Joe Wargo	Leander, US	2021-04-08
Kristy Camenga	Byron Center, US	2021-04-08
bree flannery	cary, US	2021-04-08
Aamori Furnace	Fremont, US	2021-04-08
Alisa Sierra	El Paso, US	2021-04-08
Isayas Sebhatu	Fontana, US	2021-04-08
Daniel Norkun	Leland, US	2021-04-08
navianna shaw	Schenectady, US	2021-04-08
Natalia Torres	San Antonio, US	2021-04-08
lashanda jones	Bellevue, US	2021-04-08
kat strueber	Chicago, US	2021-04-08
Kadence Dawley	Adrian, US	2021-04-08
Hannah Sample	Great Barrington, US	2021-04-08
Alondra Javier	El Mirage, US	2021-04-08
Fatima Aser	Dearborn, US	2021-04-08
JaMyron Minor	Jackson, US	2021-04-08
Kaiden Garcia	Canton, US	2021-04-08

Name	Location	Date
cleo tired	Valrico, US	2021-04-08
Catrina Lewis	Federal Way, WA	2021-04-08
Jay Lee	Norman, US	2021-04-09
Ipek Icoren	Thousand Oaks, US	2021-04-09
Bianca Garcia	Pomona, US	2021-04-09
Cally Huynh	Elk Grove, US	2021-04-09
Emily P	Kaneohe, US	2021-04-09
Sheila Brito	Bronx, US	2021-04-09
Savannah Pruitt	Hartford, US	2021-04-09
Grace M	Eden Prairie, US	2021-04-09
bella cross	Rantoul, US	2021-04-09
Maryjane Molloy	Anchorage, US	2021-04-09
Annabelle García	Merrick, US	2021-04-09
Trayce Ochoa	Temecula, US	2021-04-09
Saleema Idowu	Ellicott City, US	2021-04-09
Keyonna Nadeau	Fargo, US	2021-04-09
Annie Phan	San Jose, US	2021-04-09
Xochitl Galvan	Phoenix, US	2021-04-09
Geoffrey Makori	Minneapolis, US	2021-04-09
Ann Morre	Brooklyn, US	2021-04-09
Christopher Jimenez	Perris, US	2021-04-09
Angel Rosales	San Antonio, US	2021-04-09

Name	Location	Date
jas rodriguez	Greeley, US	2021-04-09
Emma Woodward	Oregon City, US	2021-04-09
Nie Les	Pearland, US	2021-04-09
Kal Mundes	Pompano Beach, US	2021-04-09
Natalia Oliva	Chicago, US	2021-04-09
Lisbeth Rizo	Orange, US	2021-04-09
Liezyl Ann Catahan	Antioch, US	2021-04-09
Justine Yova	Durham, US	2021-04-09
Juliet Richter	Sanford, US	2021-04-09
chloe toscano	Phillipsburg, US	2021-04-09
Cormya Wise	Washington, US	2021-04-09
Emma Panzica	Chicago, US	2021-04-09
Montana Burlison	Lewis County, US	2021-04-09
Jessica Sims	Herkimer, US	2021-04-09
Kailey May Ardales	Chicago, US	2021-04-09
Elijah McCrary	Alexandria, US	2021-04-09
Daisy Calderon	Horseheads, US	2021-04-09
Leigh Energi	Spring, US	2021-04-09
Elizabeth Kivel	Tarrytown, US	2021-04-09
Zaheer Yisrael	New York, US	2021-04-09
Cole Porterfield	Salt Lake City, US	2021-04-09
MARQUA FRENCH	Bellingham, WA	2021-04-09

Name	Location	Date
Tamara Garrison	Everett, WA	2021-04-09
Tiah Johnson	Seattle, WA	2021-04-09
Danna Cabrera	Houston, US	2021-04-09
Laura Leticia	Sandy, US	2021-04-09
Blueberry Cherry	Tucson, US	2021-04-09
David Rund	Seattle, WA	2021-04-10
Lanie Richards	Bellingham, WA	2021-04-10
Madison Moreno	Seattle, WA	2021-04-10
Martha Siegert	Bothell, WA	2021-04-10
Jocelyn Berge	Edmonds, WA	2021-04-10
Joy Figueroa	Lynnwood, WA	2021-04-10
Rocio Healy	Seattle, WA	2021-04-10
Nicole Fisher	Lake Stevens, WA	2021-04-10
Julie Ness	Seattle, WA	2021-04-11
Joanna McGuire	Anaheim, CA	2021-04-11
Lisa Eeckhoudt	Seattle, WA	2021-04-11
Amanda Palmer-Schafer	Seattle, WA	2021-04-11
Jennifer Louch	Lynnwood, WA	2021-04-11
Jenny Firoved	Mountlake Terrace, WA	2021-04-11
Greg Vammen	Seattle, WA	2021-04-11
Tammy Schreiber	Coupeville, WA	2021-04-11
Liseth Poitan	Spring, US	2021-04-11

Name	Location	Date
Patricia Kemmer	Olympia, WA	2021-04-11
Cathleen Turner	Kent, WA	2021-04-12
TIMEKA Trotter	Corona, US	2021-04-12
Kristine Meusling	Lynnwood, WA	2021-04-12
Anna Ristaino	San Francisco, US	2021-04-12
Joann Friedly	Lockport, US	2021-04-12
Allison Reguin	Norwich, US	2021-04-12
Carter Seagle	Pulaski, US	2021-04-12
Ann Strandoo	Seattle, WA	2021-04-12
Vanessa Shaughnessy	Seattle, WA	2021-04-12
James ingersoll Phd	Lacey, WA	2021-04-12
Josh Meramore	Redmond, WA	2021-04-12
meg brown	Seattle, WA	2021-04-12
Heather Roan Robbins	Ronan, MT	2021-04-13
Maleah Haegele	Redmond, US	2021-04-13
Gina Torres	Bronx, US	2021-04-13
Denali Chase	Tekoa, US	2021-04-13
Leah Pawlak	Dunkirk, US	2021-04-13
Julianna Dizor	Jacksonville, US	2021-04-13
Amanda Shipley	Saint Paul, US	2021-04-13
Eveanna Arredondo	Odessa, US	2021-04-13
Tanya Jones	Bruceton Mills, US	2021-04-13

Name	Location	Date
David Grygo	Langhorne, US	2021-04-13
Astrid Parada	Paterson, US	2021-04-13
Isabella Felletti	Detroit, US	2021-04-13
Kyle Hill	Shorewood, US	2021-04-13
Heather Warren	Seattle, WA	2021-04-13
Barbara bauml	Spanaway, WA	2021-04-13
Sydney Hamilton	Hanover, US	2021-04-13
Madeline Lacked	Fort Worth, US	2021-04-13
Ambria Barrientos	Bakersfield, US	2021-04-13
Marsha Meyers	Federal Way, WA	2021-04-13
Rylan Fischer	Bothell, WA	2021-04-13
dolores suttles	Jermyn, US	2021-04-13
Aaron Villanueva	Irvington, US	2021-04-13
Patrick Dolan	Middletown, US	2021-04-13
Allysah Wolgamuth	El Paso, US	2021-04-13
Linda Carlson	Veneta, OR	2021-04-13
Olivia Love	Kirkland, WA	2021-04-13
Naomi Newell	Seattle, WA	2021-04-13
Emily Kinney	Portland, OR	2021-04-13
Jenai Uhrich	Seattle, WA	2021-04-13
Ashley Nielsen	seattle, WA	2021-04-13
Molly Parker	Renton, WA	2021-04-13

Name	Location	Date
Behe Aha	New Albany, US	2021-04-13
joselyn mejia	Hartsdale, US	2021-04-13
Alyssa Meehan	Maple Valley, WA	2021-04-13
Yeneba Pombor	Alexandria, US	2021-04-13
Kerem Pauwels	Newton Center, US	2021-04-13
Hannah Ganga	Ellenville, US	2021-04-13
Rita Staley	Gwynn Oak, US	2021-04-13
Haley Boyd	Fayetteville, US	2021-04-13
jayden washington	Fayetteville, US	2021-04-13
Sofia Alley	Roseville, US	2021-04-13
Jeicy Paucar	Fall River, US	2021-04-13
Shemika Phillips	Renton, WA	2021-04-13
Stephanie Forte	Dupont, WA	2021-04-13
Elissa Dunsmore	US	2021-04-13
Jessica Pelkey	Seattle, WA	2021-04-13
Edward Gates	Mount Vernon, WA	2021-04-13
Cecily Jurman	Seattle, WA	2021-04-13
Silja Stanley	vancouver, WA	2021-04-13
Alice Noland	Oak Harbor, WA	2021-04-13
Penelope Guntermann	Snohomish, WA	2021-04-13
Leticia Olivas	Marysville, WA	2021-04-14
Jewel Shrout	Lake Stevens, WA	2021-04-14

Name	Location	Date
Beatrice Greenwald	Seattle, WA	2021-04-14
Laura James	Seattle, WA	2021-04-14
Terry Jones	Coupeville, WA	2021-04-14
Leslie Mills-Golden	Eastpointe, US	2021-04-14
Maria Vargas	US	2021-04-14
Eva Hinojoza	Hickory, US	2021-04-14
Karli Connor	Berlin, US	2021-04-14
Kellissa Jackson	Fayetteville, US	2021-04-14
Evleen Korkis	Skokie, US	2021-04-14
Courtney Dewater	Seattle, US	2021-04-14
Carol Sullivan	Oak Harbor, WA	2021-04-14
Hilary Willingham	Tacoma, WA	2021-04-14
Jocelyn Stilwell	Palo Alto, CA	2021-04-14
Melissa Duffy	Everett, WA	2021-04-14
Kandace Humphrey	Seattle, WA	2021-04-14
Gwendolyn Mackie	Fernandina Beach, US	2021-04-14
clarence shoab	Newark, US	2021-04-14
simone rajput	Snellville, US	2021-04-14
Lilah S	Birmingham, US	2021-04-14
Amira Martin	Hoist, US	2021-04-14
Joslin Roth	seattle, WA	2021-04-14
Savanah Smith	Santee, US	2021-04-14

Name	Location	Date
Willie Bridges	Foley, US	2021-04-14
Geneel Best	Troy, US	2021-04-14
Jessicka Alvarado	Hampton Bays, US	2021-04-14
Mia Hardge	Columbus, US	2021-04-14
Amber Figueroa	Fairfax, US	2021-04-14
Ashley Lons	Brooklyn, US	2021-04-14
Karen Guzak	Snohomish, WA	2021-04-14
Recca Conley	Muncie, US	2021-04-14
Morgan Sumner	Crossville, US	2021-04-14
Lexy Garriga	Fort Myers, US	2021-04-14
Nariya Leary	Somerville, US	2021-04-14
Mia Beasley	Saint Cloud, US	2021-04-14
Aaron Frazier	Hillsborough, US	2021-04-14
Melanie Martinez	Bakersfield, US	2021-04-14
Paul Anderson	Bothell, WA	2021-04-14
Ashley Simien	Lake Charles, US	2021-04-14
Freddie Holman	Fort Worth, US	2021-04-14
Nikita Kozlov	Anaheim, US	2021-04-14
Chelsea Ethridge	Whitehouse, TX	2021-04-14
Mekhia Chapman	Detroit, US	2021-04-14
Isabell Cardoso	Fresno, US	2021-04-14
Rosa Urquiza	Brockton, US	2021-04-14

Name	Location	Date
Elisabed Moore	Chicago, US	2021-04-14
Debra Oberloh	Longview, WA	2021-04-14
Karina Titus	Athens, US	2021-04-14
Elena Pollard	Santa Monica, US	2021-04-14
Barbara Harris	Dothan, US	2021-04-14
Hartman Bill	Caliente, NV	2021-04-14
Holly Hess	Seattle, WA	2021-04-14
Sergio Dominguez	Santa Cruz, US	2021-04-14
Karolina Heathcock	Waynesboro, US	2021-04-14
Ainsley Stephenson	Monrovia, US	2021-04-14
Alexandra B	Houston, US	2021-04-14
reem kaisi	Louisville, US	2021-04-14
roni cox	Pataskala, US	2021-04-14
Linda Scott	Houston, US	2021-04-14
Lincoln Turner	Dallas, US	2021-04-14
Gracr Gaulden	Minneapolis, US	2021-04-14
Bella Hamilton	Tacoma, US	2021-04-14
Laura Perez	Washougal, US	2021-04-14
Terrell Smith	Wellford, US	2021-04-14
Mandy Bocanegra	Weslaco, US	2021-04-14
Terrill Gibson	Tacoma, WA	2021-04-14
Jacob Troupe	Tacoma, WA	2021-04-14

Name	Location	Date
Shannon Day	Seattle, WA	2021-04-14
Sylvia Taylor	Edmonds, WA	2021-04-14
Tim Oberloh	Longview, WA	2021-04-15
taylor martyn	Lynn, US	2021-04-15
Octavian Bottom	Battle Creek, US	2021-04-15
Gabriella Veglianti	Wall lake, US	2021-04-15
Anaya Archie	Charlotte, US	2021-04-15
Leah zywicki	Minneapolis, US	2021-04-15
kaylee smith	Henderson, US	2021-04-15
munaf shaikh	Santa Cruz, US	2021-04-15
Malinda Barnwell	Birmingham, US	2021-04-15
Michael Virgil	Springwater, US	2021-04-15
Laurel VanAm	Columbus, US	2021-04-15
Asha Rubin	New York, US	2021-04-15
Markeisha Butler	Media, US	2021-04-15
Julius Jackson	San Antonio, US	2021-04-15
Bobby Radford	Atlanta, US	2021-04-15
Samantha Young	Chicago, US	2021-04-15
Michael Schuba	Chicago, US	2021-04-15
Corinne Travis	Shoreline, WA	2021-04-15
justin thomas	centerville, US	2021-04-15
Nova Hayes	Davenport, US	2021-04-15

Name	Location	Date
Sophia Harrington	Plano, US	2021-04-15
Jace Page	Scottsboro, US	2021-04-15
Mario Beltran	Monrovia, US	2021-04-15
Sayal Gurung	Springfield, US	2021-04-15
Briniyah Medley	Chicago, US	2021-04-15
Jessica Tomaskow	Derry, US	2021-04-15
Emmanuel C	Sanford, US	2021-04-15
Kiara Thomas	Selma, US	2021-04-15
Zakiya Shaikh	Santa Cruz, CA	2021-04-15
Edein Mike	Richardson, US	2021-04-15
Madelyn Warren	Chicago, US	2021-04-15
Brigitte Partington	US	2021-04-15
James Kipp	Georgetown, DE	2021-04-15
Maria Eduarda Rocha de Oliveira	US	2021-04-15
Tamika Bouseman	Roanoke, US	2021-04-15
Sexy McDonalds	Washington D.C., US	2021-04-15
Jessica Bukowski	Round Lake, US	2021-04-16
Martina Ugarte	Chapel Hill, US	2021-04-16
Toby Pyle	Austin, US	2021-04-16
Troy Stutsman	Elkhart, US	2021-04-16
Deborah Gardner	Salt lake city, US	2021-04-16

Name	Location	Date
Nicole Lezcano	Fort Lauderdale, US	2021-04-16
Danielle Brown	Beverly, US	2021-04-16
Allyson Oviedo	Arlington, US	2021-04-16
Maria Sanchez	Brooklyn, US	2021-04-16
ur mom	Los Angeles, US	2021-04-16
Mara Queen	Waukegan, US	2021-04-16
Kaylynn Wickwire	Vancouver, US	2021-04-16
Joan Barton	Kirkland, WA	2021-04-16
Vanessa Arceo	Aurora, US	2021-04-16
niki faulkner	Oroville, US	2021-04-16
Patricia Compton	Gainesville, US	2021-04-16
Traci Davis	Long Beach, US	2021-04-16
Raima Syed	Antioch, US	2021-04-16
Mariel Van Hyning	Export, US	2021-04-16
Nick McGraw	Vero Beach, US	2021-04-16
William Barben II	New castle, US	2021-04-16
Nikcole Smith	Chicago, US	2021-04-16
Candace King	Cypress, US	2021-04-16
Sydney Owens	US	2021-04-16
Donna McCluskey	Rome, US	2021-04-16
Teron king	Staten Island, US	2021-04-16
Allison Thorn	Dallas, US	2021-04-16

Name	Location	Date
Glitchcore Liar	Waynesville, US	2021-04-16
Doge Lamurah	San francisco, US	2021-04-16
Shayan Feroz	Willowbrook, US	2021-04-16
Anjel Arreola	Fontana, US	2021-04-16
sofia cisneros	Dallas, US	2021-04-16
Nicole Dickerson	Mill Creek, WA	2021-04-16
Ashley Fan	US	2021-04-16
Sierra Stalzer	Oregon, US	2021-04-16
Thomas Lego	Hibbing, US	2021-04-16
Genesis Rocha	Whittier, US	2021-04-16
Jackie Lopez	Kansas City, US	2021-04-16
Emely Reyes	Houston, US	2021-04-16
Lucas Smith	US	2021-04-17
Suraya Webb	Victorville, US	2021-04-17
Elizabeth Garcia	Crosby, US	2021-04-17
zachery thorns bury	Denver, US	2021-04-17
Dayana Castillo	Houston, US	2021-04-17
Ana Oliveira	Haleiwa, US	2021-04-17
Crystal Fresquez	Aurora, US	2021-04-17
Lana Desimone	West Palm Beach, US	2021-04-17
BLee Clay	US	2021-04-17
Jo Ann Taylor	Beaufort, US	2021-04-17

Name	Location	Date
Aimee O'Toole	San Jose, US	2021-04-17
Philip Levin	Henrico, US	2021-04-17
Liliana Barrientos	San Diego, US	2021-04-17
Demi Thompson	Collingswood, US	2021-04-17
Melinda Jackson	Seattle, WA	2021-04-17
Savannah Rodriguez	Houston, US	2021-04-17
Coco Kei	Hartland, US	2021-04-17
Miciah Bidgell	Atlanta, US	2021-04-17
Sophia Petrocco	Lafayette, US	2021-04-17
Daniela Nilaj	Bronx, US	2021-04-17
Aleiseiya White	Teaneck, US	2021-04-17
Sofia Aguilar	Lincoln, US	2021-04-17
Sydney Barnes	New Lenox, US	2021-04-17
TJ Cyrus	Washington, US	2021-04-17
Kelly Nestelroad	Kansas City, US	2021-04-17
Jocelyn Moreno	Delano, US	2021-04-17
Amani Hyman	Elkridge, US	2021-04-17
Kevin Whatley	Federal Way, WA	2021-04-18
Joe Nobleza	US	2021-04-18
Bianca Branco	US	2021-04-18
Maleah Lunan	Cortland, US	2021-04-18
Jade Arcega	Yuma, US	2021-04-18

Name	Location	Date
juan colunga	edinburg, US	2021-04-18
Emmy Rogers	US	2021-04-18
Jenifer Alonzo	Omaha, US	2021-04-18
Brianna Vega	Manteca, US	2021-04-18
Isabella Castro	Vancouver, US	2021-04-18
Ricardo Lopez	El cajon, US	2021-04-18
Brandon Carelock	Monroe, US	2021-04-18
Kasia Fackrell	Midvale, US	2021-04-18
Chloes Canady	Marietta, US	2021-04-18
Azazel James	Eureka, US	2021-04-18
Aura Maldonado	Lake Forest, US	2021-04-18
shanna moo	Skokie, US	2021-04-18
re watts	Brooklyn, US	2021-04-18
Nayeli Mena	Phoenix, US	2021-04-18
Kinzee Valliere	Jacksonville, US	2021-04-18
marissa fix	State College, US	2021-04-18
Esayass Zemariam	Washington, US	2021-04-18
Sydney Johnson	Rosedale, US	2021-04-18
Lola Bryant	Reno, US	2021-04-18
fahim chowdhury	Bloomfi, US	2021-04-18
Daryl Lindholm	Lynnwood, WA	2021-04-18
alex m.	Cary, US	2021-04-18

Name	Location	Date
Deante Anderson	Detroit, US	2021-04-18
Mohamed Magano	Amarillo, US	2021-04-18
Paw Wah	Lincoln, US	2021-04-18
Jorge Garcia	Salt Lake City, US	2021-04-18
nathalie perez	Dacula, US	2021-04-18
Giovana Sandoval	Shakopee, US	2021-04-18
ryan phan	San Jose, US	2021-04-18
Ben Vollmer	Columbia, US	2021-04-18
Laura Wang	Santa Cruz, US	2021-04-18
zara ghorl	Los Angeles, US	2021-04-18
BJ Culp	Sunbury, US	2021-04-18
Shekina McCullough	Ashland, US	2021-04-18
Maria Willrett	Prior Lake, US	2021-04-18
halle bodden	Orlando, US	2021-04-19
Ivy Schroeder	Stamford, US	2021-04-19
Maria Seijas	Orlando, US	2021-04-19
Fabi Torres	Dallas, US	2021-04-19
Briana Rocha	Camarillo, US	2021-04-19
john stinson	West Plains, US	2021-04-19
Sasha Bryant	Brooklyn, US	2021-04-19
Alida Paul	Orlando, US	2021-04-19
Marcela Roldan	Cypress, US	2021-04-19

Name	Location	Date
Lennis Wafford	Bakersfield, US	2021-04-19
lexi lovell	buckeye, US	2021-04-19
aaron Brown	Chesapeake, US	2021-04-19
Alex Jones	Ness City, US	2021-04-19
Alyssa Marshall	Hayward, US	2021-04-19
Keisha Orozco	Avondale, US	2021-04-19
Everett Orme	Fredericksburg, US	2021-04-19
Nasia Stewart	Warrensville, US	2021-04-19
Ella Stachurski	Neenah, US	2021-04-19
Jester Santizo	Kenmare, US	2021-04-19
Emily Cruz	Coolidge, US	2021-04-19
Valleria Dominguez	Marion, US	2021-04-19
Bianey Cuevas	Anaheim, US	2021-04-19
Lesly Diaz	Omak, WA	2021-04-19
Ryan Nguyen	Carol Stream, US	2021-04-19
David Rauschkolb	Jerseyville, US	2021-04-19
Black Niggers	Gibsonia, US	2021-04-19
Samuel Diaz	Spokane, WA	2021-04-19
Trieva Katsandres	Lynnwood, WA	2021-04-19
kayla george	Rochester, US	2021-04-19
ayomide martins	Houston, US	2021-04-19
Maura Trejo	Issaquah, WA	2021-04-19

Name	Location	Date
Ariella Allen	Poughkeepsie, US	2021-04-19
Joseph Hallowell	Irving, US	2021-04-19
Tia Spann	Bishopville, US	2021-04-19
Hannah Spurling	Tyler, US	2021-04-19
ethan curtis	West Jordan, US	2021-04-19
Kate L	El Paso, US	2021-04-19
Eileen Vargas	San Jose, US	2021-04-19
Danna Paredes	Yakima, US	2021-04-19
Sonia Vega	Omak, WA	2021-04-19
Gabriel Figueroa	Edinburg, US	2021-04-19
Ryan H	Dallas, US	2021-04-19
samantha o.	Newark, US	2021-04-19
emma fullman	Dripping Springs, US	2021-04-19
Ashley Cervantes	Grand Rapids, US	2021-04-19
URMOM .COM	Parksville, US	2021-04-19
serena marilungo	uniontown, US	2021-04-19
Stacy Fortney	Washington, US	2021-04-19
Evy James	Morro Bay, US	2021-04-19
Tyler Hyle	Bronx, US	2021-04-19
Chris Parsons	Madison, US	2021-04-19
Arshia Shah	Closter, US	2021-04-19
Erin Quinn	North Liberty, US	2021-04-19

Name	Location	Date
Dennis Clair	Boston, US	2021-04-19
Miguel Soria	Jacksonville, US	2021-04-19
Kongkwan Williams	Renton, US	2021-04-19
Amayra Ramirez	US	2021-04-19
Veronica Anabaronye	Lawrence Township, US	2021-04-19
Franza Joseph	Mattapan, US	2021-04-19
Ryon Hardin	Collinsville, US	2021-04-19
Chofy Vasquez	Chicago, US	2021-04-19
Giana Johnson	Antioch, US	2021-04-19
Mark Delor	Port Huron, US	2021-04-19
Brooklyn Huerta	Salt Lake City, US	2021-04-19
Vhea Velayo	Las Vegas, US	2021-04-19
Cenzi Morris	Crystal Lake, US	2021-04-19
Mercedes Segura	Hialeah, US	2021-04-19
Teresa L. Cox	Price, UT	2021-04-20
Kamilyn Pennington	Lynnwood, WA	2021-04-20
Leisa Bulick	White Salmon, WA	2021-04-20
Sienna Call	Northridge, US	2021-04-20
Noah Rypdahl	Fayetteville, US	2021-04-20
CHRISTOPHER CHALMERS	Spring Hill, US	2021-04-20
Allison Muñoz	Cary, US	2021-04-20
Austin Little	Martin, US	2021-04-20

Name	Location	Date
Rebecca Augustin	Somerton, US	2021-04-20
Gabriella Baldassarre	Elizabeth, US	2021-04-20
Evlyn Lindberg	Mason, US	2021-04-20
D Huckaby	Douglasville, US	2021-04-20
Christopher Bello	Seaside, US	2021-04-20
Mary Pat DiLeva	Seattle, WA	2021-04-20
Patricia Parsons	Lake Elsinore, US	2021-04-20
Lynaura Brauer	Clearfield, US	2021-04-20
Jai'lin Jones	Ardmore, US	2021-04-20
Hiii Hehehe	Eugene, US	2021-04-20
Kenya Rodriguez	Houston, US	2021-04-20
Serenity Abalos	Las Vegas, US	2021-04-20
Percy Hicks	Houston, US	2021-04-20
William Hunter	Seaside, US	2021-04-20
Bree Holtz	Vancouver, US	2021-04-20
Mrs. Watson	Bradenton, US	2021-04-20
Keshia Mitchell-Brown	US	2021-04-20
Patricia King	Fayette, US	2021-04-20
Addison Weiss	Granbury, US	2021-04-20
Diego Meraz	Willards, US	2021-04-20
Arloet Calixto	Clifton, US	2021-04-20
Vanessa Montanez	Detroit, US	2021-04-20

Name	Location	Date
Jayel Taylor	Clyde, US	2021-04-20
Briana C.	US	2021-04-20
Victoria Gbadamosi	Lynn, US	2021-04-20
Nayeli Garcia	Atlanta, US	2021-04-20
pamys Puntiel	hazleton, US	2021-04-20
bobby cole	Roanoke, US	2021-04-20
Jae Lee	Tallassee, US	2021-04-20
Addisin Purdom	US	2021-04-20
Emily Braulio	Atlanta, US	2021-04-20
Semona Giorgis	Harrisburg, US	2021-04-20
Pricila Leyva	Marion, US	2021-04-20
Marifer Torrealba	Lawrenceville, US	2021-04-20
Ja'nae Owens	Washington, US	2021-04-20
Laila Jasso	Oak Lawn, US	2021-04-20
Kim M	Lafayette, US	2021-04-20
ryan patterson	austin, US	2021-04-20
jasmine markewicz	russell, US	2021-04-20
Ashley Worrell	Lexington, US	2021-04-20
brianna alvarado	amityville, US	2021-04-20
safiya lemmons	Medford, US	2021-04-20
Alan Cardenas	El Paso, US	2021-04-20
shaiann allen	Glen Allen, US	2021-04-20

Name	Location	Date
Arthur Donjuan	Dallas, US	2021-04-20
mal d	Randolph, US	2021-04-20
sentoria quick	Rockingham, US	2021-04-20
Josselyn Martell	Commerce City, US	2021-04-20
Samantha Rojas	Anaheim, US	2021-04-20
Rubiana Reyes	Homeland, US	2021-04-20
August Gotha	Sacramento, US	2021-04-20
Sean Bradley	Victorville, US	2021-04-20
Valerie Paredes	McLean, US	2021-04-20
Braxton Colvin	Saltillo, US	2021-04-20
Joselyn Ramirez	Oakland, US	2021-04-20
Kira I see you ;))))	Fitchburg, US	2021-04-20
Kendall Bowdeb	Newark, US	2021-04-20
Lizbeth Martinez	Dallas, US	2021-04-20
Joe Christman	Ten Sleep, US	2021-04-20
Dayanara Herrera	Manteca, US	2021-04-20
Ashley Alvarez	Atlanta, US	2021-04-20
Rocio Rios	Burbank, US	2021-04-20
Lily Moen	Lake Zurich, US	2021-04-20
Sydney Jones	Fort Worth, US	2021-04-20
Jose Hernandez Garcia	Morehead City, US	2021-04-20
Naomi Gomez	Sherman, US	2021-04-20

Name	Location	Date
Heidy Navarro	Rowlett, US	2021-04-20
Frost Byte	Arlington, US	2021-04-20
Angel Ventura	Cathedral City, US	2021-04-20
Kou Moua	Merced, US	2021-04-20
Paulina Irarrazabal	Homestead, US	2021-04-20
Amelie Lacroix	Los Angeles, US	2021-04-20
Julia Michaels	Littleton, US	2021-04-20
Kevin Noble	Charlotte, US	2021-04-20
Mel Castro	Tacoma, US	2021-04-20
Kyra Shepherd	Salisbury, US	2021-04-20
Diana Calderon	Lilburn, US	2021-04-20
emma walker	Portsmouth, US	2021-04-20
Diana Cortes	Woodburn, US	2021-04-20
Jose Garcia	Morehead City, US	2021-04-20
Maya C	Sicklerville, US	2021-04-20
Ailen Juvier	Washington, US	2021-04-20
marissa miller	Troy, US	2021-04-20
Christian Hernandez	Euless, US	2021-04-20
Corliss Thompson	San Diego, US	2021-04-20
aubrey grove	sulphur, US	2021-04-20
riley bandy	taylor, US	2021-04-20
Karina Aguilera	Inkster, US	2021-04-20

Name	Location	Date
melanie williams	Los Angeles, US	2021-04-20
Dorothy Wang	Yorba Linda, US	2021-04-20
Quaysha Johnson	Irmo, US	2021-04-20
Trinity Noble	Charlotte, US	2021-04-20
Charizma Howell	Crosby, US	2021-04-20
Sithmi Rajaguru	US	2021-04-20
Marisol Silva	Rockford, US	2021-04-20
Kristina Trigiano	Chantilly, US	2021-04-20
Maria luisa Varela ucros	Miami, US	2021-04-20
Leila Rubaud	Charlotte, US	2021-04-20
Jenny Duge	Phoenix, US	2021-04-20
makayla alston	Dundalk, US	2021-04-20
Sophia Mansour	Washington, US	2021-04-20
Brian Wang	Ocean City, US	2021-04-20
Noah Taylor	Asheville, US	2021-04-20
Jenna Burnham	Riverview, US	2021-04-20
Roses Carlon	Virginia Beach, US	2021-04-20
Aliyah Cukaj	Hampton Bays, US	2021-04-20
Kaylee Green	Buffalo, US	2021-04-20
Tiffany Zheng	Springfield, US	2021-04-20
Ryan Ayala	Santa Rosa, US	2021-04-20
Kiah Earl	Salem, US	2021-04-20

Name	Location	Date
Christopher Allen	Brooklyn, US	2021-04-20
Shaden Morales	Chicago, US	2021-04-20
Bradley Garcia	Weslaco, US	2021-04-20
Selasey Mordo	Auburn, US	2021-04-20
lainie montalvo	Tacoma, US	2021-04-20
Avery Wright	Minneapolis, US	2021-04-20
Tiffany Cahuas	Kissimmee, US	2021-04-20
caroline trejo	Ocean City, US	2021-04-20
Aaron Edley	Goochland, US	2021-04-20
Karyme Lopez	Champaign, US	2021-04-20
talia rodriguez	Chicago, US	2021-04-20
Carly Lakes	US	2021-04-20
Jourdan Watson	Columbus, US	2021-04-20
Maiya Pickett	Clinton Township, US	2021-04-20
Jamie Arreglado	Olympia, US	2021-04-20
Caroline Svendsen	Boca Raton, US	2021-04-20
Sophia Urbas	Medina, US	2021-04-20
Qanani Oljirra	Minneapolis, US	2021-04-20
Nadiyah Suits	Chatham, US	2021-04-20
Kassandra Romo	Vallejo, US	2021-04-20
Niggers Suckmyass	Sherman, US	2021-04-20
Eva Crichton	Hixson, US	2021-04-20

Name	Location	Date
Tania Shimkus	Palm Bay, US	2021-04-20
olivia ulrich	Lindenhurst, US	2021-04-20
Jessica Davis	Altoona, US	2021-04-20
Julian Smalls	Reno, US	2021-04-20
Jocelyn Zaragoza	Gallatin, US	2021-04-20
Aaliyah Smith	Cincinnati, US	2021-04-20
Dwayne Bass	Dunn, US	2021-04-20
Crip Bil	Little Rock, US	2021-04-20
ella k	Buford, US	2021-04-20
ALiyanna Carrillo	Saginaw, US	2021-04-20
Bryan Linders	Federal Way, WA	2021-04-20
Mo'Nay Turner	Morrisville, US	2021-04-20
emily lian	Portland, US	2021-04-20
T L	Mesa, US	2021-04-20
Penelope H	Columbus, US	2021-04-20
Karin Bohmholdt	Los Angeles, US	2021-04-20
Adrian Cardoso	Urbana, US	2021-04-20
Isabela Graham	Kissimmee, US	2021-04-20
Ellen Kovats	Minneapolis, US	2021-04-20
- -	Staten Island, US	2021-04-20
lydia palafox	Fresno, US	2021-04-20
Madeline Zanella	Baltimore, US	2021-04-20

Name	Location	Date
a b	Oakland, US	2021-04-20
Jenny Lanten	Fort Lauderdale, US	2021-04-20
marian belen	Bergenfield, US	2021-04-20
Caidance DeFrancis	Philadelphia, US	2021-04-20
Melanie Aguilar	Fresno, US	2021-04-20
OmegaFloweyKicksAss 99	Fairborn, US	2021-04-20
alonna p	Baldwinsville, US	2021-04-20
Max Mendelsohn	Huntington, US	2021-04-20
hanel sako	San Diego, US	2021-04-20
Evie Glover	Fond Du Lac, US	2021-04-20
Meghan Swafford	Dalton, US	2021-04-20
Taylor Deanna	Detroit, US	2021-04-20
Avery Lange	New York, US	2021-04-20
Ivy Mulhern	Greensboro, US	2021-04-20
Isabella Getahun	Washington, US	2021-04-20
Andrea S	Pembroke Pines, US	2021-04-20
Marcos Casillas	San Juan, US	2021-04-20
Ebenga Sails	Florissant, US	2021-04-20
Angela Mocarapiromya	Riverside, US	2021-04-20
Ahmani Campbell	Chandler, US	2021-04-20
Annastasia Saldivar	Merrillville, US	2021-04-20
Micheal Swamp	Chicago, US	2021-04-20

Name	Location	Date
steph weiland	New York, US	2021-04-20
Yulissa Morejon	Miami, US	2021-04-20
Julia Trachsel	Akron, US	2021-04-20
Michelle Kleckner	Omaha, US	2021-04-20
Ja Murray	Darby, US	2021-04-20
me me big boy	US	2021-04-20
jolynn hem	Fresno, US	2021-04-20
Uneeda Stephens	Palm Bay, US	2021-04-20
Taylor R	Saint Louis, US	2021-04-20
Nyema Benge	Detroit, US	2021-04-20
Phoebe Laufik	Hopkinton, US	2021-04-20
Rhea Prasad	Anaheim, US	2021-04-20
Sophie Wixom	Fontana, US	2021-04-20
Anna Amber	Tinley Park, US	2021-04-20
Litzy Garcia	Brooklyn, US	2021-04-20
Gabriella Correia	Providence, US	2021-04-20
Louise Salem	Bellingham, WA	2021-04-20
Delialah Feliciano	Bronx, US	2021-04-20
Trinity Daniels	Atlanta, US	2021-04-20
Fiordalis Flores	Bronx, US	2021-04-20
emilia decocco	Brighton, US	2021-04-20
Iman Cheferou	Sanford, US	2021-04-20

Name	Location	Date
Khalid Gelani	Saint Cloud, US	2021-04-20
Yolanda Ramirez	US	2021-04-20
Tatum Smith	Halethorpe, US	2021-04-20
Elsy Chavez	Ukiah, US	2021-04-20
Paisley Zook	Springfield, US	2021-04-20
Lydia Pitts	Fort Smith, US	2021-04-20
Daniela Roman	Santa Maria, US	2021-04-20
Briareth Gomez	Corona, US	2021-04-20
Katherine LassoGordoa	phx, US	2021-04-20
Sarah Norman	Auburn, WA	2021-04-20
Rose Ness	Arlington, WA	2021-04-21
Joanna miller	Bellingham, WA	2021-04-21
Noelle Burns	Bellingham, WA	2021-04-21
Jacquie Prey	Seattle, WA	2021-04-21
Heather Kurtenbach	Lakewood, WA	2021-04-21
Karan Duquette	Powell, OH	2021-04-21
Laura Avery	Seattle, WA	2021-04-21
Sabrina Kemp	Tacoma, WA	2021-04-21
Larry Cox	Olympia, WA	2021-04-21
Micah Anderson	Auburn, WA	2021-04-21
Brian Hartwiger	Mount Vernon, WA	2021-04-21
Kamryn Stults	Honolulu, HI	2021-04-21

Name	Location	Date
Amanda Wick	Renton, WA	2021-04-21
John Ponzoha	Mount Vernon, WA	2021-04-22
Astrid Arevalo	Twentynine Palms, US	2021-04-22
ezra scar	miami, US	2021-04-22
Rider Rodriguez	Anaheim, US	2021-04-22
William Lopez	Canyon Country, US	2021-04-22
Crow Woodard	Kingsland, US	2021-04-22
Kim Jones	Chicago, US	2021-04-22
Brody Newland	Irving, US	2021-04-22
Alexis Avis	Palm beach gardens, US	2021-04-22
Jazzy #	Oakland, US	2021-04-22
Dee H	Waukesha, US	2021-04-22
Stephen Tetteh	Sylmar, US	2021-04-22
Steve Capetillo	Arlington, US	2021-04-22
Carrie Weideman	Sultan, WA	2021-04-22
Gabriel Souza	Fort Myers, US	2021-04-22
Ibrahim Fofanah	Dallas, US	2021-04-22
Tammy Vasseur	Coeur d Alene, US	2021-04-23
Robin Edwards	Hot Springs Village, US	2021-04-23
Brandon Niskey	louisville, US	2021-04-23
Oscar Sacriste	Laredo, US	2021-04-23
Vuong Lai	Fairfield, US	2021-04-23

Name	Location	Date
Ludvik Soleimani	Burbank, US	2021-04-23
Billie jo Schmidt	Angola, US	2021-04-24
Ibrahim Alkhatib	Ontario, US	2021-04-24
Krystal Rodriguez	Harrisburg, US	2021-04-24
Sarah Al-heahom	Omaha, US	2021-04-24
Usman Waheed	Chicago, US	2021-04-24
Alexandra Dick	Ware, US	2021-04-24
Megan Murphy	Huntersville, US	2021-04-24
Charles Larkin	Athol, US	2021-04-24
Donna Thompson	Pawtucket, RI	2021-04-24
Victor Medina	El Cerrito, US	2021-04-24
Maximus Hansen	Boise, US	2021-04-24
Ivan Rush	Fremont, US	2021-04-24
Carlos Escobar	Reseda, US	2021-04-24
Carson Nguyen	Garden Grove, US	2021-04-24
Daniel Macisaac	Winchester, US	2021-04-24
shannon findlay	Everett, WA	2021-04-24
Jay Bryan	Newark, US	2021-04-24
Cole Pehling	Kent, WA	2021-04-24
Natalia Solorio	Tracy, US	2021-04-24
Ghassan Aldabbagh	Phoenix, US	2021-04-25
Nickolas Piland	Spokane, WA	2021-04-25

Name	Location	Date
Eric Dyhouse	Lakeland, US	2021-04-25
Damien Conoly	Merced, US	2021-04-25
Nikia Jefferson	Brooklyn, US	2021-04-25
Hannah Duncan	Chicago, US	2021-04-25
Theresa Watson	Albuquerque, NM	2021-04-25
Suzanne Laird	Westerville, OH	2021-04-25
Tasia Dietz	Marion, US	2021-04-25
Gabriel Arriaga	Mesquite, US	2021-04-25
Jekhari Rogers	Birmingham, US	2021-04-25
John Przebielec	Seattle, WA	2021-04-25
Madelaine Ramey	Seattle, WA	2021-04-25
Jennifer Tidd	Everett, WA	2021-04-25
Cristine Hefner	Auburn, WA	2021-04-25
James Clark	Martinsville, US	2021-04-25
Jody Allen	Seattle, WA	2021-04-25
Emily Glebus	Gainesville, US	2021-04-25
James Jacobsen	Camano Island, WA	2021-04-25
Elizabeth Morgan	Elkridge, US	2021-04-25
Theresa Lightcap	Stapleton, US	2021-04-25
Hildreth Rose	Prattsburgh, NY	2021-04-26
Emma Vilandre	Millville, US	2021-04-26
John Hart	Snohomish, WA	2021-04-26

Name	Location	Date
Brian Grimord	Iron Mountain, US	2021-04-26
Wendy Tinker	Roy, WA	2021-04-26
Margaret Huntone	Troy, MI	2021-04-26
Patrick Coogan	Rochester, NY	2021-04-26
Kathy mccarty	Las Vegas, US	2021-04-26
Caitlin O'Sullivan	Lynnwood, WA	2021-04-26
Darlene Baldwin	Langley, WA	2021-04-26
Evelyn Ruvers	Fort Lauderdale, FL	2021-04-26

MEMO

To: Terra Nevitt, WSBA Interim Executive Director

From: Douglas J. Ende, WSBA Chief Disciplinary Counsel & Director of the Office of Disciplinary Counsel

Date: March 12, 2021

Re: Quarterly Discipline Report, 1st Quarter (January – March 2021)

A. Introduction

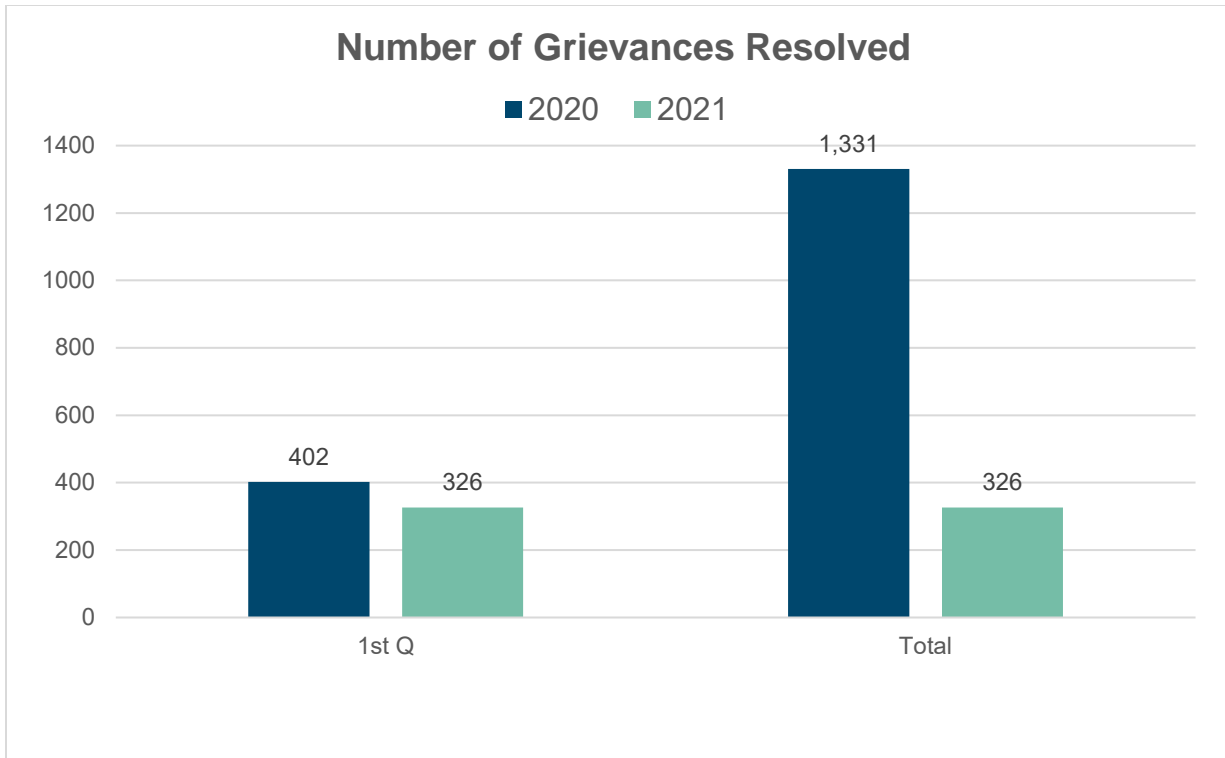
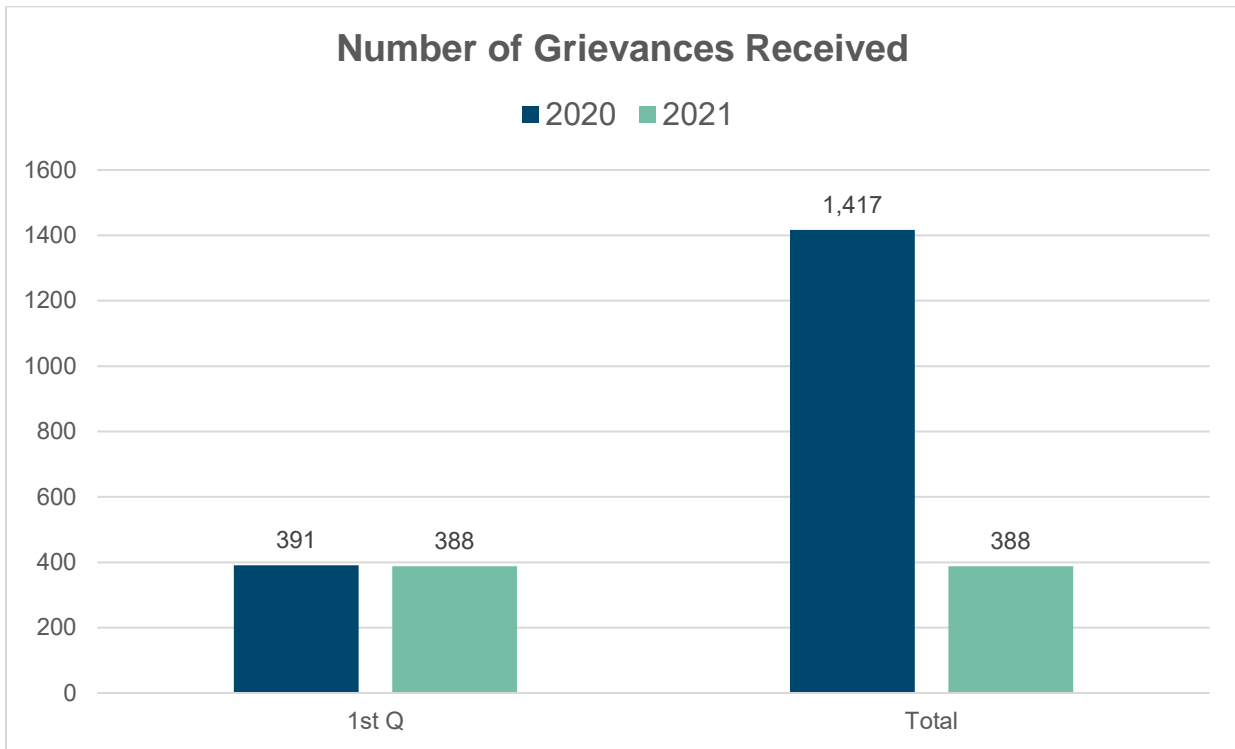
The Washington Supreme Court’s exclusive responsibility to administer the systems for discipline of licensed legal professionals (including disability systems) is delegated by court rule to WSBA. See GR 12.2(b)(6). Staff and volunteers carrying out the functions delegated by the Rules for Enforcement of Lawyer Conduct (ELC) act under the Supreme Court’s authority. The investigative and prosecutorial function is discharged by the employees in the Office of Disciplinary Counsel (ODC), which is responsible for investigating allegations and evidence of professional misconduct and incapacity and prosecuting violations of the Washington Supreme Court’s Rules of Professional Conduct.

The Quarterly Discipline Report provides a periodic overview of the functioning of the Office of Disciplinary Counsel. The report graphically depicts key discipline-system indicators for 1st Quarter 2021. Note that all numbers and statistics herein are considered tentative/approximate. Final figures will be issued in the 2021 Discipline System Annual Report.

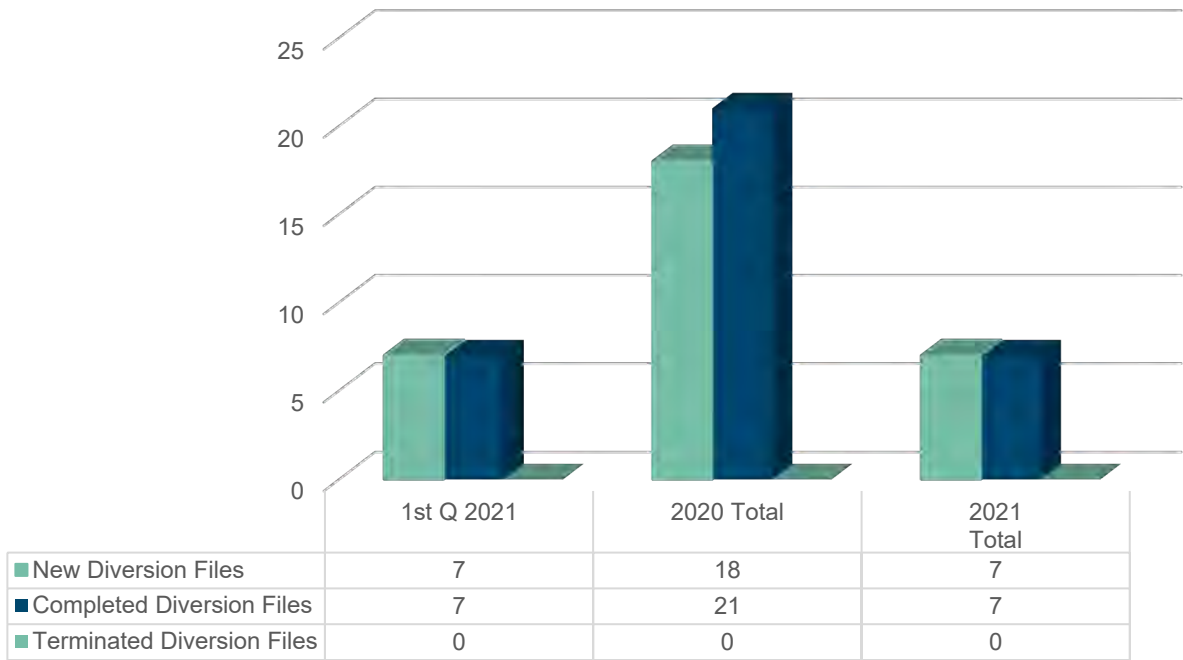
B. Recent Supreme Court Opinions & Other Information

- **Discipline System Annual Report Published.** In April 2021, the WSBA issued the 2020 Discipline System Annual Report. The Report is now available and can be accessed on the WSBA website at bit.ly/2020-Discipline-Report. The report, which is published and distributed in electronic form only, provides public information about Washington State’s discipline and disability system and summarizes information about its work and achievements during the 2020 calendar year. The Annual Report also includes discipline statistics and information about limited licenses. A “snapshot” of the Report is scheduled to be published in the June 2021 issue of the Bar News.
- **COVID-19-Related Changes to Operations.** Since March 2020, the vast majority of the ODC staff has continued to work 100% remotely. However, since the start of the year, disciplinary procedures that had been in abeyance began to resume. Notably, in March 2021, the random trust account examination program was relaunched. Further, remote hearings have begun with the remote hearings commencing on April 12, 2021 and May 3, 2021. Because of the postponement of many 2020 and early 2021 hearing dates, ODC anticipates a busy second and third quarter of disciplinary hearings.

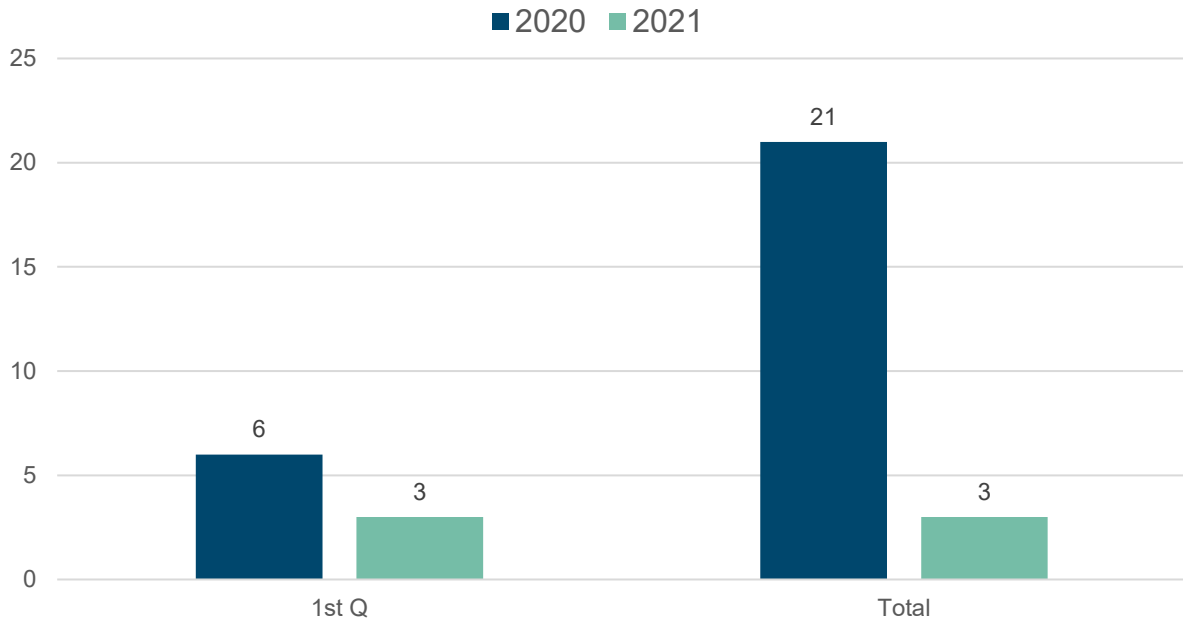
C. Grievances and Dispositions



Diversion Statistics

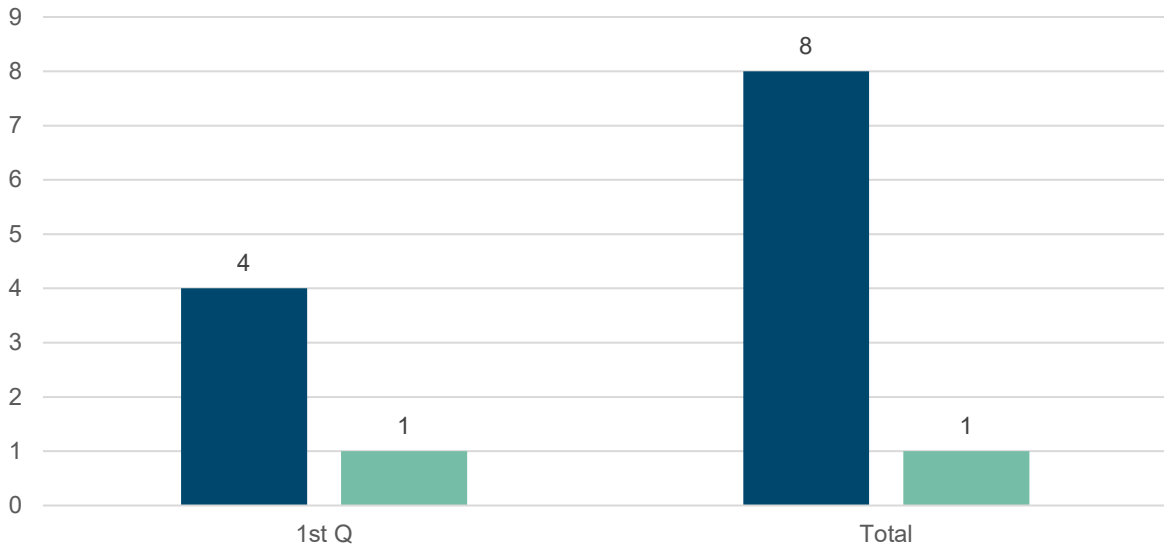


Formal Complaints Filed



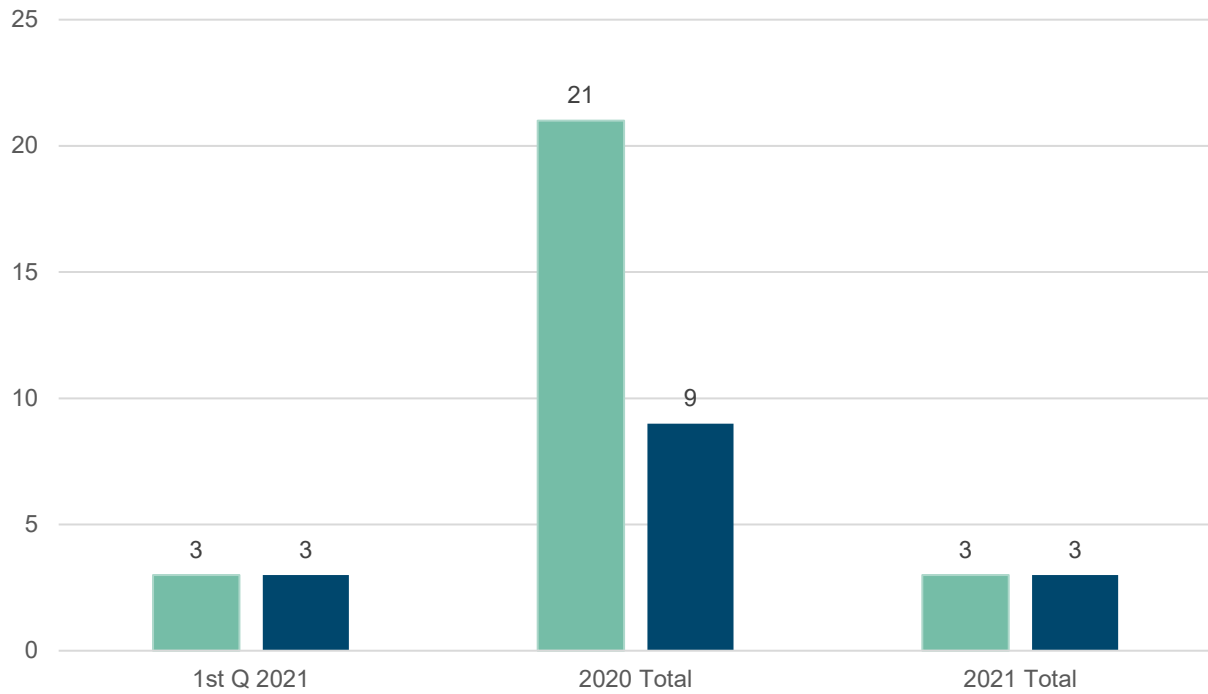
Reciprocal Discipline Files Opened

■ 2020 ■ 2021



Stipulations and Resignations in Lieu

■ Stipulation ■ Resignation in Lieu



Hearings Held	Quarter Total
1 st Quarter 2021	0
2 nd Quarter 2021	TBD
3 rd Quarter 2021	TBD
4 th Quarter 2021	TBD
2020 Total	3
2021 Total	0

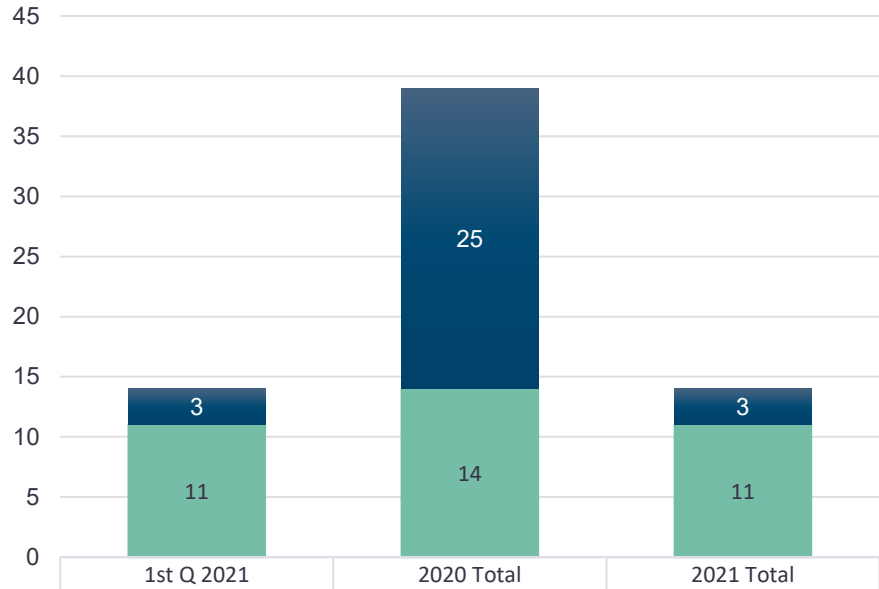
D. Pending Proceedings¹

Open Proceedings	2020	2021
Ending 1 st Quarter	40	37
Ending 2 nd Quarter	40	TBD
Ending 3 rd Quarter	40	TBD
Ending 4 th Quarter	40	TBD

¹ In the second table in this section, the Disciplinary Board numbers reflect Board orders on stipulations and following review after an appeal of a hearing officer's findings.

Matters Acted on by Reviewing Bodies

■ Supreme Court Matters Acted On ■ Disciplinary Board Matters Acted on

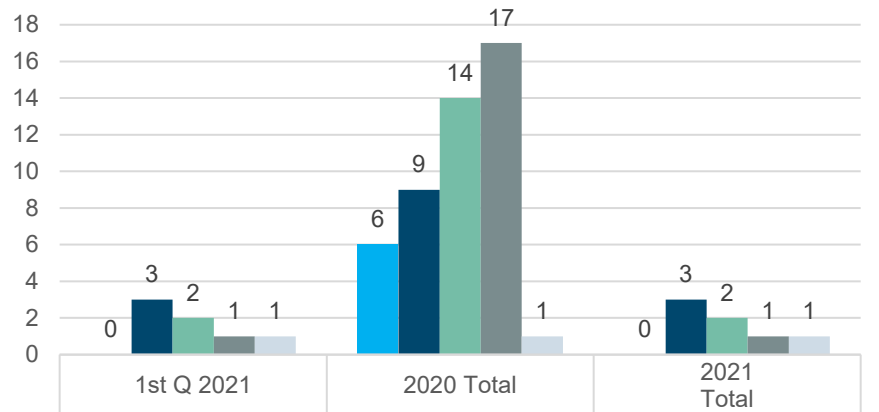


■ Supreme Court Matters Acted On	3	25	3
■ Disciplinary Board Matters Acted on	11	14	11

E. Final Disciplinary Actions

Final Disciplinary Actions

■ Disbarment ■ Resignation in Lieu of Discipline ■ Suspensions ■ Reprimands ■ Admonitions



■ Disbarment	0	6	0
■ Resignation in Lieu of Discipline	3	9	3
■ Suspensions	2	14	2
■ Reprimands	1	17	1
■ Admonitions	1	1	1

F. Disability Inactive Transfers

Disability Inactive Transfers	Quarter Total
1st Quarter 2021	3
2nd Quarter 2021	TBD
3rd Quarter 2021	TBD
4th Quarter 2021	TBD
2020 Total	7
2021 Total	3

G. Discipline Costs²

Quarterly Discipline Costs Collected	Total
1st Quarter 2021	\$30,648.71
2nd Quarter 2021	TBD
3rd Quarter 2021	TBD
4th Quarter 2021	TBD
2020 Total	\$93,512.44
2021 Total	\$30,648.71

² The cost figures may vary from amounts indicated in previous quarterly reports, statistical summaries, and annual reports, owing to discrepancies in the data available at the time of issuance of these quarterly reports and the final cost figures available after Accounting closes the monthly books.

WASHINGTON STATE BAR ASSOCIATION

Office of General Counsel

To: The President, President-elect, Immediate Past-President, and Board of Governors
 From: Julie Shankland, General Counsel
 Lisa Amatangel, Associate Director, OGC
 Date: May 4, 2021
 Re: Litigation Update

No.	Name	Brief Description	Status
1.	<i>Block v. Scott et al</i> , No. 20-2-07931-1 (Pierce Sup. Ct.)	Alleges civil rights and public records violations.	Complaint filed 10/07/20.
2.	<i>Block v. WSBA et al.</i> , No. 18-cv-00907 (W.D. Wash.) (" <i>Block II</i> ")	See <i>Block I</i> (below).	<p>On 03/21/19, the Ninth Circuit stayed <i>Block II</i> pending further action by the district court in <i>Block I</i>. On 12/17/19, Block filed a status report with the Ninth Circuit informing the Court of the <i>Block I</i> Court's reimposition of the vexatious litigant pre-filing order against Block. On 06/18/20, the Ninth Circuit lifted the stay order and ordered the appellees who have not yet filed their answering briefs to do so by 08/17/20 (WSBA filed its answer brief before the stay order was entered). Block's reply was due 10/09/20, then extended to 12/28/20.</p> <p>Block filed a reply brief four months late along with a motion for extension of time. The Ninth Circuit Court denied Block's motion for an extension and declined to accept the reply brief. Block has filed a Motion for Reconsideration of the Order denying her motion for an extension. The Ninth Circuit has set oral argument for 06/08/21.</p> <p>Block filed in the district court a Motion to Issue Indicative ruling and an amended version of the same motion, which was denied. Block filed a notice of appeal. Block's opening brief and excerpts of record are due 06/07/21; WSBA's answering brief is due 07/07/21.</p>



3.	<i>Eugster v. WSBA, et al.</i> , No. 18201561-2, (Spokane Sup. Ct.)	Challenges dismissal of <i>Spokane County 1</i> (case no. 15-2-04614-9).	Dismissal order signed 01/06/20. On 01/16/20, WSBA filed a supplemental brief on fees under CR 11 and RCW 4.84.185. Fee award of \$28,586 granted on 02/14/20; Eugster filed a notice of appeal on 03/02/20. WSBA filed its response brief on 12/14/20. Appeals briefing is complete; fees on appeal requested. This matter is tentatively set for consideration without oral argument on 06/02/21.
4.	<i>Block v. WSBA, et al.</i> , No. 15-cv-02018-RSM (W.D. Wash.) (" <i>Block I</i> ")	Alleges conspiracy among WSBA and others to deprive plaintiff of law license and retaliate for exercising 1st Amendment rights.	<p>On 02/11/19, 9th Cir. affirmed dismissal of claims against WSBA and individual WSBA defendants; the Court also vacated the pre-filing order and remanded this issue to the District Court. On 12/09/19, the United States Supreme Court denied plaintiff's Petition of Writ of Certiorari.</p> <p>On 12/13/19, the District Court reimposed the vexatious litigant pre-filing order against Block; Block filed a notice of appeal regarding this order on 01/14/20. Block filed an opening brief on 11/06/20; WSBA filed its answering brief on 01/07/21. Block's optional Reply Brief was due on 01/28/21. Block filed a reply brief on 04/26/21 along with a motion for extension. The Ninth Circuit has set oral argument for 06/08/21.</p> <p>On 09/10/20, Block moved to vacate the vexatious litigant order; WSBA opposed the motion and it was denied. In response to the district court's denial of Block's motion to vacate, on 10/01/20, Block filed a motion for an indicative ruling on whether the district court would vacate the vexatious litigant order if the appellate court remanded the case for that purpose. WSBA opposed the</p>

			motion. Block filed a reply on 10/16/20. This motion is pending.
5.	<i>Eugster v. WSBA, et al.</i> , No. 18200542-1 (Spokane Sup. Ct.)	Alleges defamation and related claims based on briefing in <i>Caruso v. Washington State Bar Association, et al.</i> , No. 2:17-cv-00003-RSM (W.D. Wash.)	Dismissed based on absolute immunity, collateral estoppel, failure to state a claim. Briefing complete on appeal and cross-appeal on fees. Case transferred to Division II. Oral argument heard on 10/22/19. On 01/07/20, the Court affirmed dismissal and reversed fee denial. Eugster filed a petition for review with the Washington Supreme Court; petition denied on 07/08/20. Case remanded to determine fee award. On 11/30/20 the superior court granted defendants' fee request in full (\$27,380.50). No appeal was filed.

WASHINGTON STATE BAR ASSOCIATION

MEMO

To: WSBA Board of Governors

From: Jennifer Olegario, Communication Strategies Manager

CC: Sara Niegowski, Chief Communications and Outreach Officer

Date: May 5, 2021

RE: **Summary of Media Contacts**, Jan. 8 – May 5, 2021

Date	Journalist and Media Outlet	Inquiry
Feb. 3	Kip Hill, <i>Spokesman-Review</i>	Inquired about attorney discipline process for In re: Marcia M. Meade, #11122.
Feb. 5	Caroline Spezio, Reuters	Sought comment regarding diploma privilege for Feb. 2021 bar exam candidates.
Feb. 5	Jim Brunner, <i>Seattle Times</i>	Sought contact information for Danica Noble, Antitrust section chair.
Feb. 10	Siemny Kim, KIRO-TV	For a profile on King County District Court Judge Fa'amomoi Masaniai, first judge of Samoan heritage in the state, inquired whether he was the only judge to graduate from the Rule 6 Law Clerk program.
Feb. 11	Maya Leshikar, <i>Seattle Times</i>	Requested comment re: WA Supreme Court's OPMA ruling. Sent media statement.
Feb. 26	Zachariah Bryan, <i>Everett Herald</i>	Sought guidance regarding Brady violations -- specifically concerning when prosecutors fail to disclose evidence to the defense in a timely manner.
Mar. 17	Neil MacFarquhar, <i>New York Times</i>	Sought contact information for former U.S. Magistrate Eugene Wilson.

Mar. 22	Jim Brunner, <i>Seattle Times</i>	Inquired about bar complaint; sent standard response regarding confidentiality of bar grievances.
Mar. 24	Ruben Villaescusa, KING5-TV	Sought retired judge to provide weekly legal analysis of the Derek Chauvin trial. Referred WSBA President-elect Brian Tollefson, who appeared on several segments during the trial.
Apr. 22	Alexis Krell, <i>Tacoma News Tribune</i>	Sought legal ethics expert for an issue about settlements and chiropractic billing.
Apr. 26	Soo Kim, <i>Newsweek</i>	Sought legal expert on legality of race-based COVID-19 vaccination booking policy of a Washington State vaccine provider.

Media Coverage

February Bar Exam and Diploma Privilege

- Above the Law: [State retreats from diploma privilege policy despite everything worse now](#)
- KNKX 88.5 FM (NPR affiliate): [Washington bar exam will happen this month despite push for diploma privilege](#)

Open Public Meetings Act

- *Seattle Times*: [Washington Supreme Court: Open Public Meetings Act does not apply to bar association](#)
- *Centralia Chronicle*: [Washington Supreme Court: Open Public Meetings Act does not apply to bar association](#)

Other Coverage

- Eastern Washington Statesman Examiner: [Bar association dismisses complaint against Stevens County Prosecutor Tim Rasmussen](#)
- Spokesman-Review: [Spokane attorney who represented clients alleging medical malpractice for 40 years resigns amid investigation](#)
- Daily Herald (Everett): [Excoriated by judge, prosecutor not punished by boss or bar](#)
- KIRO-TV (Seattle): [Profile of First Samoan Judge Masaniai](#)

News Releases

- [LexisNexis and the Washington State Bar Association Announce Joint Publishing Relationship | March 17, 2021](#)

- [Meredith Gerhart Receives Washington State Bar Association Local Hero Award | March 18, 2021](#)
- [Emily Nelson Receives Washington State Bar Association Local Hero Award | March 18, 2021](#)
- [Special Commendation Awarded to Spokane Bar Members for Efforts to Address Systemic Racism | April 16, 2021](#)
- [Michael C. Ormsby Receives Washington State Bar Association Local Hero Award | April 16, 2021](#)

WSBA Member* Licensing Counts 5/3/21 10:16:14 AM GMT-07:00

Member Type	In WA State	All
Attorney - Active	26,477	33,397
Attorney - Emeritus	115	122
Attorney - Honorary	328	375
Attorney - Inactive	2,587	5,705
Judicial	628	658
LLLT - Active	46	46
LLLT - Inactive	3	3
LPO - Active	790	803
LPO - Inactive	141	159
	31,115	41,268

By District		
	All	Active
0	5,388	4,364
1	2,838	2,344
2	2,082	1,667
3	2,060	1,713
4	1,350	1,147
5	3,170	2,566
6	3,292	2,750
7N	4,929	4,204
7S	6,318	5,198
8	2,196	1,862
9	4,799	4,050
10	2,846	2,381
	41,268	34,246

By State and Province	
Alabama	27
Alaska	205
Alberta	11
Arizona	355
Arkansas	18
Armed Forces Americas	2
Armed Forces Europe, Middle East	26
Armed Forces Pacific	13
British Columbia	99
California	1,877
Colorado	260
Connecticut	49
Delaware	7
District of Columbia	337
Florida	275
Georgia	86
Guam	13
Hawaii	139
Idaho	473
Illinois	171
Indiana	39
Iowa	29
Kansas	28
Kentucky	29
Louisiana	46
Maine	13
Maryland	118
Massachusetts	87
Michigan	73
Minnesota	103
Mississippi	6
Missouri	67
Montana	167
Nebraska	18
Nevada	154
New Hampshire	13
New Jersey	66
New Mexico	74
New York	250
North Carolina	84
North Dakota	10
Northern Mariana Islands	5
Nova Scotia	1
Ohio	77
Oklahoma	29
Ontario	16
Oregon	2,734
Pennsylvania	78
Puerto Rico	5
Quebec	1
Rhode Island	11
South Carolina	27
South Dakota	10
Tennessee	59
Texas	387
Utah	178
Vermont	15
Virginia	281
Virgin Islands	2
Washington	31,115
Washington Limited License	1
West Virginia	6
Wisconsin	47
Wyoming	21

By WA County	
Adams	15
Asotin	26
Benton	409
Chelan	260
Cllallam	162
Clark	963
Columbia	8
Cowlitz	156
Douglas	44
Ferry	12
Franklin	59
Garfield	3
Grant	137
Grays Harbor	117
Island	168
Jefferson	120
King	17,464
Kitsap	843
Kittitas	95
Klickitat	27
Lewis	121
Lincoln	15
Mason	105
Okanogan	94
Pacific	29
Pend Oreille	15
Pierce	2,444
San Juan	91
Skagit	287
Skamania	20
Snohomish	1,698
Spokane	2,042
Stevens	60
Thurston	1,694
Wahkiakum	12
Walla Walla	120
Whatcom	613
Whitman	78
Yakima	449

By Admit Yr	
1946	1
1947	2
1948	2
1949	1
1950	5
1951	15
1952	19
1953	16
1954	21
1955	9
1956	33
1957	22
1958	26
1959	28
1960	28
1961	23
1962	29
1963	29
1964	33
1965	46
1966	57
1967	55
1968	80
1969	88
1970	92
1971	98
1972	154
1973	236
1974	225
1975	290
1976	345
1977	349
1978	387
1979	415
1980	440
1981	475
1982	457
1983	498
1984	1,097
1985	559
1986	759
1987	728
1988	636
1989	693
1990	871
1991	842
1992	818
1993	916
1994	876
1995	821
1996	803
1997	909
1998	890
1999	908
2000	906
2001	909
2002	997
2003	1,056
2004	1,086
2005	1,117
2006	1,188
2007	1,267
2008	1,101
2009	979
2010	1,076
2011	1,062
2012	1,090
2013	1,231
2014	1,361
2015	1,606
2016	1,323
2017	1,398
2018	1,321
2019	1,372
2020	1,568
2021	353

Misc Counts	
All License Types **	41,628
All WSBA Members	41,268
Members in Washington	31,115
Members in western Washington	27,107
Members in King County	17,464
Members in eastern Washington	3,968
Active Attorneys in western Washington	23,139
Active Attorneys in King County	15,325
Active Attorneys in eastern Washington	3,312
New/Young Lawyers	6,623
MCLE Reporting Group 1	10,936
MCLE Reporting Group 2	11,661
MCLE Reporting Group 3	11,274
Foreign Law Consultant	18
House Counsel	332
Indigent Representative	10

By Section ***	All	Previous Year
Administrative Law Section	234	232
Alternative Dispute Resolution Section	316	314
Animal Law Section	80	89
Antitrust, Consumer Protection and Unfair Business Practice	194	199
Business Law Section	1,231	1,236
Cannabis Law Section	90	109
Civil Rights Law Section	176	165
Construction Law Section	517	511
Corporate Counsel Section	1,076	1,094
Creditor Debtor Rights Section	459	452
Criminal Law Section	376	372
Elder Law Section	612	644
Environmental and Land Use Law Section	782	768
Family Law Section	952	963
Health Law Section	388	392
Indian Law Section	322	322
Intellectual Property Section	847	872
International Practice Section	221	243
Juvenile Law Section	145	138
Labor and Employment Law Section	976	982
Legal Assistance to Military Personnel Section	66	66
Lesbian, Gay, Bisexual, Transgender (LGBT) Law Section	107	116
Litigation Section	1,025	1,007
Low Bono Section	81	120
Real Property Probate and Trust Section	2,278	2,272
Senior Lawyers Section	243	238
Solo and Small Practice Section	877	897
Taxation Section	619	619
World Peace Through Law Section	141	130

* Per WSBA Bylaws 'Members' include active attorney, emeritus pro-bono, honorary, inactive attorney, judicial, limited license legal technician (LLLT), and limited practice officer (LPO) license types.

** All license types include active attorney, emeritus pro-bono, foreign law consultant, honorary, house counsel, inactive attorney, indigent representative, judicial, LPO, and LLLT.

*** The values in the All column are reset to zero at the beginning of the year (Jan 1). The Previous Year column is the total from the last day of the prior year (Dec 31). WSBA staff with complimentary membership are not included in the counts.

By Years Licensed	
Under 6	8,361
6 to 10	6,170
11 to 15	5,530
16 to 20	4,844
21 to 25	4,046
26 to 30	3,752
31 to 35	2,803
36 to 40	2,482
41 and Over	3,280
Total:	41,268

By Age	All	Active
21 to 30	1,820	1,757
31 to 40	9,157	8,254
41 to 50	10,142	8,479
51 to 60	8,974	7,108
61 to 70	7,560	5,631
71 to 80	3,044	2,011
Over 80	571	157
Total:	41,268	33,397

By Gender	
Female	12,299
Male	16,478
Non-Binary	21
Not Listed	25
Selected Mult Gender	26
Transgender	1
Two-spirit	4
Respondents	28,854
No Response	12,414
All Member Types	41,268

By Disability	
Yes	1,241
No	19,958
Respondents	21,199
No Response	20,069
All Member Types	41,268

By Sexual Orientation	
Asexual	22
Gay, Lesbian, Bisexual, Pansexual, or Queer	526
Heterosexual	4,851
Not Listed	110
Selected multiple orientations	20
Two-spirit	5
Respondents	5,534
No Response	35,734
All Member Types	41,268

By Ethnicity	
American Indian / Native American / Alaskan Native	234
Asian-Central Asian	26
Asian-East Asian	256
Asian-South Asian	67
Asian-Southeast Asian	74
Asian—unspecified	1,066
Black / African American / African Descent	662
Hispanic / Latinx	703
Middle Eastern Descent	21
Multi Racial / Bi Racial	1,042
Not Listed	215
Pacific Islander / Native Hawaiian	63
White / European Descent	23,170
Respondents	27,599
No Response	13,669
All Member Types	41,268

Members in Firm Type	
Bank	33
Escrow Company	58
Government/ Public Sector	5,078
House Counsel	3,095
Non-profit	437
Title Company	117
Solo	5,067
Solo In Shared Office Or	1,265
2-5 Members in Firm	4,191
6-10 Members in Firm	1,637
11-20 Members in Firm	1,248
21-35 Members in Firm	748
36-50 Members In Firm	545
51-100 Members in Firm	606
100+ Members in Firm	1,845
Not Actively Practicing	1,839
Respondents	27,809
No Response	13,459
All Member Types	41,268

By Practice Area	
Administrative-regulator	2,223
Agricultural	240
Animal Law	112
Antitrust	311
Appellate	1,635
Aviation	174
Banking	426
Bankruptcy	861
Business-commercial	5,196
Cannabis	122
Civil Litigation	510
Civil Rights	1,075
Collections	496
Communications	211
Constitutional	656
Construction	1,350
Consumer	738
Contracts	4,239
Corporate	3,549
Criminal	3,705
Debtor-creditor	904
Disability	585
Dispute Resolution	1,244
Education	471
Elder	838
Employment	2,783
Entertainment	310
Environmental	1,249
Estate Planning-probate	3,297
Family	2,587
Foreclosure	453
Forfeiture	101
General	2,554
Government	2,826
Guardianships	789
Health	938
Housing	313
Human Rights	308
Immigration-naturaliza	998
Indian	573
Insurance	1,631
Intellectual Property	2,286
International	888
Judicial Officer	417
Juvenile	808
Labor	1,115
Landlord-tenant	1,225
Land Use	854
Legal Ethics	282
Legal Research-writing	822
Legislation	424
Lgbtq	89
Litigation	4,703
Lobbying	171
Malpractice	732
Maritime	310
Military	380
Municipal	890
Non-profit-tax Exempt	627
Not Actively Practicing	2,051
Oil-gas-energy	239
Patent-trademark-copyr	1,322
Personal Injury	3,205
Privacy And Data Securit	341
Real Property	2,628
Real Property-land Use	2,094
Securities	767
Sports	173
Subrogation	123
Tax	1,282
Torts	2,055
Traffic Offenses	583
Workers Compensation	699

By Languages Spoken	
Afrikaans	5
Akan /twi	5
Albanian	2
American Sign Language	18
Amharic	21
Arabic	51
Armenian	8
Bengali	12
Bosnian	14
Bulgarian	12
Burmese	2
Cambodian	5
Cantonese	106
Cebuano	7
Chamorro	5
Chaozhou/chiu Chow	1
Chin	1
Croatian	20
Czech	7
Danish	19
Dari	4
Dutch	23
Egyptian	3
Farsi/persian	67
Finnish	8
French	696
French Creole	1
Fukienese	3
Ga/kwa	2
German	410
Gikuyu/kikuyu	1
Greek	31
Gujarati	14
Haitian Creole	3
Hebrew	41
Hindi	102
Hmong	1
Hungarian	17
Ibo	4
Icelandic	2
Ilocano	9
Indonesian	12
Italian	166
Japanese	208
Javanese	1
Kannada/canares	4
Kapampangan	2
Khmer	2
Korean	233
Lao	5
Latvian	6
Lithuanian	3
Malay	4
Malayalam	8
Mandarin	386
Marathi	6
Mien	1
Mongolian	2
Navajo	1
Nepali	5
Norwegian	35
Not_listed	45
Oromo	4
Persian	20
Polish	33
Portuguese	126
Portuguese Creole	1
Punjabi	68
Romanian	22
Russian	234
Samoan	7
Serbian	17
Serbo-croatian	13
Sign Language	20
Singhalese	2
Slovak	3
Spanish	1,830
Spanish Creole	4
Swahili	8
Swedish	52
Tagalog	71
Taishanese	4
Taiwanese	21
Tamil	11
Telugu	4
Thai	10
Tigrinya	4
Tongan	1
Turkish	15
Ukrainian	46
Urdu	46
Vietnamese	90
Yoruba	10
Yugoslavian	4

* Includes active attorneys, emeritus pro-bono, honorary, inactive attorneys, judicial, limited license legal technician (LLLT), and limited practice officer (LPO).

Treasurer Daniel D. Clark
May 2021 BOG Meeting
Board of Governors WSBA Treasurer Update:
Year to Date Net Positive Balance Increase: \$1,599,612.00 6/12 of FY 2021.

Summary & Discussion:

The Washington State Bar Association FY 2021 Budget that was passed by the Board of Governors in September 2020 calls for an anticipated use of \$202,782 in reserves for expenses over anticipated revenue. So far through February, which is the latest WSBA financial audited reports available which represent 6/12 months of the Year in revenue and Expenditures for FY 2021, WSBA had generated \$1,599,612.00 in net increase to the unrestricted WSBA General Fund so far half of a year into FY 2021! Overall in the last month, the unrestricted General Fund balance has increased from \$1,115,011 in revenue over expenses, as of the end of February 2021, or 5/12 of the fiscal year to \$1,599,612.00 which represents a \$484,601 increase in our unrestricted General Fund for March 2021, which represents a positive net change in the WSBA unrestricted General Fund Balance. Considering the Board of Governors passed the FY 2021 budget calling for use of \$202,782 in reserves to cover operations for FY 2021, this is really great news, and continues to represent a positive \$1,802,394.00 in positive net gain to the unrestricted fund balance. The ending net fund balance continues to grow every month the first six months into FY 2021.

However, this positive news needs to be really tempered with some major caution flags and warnings that as WSBA Treasurer it is my duty to inform us all about. The proposed FY 2021 Budget Reforecast that was adopted in April 2021 by the BOG will result in additional expenditures and creation of 2 new positions which will have a higher impact on expenses during the second half of FY 2021 and into FY 22 and beyond with the creation of and the filling of a current vacant position for 3 total (2 net) FTE positions. This added cost will be an added strain to the FY 2021 Budget as well as the FY 2022 Budget and beyond to the tune of over 200k annually. While these extra positions have been determined and declared by the Executive Director and WSBA Executive team to be necessary to maintain operations, the simple fact is that they will cost us additional money.

In addition, the second half of the year typically has far greater expenses than the first half of the year, so a lot of the current net increase to the WSBA reserves will likely be eroded during the remaining months of the year due to normal expenditures that occur more heavily during the back half of the year. This is very important to note because with these several expenses the current significant net increase to the WSBA General Fund is actually anticipated by WSBA staff to end up still forcing us to look to use reserves by the end of the year.

As Treasurer it is my job to try to be transparent and communicate to you as fellow Governors what we have going on. The Board of Governors has made a strong

commitment to members that we are going to keep license fees at \$458 dollars. We actually have our revenue down in late filing fees about \$375,000 which is really eaten into the cost savings during the first half of FY 2021 that we haven't traveled for Covid restrictions. As we start to re-open up, we're going to incur significant additional costs, so the benefits we enjoyed during most of FY 2020 and first half of FY 2021 will be lost as far as saving on costs for travel. As we move forward, if we transition to hybrid zoom meetings, while we may save some on travel, the savings won't be nearly as robust as we have saw when we do all virtual Zoom meetings in terms of travel, per diem meals, and hotel reimbursements for Governors and guests that attend the meetings in person.

In short, there are many competing ideas, services and cost centers for our financial resources and in the four (4) years that I've had the honor of serving on the Board of Governors, I've not seen the BOG or WSBA be very inclined to look to freeze, reduce, or eliminate any program or action that WSBA does. So as we move forward into starting the FY 2022 budget process, I strongly believe that we as a Board of Governors are going to really need to look to start to prioritize expenditures moving forward.

In any event, I will continue to monitor this situation for you, but unlike last year where we ended up with a \$742,500 fund balance, if all calculations work out based on the WSBA financial teams estimates, we should be looking at much higher expenditures and a much less favorable ending ultimately net fund balance, or even a fund deficit which require reserves.

What needs to be remembered is that for every new and innovative program, committee, work group, and/or task force that the BOG implements, these use staff time, and financial resources. We don't have many opportunities to increase our revenue, so we really do need to be very prudent with what we choose to spend our fixed revenue on as an organization.

Movement of \$500K from Unrestricted General Fund to Capital Facilities Funds:

The Long Range Planning Council and the Budget and Audit Committee both have recommended that the Board of Governors approve moving \$500k in unrestricted fund balance to the capital facilities fund to give future BOG's more long range planning for a potential move from our current downtown Seattle offices located on 4th and Union. As Treasurer, I highly recommend that the Board of Governors approve this transfer and the money can always be moved back to the unrestricted General Fund by future Boards if it is determined that we do not need to move from our current location and/or that the funds are needed for WSBA operations etc. Given that we have amassed almost 2.4 million dollars in net increases to the unrestricted General Fund during my two terms as Treasurer and did not allocate money last year, I believe that this is a reasonable transfer and recommendation.

Clark Nuber Accounting Firm Approval:

WSBA went out for a request for proposal process that netted results from different qualified accounting firms. The Budget and Audit Committee reviewed these submittals and voted to approve recommendation to the full Board of renewal of the accounting firm of Clark Nuber to maintain our accounting services. Clark Nuber came in with the lowest costs of their proposal annually and both CFO Perez and I have had very good results in working with them. The recommendation for the full Board of Governors is to approve the recommendation.

Conclusion:

It remains and continues to be a tremendous honor to serve as the current WSBA Treasurer. Thank you and please contact me if you have any questions regarding this report, and/or as we move into starting to develop the FY 2022 WSBA Budget.

Respectfully,

Dan Clark

WASHINGTON STATE
BAR ASSOCIATION

TO: Board of Governors
FROM: Paris Eriksen, Volunteer Engagement Advisor
DATE: May 14, 2021
RE: Discussion with the Board of Bar Examiners

All WSBA entities are invited to meet with the Board of Governors every three years. The enclosed Discussion Guide and FY20 Annual Report are provided as a framework for your on-going, constructive and evaluative dialogue with representatives from the Board of Bar Examiners.

Attachments:

WSBA Entity Meeting with the Board of Governors – Discussion Guide
Board of Bar Examiners Annual Report (FY20, October 1, 2019 – September 30, 2020)

WASHINGTON STATE BAR ASSOCIATION

WSBA COMMITTEE/BOARD ANNUAL REPORT FY 2020: October 1, 2019 – September 30, 2020

The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure integrity of the legal profession, and to champion justice.

Name of Committee or Board:	Board of Bar Examiners (BBE)
Chair:	Monica Wasson
Staff Liaison:	Gus Quiniones
Board of Governors Liaison:	Kim Hunter
Size of Committee:	34
Direct Expenses:	\$28,500
Indirect Expenses:	\$10,189
Number of Applicants for FY21 <i>(October 1, 2020 – September 30, 2021)</i>	n/a
Purpose:	
<p>The Board of Bar Examiners (BBE) derives its authority from the Admission and Practice Rules (APR), which provide for appointment of BBE members by the Board of Governors.</p> <p>The BBE grades the Multistate Essay Examination (MEE) and Multistate Performance Test (MPT) answers for the Uniform Bar Examination (UBE), and produces the content for the Washington Law Component (WLC) test, in accordance with the APR as approved by the Washington Supreme Court.</p>	
Strategy to Fulfill Purpose:	
<p>The Multistate Bar Examination (MBE) is scored by the National Conference of Bar Examiners (NCBE) and the MEE and MPT are graded by the BBE. The grading is typically completed over the course of one long weekend in March and one in August, both in Seattle.</p> <p>The winter exam requires a total of 10 examiners to grade the MEE and MPT and the summer exam requires a total of 18 examiners. Each examiner must attend the mandatory scheduled NCBE grading workshop in person, by teleconference, or by review of the conference video prior to grading the exams.</p> <p>The WLC is reviewed and updated by members of the BBE every other year.</p>	

<p>2019-2020 Accomplishments and Work in Progress:</p>
<p>This fiscal year: Conducted a successful grading conference for the grading of February 2020 MEE and MPT exams. This was the first time grading was done remotely due to COVID-19.</p>
<p>2020-2021 Goals:</p>
<ol style="list-style-type: none"> 1) Continue to encourage BBE members to attend NCBE annual education conference and NCBE grading workshops. 2) Due to COVID-19 pandemic, the summer 2020 bar exam will be administered in July and September 2020. Graders will conduct two exam grading conferences in order to grade both exams. Examiner grading will be done remotely. 3) Beginning with the September 2020 bar exam, graders will be using a new digital grading software which allows graders to view and score essay answers digitally instead of hard copy paper answers. 4) Next Fiscal year: Conduct successful grading conferences for the grading of the February 2021 and July 2021 MEE and MPT exams and begin the process of reviewing the questions, answers, and outlines for the Washington Law Component Test.
<p>Please report how this committee/board is addressing diversity, equity and inclusion: <i>How have you elicited input from a variety of perspectives in your decision-making? What have you done to promote a culture of inclusion within the board or committee? What has your committee/board done to promote equitable conditions for members from historically underrepresented backgrounds to enter, stay, thrive, and eventually lead the profession? Other?</i></p>
<p>The BBE actively seeks to increase diversity among its members with the assistance of the Bar staff to promote outreach, and to notify minority and specialty bar associations of vacancies on the BBE.</p> <p>The Board’s goal is to provide Diversity and Inclusion training annually as part of onboarding.</p> <p>Current members of the BBE include a range of geographic and other facets of diversity; however, the Board will always look to improve in this area.</p> <p>BBE leadership places greater consideration on diversity when screening applications to the Board. In addition, the Board and staff work to ensure that all members are welcomed into the Board and provided with the training and materials needed to help them be successful in performing this work.</p>
<p>Please report how this committee/board is addressing professionalism: <i>Does the committee/board’s work promote respect and civility within the legal community? Does it seek to improve relationships between and among lawyers, judges, staff and clients? Does it raise awareness about the causes and/or consequences of unprofessional behavior? Other?</i></p>
<p>The exam process for admission to the practice of law covers ethical and legal judgment issues that lawyers may face when engaging in their chosen profession. Demonstrating knowledge in these areas should increase the professionalism of applicants who are admitted to practice.</p> <p>The function of the BBE is to determine which applicants are capable of meeting the high competency standards of this profession, and this helps to ensure their professionalism.</p>

Please report how this committee/board is incorporating new and young lawyers and/or their perspectives into its work:

How have you brought new and young lawyers into your decision making process? Has the committee/board supported new and young lawyers by (for example) helping to find and prepare them for employment, assisting with debt management, building community, and providing leadership opportunities? Other?

The BBE continues to make efforts to recruit lawyers who are newer to the profession, although most current members have been in practice for a number of years.

The BBE recently appointed one member who meets the description of a new and young lawyer.

Please report how this committee/board is addressing the needs of the public:

How is the public impacted by your work? Has the committee/board sought input from the public, and/or communicated its work to the public? Other?

The Board of Bar Examiners conducts closed session meetings when grading the MEE and MPT exams. The work of the BBE in helping to ensure the competency and professionalism of people licensed to practice law in Washington works to the benefit of the public who may need legal services.

FY20 Demographics: *To Be Completed by WSBA Staff*

Gender:

Female (13)

Transgender

Non-Binary

Male (17)

Two-spirit

Not Listed

No Response (3)

Multi

Ethnicity:

American Indian/Native American/Alaskan

Native

Asian

Middle-Eastern Descent

White/European Descent (27)

Not Listed

Black/African-American/African Descent

Hispanic/Latinx (1)

Pacific Islander/Native Hawaiian

Multi-Racial/Biracial (2)

No Response

Sexual Orientation:

Asexual

Two-Spirit

Multiple Orientations

No Response (17)

Gay, Lesbian, Bisexual, Pansexual or Queer (3)

Heterosexual (7)

Not Listed

Disability:

Yes (2)

No (27)

WASHINGTON STATE BAR ASSOCIATION

WSBA Entity Meeting with the Board of Governors – Discussion Guide –

WSBA Mission

The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice.

Introduction

It is important that the WSBA Board of Governors [the Board] have a framework to facilitate an ongoing, constructive and evaluative dialogue with each WSBA entity. In addition to the annual report required by the Bylaws, the Board and Board Executive Committee¹ would like to meet with each entity on a rotating basis.

Each entity is asked to meet with the Board of Governors Executive Committee every year and join one full Board of Governors meeting every three years. The discussions with the Board Executive Committee are an opportunity to support and strengthen the collaboration, communication and support between the WSBA Board of Governors and the various entities, whether created to carry out the mission of the WSBA or by Court Rule.

For meeting with the Board of Governors, The discussion should focus on three areas, 1) overview of what the entity does and how it furthers the WSBA mission, 2) what the entity is currently working on and 3) how can the Board and/or WSBA provide support or assistance, if needed. The entity should anticipate questions from the full Board of Governors.

Entity Representatives

The current chair, staff liaison and BOG Liaison are invited to attend the meeting. If the current chair is unable to attend, an alternative representative should be designated. The chair may include additional members from the entity to be present and participate in the discussion.

Materials

¹ A BOG standing committee, the Board Executive Committee is comprised of the Immediate Past President, President, President-elect, Treasurer, Executive Director and one current Board member from each year.

2020-2021

The most recent annual report for the entity will be provided as materials for the discussion unless otherwise requested. Additional materials are welcome, but not required and should be kept to a reasonable minimum.

The Volunteer Engagement Advisor and staff liaison will communicate any material deadlines to ensure that materials are included in the Board meeting materials.

Discussion Topics & Questions

The below questions are intended to be a guide for the discussion. Board members and other attendees to the meeting may invite other topics and questions for discussion.

1. Please share with us an overview of the purpose of your entity and please reference any documents that support its purpose, authority, composition, etc. (e.g. Court rule, charter, Bylaw).
2. In what ways does your entity further the mission of the WSBA?
3. What projects and/or initiatives are you currently working on?
4. What are the long-term goals, if any, for this body of work?
5. How can the Board assist in your efforts and/or in addressing any barriers or areas of concern?

Notes

WASHINGTON STATE BAR ASSOCIATION

To: WSBA Board of Governors
From: Sara Niegowski, WSBA Chief Communications and Outreach Officer
Russell Johnson, WSBA Interim Legislative Affairs Specialist
Date: May 6, 2021
Re: 2021 Legislative Session Wrap-Up

BACKGROUND: The following is provided for the Board's information regarding action taken by the Legislature during the 2021 session.

The 105-day 2021 regular session began on January 11 and adjourned on April 25. It was in many ways an unprecedented session, with nearly all the Legislature's business conducted fully- or mostly-remotely. Despite the obstacles presented by such circumstances, the Legislature conducted a productive session.

OVERVIEW:

2021 WSBA Legislative Priorities

Priority #1: Sponsor Bar-Request legislative proposals initiated by WSBA Sections that are approved by the Board.

The WSBA had two request bills this session: [SB 5005](#) and [SB 5034](#). SB 5005 originated from the Corporate Act Revision Committee of the Business Law Section. The bill updated the Washington Business Corporation Act to enable corporations to deliver notices and other communications to shareholders and directors by email and other forms of electronic transmission without obtaining prior consent to do. SB 5005 was signed into law on 4/16/2021 and goes into effect 7/25/2021.

SB 5034 originated from the Nonprofit Corporations Committee of the Business Law Section. The bill is a comprehensive update and modernization of the Washington Nonprofit Corporations Act, which has not received a significant overhaul since it was enacted in 1967. Among the many changes in the new act are more efficient processes for electronic transmission of notices and meetings, more comprehensive rules governing members and directors, and updates in record keeping and filing requirements. It also addresses charitable assets of nonprofit corporations and addresses the authority of the attorney general to investigate and intervene to protect charitable assets. SB 5034 was signed into law on 5/3/2021 and goes into effect 1/1/2022.

Priority #2: Support non-Bar request legislative proposals approved by the Board under GR 12.

The Board Legislative Committee (BLC) took action to support the funding of Resolution Washington, the statewide association of dispute resolution centers. The BLC also took action, in collaboration with the Elder Law Section, to oppose the passage of [HB 1197](#), an act relating to health care decisions made by a designated person. The BLC also voted to support the passage of [SB 5339](#), but that bill did not pass out of policy committee.

Priority #3: Monitor and take appropriate action on legislative proposals significant to the practice of law and administration of justice.

The WSBA Legislative Affairs team monitored numerous legislative proposals that might have impacted various WSBA entities. The following is a list of some of the key bills that were monitored and involved working collaboratively with relevant WSBA Sections:

- [HB 1042](#) (Rep. Thai): Revising the international application of the uniform child custody jurisdiction and enforcement act to protect families from facing the death penalty in certain foreign jurisdictions on the basis of religious beliefs, political beliefs, or sexual orientation (Family Law: Support). Signed into law. Effective date: 4/14/2021
- [HB 1078](#) (Rep. Simmons): Restoring voter eligibility for all persons convicted of a felony offense who are not in total confinement under the jurisdiction of the department of corrections (Civil Rights Law: Support). Signed into law. Effective date: 1/1/2022
- [HB 1090](#) (Rep. Ortiz-Self): Concerning private, for-profit detention facilities (Civil Rights Law: Support). Signed into law. Effective date: 4/14/2021
- [HB 1171](#) (Rep. Walen): Amending child support income withholding provisions to comply with federal child support program requirements (Family Law: Support). Signed into law. Effective date: 7/25/2021
- [HB 1197](#) (Rep. Riccelli): Concerning health care decisions made by a designated person (Elder Law: Oppose). Passed House but did not pass Senate policy committee.
- [HB 1202](#) (Rep. Thai): Addressing meaningful civil remedies for persons injured as a result of police misconduct, including by allowing for an award of attorney fees in addition to damages and injunctive declaratory relief (Civil Rights Law: Support). Passed committee but did not receive floor vote.

- [SB 5225](#) (Sen. Hunt): Concerning direct appeals to the court of appeals of cases brought under the administrative procedure act and the land use petition act (Administrative Law: Support). Passed both chambers and awaiting Gov. Inslee's signature.
- [SB 5355](#) (Sen. Conway): Establishing wage liens (Creditor Debtor Rights: Concerns). Signed into law. Effective date: 1/1/2022
- [SB 5408](#) (Sen. Stanford): Concerning the homestead exemption (Creditor Debtor Rights: Concerns). Passed both chambers and awaiting Gov. Inslee's signature.

Session statistics

During the legislative session this year, the WSBA Legislative Affairs team:

- Referred **712** bills to WSBA Sections;
- Continuously tracked **489** bills through the end of session;
- Coordinated with Sections for action on **11** bills

Legislative interim

The WSBA Legislative Affairs team will be collaborating with Sections to debrief on the 2021 legislative session and how to continue to improve processes for future sessions. The WSBA Legislative Affairs team is adding a new, familiar, Legislative Affairs Manager in Sanjay Walvekar. Over the interim, relevant WSBA entities and the WSBA Legislative Affairs team will monitor and participate in discussions with legislators and legislative staff regarding various legislative proposals. The WSBA Legislative Affairs team will also work with Section executive committees to share information about the legislative process, set and align legislative goals, and develop best practices for a successful 2022 legislative session.

MEMO

To: Board of Governors

From: Travis Stearns, Chair, Council on Public Defense

Date: May 3, 2021

Re: Independence of Public Defense in Washington State

ACTIONS:

1. Adopt the Amendments to the WSBA Standards for Indigent Defense Services, including revisions to Standard 18 and a new Standard 19
2. Recommend to the Supreme Court that the Court adopt the following:
 - New General Rule: Independence of Public Defense
 - Amendments to CrRLJ 3.1(d)(4), CrR 3.1(d)(4), JuCR 9.2(d)

For over a year, the Council on Public Defense’s Independence Committee has been charged with developing a proposal to bring Washington State in line with the first principle of the *ABA Ten Principles of a Public Defense Delivery System (2002)*. The Principles constitute the fundamental criteria necessary to ensure a public defense system provides effective, efficient, high quality, ethical, conflict-free representation.¹ The first principle states that “[t]he public defense function, including the selection, funding, and payment of defense counsel, is independent.”

Washington state’s system of public defense is primarily county-based, unlike the majority of states. The selection, funding, and quality of public defense attorneys and offices varies by county. The independence of each county’s system -- including insulation from political influence and judicial involvement – is critical to ensuring those who are constitutionally or statutorily entitled to public defense counsel receive that which they are due.

While drafting the proposal, the Independence Committee worked diligently to gather considerable feedback from public defense directors, members of the judiciary, and practitioners. The proposal before you today for action has gone through multiple revisions in an attempt to be responsive to stakeholder feedback.

Following discussion and deliberation, the Council on Public Defense again reviewed the proposals at their April 9, 2021 meeting. At that meeting, the Council voted by a supermajority to

¹ ABA Ten Principles of a Public Defense Delivery System, Introduction

affirm that the proposals fall within the parameters of GR 12. The Council also voted by a supermajority to approve the proposals for the Board of Governor's consideration to submit the new General Rule and amendments to three current court rules to the Court and to adopt Amendments to the WSBA Standards for Indigent Defense Services, including revisions to Standard 18 and a new Standard 19.

The Council's request will be on the Board's agenda for a "first reading" at the May 2021 meeting. Travis Stearns with the Council will attend the meeting virtually and be prepared to present information about the proposals and answer questions. I look forward to presenting at the May Board meeting.

CPD Independence Committee

CPD Approved Amendments to Standard 18 ~ WSBA Standards for Indigent Defense Services
(Amendments to current Standard 18 shown in blue with Deletions shown in ~~strike-through~~ text
and Additions shown in underlined text)

CPD Adopted April 9, 2021

STANDARD EIGHTEEN: Guidelines for Awarding Defense Contracts

Standard:

Recruitment for public defense contracts and assigned counsel lists should include efforts to achieve a diverse public defense workforce.

Attorneys or firms applying for contracts or placement on assigned counsel lists must demonstrate their ability to meet these Standards and the Supreme Court Standards for Indigent Defense. Their contracts must comply with Rules of Professional Conduct 1.8(m).

The county or city should award contracts for public defense services and select attorneys for assigned counsel lists only after determining that the ~~attorney or firm chosen can meet accepted professional standards~~ applicant has demonstrated professional qualifications consistent with both these Standards and the Supreme Court Standards for Indigent Defense. Under no circumstances should a contract be awarded on the basis of cost alone. ~~Attorneys or firms bidding for contracts must demonstrate their ability to meet these standards.~~

~~Contracts should only be awarded to a) attorneys who have at least one year's criminal trial experience in the jurisdiction covered by the contract (i.e., City and District Courts, Superior Court or Juvenile Court), or b) to a firm where at least one attorney has one year's trial experience.~~

Judges, judicial staff, City attorneys, county prosecutors, and law enforcement officers should shall not select the attorneys who will provide indigent defense services be included in a contract or an assigned counsel list.

Related Standards:

National Legal Aid and Defender Association, Guidelines for Negotiating and Awarding Indigent Legal Defense Contracts, 1984, Standard IV-3.

King County Bar Association Indigent Defense Services Task Force, Guidelines for Accreditation of Defender Agencies, 1982, Statement of Purpose.

STANDARD NINETEEN: Independence and Oversight of Public Defense Services¹

Standard:

Public defense providers should not be restrained from independently advocating for the resources and reforms necessary to provide defense related services for all clients. This includes efforts to foster system improvements, efficiencies, access to justice, and equity in the legal system.

Judges and judicial staff shall not manage and oversee public defense offices, public defense contracts, or assigned counsel lists. Judges and judicial staff in superior courts and courts of limited jurisdiction shall not select public defense administrators or the attorneys who provide public defense services.

Attorneys with public defense experience insulated from judicial and political influence should manage and oversee public defense services.

The terms “manage” and “oversee” include: drafting, awarding, renewing, and terminating public defense contracts; adding attorneys or removing them from assigned counsel lists; developing case weighting policies; monitoring attorney caseload limits and case-level qualifications; monitoring quality; monitoring compliance with contracts, policies, procedures, and standards; and recommending compensation.

The agencies, organizations, and administrators responsible for managing and overseeing public defense services shall apply these Standards, the Supreme Court Standards for Indigent Defense, and the WSBA Performance Guidelines in their management and oversight duties.

Jurisdictions unable to employ attorneys with public defense experience to manage and oversee public defense services shall consult with established city, county, or state public defense offices, or engage experienced public defense providers as consultants regarding management and oversight duties.

¹ See Principle 1 of the ABA Ten Principles of a Public Defense Delivery System and Commentary, including the recommendation a nonpartisan commission or advisory board oversee the public defense function, thus safeguarding against undue political pressure while also promoting efficiency and accountability for a publicly funded service.

Related Standards:

American Bar Association, *Ten Principles of a Public Defense Delivery System*, 2002, Principle 1.

National Advisory Commission on Criminal Justice Standards and Goals, *Task Force on Courts, The Defense*, 1973, Chapter 1.3.

American Bar Association *Standards for Criminal Justice, Providing Defense Services*, 1992, Standards 5-1.3, 5-1.6, 5-4.1.

National Legal Aid and Defender Association, *Standards for the Administration of Assigned Counsel Systems*, 1989, Standards 2, 3.2.1.

National Legal Aid and Defender Association, *Guidelines for Negotiating and Awarding Contracts for Criminal Defense Services*, 1984, Guidelines II-1, II-2, II-3, IV-2.

National Conference of Commissioners on State Law, *Model Public Defender Act*, 1970, Section 10(d).

Institute for Judicial Administration/American Bar Association, *Juvenile Justice Standards Relating to Counsel for Private Parties*, 1979, Standards 2.1(D), 3.2.

National Study Commission on Defense Services, *Guidelines for Legal Defense Systems in the United States* 1976, Guidelines 2.8, 2.10-2.13, 2.18, 5.13.

Michigan Indigent Defense Commission, 2020, *Minimum Standard 5*.

Additional References:

American Legislative Exchange Council (ALEC), *Resolution in Support of Public Defense*, 2019, Independence and Equality.

<https://sixthamendment.org/the-right-to-counsel/national-standards-for-providing-the-right-to-counsel/the-constitutional-imperative-for-defender-independence-aba-principle-1/>

<https://sixthamendment.org/the-right-to-counsel/national-standards-for-providing-the-right-to-counsel/the-preeminent-need-for-independence-of-the-defense-function-aba-principle-1/>

<https://sixthamendment.org/the-right-to-counsel/national-standards-for-providing-the-right-to-counsel/understanding-judicial-interference-with-the-defense-function-aba-principle-1/>

<https://sixthamendment.org/the-right-to-counsel/national-standards-for-providing-the-right-to-counsel/understanding-political-interference-with-the-defense-function-aba-principle-1/>

<https://sixthamendment.org/the-right-to-counsel/national-standards-for-providing-the-right-to-counsel/systemic-accountability-through-an-independent-commission-aba-principle-1/>

Independence of Public Defense Services

- (a) **Purpose and policy.** The purpose of this rule is to safeguard the independence of public defense services from judicial influence or control. Consistent with the right to counsel as provided in Article I, Sections 3 and 22 of the Washington State Constitution and Washington statutes, it is the policy of the judiciary to develop rules that further the fair and efficient administration of justice. In promulgating this Rule, the Washington Supreme Court seeks to prevent conflicts of interest that may arise if judges control the selection of public defense administrators or the attorneys who provide public defense services, the management and oversight of public defense services, and the assignment of attorneys in individual cases.
- (b) **Scope.** This rule applies to superior courts and courts of limited jurisdiction.
- (c) **Selection of the public defense administrator and public defense attorneys.** Judges and judicial staff in superior courts and courts of limited jurisdiction shall not select public defense administrators or the attorneys who provide public defense services.
- (d) **Management and oversight of public defense services.**
- (1) Judges and judicial staff in superior courts and courts of limited jurisdiction shall neither manage nor oversee public defense services, including public defense contracts and assigned counsel lists. Judges should encourage local governments to have attorneys with public defense experience manage and oversee public defense services.
 - (2) The terms “manage” and “oversee” include: drafting, awarding, renewing, and terminating public defense contracts; adding attorneys or removing them from assigned counsel lists; developing or issuing case weighting policies; monitoring attorney caseload limits and case-level qualifications; monitoring compliance with contracts, policies, procedures and standards; and recommending compensation.
- (e) **Assignment of public defense attorneys in individual cases.**
- (1) Consistent with federal and state constitutions, applicable statutes and rules of court, the role of judges and their staff in the assignment of a specific attorney in

an individual case is to: a) determine whether a party is eligible for appointment of counsel by making a finding of indigency or other finding that a party is entitled to counsel; or b) refer the party for an indigency determination; and c) refer the party to a public defense agency or a public defense administrator to designate a qualified attorney. Alternatively, a public defense administrator may, prior to a court hearing where eligibility is determined, designate a qualified attorney to be appointed if the court finds the party is eligible.

(2) If there is no public defense agency or administrator, a judicial officer should appoint a qualified attorney, on a rotating basis, from an independently established list of assigned counsel or contractors.

(3) If no qualified attorney on the list is available, a judicial officer shall appoint an attorney who meets the qualifications in the Supreme Court Standards for Indigent Defense.

(f) **Necessary services and substitution of counsel.** This rule does not limit a judicial officer's authority to grant a motion for necessary investigative, expert, or other services, or to appoint counsel in individual cases when substitution of counsel is required or requested. Substitution of counsel should be made as provided in (e) above.

(g) **Effective Date of Rule.** This rule will go into effect ___ days after its adoption by the Supreme Court.

Comment

(1) This rule does not alter judges' obligation to ensure that public defense attorneys have certified their compliance with the Supreme Court's Standards for Indigent Defense.

(2) This rule does not preclude judges from communicating information about a public defense attorney's performance to the public defense agency or administrator. Following such communication, judges shall have no role in determining what actions, if any, the public defense agency or administrator takes in response to that communication.

(3) This rule does not preclude judges from providing information on an attorney's performance, in response to requests from public defense agencies or administrators, requests from the Washington State Bar Association, and for example, requests for information made by a judicial candidate evaluation committee.

CrRLJ 3.1(d)(4) amendment:

“Before appointing a lawyer for the indigent person, or at the first appearance of the lawyer in the case, the court shall ~~require the lawyer to certify to the court that he or she complies with the applicable Standards for Indigent Defense Services to be approved by the Supreme Court~~ ensure the lawyer is in compliance with the Certification of Compliance requirement in the Supreme Court’s Standards for Indigent Defense.”

Full text of CrRLJ 3.1 is below

CrRLJ 3.1
RIGHT TO AND ASSIGNMENT OF LAWYER

(a) **Types of Proceedings.** The right to a lawyer shall extend to all criminal proceedings for offenses punishable by loss of liberty regardless of their denomination as felonies, misdemeanors, or otherwise.

(b) **Stage of Proceedings.**

(1) The right to a lawyer shall accrue as soon as feasible after the defendant has been arrested, appears before a committing magistrate, or is formally charged, whichever occurs earliest.

(2) A lawyer shall be provided at every critical stage of the proceedings.

(c) **Explaining the Availability of a Lawyer.**

(1) When a person has been arrested he or she shall as soon as practicable be advised of the right to a lawyer. Such advice shall be made in words easily understood, and it shall be stated expressly that a person who is unable to pay a lawyer is entitled to have one provided without charge.

(2) At the earliest opportunity a person in custody who desires a lawyer shall be provided access to a telephone, the telephone number of the public defender or official responsible for assigning a lawyer, and any other means necessary to place him or her in communication with a lawyer.

(d) **Assignment of Lawyer.**

(1) Unless waived, a lawyer shall be provided to any person who is financially unable to obtain one without causing substantial hardship to the person or to the person’s family. A lawyer shall not be denied to any person merely because his or her friends or relatives have resources adequate to retain a lawyer or because he or she has posted or is capable of posting bond.

(2) The ability to pay part of the cost of a lawyer shall not preclude assignment. The assignment of a lawyer may be conditioned upon part payment pursuant to an established method of collection.

(3) Information given by a person to assist in the determination of whether he or she is financially able to obtain a lawyer shall be under oath and shall not be available for use to the prosecution in the pending case in chief.

(4) Before appointing a lawyer for an indigent person, or at the first appearance of the lawyer in the case, the court shall require the lawyer to certify to the court that he or she complies with the applicable Standards for Indigent Defense Services to be approved by the Supreme Court.

(e) **Withdrawal of Lawyer.** Whenever a case has been set for trial, no lawyer shall be allowed to withdraw except upon consent of the court for good cause shown and upon substitution of another lawyer or upon the defendant's knowing and voluntary decision to proceed without a lawyer.

(f) **Services Other Than Lawyer.**

(1) A lawyer for a defendant who is financially unable to obtain investigative, expert or other services necessary to an adequate defense in the case may request them by a motion to the court.

(2) Upon finding that the services are necessary and that the defendant is financially unable to obtain them, the court, or a person or agency to which the administration of the program may have been delegated by local court rule, shall authorize the services. The motion shall be made ex parte, and, upon a showing of good cause, the moving papers may be ordered sealed by the court, and shall remain sealed until further order of the court. The court, in the interest of justice and on a finding that timely procurement of necessary services could not await prior authorization, shall ratify such services after they have been obtained.

(3) Reasonable compensation for the services shall be determined and payment directed to the organization or person who rendered them upon the filing of a claim for compensation supported by affidavit specifying the time expended and the services and expenses incurred on behalf of the defendant, and the compensation received in the same case or for the same services from any other source.

[Adopted effective September 1, 1987; Amended effective September 1, 1995; June 30, 2012; February 1, 2021.]

CrR 3.1(d)(4) amendment:

“Before appointing a lawyer for the indigent person, or at the first appearance of the lawyer in the case, the court shall ~~require the lawyer to certify to the court that he or she complies with the applicable Standards for Indigent Defense Services to be approved by the Supreme Court~~ ensure the lawyer is in compliance with the Certification of Compliance requirement in the Supreme Court’s Standards for Indigent Defense.”

Full text of CrR 3.1 is below

CrR 3.1
RIGHT TO AND ASSIGNMENT OF LAWYER

(a) **Types of Proceedings.** The right to a lawyer shall extend to all criminal proceedings for offenses punishable by loss of liberty regardless of their denomination as felonies, misdemeanors, or otherwise.

(b) **Stage of Proceedings.**

(1) The right to a lawyer shall accrue as soon as feasible after the defendant is taken into custody, appears before a committing magistrate, or is formally charged, whichever occurs earliest.

(2) A lawyer shall be provided at every stage of the proceedings, including sentencing, appeal, and post-conviction review. A lawyer initially appointed shall continue to represent the defendant through all stages of the proceedings unless a new appointment is made by the court following withdrawal of the original lawyer pursuant to section (e) because geographical considerations or other factors make it necessary.

(c) **Explaining the Availability of a Lawyer.**

(1) When a person is taken into custody that person shall immediately be advised of the right to a lawyer. Such advice shall be made in words easily understood, and it shall be stated expressly that a person who is unable to pay a lawyer is entitled to have one provided without charge.

(2) At the earliest opportunity a person in custody who desires a lawyer shall be provided access to a telephone, the telephone number of the public defender or official responsible for assigning a lawyer, and any other means necessary to place the person in communication with a lawyer.

(d) **Assignment of Lawyer.**

(1) Unless waived, a lawyer shall be provided to any person who is financially unable to obtain one without causing substantial hardship to the person or to the person’s family. A lawyer shall not be denied to any person merely because the person's friends or relatives have resources adequate to retain a lawyer or because the person has posted or is capable of posting bond.

(2) The ability to pay part of the cost of a lawyer shall not preclude assignment. The assignment of a lawyer may be conditioned upon part payment pursuant to an established method of collection.

(3) Information given by a person to assist in the determination of whether the person is financially able to obtain a lawyer shall be under oath and shall not be available for use by the prosecution in the pending case in chief.

(4) Before appointing a lawyer for the indigent person, or at the first appearance of the lawyer in the case, the court shall require the lawyer to certify to the court that he or she complies with the applicable Standards for Indigent Defense Services to be approved by the Supreme Court.

(e) **Withdrawal of Lawyer.** Whenever a criminal cause has been set for trial, no lawyer shall be allowed to withdraw from said cause, except upon written consent of the court, for good and sufficient reason shown.

(f) **Services Other Than a Lawyer.**

(1) A lawyer for a defendant who is financially unable to obtain investigative, expert or other services necessary to an adequate defense in the case may request them by a motion to the court.

(2) Upon finding the services are necessary and that the defendant is financially unable to obtain them, the court, or a person or agency to which the administration of the program may have been delegated by local court rule, shall authorize the services. The motion shall be made ex parte and, upon a showing of good cause, the moving papers may be ordered sealed by the court and shall remain sealed until further order of the court. The court, in the interest of justice and on a finding that timely procurement of necessary services could not await prior authorization, shall ratify such services after they have been obtained.

(3) Reasonable compensation for the services shall be determined and payment directed to the organization or person who rendered them upon the filing of a claim for compensation supported by affidavit specifying the time expended and the services and expenses incurred on behalf of the defendant, and the compensation received in the same case or for the same services from any other source.

Comment

Supersedes RCW 10.01.110; RCW 10.40.030; RCW 10.46.050.

[Adopted effective July 1, 1973; Amended effective September 1, 1986; September 1, 1995; June 30, 2012; February 1, 2021.]

JuCR 9.2(d) amendment:

“Before appointing a lawyer for the indigent person, or at the first appearance of the lawyer in the case, the court shall ~~require the lawyer to certify to the court that he or she complies with the applicable Standards for Indigent Defense Services to be approved by the Supreme Court~~ ensure the lawyer is in compliance with the Certification of Compliance requirement in the Supreme Court’s Standards for Indigent Defense.”

Full text of JuCR 9.2 is below

JuCR 9.2
ADDITIONAL RIGHT TO REPRESENTATION BY LAWYER

(a) **Retained Lawyer.** Any party may be represented by a retained lawyer in any proceedings before the juvenile court.

(b) **Child in Need of Services Proceedings.** The court shall appoint a lawyer for indigent parents of a juvenile in a child in need of services proceeding.

(c) **Dependency and Termination Proceedings.** The court shall provide a lawyer at public expense in a dependency or termination proceeding as follows:

(1) Upon request of a party or on the court's own initiative, the court shall appoint a lawyer for a juvenile who has no guardian ad litem and who is financially unable to obtain a lawyer without causing substantial hardship to himself or herself or the juvenile's family. The ability to pay part of the cost of a lawyer shall not preclude assignment. A juvenile shall not be deprived of a lawyer because a parent, guardian, or custodian refuses to pay for a lawyer for the juvenile. If the court has appointed a guardian ad litem for the juvenile, the court may, but need not, appoint a lawyer for the juvenile.

(2) Upon request of the parent or parents, the court shall appoint a lawyer for a parent who is unable to obtain a lawyer without causing substantial hardship to himself or herself or the juvenile's family. The ability to pay part of the cost of a lawyer shall not preclude assignment.

(d) **Juvenile Offense Proceedings.** The court shall provide a lawyer at public expense in a juvenile offense proceeding when required by RCW 13.40.080(10), RCW 13.40.140(2), or rule 6.2.

Before appointing a lawyer for an indigent person or at the first appearance of the lawyer in the case, the court shall require the lawyer to certify to the court that he or she complies with the applicable Standards for Indigent Defense Services to be approved by the Supreme Court.

[Adopted effective July 1, 1978; Amended effective September 1, 1987; September 1, 1997; January 1, 2012; June 30, 2012].

WASHINGTON STATE BAR ASSOCIATION

MEMO

To: Board of Governors

From: Travis Stearns, Chair, Council on Public Defense

Date: May 12, 2021

Re: Responding to the Emergency Caused by Pandemic Driven Increased Public Defense Workloads

ACTIONS: Approve the memo *Responding to the Emergency Caused by Pandemic Driven Increased Public Defense Workloads* for broad distribution statewide

The Council on Public Defense (CPD) has been discussing the impact of the COVID-19 pandemic on the public defense system statewide. Recently, the CPD's Standards Committee met with public defense directors from across the state to hear how the pandemic has been impacting their offices and the delivery of service. A key takeaway from the discussion revealed that the pandemic has contributed to increased caseloads, as elaborated on in the attached memo. The CPD will continue to discuss long-term, systemic solutions to this issue. However, since the problem is causing immediate issues to the delivery of public defense, the CPD wrote the attached memo for wide distribution to bring light to the problem and suggest immediate solutions for cities and counties to consider.

The CPD approved the attached memo at their May 7, 2021, meeting, and it will be on the Board of Governor's agenda for action in May. Given the timely nature of the memo, the CPD appreciates the BOG's prompt response to this request.

**Advisory Notice by the WSBA Council on Public Defense
Response to the Emergency Caused by Pandemic Driven
Increased Public Defender Caseloads**

Public defenders struggle to represent their clients because of a **combination of a surge** of newly filed cases, unresolved cases open for longer than average, backlogs of trials, and a push to re-open jury trials has resulted in overwhelming public defenders. Many lawyers have felony caseloads of over 100 open felonies.

Counties and Cities must provide public defense resources to address increased workloads and should address the backlog as a systemic issue.

Recommendations include:

- Using the newly available federal funds to increase defender resources.
- Meeting with public defense providers to reconsider the number of cases assigned to ensure adequate time to work on each case during this emergency.
- Working with courts, defenders, and prosecutors to consider creative alternatives.
- Comparing the open, unresolved case numbers with pre-pandemic caseloads.
- Respecting the defenders’ assessment of their workloads and the resources they need to have adequate time for each client.

Public defender caseloads continue to increase as cases take longer to resolve.

Felony case resolutions in 2020 were 28% less than in 2019. Simultaneously, many prosecutors chose to “hold” cases until the pandemic eased and are now filing them.¹ One county prosecutor had more than 700 cases holding to file.

County	Felony resolutions	Felony Filings
Benton	Decreased 31%	Decreased 4%
Cowlitz	Decreased 51%	Decreased 10%
King	Decreased 29%	Decreased 11%
Whatcom	Decreased 34%	Increased 4%

Courts suspended jury trials and deferred hearings. In many jurisdictions, many cases remain unresolved. This delay has increased workloads for defenders who struggle to represent new clients and meet their obligations for existing clients.

¹ Administrative Office of the Courts and King County Felony Filing and Case Resolution data

A recent survey by the Office of Public Defense documented the strain defenders across the state are experiencing. The report stated: “The COVID-related backlog of criminal and juvenile cases in the courts uniquely impacts defense attorneys.”²

Highlights include:

- 90% of the attorneys reported interviews and trials are more difficult.
- 69% spend more time per case during the pandemic.
- 90% report witness interviews and trial preparation are more difficult.
- 65% have seen their pending caseloads increase.
- 58% of respondents with felony caseloads have a higher percentage of serious or violent cases.

Survey responses included the following:

- “The volume of cases means less time for all of my clients. I find too that clients need more attention and contact during this time.”
- “We cannot resolve cases in a fair and efficient manner.”
- “The court flooded our dockets with the backlog of arraignments and pre-trials, which meant we were required to provide attorney coverage every day which left us little time to do other work such as research, or client meetings.”
- “Prosecutors keep filing non-violent cases and judges continue issuing warrants. Both actions make the case backlog worse, burden public defense, and increase the number of people in our courthouses and jails. Prosecutors need to take the lead in reducing cases in the system and being very bold about resolving the ones in the system.”

Public defenders must comply with their ethical obligations to provide diligent representation.³ If a lawyer has an excessive workload, “the lawyer should not accept new clients.” Washington’s Standards require the same. Public defense attorneys should not accept “workloads that, by reason of their excessive size, interfere with the rendering of quality representation.”⁴

² Defending Clients in the COVID-19 Environment: Survey Results from Private and Public Defense Counsel, Washington State Office of Public Defense; https://www.opd.wa.gov/documents/00847-2021_DefendingClients.pdf

³ Formal Opinion 06-441 *Ethical Obligations of Lawyers Who Represent Indigent Criminal Defendants When Excessive Caseloads Interfere with Competent and Diligent Representation*, American Bar Association Standing Committee on Ethics and Professional Responsibility https://www.americanbar.org/content/dam/aba/administrative/legal_aid_indigent_defendants/ls_sclaid_def_ethics_opinion_defender_caseloads_06_441.authcheckdam.pdf

⁴ Washington Supreme Court, Indigent Defense Standard 3.2 <https://www.opd.wa.gov/standards>

The conditions the federal court condemned and led to financial liability for municipalities in *Wilbur v. City of Mount Vernon*⁵ are happening again. Defenders have not been able to meet confidentially with in-custody clients or to conduct investigations consistently. These conditions seriously undermine the ability of the defenders to give each client the time and effort necessary to ensure constitutionally adequate representation. As the Federal Court noted, “actual innocence could conceivably go unnoticed and unchampioned.”⁶ Without additional resources, cities and counties could face tremendous financial liability because of the denial of effective representation to thousands of indigent clients.

Local efforts to address excessive public defense workload may include these and other systemic approaches:⁷

- Delay filing or diverting some cases to be resolved non-criminally.
- Reduce reliance on pre-trial incarceration.
- Reserve show cause and review hearings for the most serious allegations.
- Adjust case assignments.
- Increase public defense attorney and staff resources.

For public defense attorneys who are compensated per case or on a flat monthly fee, the contracted number of cases may exceed a reasonable workload because of a surge in cases and the backlog of pending cases. In that case, caseloads should be adjusted downward.

Local officials could review the Advisory Notice by WSBA Council on Public Defense on Implementation of the Standards for Indigent Defense During the Coronavirus Emergency.⁸

⁵ *Wilbur v. City of Mount Vernon*, 989 F. Supp. 2d 1122, 1124 (W.D. Wash. 2013).

⁶ *Wilbur v. City of Mount Vernon and City of Burlington*, 989 F. Supp. 2d 1122, 1126 (2013)

⁷ ABA Eight Guidelines of Public Defense Related to Excessive Workloads (2009).

https://www.americanbar.org/content/dam/aba/administrative/legal_aid_indigent_defendants/ls_sclaid_def_eight_guidelines_of_public_defense.pdf.

⁸ Available at https://www.opd.wa.gov/documents/00804-2020_WSBAnotice.pdf.

Advisory Notice by WSBA Council on Public Defense

**Implementation of the Standards for Indigent Defense
During the Coronavirus Emergency**

- **Coronavirus impact on public defense attorney workloads.**

COVID-19 and the restrictions imposed to limit exposure to the virus have dramatically altered how public defense attorneys can hold confidential meetings with clients, go to court safely, investigate, and prepare cases. Attorneys must ensure that their clients' due process rights are protected, but also must protect their clients, themselves, their staff, and their families from exposure to the novel Coronavirus.

As courts begin to resume hearings and trials, and as prosecutors start to file a backlog of cases, public defense attorneys face an increased volume of cases and an increased complexity in their work. For example, the public defense workload becomes more complicated when attorneys must utilize time-consuming telephone/video conferences for client meetings and court appearances, or when social distancing requirements hamper an attorney-client communication during in-person court activities.

These new conditions require courts and public defense attorneys to pay close attention to the Standards for Indigent Defense adopted by the Washington Supreme Court, which establish minimum requirements for public defense representation. *See* CrR 3.1 Stds, CrRLJ 3.1 Stds, and JuCR 9.2 Stds. Attorneys who represent persons in other assigned cases will also be impacted by the current crisis, including involuntary treatment commitment, 71.09 commitment, family defense, status cases, support enforcement, and appeals.

The purpose of this notice is to assist public defense agencies, contract and list appointed attorneys, courts, and local contracting authorities in interpreting and applying the Standards for Indigent Defense during the Coronavirus emergency and ongoing recovery efforts. Additional guidance can be found in the WSBA performance guidelines, WSBA Standards for Indigent Defense, Washington Defender Association Standards for Public Defense Services, and the pending involuntary treatment guidelines.



- **Applying the standards during the coronavirus emergency and recovery.**

The Standards for Indigent Defense identify numeric caseload limits and require that caseloads must be reduced to accommodate unusual circumstances or increased workload.

Consistent with obligations under these Standards, public defense agencies, courts, and contracting authorities, in consultation with public defense attorneys, should reconsider the number of cases assigned to ensure adequate time to work on each case during this emergency.

- **Reduced caseloads may be necessary to maintain compliance with the standards.**

Standard 3.2 establishes that public defense attorneys may not accept cases beyond their ability to provide quality representation to all their clients.

The caseload of public defense attorneys shall allow each lawyer to give each client the time and effort necessary to ensure effective representation. Neither defender organizations, county offices, contract attorneys, nor assigned counsel should accept workloads that, by reason of their excessive size, interfere with the rendering of quality representation. As used in this Standard, “quality representation” is intended to describe the minimum level of attention, care, and skill that Washington citizens would expect of their state’s criminal justice system.

Standard 3.3 limits the number of cases lawyers can handle and recognizes that if there is a “surge” of cases beyond normal expectations or if the cases assigned become more complex, the caseload must be reduced. The standards state that:

Caseload limits reflect the maximum caseloads for fully supported full-time defense attorneys for cases of average complexity and effort.

Caseload limits assume a reasonably even distribution of cases throughout the year.

Reasonably even distribution of cases throughout the year means that lawyers will not be assigned more than 1/12 of their annual maximum caseload in any given month. For felonies, this is 12 cases per month. For misdemeanors, it should be no more than 33 misdemeanor cases per month.

Standard 3.3 also requires that when the public defense workload becomes more difficult or time-consuming due to work circumstances, per-attorney caseloads should be reduced.

The increased complexity of practice in many areas will require lower caseload limits. The maximum caseload limit should be adjusted downward when the mix of case assignments is weighted toward offenses or case types that demand more investigation, legal research and writing, use of experts, use of social workers, or other expenditures of time and resources.

- **Attorneys should determine ability to handle caseload.**

Each attorney should evaluate and determine their capacity to provide quality representation to all clients within the typical numeric caseload limits. If an attorney determines that they are not able to provide quality representation within the typical caseload, they should be presumed to be correct, and the caseload should be adjusted.

In 2019, the Washington Supreme Court held that a lower court had abused its discretion when it sanctioned a public defender for seeking a time accommodation that the defender determined was necessary to comply with “his constitutional obligations and the Standards of Indigent Defense.” *State v. Graham*, 194 Wn.2d 965, 968, 454 P.3d 114 (2019). The Court credited the defender’s assessment of his own caseload and recognized that:

...where counsel needs an extension of time to fulfill his obligations of representation, it is appropriate to grant an extension without the imposition of sanctions. Recent cases have highlighted the constitutional importance of maintaining proper caseloads in indigent defense cases. *See, e.g., Wilbur v. City of Mount Vernon*, 989 F. Supp. 2d 1122, 1124 (W.D. Wash. 2013); *State v. A.N.J.*, 168 Wn.2d 91, 102, 225 P.3d 956 (2010).

Graham, 194 Wn.2d at 970.

The Court emphasized the importance of adhering to the Standards:

The Standards for Indigent Defense provide that the caseload of public defenders must allow each lawyer to give each client the time and effort necessary to ensure effective representation.

Graham, 194 Wn.2d at 969.

Options to address increased workload may include adjusting case assignments, increasing resources including additional public defenders and staff, as well as other systemic approaches, as presented in the appendix.

Some attorney contracts pay based on each case assigned or pay a flat monthly fee for a specific number of cases. In these situations, as courts resume hearings and trials, the contracted number of cases may exceed a reasonable workload because of a surge in cases and the backlog of pending cases. Defenders are also less able to resolve cases, complete investigations, and meet with clients in the way they would have before the coronavirus crisis. If the workload required to provide quality representation increases, because of delays and barriers in investigating cases and meeting with clients, the caseload should be adjusted downward. Basic contract principles require that when circumstances change significantly, the parties should be open to renegotiation and amendment of contracts. Public defense providers should accept fewer cases or be compensated additionally to hire more staff. Additional resources for public defender services may also be necessary to re-open courts for trial and disposition hearings.

- **Coronavirus funding and resources should be directed to public defense.**

Many local governments are receiving significant emergency funding from federal and state Coronavirus mitigation sources. These emergency resources can and should be used to support public defense services.

For example, CARES Act funding may be used to increase the number of public defense attorneys and staff to address surging workloads, as well as to provide personal protective equipment for public defense attorneys, staff, and clients. Emergency funding may also be used to provide new technology to public defense attorneys, their clients, and jails to facilitate effective participation in court-conducted hearings, permit confidential attorney-client communications and to allow for timely electronic filing of pleadings.

- **Appendix One**

In considering how to address the emergency, the American Bar Association's *Eight Guidelines of Public Defense Related to Excessive Workloads* (2009) should guide public defense providers, local governments, and the courts.

Possible systemic options to address coronavirus impacts on public defense workload.

- Contract with additional attorneys to spread out new case assignments more equitably.
- Charge low level, non-violent adult felony offenses as gross misdemeanors.
- Charge low level, non-violent misdemeanor and gross misdemeanor offenses as infractions.
- Increase the use of pre-filing diversion for adult criminal and juvenile offender cases.
- Enhance prosecutorial review of cases filed by law enforcement officers, to minimize the number of cases that might otherwise result in early dismissal.
- Continue to minimize the number of in-custody defendants.
- Reduce status hearings for pre-trial and compliance hearings.
- Allow counsel to waive their client's appearances for non-essential hearings.
- Expand diversion alternatives.
- Reduce the issuance of warrants for failures to appear and allow defendants and youth to appear for hearings remotely.
- Reserve show cause and probation review hearings for the most serious allegations.
- Encourage courts to accept ex-parte orders with electronic signatures in all non-testimonial matters.
- Request that courts that have not initiated remote hearings begin doing so to reduce backlog.
- Consult with the Washington State Office of Public Defense or experienced practitioners in how to implement the Standards.

TO: Board of Governors
FROM: Paris Eriksen, Volunteer Engagement Advisor
DATE: May 14, 2021
RE: WSBA Governor At Large (Young Lawyers)

ACTION: Approve the recommendation from the Washington Young Lawyers Committee or determine an alternate action.

Attached please find two memos regarding the Governor At Large (Young Lawyer) position.

Overview

The outreach for the Governor At Large position consisted of a series of communications using all WSBA channels, outreach by the Washington Young Lawyers Committee and by current Governor At Large Russell Knight. The applications for the position were due April 20, 2021. The recruitment campaign was as follows:

- Ad placed in four issues of *Bar News*: December 2020/January 2021, February 2021, March 2021 and April/May 2021.
- *WSBA Take Note*: January – April 2021 (emailed to members bi-weekly)
- Two eblasts were sent to all eligible WSBA members (April 6, 2021 and April 16, 2021)
- Two informational sessions were conducted to answer questions and discuss the role. No interested members attended these sessions.
- Promoted in *New Lawyer News* throughout January – April. This newsletter is sent monthly to 1,000+ subscribers of the New Lawyer list serve.
- Promoted in the *WYLC Quarterly Contact* messages. These are messages sent by WYLC members to their respective regional area young lawyer populations.
- Featured on the WSBA.org homepage beginning in February.
- Featured on the screen prior to and during breaks for various webcasted events such as CLEs and Board meetings.
- Featured on WSBA social media channels.
- Direct communication to eligible members who completed the Volunteer Interest Form.

Attachments:

Memo from the Office of General Counsel

Memo from the Washington Young Lawyers Committee

MEMO

To: WSBA President Kyle Sciuchetti, Officers, Board of Governors, and Executive Director Terra Nevitt

From: Szilvia Szilágyi, Assistant General Counsel and Julie Shankland, General Counsel

Date: May 14, 2021

Re: Bylaw requirements for the At-Large Young Lawyer Governor ballot

The Washington Young Lawyers Committee (WYLC) has recommended a single candidate to be included on the ballot for the election to the Board of Governors At-large Young Lawyer seat for the 2021-2024 term. The recommended candidate is the only person who applied for the position.

Under Article VI.C.3.b. of the WSBA Bylaws, the WYLC should recommend at least three Young Lawyer candidates for the Young Lawyer At-Large Governor seat to the Board of Governors (Board).

This memorandum outlines the Bylaw requirements for the election of the Young Lawyer At-Large Governor seat, including the scenario when the WYLC recommends less than three candidates for the position.

Who may qualify as a Young Lawyer At-Large Governor Candidate?

The WYLC selects Young Lawyer At-Large Governor candidates from eligible Young Lawyer applicants. Per Article XII(B) of the Bylaws, an active lawyer member is considered a Young Lawyer until December 31 of the year in which the member turns 36 years old or until December 31 of the fifth year after the year in which the member first was admitted to practice as a lawyer in any state, whichever is later.

Election of the Young Lawyer At-Large Governor

According to Article VI.D.3. of the Bylaws, notice of the position, including the closing date and time for filing candidate applications, is advertised at least 30 days before the filing deadline. Upon expiration of the filing deadline, WSBA publicly posts all candidate names. From all qualifying applicants who have submitted their applications on time, the WYLC recommends at least three At-Large Young Lawyer Governor candidates to the Board.

Upon receiving the list of recommended candidates from the WYLC, the Board places all candidates on the ballot. The Young Lawyer At-Large Governor is elected by a vote of all Young Lawyer Members.

Analysis

The purpose of Article VI.C.3.b. of the WSBA Bylaws is to provide the Board with a selection of qualifying candidates (at least three) that the Board can place on the ballot and that the Young Lawyer Members can

elect from. If the WYLC forwards less than three candidates, the BOG has two options under Article VI.C.3.b. of the Bylaws: it may either select additional qualifying candidates on its own or place only the candidates forwarded by the WYLC on the ballot.

The Bylaws do not specify how the Board may or should select the additional qualifying candidates. Potentially, the Board may choose from the pool of applicants not forwarded by the WYLC or may actively solicit additional candidates (for example, by extending the original application deadline for the position).

As the WYLC has pointed out in their memorandum,¹ they received only one application for the At-Large Young Lawyer Position. There are not any additional applicants who they could forward to the BOG. Likewise, no other qualifying candidates are available (who had submitted their application within the filing deadline) for the Board to choose from.

Conclusion

When there is only one applicant for the Young Lawyer At-Large Governor position, and the WYLC recommends that candidate, the Board has at least the following three options:

Option 1. Declare the one qualifying candidate to be elected. In the election of Governors from Congressional Districts, Article VI.C.2.d. of the Bylaws includes explicitly that if there is only one qualified candidate nominated, then that candidate will be declared elected. Although the bylaws do not include this provision for At-Large Governors, the Board could choose to follow a consistent process for all Governor positions. Because there is only one applicant for the 2021 - 2024 Board of Governor At-Large Young Lawyer governor position, who is at the same time the only candidate recommended by the WYLC, Mr. Jordan Couch will be declared elected if the BOG chooses this option.

Option 2. Hold an election for the one qualifying candidate. The Board could place only the candidates recommended by the WYLC on the ballot if the WYLC forwards less than three candidates. The Board should discuss whether the cost of running an election is justified for one candidate and why a different process is used for Congressional District and At-Large Governors when only one candidate applies by the deadline.

Option 3. Extend the deadline and solicit additional qualifying candidates. Although the bylaws permit the Board to solicit additional qualifying candidates, the Board should discuss whether this is intended when only one candidate applies for a Board position and why the process is different for Congressional District and At-Large governors. The purpose of the requirement that WYLC forward three qualifying candidates appears to be to prevent the WYLC from determining the outcome of an election by exercising undue influence over which candidates are included on the ballot. If the Board decides to solicit additional qualifying candidates, the Board should discuss whether undue influence is a concern when only one candidate applies by the deadline.

¹ WYLC - 2021 2nd Draft Election Ballot Cover Memo - At-Large Young Lawyer Governor, Re: Recommendations for the 2021-2024 At-Large Young Lawyer Governor Ballot

WASHINGTON STATE BAR ASSOCIATION

To: WSBA President, President-elect, Immediate Past-President, Executive Director, Board of Governors and Volunteer Engagement Advisor

From: Washington Young Lawyer Committee

Re: Recommendations for the 2021-2024 At-Large Young Lawyer Governor Ballot

Date: May 10, 2021

ACTION: Include **Jordan Couch** on the 2021 – 2024 Board of Governor At-Large Young Lawyer governor ballot.

The Washington Young Lawyers Committee (WYLC), pursuant to Art. VI.C.3.b. of the WSBA Bylaws, recommends three candidates to be included on the ballot for the election to the Board of Governors At-large Young Lawyer seat for the 2021-2024 term. If fewer than three candidates are recommended, the Board of Governors may include additional candidates on the ballot.

The WYLC received only one application for the position from Mr. Couch. The WYLC reviewed Mr. Couch's application and interviewed Mr. Couch at the May 8, 2021 WYLC meeting. Answers to the interview questions were recorded (not verbatim) and can be provided upon request. The WYLC unanimously voted to recommend Mr. Couch for inclusion on the ballot for election by young lawyer members of the WSBA.

NAME Jordan Couch

Bar No. 49684

Enclosures

- Criteria and Interview Questions
- Jordan Couch, candidate materials

WASHINGTON STATE BAR ASSOCIATION

Washington Young Lawyers Committee

Criteria to consider applicants for the BOG At large position for new and young lawyers

The preferred candidate would have:

- Understands the various issues facing new and young lawyers
- Works toward promoting diversity in the legal profession
- Shows initiative, leadership, and responsibility
- Engages with the legal community
- Establishes collaborative relationships
- Experience with other volunteer leadership roles
- Understands WSBA mission and role of the Bar

Interview with candidate: _____

Prepared questions:

1. Tell us about yourself and why are you interested in this position?
2. What is your familiarity with the WSBA and the WYLC?
3. How would you use this position to advance the mission of the WSBA? (and/or, what makes our mission meaningful to you)?
4. Share an example of a time you were given feedback and how you incorporated it into your work?
5. What is your communication style when part of a group brainstorming ideas or discussing complex topics?

Question Bank

1. In your opinion, what do you think is the biggest issue facing the WSBA over the next couple of years?
2. How would you promote and encourage professionalism and civility in the legal profession?
3. General Rule 12.2 provides that the WSBA should strive to promote diversity and equality in the legal profession and courts. How can the legal profession be more inclusive to underrepresented members? How do you think the Board of Governors should carry out this responsibility under 12.2? (Ask after reading and/or giving them the text of GR 12.2)
4. On June 4, 2020, our Washington Supreme Court issued a letter in response to the growing public outcry for social justice and called upon the legal profession take individual and collective action towards address issuing of racism in our legal system. Can you share your reflections on this letter and whether it has had any personal impact upon you?

April 6, 2021

Dear WYLC:

I'm running for this position as the next step in the work I have been doing for the last five years. Advocating for new and young lawyers is something I have dedicated a substantial portion of my career to and being your BOG liaison will allow me to continue that work.

There are two responsibilities of this at-large position that distinguish it from other representative BOG positions. First, in addition to advocating for new and young lawyers in Washington your at-large governor should support and advocate for the work of the WYLC. Second, the at-large governor needs to be a bridge between the WYLC and the BOG giving WYLC members the opportunity be heard on key issues and to expand their careers. In the last three years as I have cycled through my term as chair I have spent a lot of time in BOG meetings both as your representative and as a member. I have experience, knowledge, and I want to ensure that the work the WYLC has done continues to progress.

In addition to my work with you all I have served as secretary, then president of the Tacoma-Pierce County Young Lawyers, and as a member of the TPCBA's Board of Trustees. I have also served in various leadership roles on the WSBA's Solo and Small Practice Section and the ABA's GPSolo division to name a few. I am well versed in the work required to be successful in bar leadership and would relish the opportunity to continue serving you all.

Very truly yours,



Jordan L. Couch

Jordan L. Couch

4009 Bridgeport Way W. University Place, WA 98466
(253) 627-3883 Jordan@PalaceLaw.com

Bar Activities

Admissions

- Washington State #49684 2015

Leadership

- WSBA New and Young Lawyers – Chair 2019-2020
- WSBA Solo & Small Practice – Incoming Chair Current
- WSBA COVID Taskforce Current
- WA Supreme Court ATJ Tech Committee – Co-Chair Current
- ABA GPSolo – Young Lawyer Fellow 2019
- TPCBA Young Lawyers Committee – President Current
- KCBA Judiciary and Litigation Committee – Representative 2015-2016

Work

Palace Law

Partner/Cultural Ambassador Current

- Representing workers' compensation plaintiffs at every stage of litigation.
- Promoting the firm and its Core Values in the office and around the country.

Walthew Law Firm

2015

Contract Attorney

- Researched and wrote appellate briefs and trial motions.

Honorable Judge Ronald B. Leighton

2014

Summer Clerk 2014

- Wrote orders and bench memoranda proposing solutions to motions before the court.

Education

JD - Indiana University Maurer School of Law

2015

- Indiana Journal of Law and Social Equality; Moot Court Board; The Order of Barristers

BA - St. John's College, Annapolis

2012

- Majors: Philosophy, History of Math and Science.

Top Publications

- *Additively Manufacturing a Better Life: How 3D Printing Can Change the World Without Changing the Law*, 51 Gonz. L. Rev. 517 (2016).
- *Twitter for Lawyers*, ABA GPSolo Magazine (Feb. 2018)
- *Grading the Bar*, Washington State Bar News (Sept. 2020)
- *We've Got a Bad Case of Baumol's Cost Disease*, Legal Evolution (July 2020)

Jordan L. Couch

I'm a firm believer in giving back to my community. In my six years of practice, I have devoted a substantial amount of my time to service in local, state, and national bar associations trying to improve the legal profession especially for new lawyers. I have served in leadership roles in the WSBA, the King and Pierce county bars, the WSAJ, and the ABA to name a few. Most recently I was the chair of the Washington Young Lawyers Committee and President of the TPCBA's New and Young Lawyers Section. My goal in serving on the Board of Governors is to continue serving new lawyers by creating opportunities for them to be heard on issues that affect our profession and advocating for programs and initiatives that support new lawyers.

Among other things, in my time in leadership I have helped create new lawyer mentorship programs, sponsored student debt relief initiatives, organized fundraising events, and proposed court rules to create more equitable, gender-neutral courtroom attire standards. I look forward to the opportunity to continue serving the legal community.

TO: WSBA Board of Governors
FROM: Daniel D. Clark, WSBA Treasurer & 4th District Governor
DATE: May 20th, 2021
RE: Selection of Audit Firm

ACTION/DISCUSSION : Approve the Budget and Audit Recommendation of hiring Clark Nuber as our Audit Partner

On May 5th the WSBA Budget and Audit Committee took a vote on selecting an Audit Partner for our next 5 year cycle. The vote was unanimous to rehire Clark Nuber. A total of 8 RFP’s were sent and we received 4 proposals. The table below shows the costs of services proposed by the 4 firms that did respond to the RFP. As you can see below Clark Nuber presented the most competitive proposal by 25%.

<u>US \$</u> <u>Services</u>	<u>Larson</u>	<u>BDO</u>	<u>Clark Nuber</u>	<u>Bader Martin</u>
Financial Statements	35,000.00	31,500.00	27,500.00	35,000.00
Special Report	4,500.00	7,500.00	2,500.00	6,000.00
Total	<u>39,500.00</u>	<u>39,000.00</u>	<u>30,000.00</u>	<u>41,000.00</u>

In light of the proposals received we support the choice to continue with our current Auditors Clark Nuber, based on the economics, the lack of need for a transition and the current state of our books which is very good we don’t see the need for changing auditors at a higher cost at this time.

Respectfully,

Dan Clark
 WSBA Treasurer/4th District Governor
DanClarkBoG@yahoo.com
 (509) 574-1207 (office)
 (509) 969-4731 (cell)

GENERAL FUND FORECAST

FY2021 Reforecast	\$20,227,000	\$20,341,000	(\$114,000)	\$5,414,234	\$2,050,000	\$3,364,234
Estimate FY 2022	\$20,530,405	\$20,951,230	(\$420,825)	\$4,993,409	\$2,550,000	\$2,443,409
Estimate FY 2023	\$20,838,361	\$21,579,767	(\$741,406)	\$4,252,003	\$2,550,000	\$1,702,003
Estimate FY 2024	\$21,150,936	\$22,227,160	(\$1,076,223)	\$3,175,780	\$2,550,000	\$625,780
Estimate FY 2025	\$21,468,201	\$22,893,975	(\$1,425,774)	\$1,750,006	\$2,550,000	(\$799,994)
Estimate FY 2026	\$21,790,224	\$23,580,794	(\$1,790,570)	(\$40,565)	\$2,050,000	(\$2,090,565)

Revenues are assumed to grow at 1.5% annually
Expenses are assumed to grow at 3.0% annually

**LICENSE FEES WILL NEED TO INCREASED STARTING IN FY 24 AS UNRESTRICTED FUNDS
 WILL BE LESS THAN \$2MM WHICH IS NOT ALLOWED BY POLICY**

2021 AUDIT SERVICES RFP'S

RFP's Requested

- Bader Martin
- Berntson Porter
- BDO
- Clark Nuber
- Larson Gross
- Moss Adams
- Shannon and Associates
- Sweeney Conrad

Reponses Received

- Bader Martin
- BDO
- Clark Nuber
- Larson Gross

2021 AUDIT SERVICES OFFERINGS

<u>US \$</u> <u>Services</u>	<u>Larson</u>	<u>BDO</u>	<u>Clark Nuber</u>	<u>Bader Martin</u>
Financial Statements	35,000.00	31,500.00	27,500.00	35,000.00
Special Report	4,500.00	7,500.00	2,500.00	6,000.00
Total	<u>39,500.00</u>	<u>39,000.00</u>	<u>30,000.00</u>	<u>41,000.00</u>

The logical choice is to continue with our current Auditors Clark Nuber, based on the economics, the lack of need for a transition and the current state of our books which is very good we don't see the need for changing auditors at a higher cost at this time.

TO: WSBA Board of Governors and Governors-Elect
FROM: Pam Anderson, Chair, Committee on Professional Ethics
Jeanne Marie Clavere, Staff Liaison
DATE: May 7, 2021
RE: Proposed Amendments to RPC 7.2, 5.4, and 1.5(e)(2)

ACTION/DISCUSSION: 1) Request withdrawal of proposed amendments to RPC 7.2, 5.4, and 1.5(e)(2) currently pending at the Washington State Supreme Court and, 2) refer the proposal back to the Committee on Professional Ethics to revise consistent with the current RPC.

Background

On June 13, 2018, the Committee on Professional Ethics (CPE) received a request from then Executive Director, Paula Littlewood to consider whether an amendment should be proposed to RPC 1.5 (e)(2) which provides that “a division of a fee between lawyers who are not in the same firm may be made only if the division is between the lawyer and a duly authorized lawyer referral service of either the Washington State Bar Association or of one of the county bar associations of this state.” Ms. Littlewood’s letter was prompted by the National Crime Victim Bar Association’s inquiry to the WSBA about whether RPC 1.5 (e)(2) would apply to a not-for profit referral service seeking to refer clients to Washington state attorneys.

In June 2020, the BOG adopted a proposal of the CPE that RPC 7.2 and 5.4 be amended (and RPC 1.5(e)(2) be deleted) to clarify that not-for-profit qualified lawyer referral service organizations may receive a portion of the lawyer’s fee. The BOG submitted a GR9 to the Washington State Supreme Court (WSSC) on July 29, 2020, and on November 20, 2020, the WSSC published the proposal for comment; the comment period closed April 30, 2021.

Recommendation

The CPE is now recommending that the Board of Governors withdraw its request for the proposed amendments. This recommendation is based on the fact that, on January 8, 2021, the WSSC adopted significant changes to the RPCs on solicitation and advertising and left RPC 7.2 reserved. The juxtaposition of the pending amendments (which would now amend a reserved rule), and the revisions to RPC 7.1-7.5 has the potential to cause confusion. The CPE requests that the Board of Governors consider returning the matter to the CPE so that the Committee may rework the proposal to be consistent with the recently adopted amendments to the RPCs.

Attachments:

- WSBA President’s July 29, 2020 Letter to the Supreme Court
- GR 9 Coversheet
- Supreme Court Order 25700-A-1333

**WASHINGTON STATE
BAR ASSOCIATION**

Board of Governors

Rajeev D. Majumdar, President

July 29, 2020

Hon. Debra L. Stephens
Chief Justice
Washington Supreme Court
Temple of Justice
P.O. Box 40929
Olympia, WA 98504-0929

Re: Suggested Amendments to RPC 7.2(b)(2), 5.4, and 1.5(e)(2)

Dear Chief Justice Stephens:

Enclosed for the Court's consideration is a GR 9 cover sheet for suggested amendments to RPC 7.2(b)(2), 5.4, and 1.5(e)(2) on lawyer referral services and fee sharing. The Board of Governors approved the proposed amendments at their June 27, 2020, meeting.

By way of background, the proposals resulted from an inquiry received in 2018 by the WSBA executive director from a national, nonprofit lawyer referral service seeking clarification on the ethical rules regarding lawyer referral services in Washington. The inquiry was forwarded to the Committee on Professional Ethics for answer. The CPE subsequently took up the issue and created a subcommittee to draft amendments to the lawyer referral rules. The CPE also gathered information and comment from stakeholders across the state on the draft amendments prior to making a recommendation to the Board of Governors.

If you or members of the Court have additional questions regarding the suggested amendments, please contact the CPE Chair, Don Curran, at jdcvlc@dctpw.com, phone (509) 455-9500, or staff liaison and Professional Responsibility Counsel, Jeanne Marie Clavere, at jeannec@wsba.org or (206) 727-8298.

In Service,



Rajeev D. Majumdar
President, Washington State Bar Association

GR 9 COVER SHEET

**Suggested Amendments to
THE RULES OF PROFESSIONAL CONDUCT (RPC)
Rule 7.2(b)(2), Comment [6] to Rule 7.2,
Comment [5] to Rule 5.4, and Rule 1.5(e)(2)**

Submitted by the Board of Governors of the Washington State Bar Association

A. Name of Proponent: Washington State Bar Association

B. Spokespersons:

Rajeev D. Majumdar, President
Washington State Bar Association
1325 4th Avenue, Suite 600
Seattle, WA 98101-2539
(206) 214-5177

Jeanne Marie Clavere, Professional Responsibility Counsel
Washington State Bar Association
1325 4th Avenue, Suite 600
Seattle, WA 98101-2539
(206) 727-8298

C. Purpose:

The purpose of this proposal is to authorize not-for-profit qualified lawyer referral service organizations, including bar associations, to be paid a portion of a lawyer's fee.

RPC 1.5(e)(2) states "a division of a fee between lawyers who are not in the same firm may be made only if: [...] (2) the division is between the lawyer and a duly authorized lawyer referral service of either the Washington State Bar Association or one of the county bar associates of this state."

In 2012, the WSBA RPC Committee interpreted the "duly authorized" language to mean "some kind of affirmative approval by the Washington Bar Association, or by one of the county bar associations of this state." The opinion added that "This committee does not have the power to grant such approval, and it does not have any special insights to offer the inquirer on how to obtain such approval." WSBA Ethics Advisory Op. 2227 (2012).

The WSBA does not have and never has had any mechanism in place to “authorize” lawyer referral services, and we surmise there is little interest within the WSBA to process such requests. Representatives of Spokane, Pierce and King County Bar Associations have advised they have no such mechanism.

The WSBA Committee on Professional Ethics proposes: 1) deletion of RPC 1.5(e)(2) and, 2) relocation of the authority for lawyers to work with lawyer referral services to RPC 7.2.

The committee proposes amending RPC 7.2 as follows:

(a) Subject to the requirements of Rules 7.1 and 7.3, a lawyer may advertise services through written, recorded or electronic communication, including public media.

(b) A lawyer shall not give anything of value to a person for recommending the lawyer's services, except that a lawyer may

(1) pay the reasonable cost of advertisements or communications permitted by this Rule;

(2) pay the usual charges of a legal service plan or a not-for-profit lawyer referral service, and share a fee with a not-for-profit lawyer referral service that qualifies under Section 501 of the Internal Revenue Code or Washington's Nonprofit Corporation Act, or is a program sponsored by a non-profit organization or a court as authorized under Rule 6.5(a);

(3)

The committee proposes amending Comment [6] to RPC 7.2:

[6] [**Washington revision**] A lawyer may pay the usual charges of a legal service plan or a not-for-profit lawyer referral service. A “legal service plan” is a prepaid or group legal service plan or a similar delivery system that assists people who seek to secure legal representation. A “lawyer referral service,” on the other hand, is any individual or entity that operates for the direct or indirect purpose of referring potential clients to lawyers, regardless of whether the term “referral service” is used. ~~organization that holds itself out to the public as a lawyer referral service. Such referral services~~ Not-for-profit lawyer referral services are understood by the public to be consumer-oriented organizations that provide unbiased referrals to lawyers with appropriate experience in the subject matter of the representation and afford other client protections, such as complaint procedures or malpractice insurance requirements. ~~Consequently, this Rule only permits a lawyer to pay the usual charges of~~

~~a not-for-profit lawyer referral service.~~ The “usual charges” of a legal services plan or not-for-profit lawyer referral service are fees that are openly promulgated and uniformly applied. A lawyer also may share a percentage of a fee in exchange for a referral from not-for-profit lawyer referral services, because these services help to facilitate access to justice and, if they operate under Section 501 of the Internal Revenue Code or the Washington Nonprofit Corporation Act, will use the fee only to defray reasonable operating costs. The fee paid by a client who is referred by the service, however, should not exceed the total charges that the client would have paid if the lawyer referral service was not involved.

The language of this comment draws on both comment [15] to proposed RPC 7.3(b)(2), as part of the proposed revisions to Title 7 of the RPC (November 2018 proposed rules published for comment), and Arizona RPC 7.2(b)(2).

Third, the committee further proposes new Washington Comment [5] to RPC 5.4 (Professional Independence of a Lawyer) that cross-references proposed RPC 7.2(b)(2).

RPC 5.4:

.....

Additional Washington Comments (3-45)

[3] Paragraph (a)(5) was taken from former Washington RPC 5.4(a)(2).

[4] Notwithstanding Rule 5.4, lawyers and LLLTs may share fees and form business structures to the extent permitted by Rule 5.9.

[5] For circumstances when a lawyer can share a fee with a not-for-profit lawyer referral service, See Rule 7.2(b)(2).

D. Hearing:

None is requested.

E. Expedited Consideration:

None is requested.

F. Supporting Material:

- RPC 1.5(e) - Redline
- RPC 7.2(b) – Redline
- RPC 5.4 – Redline

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE SUGGESTED
AMENDMENTS TO RULES OF PROFESSIONAL
CONDUCT (RPC) 5.5—UNAUTHORIZED
PRACTICE OF LAW; MULTIJURISDICTIONAL
PRACTICE OF LAW; RPC 7.1—
COMMUNICATIONS CONCERNING A
LAWYER’S SERVICES; RPC 7.2—ADVERTISING
RESERVED; RPC 7.3—SOLICITATION OF
CLIENTS; RPC 7.4—COMMUNICATION OF
FIELDS OF PRACTICE AND
SPECIALIZATIONRESERVED; RPC 7.5—FIRM
NAME AND LETTERHEADS RESERVED

ORDER

NO. 25700-A-1333

The Washington State Bar Association, having recommended the adoption of the proposed amendments to Rules of Professional Conduct (RPC) 5.5—Unauthorized Practice of Law; Multijurisdictional Practice of Law; RPC 7.1—Communications Concerning a Lawyer’s Services; RPC 7.2—~~Advertising~~ Reserved; RPC 7.3—Solicitation of Clients; RPC 7.4—~~Communication of Fields of Practice and Specialization~~ Reserved; RPC 7.5—~~Firm Name and Letterheads~~ Reserved, and the Court having considered the proposed amendments, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

IN THE MATTER OF THE SUGGESTED AMENDMENTS TO RULES OF PROFESSIONAL CONDUCT (RPC) 5.5—UNAUTHORIZED PRACTICE OF LAW; MULTIJURISDICTIONAL PRACTICE OF LAW; RPC 7.1—COMMUNICATIONS CONCERNING A LAWYER’S SERVICES; RPC 7.2—~~ADVERTISING RESERVED~~; RPC 7.3—SOLICITATION OF CLIENTS; RPC 7.4—~~COMMUNICATION OF FIELDS OF PRACTICE AND SPECIALIZATION RESERVED~~; RPC 7.5—~~FIRM NAME AND LETTERHEADS RESERVED~~

ORDERED:

- (a) That the proposed amendments as attached hereto are adopted.
- (b) That pursuant to the emergency provisions of GR 9(j)(1), the proposed amendments will be expeditiously published in the Washington Reports and will become effective upon publication.

DATED at Olympia, Washington this 8th day of January, 2021.

Johnson, J.
Madsen, J.
Owen, J.
Conzalez, J.

Stephens, C.J.
Healy, Michael, J.
Lu, J.
Montgomery, J.
Whitener, J.

RULES OF PROFESSIONAL CONDUCT

1 **RPC 7.1 COMMUNICATIONS CONCERNING A LAWYER'S SERVICES**

2
3 A lawyer shall not make a false or misleading communication about the lawyer or the
4 lawyer's services. A communication is false or misleading if it contains a material
5 misrepresentation of fact or law, or omits a fact necessary to make the statement considered
6 as a whole not materially misleading.

7 8 **Comment**

9 [1] [Washington revision] This Rule governs all communications about a lawyer's services,
10 ~~including advertising permitted by Rule 7.2.~~ Whatever means are used to make known a
11 lawyer's services, statements about them must be truthful.

12
13 [2] – [3] [Unchanged.]

14
15 [4] [Washington revision] It is professional misconduct for a lawyer to engage in conduct
16 involving dishonesty, fraud, deceit or misrepresentation. RPC 8.4(c). See also Rule 8.4(e)
17 for the prohibition against stating or implying an ability to influence improperly a
18 government agency or official or to achieve results by means that violate the Rules of
19 Professional Conduct or other law.

20 21 Additional Washington Comments (5-14)

22
23 [5] To assist the public in learning about and obtaining legal services, lawyers should be
24 allowed to make known their services not only through reputation but also through organized
25 information campaigns in the form of advertising. Advertising involves an active quest for
26 clients, contrary to the tradition that a lawyer should not seek clientele. However, the public's

RULES OF PROFESSIONAL CONDUCT

1 need to know about legal services can be fulfilled in part through advertising. This need is
2 particularly acute in the case of persons of moderate means who have not made extensive
3 use of legal services. The interest in expanding public information about legal services ought
4 to prevail over considerations of tradition. Nevertheless, advertising by lawyers entails the
5 risk of practices that are misleading or overreaching.

6
7 [6] This rule permits public dissemination of information concerning a lawyer's name or firm
8 name, address, e-mail address, website, and telephone number; the kinds of services the
9 lawyer will undertake; the basis on which the lawyer's fees are determined, including prices
10 for specific services and payment and credit arrangements; a lawyer's foreign language
11 ability; names of references and, with their consent, names of clients regularly represented;
12 and other information that might invite the attention of those seeking legal assistance.

13
14 [7] Questions of effectiveness and taste in advertising are matters of speculation and
15 subjective judgment. Some jurisdictions have had extensive prohibitions against television
16 and other forms of advertising, against advertising going beyond specified facts about a
17 lawyer, or against "undignified" advertising. Television, the Internet, and other forms of
18 electronic communication are now among the most powerful media for getting information
19 to the public, particularly persons of low and moderate income; prohibiting television,
20 Internet, and other forms of electronic advertising, therefore, would impede the flow of
21 information about legal services to many sectors of the public. Limiting the information that
22 may be advertised has a similar effect and assumes that the bar can accurately forecast the
23 kind of information that the public would regard as relevant.

24
25 *Areas of Expertise/Specialization*
26

RULES OF PROFESSIONAL CONDUCT

1 [8] A lawyer may indicate areas of practice in communications about the lawyer's services.
2 If a lawyer practices only in certain fields, or will not accept matters except in a specified
3 field or fields, the lawyer is permitted to so indicate. A lawyer is generally permitted to state
4 that the lawyer is a "specialist," practices a "specialty," or "specializes in" particular fields,
5 but such communications are subject to the "false and misleading" standard applied in RPC
6 7.1 to communications concerning a lawyer's services. A lawyer may state that the lawyer is
7 certified as a specialist in a field of law if such certification is granted by an organization
8 approved by an appropriate state authority or accredited by the American Bar Association or
9 another organization, such as a state bar association, that has been approved by the state
10 authority to accredit organizations that certify lawyers as specialists. Certification signifies
11 that an objective entity has recognized an advanced degree of knowledge and experience in
12 the specialty area greater than is suggested by general licensure to practice law. Certifying
13 organizations may be expected to apply standards of experience, knowledge and proficiency
14 to insure that a lawyer's recognition as a specialist is meaningful and reliable. In order to
15 insure that consumers can obtain access to useful information about an organization granting
16 certification, the name of the certifying organization must be included in any communication
17 regarding the certification.

18
19 [9] In advertising concerning an LLLT's services, an LLLT is required to communicate the
20 fact that the LLLT has a limited license in the particular fields of law for which the LLLT is
21 licensed and must not state or imply that the LLLT has broader authority to practice than is
22 in fact the case. See LLLT RPC 7.1(b). When lawyers and LLLTs are associated in a firm,
23 lawyers with managerial or pertinent supervisory authority must take measures to assure that
24 the firm's communications conform with these obligations. See Rule 5.10.

25
26 *Firm Names*

RULES OF PROFESSIONAL CONDUCT

1 [10] A firm may be designated by the names of all or some of its members, by the names of
2 deceased members where there has been a continuing succession in the firm's identity or by
3 a trade name such as the "ABC Legal Clinic." A lawyer or law firm may also be designated
4 by a distinctive website address or comparable professional designation. Although the United
5 States Supreme Court has held that legislation may prohibit the use of trade names in
6 professional practice, use of such names in law practice is acceptable so long as it is not
7 misleading. If a private firm uses a trade name that includes a geographical name such as
8 "Springfield Legal Clinic," an express disclaimer that it is a public legal aid agency may be
9 required to avoid a misleading implication. It may be observed that any firm name including
10 the name of a deceased partner is, strictly speaking, a trade name. The use of such names to
11 designate law firms has proven a useful means of identification. However, it is misleading to
12 use the name of a lawyer or LLLT not associated with the firm or a predecessor of the firm,
13 or the name of an individual who is neither a lawyer nor an LLLT.

14
15 [11] Lawyers or LLLTs sharing office facilities, but who are not in fact associated with each
16 other in a law firm, may not denominate themselves as, for example, "Smith and Jones," for
17 that title suggests that they are practicing law together in a firm.

18
19 [12] When lawyers and LLLTs are associated with each other in a law firm, the firm may be
20 designated using the name of a member LLLT if the name is not otherwise in violation of
21 this rule.

22
23 [13] Lawyers or LLLTs practicing out of the same office who are not partners, shareholders
24 of a professional corporation, or members of a professional limited liability company or
25 partnership may not join their names together. Lawyers or LLLTs who are not (1) partners,
26 shareholders of a professional corporation, or members of a professional limited liability

RULES OF PROFESSIONAL CONDUCT

1 company or partnership, or (2) employees of a sole proprietorship, partnership, professional
2 corporation, or members of a professional limited liability company or partnership or other
3 organization, or (3) in the relationship of being "Of Counsel" to a sole proprietorship,
4 partnership, professional corporation, or members of a professional limited liability company
5 or partnership or other organization, must have separate letterheads, cards, and pleading
6 paper, and must sign their names individually at the end of all pleadings and correspondence
7 and not in conjunction with the names of other lawyers or LLLTs.

8
9 [14] A law firm with offices in more than one jurisdiction may use the same name or other
10 professional designation in each jurisdiction. See RPC 5.5(f) & cmt. [22]. In order to avoid
11 misleading the public, when lawyers or LLLTs are identified as practicing in a particular
12 office, the firm should indicate the jurisdictional limitations on those not licensed to practice
13 in the jurisdiction where the office is located.

14 15 **RPC 7.2 ADVERTISING [Reserved.]**

16 ~~— (a) Subject to the requirements of Rules 7.1 and 7.3, a lawyer may advertise services~~
17 ~~through written, recorded or electronic communication, including public media.~~

18 ~~— (b) A lawyer shall not give anything of value to a person for recommending the lawyer's~~
19 ~~services, except that a lawyer may~~

20 ~~— (1) pay the reasonable costs of advertisements or communications permitted by this~~
21 ~~Rule;~~

22 ~~— (2) pay the usual charges of a legal service plan or a not for profit lawyer referral~~
23 ~~service;~~

24 ~~— (3) pay for a law practice in accordance with Rule 1.17; and~~
25
26

RULES OF PROFESSIONAL CONDUCT

1 ~~—— (4) refer clients to another lawyer or LLLT pursuant to an agreement not otherwise~~
2 ~~prohibited under these Rules that provides for the other person to refer clients or customers~~
3 ~~to the lawyer, if~~

4 ~~—— (i) the reciprocal referral agreement is not exclusive, and~~

5 ~~—— (ii) the client is informed of the existence and nature of the agreement.~~

6 ~~—— (e) Any communication made pursuant to this Rule shall include the name and office~~
7 ~~address of at least one lawyer or law firm responsible for its content.~~

9 **Comment**

10 ~~[1] To assist the public in learning about and obtaining legal services, lawyers should be~~
11 ~~allowed to make known their services not only through reputation but also through organized~~
12 ~~information campaigns in the form of advertising. Advertising involves an active quest for~~
13 ~~clients, contrary to the tradition that a lawyer should not seek clientele. However, the public's~~
14 ~~need to know about legal services can be fulfilled in part through advertising. This need is~~
15 ~~particularly acute in the case of persons of moderate means who have not made extensive~~
16 ~~use of legal services. The interest in expanding public information about legal services ought~~
17 ~~to prevail over considerations of tradition. Nevertheless, advertising by lawyers entails the~~
18 ~~risk of practices that are misleading or overreaching.~~

19
20 ~~[2] This Rule permits public dissemination of information concerning a lawyer's name or~~
21 ~~firm name, address, e-mail address, website, and telephone number; the kinds of services the~~
22 ~~lawyer will undertake; the basis on which the lawyer's fees are determined, including prices~~
23 ~~for specific services and payment and credit arrangements; a lawyer's foreign language~~
24 ~~ability; names of references and, with their consent, names of clients regularly represented;~~
25 ~~and other information that might invite the attention of those seeking legal assistance.~~

RULES OF PROFESSIONAL CONDUCT

1 ~~[3] Questions of effectiveness and taste in advertising are matters of speculation and~~
2 ~~subjective judgment. Some jurisdictions have had extensive prohibitions against television~~
3 ~~and other forms of advertising, against advertising going beyond specified facts about a~~
4 ~~lawyer, or against "undignified" advertising. Television, the Internet, and other forms of~~
5 ~~electronic communication are now among the most powerful media for getting information~~
6 ~~to the public, particularly persons of low and moderate income; prohibiting television,~~
7 ~~Internet, and other forms of electronic advertising, therefore, would impede the flow of~~
8 ~~information about legal services to many sectors of the public. Limiting the information that~~
9 ~~may be advertised has a similar effect and assumes that the bar can accurately forecast the~~
10 ~~kind of information that the public would regard as relevant. But see Rule 7.3(a) for the~~
11 ~~prohibition against a solicitation of a possible client through a real-time electronic exchange~~
12 ~~initiated by the lawyer.~~

13
14 ~~[4] Neither this Rule nor Rule 7.3 prohibits communications authorized by law, such as~~
15 ~~notice to members of a class in class action litigation.~~

17 *Paying Others to Recommend a Lawyer*

18 ~~[5] [Washington revision] Except as permitted under paragraphs (b)(1) (b)(4), lawyers are~~
19 ~~not permitted to pay others for recommending the lawyer's services or for channeling~~
20 ~~professional work in a manner that violates Rule 7.3. A communication contains a~~
21 ~~recommendation if it endorses or vouches for a lawyer's credentials, abilities, competence,~~
22 ~~character, or other professional qualities. Paragraph (b)(1), however, allows a lawyer to pay~~
23 ~~for advertising and communications permitted by this Rule, including the costs of print~~
24 ~~directory listings, on-line directory listings, newspaper ads, television and radio airtime,~~
25 ~~domain name registrations, sponsorship fees, Internet-based advertisements, and group~~
26 ~~advertising. A lawyer may compensate employees, agents and vendors who are engaged to~~

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1 provide marketing or client development services, such as publicists, public relations
2 personnel, business development staff and website designers. Moreover, a lawyer may pay
3 others for generating client leads, such as Internet based client leads, as long as the lead
4 generator does not recommend the lawyer, any payment to the lead generator is consistent
5 with Rules 1.5(e) (division of fees) and 5.4 (professional independence of the lawyer), and
6 the lead generator's communications are consistent with Rule 7.1 (communications
7 concerning a lawyer's services). To comply with Rule 7.1, a lawyer must not pay a lead
8 generator that states, implies, or creates a reasonable impression that it is recommending the
9 lawyer, is making the referral without payment from the lawyer, or has analyzed a person's
10 legal problems when determining which lawyer should receive the referral. See also Rule 5.3
11 (duties of lawyers and law firms with respect to the conduct of nonlawyers); RPC 8.4(a)
12 (duty to avoid violating the rules through the acts of another). For the definition of nonlawyer
13 for the purposes of Rule 5.3, see Washington Comment [5] to Rule 5.3.

14
15 [6] **[Washington revision]** A lawyer may pay the usual charges of a legal service plan or a
16 not for profit lawyer referral service. A legal service plan is a prepaid or group legal service
17 plan or a similar delivery system that assists people who seek to secure legal representation.
18 A lawyer referral service, on the other hand, is any organization that holds itself out to the
19 public as a lawyer referral service. Such referral services are understood by the public to be
20 consumer oriented organizations that provide unbiased referrals to lawyers with appropriate
21 experience in the subject matter of the representation and afford other client protections, such
22 as complaint procedures or malpractice insurance requirements. Consequently, this Rule
23 only permits a lawyer to pay the usual charges of a not for profit lawyer referral service.

24
25 [7] A lawyer who accepts assignments or referrals from a legal service plan or referrals from
26 a lawyer referral service must act reasonably to assure that the activities of the plan or service

RULES OF PROFESSIONAL CONDUCT

1 are compatible with the lawyer's professional obligations. See Rule 5.3. Legal service plans
2 and lawyer referral services may communicate with the public, but such communication must
3 be in conformity with these Rules. Thus, advertising must not be false or misleading, as
4 would be the case if the communications of a group advertising program or a group legal
5 services plan would mislead the public to think that it was a lawyer referral service sponsored
6 by a state agency or bar association. Nor could the lawyer allow in-person, telephonic, or
7 real-time contacts that would violate Rule 7.3.

8
9 ~~[8] [Washington revision] A lawyer also may agree to refer clients to another lawyer in~~
10 ~~return for the undertaking of that person to refer clients or customers to the lawyer. Such~~
11 ~~reciprocal referral arrangements must not interfere with the lawyer's professional judgment~~
12 ~~as to making referrals or as to providing substantive legal services. See Rules 2.1 and 5.4(c).~~
13 ~~Except as provided in Rule 1.5(e), a lawyer who receives referrals from a lawyer must not~~
14 ~~pay anything solely for the referral, but the lawyer does not violate paragraph (b) of this Rule~~
15 ~~by agreeing to refer clients to the other lawyer, so long as the reciprocal referral agreement~~
16 ~~is not exclusive and the client is informed of the referral agreement. Conflicts of interest~~
17 ~~created by such arrangements are governed by Rule 1.7. Reciprocal referral agreements~~
18 ~~should not be of indefinite duration and should be reviewed periodically to determine~~
19 ~~whether they comply with these Rules. This Rule does not restrict referrals or divisions of~~
20 ~~revenues or net income among lawyers within firms comprised of multiple entities.~~

21 22 **Additional Washington Comment (9)**

23 [9] That portion of Model Rule 7.2(b)(4) that allows lawyers to enter into reciprocal referral
24 agreements with nonlawyer professionals was not adopted. A lawyer may agree to refer
25 clients to an LLLT in return for the undertaking of that person to refer clients to the lawyer.
26 The guidance provided in Comment [8] to this Rule is also applicable to reciprocal referral

RULES OF PROFESSIONAL CONDUCT

1 ~~arrangements between lawyers and LLLTs. Under LLLT RPC 1.5(e), however, an LLLT~~
2 ~~may not enter into an arrangement for the division of a fee with a lawyer who is not in the~~
3 ~~same firm as the LLLT.~~

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RULES OF PROFESSIONAL CONDUCT

1 **RPC 7.3 SOLICITATION OF CLIENTS**

2
3 (a) A lawyer shall ~~not directly or through a third person, by in person, live telephone, or real-~~
4 ~~time electronic contact~~ may solicit professional employment from a possible client when a
5 significant motive for the lawyer's doing so is the lawyer's pecuniary gain, unless the person
6 contacted:

7 (1) ~~is a lawyer or an LLLT or~~ the solicitation is false or misleading;

8 (2) ~~has a family, close personal, or prior professional relationship with the lawyer; or~~
9 the lawyer knows or reasonably should know that the physical, emotional, or mental state of
10 the subject of the solicitation is such that the person could not exercise reasonable judgment
11 in employing a lawyer;

12 (3) ~~has consented to the contact by requesting a referral from a not-for-profit lawyer~~
13 ~~referral service.~~ the subject of the solicitation has made known to the lawyer a desire not to
14 be solicited by the lawyer; or

15 (4) the solicitation involves coercion, duress, or harassment.

16 (b) A lawyer shall ~~not solicit professional employment from a client by written, recorded or~~
17 ~~electronic communication or by in person, telephone or real time electronic contact even~~
18 ~~when not otherwise prohibited by paragraph (a), if~~ compensate, or give or promise anything
19 of value to, a person who is not an employee or lawyer in the same law firm for the purpose
20 of recommending or securing the services of the lawyer or law firm, except that a lawyer
21 may;

22 (1) ~~the target of the solicitation has made known to the lawyer a desire not to be~~
23 ~~solicited by the lawyer; or~~ pay the reasonable cost of advertisements or communications
24 permitted by RPC 7.1, including online group advertising;

25 (2) ~~the solicitation involves coercion, duress or harassment.~~ pay the usual charges of a
26 legal service plan or a not-for-profit lawyer referral service;

RULES OF PROFESSIONAL CONDUCT

1 (3) pay for a law practice in accordance with RPC 1.17;

2 (4) refer clients to another lawyer or LLLT or other nonlawyer professional pursuant
3 to an agreement not otherwise prohibited under these Rules that provides for the other person
4 to refer clients or customers to the lawyer, if:

5 (i) the reciprocal referral agreement is not exclusive, and

6 (ii) the client is informed of the existence and nature of the agreement;

7 (5) give nominal gifts that are neither intended nor reasonably expected to be a form of
8 compensation for recommending a lawyer's services.

9 (c) [Reserved.]

10 ~~(d) Notwithstanding the prohibitions in paragraph (a), a lawyer may participate with a~~
11 ~~prepaid or group legal service plan operated by an organization not owned or directed by the~~
12 ~~lawyer that uses in-person or telephone contact to solicit memberships or subscriptions for~~
13 ~~the plan from persons who are not known to need legal services in a particular matter covered~~
14 ~~by the plan.~~[Reserved.]

16 **Comment**

17 [1] [Washington revision] A solicitation is a targeted communication initiated by ~~the~~ or on
18 behalf of a lawyer that is directed to a specific person and that offers to provide, or can
19 reasonably be understood as offering to provide, legal services. Solicitations can include in-
20 person, written, telephonic, and electronic communications. In contrast, a lawyer's
21 communication typically does not constitute a solicitation if it is directed to the general
22 public, such as through a billboard, an Internet banner advertisement, a website, or a
23 television commercial, or if it is in response to a request for information or is automatically
24 generated in response to Internet searches.

RULES OF PROFESSIONAL CONDUCT

1 [2] ~~[Reserved.] There is a potential for abuse when a solicitation involves direct in-person,~~
2 ~~live telephone or real-time electronic contact by a lawyer with someone known to need legal~~
3 ~~services. These forms of contact subject a person to the private importuning of the trained~~
4 ~~advocate in a direct interpersonal encounter. The person, who may already feel overwhelmed~~
5 ~~by the circumstances giving rise to the need for legal services, may find it difficult fully to~~
6 ~~evaluate all available alternatives with reasoned judgment and appropriate self-interest in the~~
7 ~~face of the lawyer's presence and insistence upon being retained immediately. The situation~~
8 ~~is fraught with the possibility of undue influence, intimidation, and over-reaching.~~

9
10 [3] ~~[Reserved.] This potential for abuse inherent in direct in-person, live telephone or real-~~
11 ~~time electronic solicitation justifies its prohibition, particularly since lawyers have alternative~~
12 ~~means of conveying necessary information to those who may be in need of legal services. In~~
13 ~~particular, communications can be mailed or transmitted by email or other electronic means~~
14 ~~that do not involve real-time contact and do not violate other laws governing solicitations.~~
15 ~~These forms of communications and solicitations make it possible for the public to be~~
16 ~~informed about the need for legal services, and about the qualifications of available lawyers~~
17 ~~and law firms, without subjecting the public to direct in-person, telephone or real-time~~
18 ~~electronic persuasion that may overwhelm a person's judgment.~~

19
20 [4] ~~[Reserved.] The use of general advertising and written, recorded or electronic~~
21 ~~communications to transmit information from lawyer to the public, rather than direct in-~~
22 ~~person, live telephone or real-time electronic contact, will help to assure that the information~~
23 ~~flows cleanly as well as freely. The contents of advertisements and communications~~
24 ~~permitted under Rule 7.2 can be permanently recorded so that they cannot be disputed and~~
25 ~~may be shared with others who know the lawyer. This potential for informal review is itself~~
26 ~~likely to help guard against statements and claims that might constitute false and misleading~~

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1 ~~communications, in violation of Rule 7.1. The contents of direct in-person, live telephone or~~
2 ~~real-time electronic contact can be disputed and may not be subject to third-party scrutiny.~~
3 ~~Consequently, they are much more likely to approach (and occasionally cross) the dividing~~
4 ~~line between accurate representations and those that are false and misleading.~~

5
6 [5] [~~Reserved.~~ **Washington revision**] ~~There is far less likelihood that a lawyer would engage~~
7 ~~in abusive practices against a former client, or a person with whom the lawyer has close~~
8 ~~personal or family relationship, or in situations in which the lawyer is motivated by~~
9 ~~considerations other than the lawyer's pecuniary gain. Nor is there a serious potential for~~
10 ~~abuse when the person contacted is a lawyer or an LLLT. Consequently, the general~~
11 ~~prohibition in Rule 7.3(a) is not applicable in those situations. Also, paragraph (a) is not~~
12 ~~intended to prohibit a lawyer from participating in constitutionally protected activities of~~
13 ~~public or charitable legal service organizations or bona fide political, social, civic, fraternal,~~
14 ~~employee or trade organizations whose purposes include providing or recommending legal~~
15 ~~services to its members or beneficiaries.~~

16
17 [6] [~~Reserved.~~] ~~But even permitted forms of solicitation can be abused. Thus, any solicitation~~
18 ~~which contains information which is false or misleading within the meaning of Rule 7.1,~~
19 ~~which involves coercion, duress or harassment within the meaning of Rule 7.3(b)(2), or~~
20 ~~which involves contact with someone who has made known to the lawyer a desire not to be~~
21 ~~solicited by the lawyer within the meaning of Rule 7.3(b)(1) is prohibited. Moreover, if after~~
22 ~~sending a letter or other communication as permitted by Rule 7.2 the lawyer receives no~~
23 ~~response, any further effort to communicate with the recipient of the communication may~~
24 ~~violate the provisions of Rule 7.3(b).~~

RULES OF PROFESSIONAL CONDUCT

1 [7] ~~[Reserved]~~ This Rule is not intended to prohibit a lawyer from contacting representatives
2 of organizations or groups that may be interested in establishing a group or prepaid legal plan
3 for their members, insureds, beneficiaries, or other third parties for the purpose of informing
4 such entities of the availability of and details concerning the plan or arrangement which the
5 lawyer or lawyer's firm is willing to offer. This form of communication is not directed to
6 people who are seeking legal services for themselves. Rather, it is usually addressed to an
7 individual acting in a fiduciary capacity seeking a supplier of legal services for others who
8 may, if they choose, become prospective clients of the lawyer. Under these circumstances,
9 the activity which the lawyer undertakes in communicating with such representatives and the
10 type of information transmitted to the individual are functionally similar to and serve the
11 same purpose as advertising permitted under Rule 7.2.

12
13 [8] ~~[Reserved.]~~

14
15 [9] ~~[Reserved.]~~ Paragraph (d) of this Rule permits a lawyer to participate with an organization
16 which uses personal contact to solicit members for its group or prepaid legal service plan,
17 provided that the personal contact is not undertaken by any lawyer who would be a provider
18 of legal services through the plan. The organization must not be owned by or directed
19 (whether as manager or otherwise) by any lawyer or law firm that participates in the plan.
20 For example, paragraph (d) would not permit a lawyer to create an organization controlled
21 directly or indirectly by the lawyer and use the organization for the in-person or telephone
22 solicitation of legal employment of the lawyer through memberships in the plan or otherwise.
23 The communication permitted by these organizations also must not be directed to a person
24 known to need legal services in a particular matter, but is to be designed to inform potential
25 plan members generally of another means of affordable legal services. Lawyers who
26

RULES OF PROFESSIONAL CONDUCT

1 ~~participate in a legal service plan must reasonably assure that the plan sponsors are in~~
2 ~~compliance with Rules 7.1, 7.2 and 7.3(b). See 8.4(a).~~

4 **Additional Washington Comments (10 - 1416)**

5 ~~[10] A lawyer who receives a referral from a third party should exercise caution in contacting~~
6 ~~the prospective client directly by in person, live telephone, or real-time electronic contact.~~
7 ~~Such contact is generally prohibited by this Rule unless the prospective client has asked to~~
8 ~~be contacted by the lawyer. A prospective client may request such contact through a third~~
9 ~~party. Prior to initiating contact with the prospective client, however, the lawyer should~~
10 ~~confirm with the source of the referral that the prospective client has indeed made such a~~
11 ~~request. Similarly, when making referrals to other lawyers, the referring lawyer should~~
12 ~~discuss with the prospective client whether he or she wishes to be contacted directly. While~~
13 all communications about a lawyer's services are subject to the general prohibition against
14 false or misleading communication in RPC 7.1, in-person solicitation can create problems
15 because of the particular circumstances in which the solicitation takes place, and those
16 circumstances are, therefore, appropriately regulated. subsection (a) of this rule prohibits
17 solicitation in circumstances or through means that are not conducive to intelligent, rational
18 decisions. Unwanted solicitations (after the subject has informed the lawyer not to make
19 contact) or solicitations involving coercion, duress, or harassment are specifically prohibited.
20 Such circumstances and means could be the harassment of early morning or late-night
21 telephone calls to a potential client to solicit legal work, repeated calls at any time of day,
22 solicitation of an accident victim or the victim's family shortly after the accident or while the
23 victim is still in medical distress (particularly where a lawyer seeks professional employment
24 by in-person or other real-time contact in such circumstances), or solicitation of vulnerable
25 subjects, such as persons facing incarceration, or their family members, in or near a
26 courthouse. The prohibition on solicitation of a subject who cannot "exercise reasonable

RULES OF PROFESSIONAL CONDUCT

1 judgment in employing a lawyer” extends to an individual with diminished capacity who
2 cannot adequately act in the individual’s own interest, and the provisions of RPC 1.14 may
3 provide guidance in evaluating “the physical, emotional, or mental” state of the subject.
4

5 ~~[11] Those in need of legal representation often seek assistance in finding a lawyer through~~
6 ~~a lawyer referral service. Washington adopted paragraph (a)(3) in order to facilitate~~
7 ~~communication between lawyers and potential clients who have specifically requested a~~
8 ~~referral from a not for profit lawyer referral service. Under this paragraph, a lawyer receiving~~
9 ~~such a referral may contact the potential client directly by in person, live telephone, or real-~~
10 ~~time electronic contact to discuss possible representation. Under RPC 5.1, RPC 5.3, and RPC~~
11 ~~8.4(a), the solicitation restrictions that apply to the lawyer’s own acts or conduct also extend~~
12 ~~to acts or conduct by employees, agents, or any third persons acting on the lawyer’s behalf.~~
13

14 ~~[12] Washington did not adopt paragraph (c) of the Model Rule relating to labeling of~~
15 ~~communications with prospective clients. A specific labeling requirement is unnecessary in~~
16 ~~light of the prohibitions in Rule 7.1 against false or misleading communications. Washington~~
17 ~~has not adopted subsection (e) of the Model Rule creating a safe harbor for in-person and~~
18 ~~telephonic solicitations in the context of a prepaid or group legal services plan because~~
19 ~~solicitations of professional employment by any means and in all contexts are permitted~~
20 ~~subject to the exceptions contained in subsection (a)(1) – (4). In addition, prior provisions~~
21 ~~and comments under RPC 7.3 in Washington relating to in-person, telephonic, or real-time~~
22 ~~electronic solicitations in the context of referrals from a third party or a lawyer referral~~
23 ~~service have been removed because solicitations by any means in this context are permitted~~
24 ~~subject to the exceptions contained in paragraphs (a)(1)–(4) of this RPC.~~

25 *Paying Others to Recommend a Lawyer*
26

RULES OF PROFESSIONAL CONDUCT

1 [13] ~~The phrase "directly or through a third person" in paragraph (a) was retained from~~
2 ~~former Washington RPC 7.3(a). Subsection (b) of this rule was derived from former~~
3 ~~Washington RPC 7.2(b).~~

4
5 [14] ~~The phrase "prospective client" in Rule 7.3(a) has been replaced with the phrase~~
6 ~~"possible client" because the phrase "prospective client" has become a defined phrase under~~
7 ~~RPC 1.18 with a different meaning. This is a departure from the ABA Model Rule which~~
8 ~~has dispensed altogether with the phrase "from a prospective client" in this rule. The rule is~~
9 ~~not intended to preclude lawyers from in-person conversations with friends, relatives or other~~
10 ~~professionals (i.e. intermediaries) about other friends, relatives, clients, or patients who may~~
11 ~~need or benefit from the lawyer's services, so long as the lawyer is not asking or expecting~~
12 ~~the intermediary to engage in improper solicitation. See RPC 8.4(a) which prohibits~~
13 ~~improper solicitation "through the acts of another." Absent limitation of prohibited in-person~~
14 ~~communications to "possible clients" there is danger that lawyers might mistakenly infer that~~
15 ~~the kind of benign conversations with non-client intermediaries described above are~~
16 ~~precluded by this rule. Except as permitted under subsections (b)(1)-(b)(5), lawyers are not~~
17 ~~permitted to pay others for recommending the lawyer's services or for channeling~~
18 ~~professional work in a manner that violates RPC 7.1 or RPC 7.3. A communication contains~~
19 ~~a recommendation if it endorses or vouches for a lawyer's credentials, abilities, competence,~~
20 ~~character, or other professional qualities. Subsection (b)(1), however, allows a lawyer to pay~~
21 ~~for advertising and solicitations permitted by RPC 7.1 and this rule, including the costs of~~
22 ~~print directory listings, online directory listings, newspaper ads, television and radio airtime,~~
23 ~~domain-name registrations, sponsorship fees, Internet-based advertisements, and group~~
24 ~~advertising. A lawyer may compensate employees, agents, and vendors who are engaged to~~
25 ~~provide marketing or client-development services, such as publicists, public-relations~~
26 ~~personnel, business-development staff, and website designers, as long as the employees,~~

RULES OF PROFESSIONAL CONDUCT

1 agents, and vendors do not direct or regulate the lawyer’s professional judgment (see RPC
2 5.4(c)). Moreover, a lawyer may pay others for generating client leads, such as Internet-based
3 client leads, as long as the lead generator does not recommend the lawyer, any payment to
4 the lead generator is consistent with RPC 1.5(e) (division of fees) and 5.4 (professional
5 independence of the lawyer), and the lead generator’s communications are consistent with
6 RPC 7.1 (communications concerning a lawyer's services). To comply with RPC 7.1, a
7 lawyer must not pay a lead generator that states, implies, or creates a reasonable impression
8 that it is recommending the lawyer, is making the referral without payment from the lawyer,
9 or has analyzed a person’s legal problems when determining which lawyer should receive
10 the referral. See also RPC 5.3 (duties of lawyers and law firms with respect to the conduct
11 of nonlawyers); RPC 8.4(a) (duty to avoid violating the rules through the acts of another).
12 For the definition of nonlawyer for the purposes of RPC 5.3, see Washington cmt. 5 to Rule
13 5.3.

14
15 [15] A lawyer may pay the usual charges of a legal service plan or a not-for-profit lawyer
16 referral service. A “legal service plan” is a prepaid or group legal service plan or a similar
17 delivery system that assists people who seek to secure legal representation. A “lawyer referral
18 service,” on the other hand, is any individual or entity that operates for the direct or indirect
19 purpose of referring potential clients to lawyers, regardless of whether the term “referral
20 service” is used. The “usual charges” of a legal service plan or not-for-profit lawyer referral
21 service are fees that are openly promulgated and uniformly applied. Not-for-profit lawyer
22 referral services are understood by the public to be consumer-oriented organizations that
23 provide unbiased referrals to lawyers with appropriate experience in the subject matter of the
24 representation and afford other client protections, such as complaint procedures or
25 malpractice insurance requirements.

RULES OF PROFESSIONAL CONDUCT

1 [16] A lawyer also may agree to refer clients to another lawyer or LLLT or other nonlawyer
2 professional in return for the undertaking of that person to refer clients or customers to the
3 lawyer. Such reciprocal referral arrangements must not interfere with the lawyer's
4 professional judgment as to making referrals or as to providing substantive legal services.
5 See RPC 2.1 and 5.4(c). Except as provided in RPC 1.5(e), a lawyer who receives referrals
6 from a lawyer or LLLT or other nonlawyer professional must not pay anything solely for the
7 referral, but the lawyer does not violate this Rule by agreeing to refer clients to the other
8 lawyer or LLLT or other nonlawyer professional, so long as the reciprocal referral agreement
9 is not exclusive and the client is informed of the referral agreement. Conflicts of interest
10 created by such arrangements are governed by RPC 1.7. Reciprocal referral agreements
11 should not be of indefinite duration and should be reviewed periodically to determine
12 whether they comply with these rules. This rule does not restrict referrals or divisions of
13 revenues or net income among lawyers within firms comprised of multiple entities. Under
14 LLLT RPC 1.5(e), however, an LLLT may not enter into an arrangement for the division of
15 a fee with a lawyer who is not in the same firm as the LLLT.

18 ~~RPC 7.4 COMMUNICATION OF FIELDS OF PRACTICE AND~~ 19 ~~SPECIALIZATION~~[Reserved.]

20 ~~— (a) A lawyer may communicate the fact that the lawyer does or does not practice in~~
21 ~~particular fields of law.~~

22 ~~— (b) A lawyer admitted to engage in patent practice before the United States Patent and~~
23 ~~Trademark Office may use the designation "Patent Attorney" or a substantially similar~~
24 ~~designation.~~

25 ~~— (c) A lawyer engaged in Admiralty practice may use the designation "Admiralty,"~~
26 ~~"Proctor in Admiralty" or substantially similar designation.~~

RULES OF PROFESSIONAL CONDUCT

1 ——— (d) A lawyer shall not state or imply that a lawyer is a specialist in a particular field of
2 law, except upon issuance of an identifying certificate, award, or recognition by a group,
3 organization, or association, a lawyer may use the terms "certified", "specialist", "expert", or
4 any other similar term to describe his or her qualifications as a lawyer or his or her
5 qualifications in any subspecialty of the law. If the terms are used to identify any certificate,
6 award, or recognition by any group, organization, or association, the reference must:

7 ——— (1) be truthful and verifiable and otherwise comply with Rule 7.1;

8 ——— (2) identify the certifying group, organization, or association; and

9 ——— (3) the reference must state that the Supreme Court of Washington does not recognize
10 certification of specialties in the practice of law and that the certificate, award, or recognition
11 is not a requirement to practice law in the state of Washington.

12 13 **Comment**

14 [1] [~~Washington revision~~] Paragraph (a) of this Rule permits a lawyer to indicate areas of
15 practice in communications about the lawyer's services. If a lawyer practices only in certain
16 fields, or will not accept matters except in a specified field or fields, the lawyer is permitted
17 to so indicate.

18 ———
19 [2] Paragraph (b) recognizes the long-established policy of the Patent and Trademark Office
20 for the designation of lawyers practicing before the Office. Paragraph (c) recognizes that
21 designation of Admiralty practice has a long historical tradition associated with maritime
22 commerce and the federal courts.

23 ———
24 [3] [~~Reserved.~~]

25
26 **Additional Washington Comment (4-5)**

RULES OF PROFESSIONAL CONDUCT

1 ~~[4] Statements indicating that the lawyer is a "specialist," practices a "specialty," "specializes~~
2 ~~in" particular fields, and the like, are subject to the limitations set forth in paragraph (d). The~~
3 ~~provisions of paragraph (d) were taken from former Washington RPC 7.4(b).~~

4
5 ~~[5] In advertising concerning an LLLT's services, an LLLT is required to communicate the~~
6 ~~fact that the LLLT has a limited license in the particular fields of law for which the LLLT is~~
7 ~~licensed and must not state or imply that the LLLT has broader authority to practice than is~~
8 ~~in fact the case. See LLLT RPC 7.4(a); see also LLLT RPC 7.2(c) (advertisements must~~
9 ~~include the name and office address of at least one responsible LLLT or law firm). When~~
10 ~~lawyers and LLLTs are associated in a firm, lawyers with managerial or pertinent supervisory~~
11 ~~authority must take measures to assure that the firm's communications conform with these~~
12 ~~obligations. See Rule 5.10.~~

13 14 **RPC 7.5 FIRM NAMES AND LETTERHEADS**[Reserved.]

15 ~~—— (a) A lawyer shall not use a firm name, letterhead or other professional designation that~~
16 ~~violates Rule 7.1. A trade name may be used by a lawyer in private practice if it does not~~
17 ~~imply a connection with a government agency or with a public or charitable legal services~~
18 ~~organization and is not otherwise in violation of Rule 7.1.~~

19 ~~—— (b) A law firm with offices in more than one jurisdiction may use the same name or~~
20 ~~other professional designation in each jurisdiction, but identification of the lawyers or LLLTs~~
21 ~~in an office of the firm shall indicate the jurisdictional limitations on those not licensed to~~
22 ~~practice in the jurisdiction where the office is located.~~

23 ~~—— (c) The name of a lawyer or LLLT holding a public office shall not be used in the name~~
24 ~~of a law firm, or in communications on its behalf, during any substantial period in which the~~
25 ~~lawyer or LLLT is not actively and regularly practicing with the firm.~~

RULES OF PROFESSIONAL CONDUCT

1 ——— (d) Lawyers may state or imply that they practice in a partnership or other organization
2 only when that is a fact.

3 4 **Comment**

5 ~~[1] [Washington revision] A firm may be designated by the names of all or some of its~~
6 ~~members, by the names of deceased members where there has been a continuing succession~~
7 ~~in the firm's identity or by a trade name such as the "ABC Legal Clinic." A lawyer or law~~
8 ~~firm may also be designated by a distinctive website address or comparable professional~~
9 ~~designation. Although the United States Supreme Court has held that legislation may prohibit~~
10 ~~the use of trade names in professional practice, use of such names in law practice is~~
11 ~~acceptable so long as it is not misleading. If a private firm uses a trade name that includes a~~
12 ~~geographical name such as "Springfield Legal Clinic," an express disclaimer that it is a public~~
13 ~~legal aid agency may be required to avoid a misleading implication. It may be observed that~~
14 ~~any firm name including the name of a deceased partner is, strictly speaking, a trade name.~~
15 ~~The use of such names to designate law firms has proven a useful means of identification.~~
16 ~~However, it is misleading to use the name of a lawyer or LLLT not associated with the firm~~
17 ~~or a predecessor of the firm, or the name of an individual who is neither a lawyer nor an~~
18 ~~LLLT.~~

19
20 ~~[2] [Washington revision] With regard to paragraph (d), lawyers or LLLTs sharing office~~
21 ~~facilities, but who are not in fact associated with each other in a law firm, may not denominate~~
22 ~~themselves as, for example, "Smith and Jones," for that title suggests that they are practicing~~
23 ~~law together in a firm.~~

24 25 **Additional Washington Comments (3-4)**

RULES OF PROFESSIONAL CONDUCT

1 ~~[3] When lawyers and LLLTs are associated with each other in a law firm, the firm may be~~
2 ~~designated using the name of a member LLLT if the name is not otherwise in violation of~~
3 ~~Rule 7.1, this Rule, or LLLT RPC 7.5. See also Washington Comment [4] to this Rule.~~
4

5 ~~[4] Lawyers or LLLTs practicing out of the same office who are not partners, shareholders~~
6 ~~of a professional corporation, or members of a professional limited liability company or~~
7 ~~partnership may not join their names together. Lawyers or LLLTs who are not (1) partners,~~
8 ~~shareholders of a professional corporation, or members of a professional limited liability~~
9 ~~company or partnership, or (2) employees of a sole proprietorship, partnership, professional~~
10 ~~corporation, or members of a professional limited liability company or partnership or other~~
11 ~~organization, or (3) in the relationship of being "Of Counsel" to a sole proprietorship,~~
12 ~~partnership, professional corporation, or members of a professional limited liability company~~
13 ~~or partnership or other organization, must have separate letterheads, cards and pleading~~
14 ~~paper, and must sign their names individually at the end of all pleadings and correspondence~~
15 ~~and not in conjunction with the names of other lawyers or LLLTs. (The provisions of this~~
16 ~~Comment were taken from former Washington RPC 7.5(d).)~~
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SUGGESTED AMENDMENTS TO RULES OF PROFESSIONAL CONDUCT

TITLE 5 – LAW FIRMS AND ASSOCIATIONS

1 **RPC 5.5 UNAUTHORIZED PRACTICE OF LAW; MULTIJURISDICTIONAL**
2 **PRACTICE OF LAW**

3
4 (a) – (e) Unchanged.

5
6 (f) Subsection (b)(1) of this rule does not prohibit a law firm with offices in multiple
7 jurisdictions from establishing and maintaining an office in this jurisdiction even if some of
8 the lawyers who are members of the firm or are otherwise employed or retained by or
9 associated with the law firm are not authorized to practice law in this jurisdiction.

10
11 Comment

12 [1] – [3] Unchanged.

13
14 [4] [Washington revision] Other than as authorized by law or this Rule, a lawyer who is not
15 admitted to practice generally in this jurisdiction violates paragraph (b) if the lawyer
16 establishes an office or other systematic and continuous presence in this jurisdiction for the
17 practice of law. Presence may be systematic and continuous even if the lawyer is not
18 physically present here. Such a lawyer must not hold out to the public or otherwise represent
19 that the lawyer is admitted to practice law in this jurisdiction. See also RPC 7.1 and ~~7.5(b)~~
20 Washington cmt. 14.

21
22 [5] [Washington revision] There are occasions in which a lawyer admitted to practice in
23 another United States jurisdiction, and not disbarred or suspended from practice in any
24 jurisdiction, may provide legal services on a temporary basis in this jurisdiction under
25 circumstances that do not create an unreasonable risk to the interests of their clients, the
26 public or the courts. Paragraph (c) identifies four such circumstances. The fact that conduct

SUGGESTED AMENDMENTS TO RULES OF PROFESSIONAL CONDUCT

TITLE 5 – LAW FIRMS AND ASSOCIATIONS

1 is not so identified does not imply that the conduct is or is not authorized. With the exception
2 of paragraph (d)(2), this Rule does not authorize a United States. or foreign lawyer to
3 establish an office or other systematic and continuous presence in this jurisdiction without
4 being admitted to practice generally or as house counsel under APR 8(f) here.

5
6 [6] – [13] Unchanged.

7
8 [14] [Washington revision] Paragraphs (c)(3) and (c)(4) require that the services arise out of
9 or be reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is
10 admitted. A variety of factors evidence such a relationship. The lawyer's client may have
11 been previously represented by the lawyer, or may be resident in or have substantial contacts
12 with the jurisdiction in which the lawyer is admitted. The matter, although involving other
13 jurisdictions, may have a significant connection with that jurisdiction. In other cases,
14 significant aspects of the lawyer's work might be conducted in that jurisdiction or a
15 significant aspect of the matter may involve the law of that jurisdiction. The necessary
16 relationship might arise when the client's activities or the legal issues involve multiple
17 jurisdictions, such as when the officers of a multinational corporation survey potential
18 business sites and seek the services of their lawyer in assessing the relative merits of each.
19 In addition, the services may draw on the lawyer's recognized expertise developed through
20 the regular practice of law on behalf of clients in matters involving a particular body of
21 federal, nationally-uniform, foreign, or international law. Lawyers desiring to provide pro
22 bono legal services on a temporary basis in Washington following determination by the
23 Supreme Court that an emergency affecting the justice system, as a result of a natural or other
24 major disaster, has occurred, who are not otherwise authorized to practice law in Washington,
25 as well as lawyers from another affected jurisdiction who seek to practice law temporarily in
26 Washington, but who are not otherwise authorized to practice law in Washington, should

SUGGESTED AMENDMENTS TO RULES OF PROFESSIONAL CONDUCT

TITLE 5 – LAW FIRMS AND ASSOCIATIONS

1 | consult Admission to Practice Rule 27 on Provision of Legal Services Following
2 | Determination of Major Disaster.

3 |
4 | [15] – [20] Unchanged.

5 |
6 | [21] [Washington revision] Paragraphs (c) and (d) do not authorize communications
7 | advertising legal services ~~to prospective clients~~ in this jurisdiction by lawyers who are
8 | admitted to practice in other jurisdictions. Whether and how lawyers may communicate the
9 | availability of their services ~~to prospective clients~~ in this jurisdiction is governed by Rules
10 | 7.1 ~~to 7.5~~.

11 |
12 | Additional Washington Comment (22)

13 | [22] Subsection (f) is derived from former RPC 7.5(b), which permitted law firms with
14 | offices in more than one jurisdiction to use the same name or other professional designation
15 | in each jurisdiction, and is intended to maintain authorization in the Rules of Professional
16 | Conduct for the presence of multijurisdictional law firms in Washington for purposes of
17 | RCW 2.48.180(7).

TO: WSBA Board of Governors

FROM: Prof. Lisa Kelly, Bobbe & Jon Bridge Professor of Child Advocacy, UW Law School
Prof. Christine Cimini, Associate Dean of Experiential Learning, UW Law School
Prof. Lisa Brodoff, Director of the Ronald A. Peterson Law Clinic, SU Law School
Prof. Gail Hammer, Coordinating Attorney of Gonzaga Law Clinical Legal Programs
Renata de Carvalho Garcia, Chief Regulatory Counsel
Bobby Henry, Associate Director for Regulatory Services

DATE: May 5, 2021

RE: Suggested Amendments to APR 9 Licensed Legal Interns

FIRST READING: The University of Washington School of Law, Seattle University School of Law, Gonzaga University School of Law and the Regulatory Services Department present suggested amendments to Rule 9 of the Admission and Practice Rules (APR) for the Board’s consideration, comment, and discussion.

PURPOSE:

The primary purposes of the suggested amendments to APR 9, relating to licensed legal interns, are:

1. To allow law school students who have completed one-third of their studies to be eligible for the rule 9 license if enrolled in a law school clinic;
2. To allow LLM graduates of ABA approved law schools who qualify to sit for the bar exam in Washington to be eligible for the rule 9 license when the LLM has met the requirements of APR 3(b)(4);
3. To better clarify possible action by the WSBA for licensed legal intern misconduct consistent with other sections of APR 9 and the APR relating to character and fitness; and
4. To update various terms throughout APR 9 to allow for electronic processing and handling of rule 9 documents and procedures.

This memo is intended to serve as a summary of the attached GR 9 cover sheet and suggested amendments to APR 9. For a fuller discussion, including research support, please refer to the underlying documents.

BACKGROUND:

In the Fall of 2020, representatives of the Clinical Law Programs of Washington’s three law schools (“Law Schools”) approached the WSBA’s Regulatory Service Department (RSD) to learn of the process to elicit WSBA support for changes to APR 9. The Law Schools sought to suggest changes that would broaden eligibility to second-year JD students enrolled in clinical law courses. The Chief Regulatory Counsel invited the Associate Director of Regulatory Services to join the discussions.

As these discussions developed, WSBA staff suggested additional amendments to the Rule which serve to modernize APR 9 with respect to the delivery of notice, grant the license to certain LLM graduates, and clarify the disciplinary process for Licensed Legal Interns.

Below is a summary of the suggested amendments that are being jointly submitted by the Law Schools and WSBA's Regulatory Services Department.

LAW SCHOOLS' SUGGESTED AMENDMENT

The Clinical Law Programs of Washington's three law schools, with the support of RSD, suggest amending APR 9 to expand eligibility for Licensed Legal Intern status to those law students who have completed one-third of their law school curriculum and are enrolled in a clinical law course. The proposed amendment would maintain the current two-thirds requirement for those law students who are in externships or employment arrangements. The proponents believe that this proposal will support the creation of a more logical and cohesive experiential law school curriculum that will better prepare students for the practice of law. This proposal is consistent with national norms in that the majority of states do not restrict student practice to students in their 3L year.

THE BENEFITS OF THE LAW SCHOOLS' SUGGESTED AMENDMENT

- The new rule incentivizes the optimal sequencing of experiential learning—putting state-court-practice clinics first, where students can practice law in slow motion with close supervision, explore ethical issues in detail, and learn how to learn from practice; and APR 9-required externships second, where students can hone these foundational skills further in the context of the busy law office.
- Externship field supervisors will have better prepared law students who can contribute more fully to the life of the law office, thereby enriching the experience for the students, the placements, and ultimately the clients.
- Employers who hire rising 3Ls for summer employment will also benefit from better prepared law students.
- The demand for clinical courses among 2Ls is high and currently can only be met through clinical experiences that do not involve state court practice. This leads to distortions in clinical programming and fewer opportunities to prepare students for state court practice through clinical learning.
- The fact that 2Ls currently do perform well in clinics involving practice in administrative tribunals and in tribal and federal courts that permit 2L practice demonstrates their capacity to appear in state court under careful clinical supervision.
- A full range of clinical opportunities in the 2L year is an important retention tool for all students, but particularly for students of color who report that they lack a sense of belonging in law school and would benefit from more curricular opportunities that are centered in discussions of social justice.
- Students who participate in state court practice clinics and then go onto perform externships in agencies providing legal services in state court are well-prepared and inspired to seek employment in or perform pro bono service for those agencies.
- The community will benefit from the increased access to justice provided by law students engaged in clinical law practice.

- As access to justice increases, the number of pro se litigants decrease, thereby increasing judicial efficiency and yielding more just outcomes.

REGULATORY SERVICE DEPARTMENT SUGGESTED AMENDMENTS

There are four purposes to the amendments proposed by RSD and supported by the Law Schools. Each is discussed below.

Inclusion of LLM Graduates – Proposed APR 9(b)(5)

The most substantive proposal is to include a provision that would allow certain LLM graduates of ABA approved law schools to qualify for the rule 9 license. Currently, under APR 3(b)(4), J.D. graduates of non-ABA law schools and graduates of foreign law schools can qualify for the bar exam if they earn an LLM from an ABA approved law school, but they are not eligible for a rule 9 license. This amendment is intended to address this discrepancy and increase equitability of the rule 9 license. In the past few years, the WSBA has received inquiries from some LLM graduates who would like to have rule 9 license while they are in the exam and admission process. These LLM graduates who are intending to practice law in Washington and who qualify for the bar exam in Washington should be afforded the same opportunity to gain practical experience prior to entering the profession just as J.D. graduates would.

Legal Intern Misconduct – Proposed Amendments to APR 9(d)(8)

Another substantive proposal is related to misconduct by a licensed legal intern. The proposed amendments would clarify and broaden the conduct that could result in the Bar taking action on the rule 9 license. In addition, it removes the language about forfeiture of the privilege to take the bar exam, as that privilege can only be denied by the Supreme Court.

Completion of Law Clerk Program – Proposed APR 9(b)(4)

Law students and law clerks are eligible for rule 9 licensure upon partial completion of their course of study. Law students, in addition to being eligible to apply while attending law school, are also eligible to apply within nine months of graduation. This flexibility is not afforded to law clerks who are currently only eligible to apply while in the program and not upon completion. The proposed amendment is intended to address this discrepancy by allowing individuals who have completed the APR 6 law clerk program to qualify for the rule 9 license. Generally, most law clerks are licensed under APR 9 during the course of the law clerk program. However, if a clerk does not for some reason, the clerk should have the same opportunity to apply after completing the program as would a J.D. graduate from a law school.

Modernization of APR 9 Procedural Rules

Several places within APR 9 refer to physical documents or mailing of items. These procedural rules have been updated with generic terms or procedures to allow for electronic delivery and handling of the administration of the application and licensing processes under APR 9.

Attachments:

1. Suggested Amendments to APR 9 (redline)
2. Draft GR 9 Cover Sheet re Suggested Amendment to APR 9

SUGGESTED AMENDMENTS TO ADMISSION AND PRACTICE RULES

RULE 9 – LICENSED LEGAL INTERNS

RULE 9. LICENSED LEGAL INTERNS

(a) Unchanged.

(b) **Eligibility.** To be eligible to apply to be a Licensed Legal Intern, an applicant must have arranged to be supervised by a qualifying lawyer and:

(1) Be a student duly enrolled and in good academic standing in a J.D. program at an approved law school who has:

(A) successfully completed not less than one two-thirds of a prescribed ~~3-year~~ law school course of study if enrolled in a law school clinic in compliance with this rule or ~~five-eighths~~ two-thirds of a prescribed ~~4-year~~ law school course of study if not enrolled in a law school clinic; and

(B) obtained the written approval of the law school's dean or a person designated by such dean and a certification by the dean or designee that the applicant has met the educational requirements; or

(2) Be an enrolled law clerk who:

(A) is certified by Bar staff to be in compliance with the provisions of APR 6 and to have successfully completed not less than five-eighths of the prescribed 4-year course of study, and

(B) has the written approval of the primary tutor; or

(3) Be a J.D. graduate of an approved law school who has not been admitted to the practice of law in any state or territory of the United States or the District of Columbia, provided that the application is made within nine months of graduation; or

(4) Have completed the APR 6 law clerk program and not been admitted to the practice of law in any state or territory of the United States or the District of Columbia, provided that the application is made within nine months of completion of the APR 6 law clerk program; or

SUGGESTED AMENDMENTS TO ADMISSION AND PRACTICE RULES

RULE 9 – LICENSED LEGAL INTERNS

1 (5) Be a graduate of an approved law school with an LL.M. that meets the requirements
2 in APR 3(b)(4) and who qualifies under APR 3(b)(4) to take the Washington lawyer bar
3 examination and who has not been admitted to the practice of law in any state or territory of
4 the United States or the District of Columbia, provided that the application is made within nine
5 months of graduation.

6 (c) Unchanged.

7 **(d) Application.** The applicant must submit an application ~~on~~ in a form provided and
8 manner as prescribed by the Bar ~~and signed by both the applicant and the supervising lawyer.~~

9 (1) The applicant and the supervising lawyer must fully and accurately complete the
10 application, and they have a continuing duty to correct and update the information on the
11 application while it is pending and during the term of the limited license. Every applicant and
12 supervising lawyer must cooperate in good faith with any investigation by promptly furnishing
13 written or oral explanations, documents, releases, authorizations, or other information
14 reasonably required by the Bar. Failure to cooperate fully or to appear as directed or to furnish
15 additional information as required shall be sufficient reason for the Bar to recommend denial
16 or termination of the license.

17 (2) The application must include:

18 (A) all requested information about the applicant and the Supervising Lawyer;

19 (B) the required certification from the law school (or confirmation from the Bar, for APR
20 6 Law Clerks) that the applicant has the required educational qualifications; and

21 (C) certifications in writing under oath by the applicant and the supervising lawyer(s)
22 that they have read, are familiar with, and will abide by this rule and the Rules of Professional
23 Conduct.

24 (3) Full payment of any required fees must be submitted with the application. The fees
25 shall be set by the Board of Governors subject to review by the Supreme Court.

SUGGESTED AMENDMENTS TO ADMISSION AND PRACTICE RULES

RULE 9 – LICENSED LEGAL INTERNS

1 (4) Bar staff shall review all applications to determine whether the applicant and the
2 supervising lawyer have the necessary qualifications, and whether the applicant possesses the
3 requisite good moral character and fitness to engage in the limited practice of law provided for
4 in this rule. Bar staff may investigate any information contained in or issues raised by the
5 application that reflect on the factors contained in APR 21(a)-24, and any application that
6 reflects one or more of the factors set forth in APR 21(a) shall be referred to Bar Counsel for
7 review.

8 (5) Bar Counsel may conduct such further investigation as appears necessary, and may
9 refer to the Character and Fitness Board for hearing any applicant about whom there is a
10 substantial question whether the applicant possesses the requisite good moral character and
11 fitness to practice law as defined in APR 20. Such hearing shall be conducted as provided in
12 APR 20-24.3. Bar Counsel may require any disclosures and conditions of the applicant and
13 supervising lawyer that appear reasonably necessary to safeguard against unethical conduct by
14 the applicant during the term of the limited license. No decision regarding the good moral
15 character and fitness to practice of an applicant made in connection with an application for
16 licensing pursuant to this rule is binding on the Bar or Character and Fitness Board at the time
17 an applicant applies for admission to practice law and membership in the Bar, and such issues
18 may be reinvestigated and reconsidered by Bar staff Bar Counsel, and the Character and
19 Fitness Board.

20 (6) The Supreme Court shall issue or refuse the issuance of a limited license for a
21 Licensed Legal Intern. The Supreme Court's decision shall be forwarded to the Bar, which
22 shall inform the applicant of the decision.

23 (7) Upon Supreme Court approval of an applicant, the Bar shall ~~send to the applicant, in~~
24 ~~care of the supervising lawyer's mailing address on record with the Bar, deliver to the~~
25 supervising lawyer, with a copy to the applicant, a letter confirming confirmation of approval
26 by the Supreme Court and a Licensed Legal Intern identification card. An applicant must not

SUGGESTED AMENDMENTS TO ADMISSION AND PRACTICE RULES

RULE 9 – LICENSED LEGAL INTERNS

1 perform the duties of a Licensed Legal Intern before receiving the ~~confirming letter~~
2 confirmation and identification card.

3 (8) Once an application is accepted and approved and a license is issued, a Licensed
4 Legal Intern is subject to the Rules of Professional Conduct and the Rules for Enforcement of
5 Lawyer Conduct and to all other laws and rules governing lawyers admitted to the Bar of this
6 state, and is personally responsible for all services performed as a Licensed Legal Intern. Any
7 ~~offense~~ conduct by a Licensed Legal Intern that would subject a lawyer admitted to practice
8 law in this state to ~~suspension or disbarment may be punished~~ discipline may result in the Bar
9 taking action on the Licensed Legal Intern’s license, including by termination of the Licensed
10 Legal Intern's license, or requiring disclosures by or condition on the Licensed Legal Intern
11 and supervising lawyer that appear reasonably necessary to safeguard against unethical
12 conduct by the Licensed Legal Intern during the term of the limited license. ~~suspension or~~
13 ~~forfeiture of the Licensed Legal Intern's privilege of taking the lawyer bar examination and~~
14 ~~being admitted to practice law in this state.~~

15 (9) A Licensed Legal Intern may have up to two supervising ~~attorneys~~ lawyers in
16 different offices at one time. A Licensed Legal Intern may submit an application for approval
17 to add a supervising attorney in another office or to change supervising attorneys any time
18 within the term of the limited license. When a Licensed Legal Intern applies to add a
19 supervising attorney in another office, the Intern must notify both the current supervising
20 attorney and the proposed new supervising attorney in writing about the application, and both
21 the current and the new supervising attorney must approve the addition and certify that such
22 concurrent supervision will not create a conflict of interest for the Licensed. Legal Intern. The
23 qualifications of the new supervising attorney will be reviewed by Bar staff who may approve
24 or deny the supervisor. The Licensed Legal Intern will be notified of approval or denial of the
25 new supervising attorney as described above and must not perform the duties of a licensed
26

SUGGESTED AMENDMENTS TO ADMISSION AND PRACTICE RULES

RULE 9 – LICENSED LEGAL INTERNS

1 legal intern before receiving a new confirming letter containing notification of approval and a
2 new identification card.

3 (e) – (g) Unchanged.

4 (h) **Term of Limited License.** A limited license issued pursuant to this rule shall be
5 valid, unless it is revoked or supervision is terminated, for a period of not more than 30
6 consecutive months, and in no case will it be valid if it has been more than 18 months since
7 the Licensed Legal Intern graduated from law school or completed the APR 6 Law Clerk
8 program.

9 (1) The approval given to a law student by the law school dean or the dean's designee or
10 to a law clerk by the tutor may be withdrawn at any time by ~~mailing~~ delivering notice to that
11 effect to the Bar, and must be withdrawn if the student ceases to be duly enrolled as a student
12 prior to graduation, takes a leave of absence from the law school or from the clinical program
13 for which the limited license was issued, or ceases to be in good academic standing, or if the
14 APR 6 law clerk ceases to comply with APR 6. When the approval is withdrawn, the Licensed
15 Legal Intern's license must be terminated promptly.

16 (2) – (3) Unchanged.

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GR 9 COVER SHEET

SUGGESTED CHANGE TO ADMISSION TO PRACTICE RULE 9

PROPOSED BY:

University of Washington School of Law, Clinical Law Program
Seattle University School of Law, Clinical Law Program
Gonzaga University School of Law, Clinical Legal Program

SPOKESPERSON:

Lisa Kelly, Bobbe and Jon Bridge Professor of Child Advocacy
University of Washington School of Law
Email: Lisak2@uw.edu
Cell phone: 206-679-3434

PURPOSE OF SUGGESTED CHANGE:

The proponents propose a change to APR 9, Washington's Student Practice Rule, to permit law students in good academic standing who have completed one-third of the prescribed law school curriculum to be certified as legal interns so long as they are under the supervision of a clinical law teacher. The purpose of this suggested change is to bring Washington in line with national student practice norms as well as current trends in legal education which support more practical training experience.

HEARING:

The proponents do not believe that a public hearing is necessary.

EXPEDITED CONSIDERATION:

The proponents do not believe that exceptional circumstances exist to justify an expedited consideration of the proposed change.

I. Introduction

The Clinical Law Programs of Washington State's three law schools urge amending APR 9 to expand eligibility for Licensed Legal Intern status to those law students who have completed one-third of their law school curriculum and are enrolled in a clinical law course. The current rule confers eligibility only on those law students who have completed two-thirds of the curriculum. The proposed amendment maintains the two-thirds requirement for those law students who are in externships or employment arrangements. It also does not touch upon the current eligibility requirements for those in the law clerk program. This proposal will support the creation of a more logical and cohesive experiential law school curriculum that will better prepare students for the practice of law, align Washington State with national norms, help with the recruitment and retention of more diverse students, expand access to justice, assist in the administration of justice, and provide benefit to the bar and clients through more prepared graduates.

This amendment is supported by the Deans of all three law schools and their Externship Program Directors. This suggested amendment was presented to the WSBA Board of Governors on May ____, 2021.

II. Rationale in Support of Suggested Amendment

A. The Suggested Amendment is Consistent with Trends in Legal Education

Legal education has been on a slow but steady path of change in response to pressures from a wide range of constituencies including students, the bench, the bar, and broader society. Calls to recognize the profession's exclusivity and the law's effects on social justice, both for good and ill, have re-emerged and grown increasingly urgent. Law schools are called to admit, retain, and prepare a more diverse student body to enter an increasingly complex and demanding legal profession. In this context, it is critical that law students have a curriculum deliberately designed

to ensure their success and readiness to enter the profession. APR 9, commonly known among educators as the Student Practice Rule, is a key element in that curriculum design.

The pressure on law schools to develop new pedagogies with clear learning objectives relevant to the practice of law has been building for a considerable amount of time. At least three influential reports in the past three decades have asked legal education to re-imagine itself. In 1992, the ABA's Task Force on Law Schools and the Profession issued what is commonly referred to as the *MacCrate Report*, which enumerated and called upon law schools to address the fundamental professional skills and professional values necessary for competent, ethical representation.¹ The *MacCrate Report* emphasized the importance of clinical and other experiential learning opportunities.² In 2007, *The Carnegie Report* was published, exhorting law schools to rethink their curricula to be more in line with other professional schools providing students with opportunities to develop not only an intellectual understanding of the discipline at hand but also a professional identity attained through opportunities to practice.³ Also in 2007, a group of law faculty issued *Best Practices*,⁴ which sought to operationalize the concerns of both the *MacCrate Report* and the *Carnegie Report* by recommending a curriculum that would better prepare students for practice upon graduation.

The integration of experiential learning into the law school curriculum expanded in 2017 when the American Bar Association (ABA) amended its accreditation standards, requiring each

¹ ROBERT MACCRATE ET AL., LEGAL EDUCATION AND PROFESSIONAL DEVELOPMENT—AN EDUCATIONAL CONTINUUM, 1992 A.B.A. Sec. Legal Educ. Admissions B. [hereinafter MACCRATE REPORT].

² *Id.*

³ WILLIAM M. SULLIVAN ET AL., CARNEGIE FOUND. FOR THE ADVANCEMENT OF TEACHING, EDUC. LAWYERS: PREPARATION FOR THE PROFESSION OF LAW (2007) [hereinafter CARNEGIE REPORT]

⁴ ROY STUCKEY ET AL., BEST PRACTICES FOR LEGAL EDUCATION: A VISION AND A ROADMAP (2007) [hereinafter BEST PRACTICES].

student to take one or more experiential courses totaling at least 6 credit hours.⁵ The pace of curriculum reform in legal education may be slow, but today’s law schools do provide more opportunities to learn lawyering skills than law schools of the pre-*MacCrate Report* era. All three of Washington’s law schools have well-established and robust clinical law programs. At the University of Washington, students can choose from among eleven different clinical offerings, staffed by 16 faculty.⁶ Seattle University offers thirteen different clinical courses taught by 11 faculty.⁷ Gonzaga law students have nine clinics from which to choose with 11 faculty at the helm.⁸

Not only do these clinics provide students with opportunities to practice under faculty supervision, but they also address a wide variety of unmet legal needs. Clinic clients are unable to afford private counsel and are often clients of color. The needs that arise give students the opportunity to engage with some of the most urgent issues of our time—the school-to-prison-pipeline, housing justice, immigration, civil rights, LGBTQ+ rights, and workers’ rights, to name just a few of the current offerings.

Clinical law programs offer students a balanced blend of substantive knowledge, practice opportunities, and reflection on both their individual performance and the law’s capacity to effectuate social justice. While clinical learning goals vary based upon the unique clinical

⁵ AMERICAN BAR ASSOCIATION SECTION OF LEGAL EDUC. & ADMISSIONS TO THE BAR, STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS 2017–2018, Standards 303(a) (stating, “A law school shall offer a curriculum that requires each student to satisfactorily complete at least the following . . . one or more experiential course(s) totaling at least six credit hours. An experiential course must be a simulation course, law clinic, or a field placement.”).

⁶ See, UW School of Law, Clinics, <https://www.law.uw.edu/academics/experiential-learning/clinics> [<https://perma.cc/SXZ6-NJVK>].

⁷ See, Seattle University, Clinic Courses, <https://law.seattleu.edu/academics/programs/law-clinic/clinic-courses> [<https://perma.cc/GTC5-5QHC>].

⁸ See, Gonzaga University School of Law, Clinical Legal Program, <https://www.gonzaga.edu/school-of-law/clinic-centers/law-clinic> [<https://perma.cc/7BRM-VCWZ>].

offering, the typical clinic pedagogy—prepare, perform, and reflect—allows clinic students to practice law in slow motion. The critical role of reflection teaches students the critical skill of how to learn from practice, a skill that is essential and transferable to all practice settings,

Clinic pedagogy has three distinct components—the classroom, the supervision session, and the work performed outside of the law school building. The classroom component allows students the space to come together to learn the skills and substantive knowledge necessary to work on their cases. Typical classroom exercises include roleplays of interviews, client counseling sessions, and mock hearings involving the real-life cases assigned. As the academic semester of quarter progresses, case rounds become a critical part of most clinic classrooms in which strategic and ethical issues are raised and solutions are brainstormed.

Supervision meetings are a critical part of clinical teaching. In most clinics, students work in teams of at least two, which also enables them to learn the important professional skills of collaboration and joint problem-solving. The professor meets with each clinical team on a weekly basis, sometimes more often when case needs demand it. Every step in a case is analyzed and prepared for—from the client interview to research of possible strategies, to the drafting of pleadings, through participation in any court proceedings.

Another salient tenet of clinical pedagogy is the commitment to student “case ownership.” This means that students are the main point of contact with clients and execute all of the work required in any case for which they are responsible. Student case ownership is of course subject to meticulous faculty supervision. This means, for example, that the clinical professor will require a student to write multiple drafts of pleadings, briefs, even important emails, before permitting the correspondence or pleadings to leave the clinic office.

Clinics are not the only experiential educational offering that students have available to them. Externship programs also engage students in real-life practice while earning law school credit. Each of Washington's three law schools have well-developed Externship programs which are managed by an Externship Director who helps facilitate students' matching with an appropriate field placement. Externships generally have a seminar component staffed by law school faculty as well. Externship seminars address basic skills and professionalism, but the actual supervision of the student work is left to the attorneys in the field, who are carrying their own cases as well.

At the University of Washington, Seattle University, and Gonzaga, data bases containing hundreds of externship opportunities are maintained. While the type of placements involved vary tremendously, externships historically have fallen into one of the following categories: judicial; criminal prosecution; criminal defense; and a wide variety of nonprofits and government offices.

Externship placements may occur during the academic year or the summer. Students earn externship credits in either part-time or full-time externships; the latter allowing them the opportunity to become immersed in the professional life of the office to which they are assigned.

APR 9 determines when law students will begin to exercise their lawyering skills in the real world of state-court practice under the supervision of a qualified supervising lawyer. It allows the licensed legal intern to engage in most critical lawyering functions either with or without the presence of the supervising lawyer. The rule itself details the functions that can be performed and in what context, but in general the licensed legal intern can engage in interviewing, counseling, and negotiation without the presence of the supervising attorney, can draft pleadings and correspondence if also signed by the supervising attorney, and can appear without the attorney

for the presentation of agreed and *ex parte* orders.⁹ After “a reasonable period of in-court supervision” or supervised appearances in administrative hearings, a licensed intern can also appear without supervision for misdemeanor matters, for hearings before courts of limited jurisdiction, and can appear in administrative proceedings in which a nonlawyer representative is not permitted.¹⁰ However, licensed legal interns may not conduct depositions or appear in superior court or the Washington Court of Appeals without the presence of a supervising lawyer.¹¹

Washington’s current student practice rule only allows those law students who have completed the equivalent of the second year of law school to be recognized as licensed legal interns.¹² Given that most clinics are only offered during the academic year, this means that students who wish to gain experience in state court must wait until their third year of law school to work under the close supervision of a faculty member.

The suggested amendment would allow law students who have completed one-third of the law school curriculum *and* are enrolled in a clinical law course to be eligible to serve as licensed legal interns. This earlier, more heavily supervised practice experience is consistent with the overall trend in legal education to integrate practice with classroom learning after the doctrinal rigors of the first year.

The suggested amendment also makes for a more rational sequencing of experiential courses. As described above, clinics allow students the opportunity to practice law in slow

⁹ WA APR 9(e), http://www.courts.wa.gov/court_rules/?fa=court_rules.rulesPDF&ruleId=gaapr09&pdf=1 [<https://perma.cc/E92R-G46A>].

¹⁰ *Id.*

¹¹ *Id.*

¹² WA APR 9(b), http://www.courts.wa.gov/court_rules/?fa=court_rules.rulesPDF&ruleId=gaapr09&pdf=1 [<https://perma.cc/E92R-G46A>].

motion with a focus on skill development and professional identity. By contrast, externships introduce law students to the often fast-paced real world of law practice where they often engaged in high volume case work. Very few externship field supervisors who have their own caseloads have the time for role plays, mock hearings, or multiple drafts of documents characteristic of clinical practice. Research shows that externships provide fewer opportunities for students to discuss ethical issues than clinics do.¹³ This discrepancy is likely due to the constraints of client confidentiality that inhibit discussions of specific case work in the externship seminar as well as the difference in role of the externship law office supervisor and a faculty member with clear teaching goals. These same confidentiality concerns also restrict the ability of students to engage in reflection on what they are learning from their cases in the externship seminar. Therefore, the foundational skill of learning from practice is not as easily developed in the externship seminar as it can be in the clinic seminar where students freely exchange the details of their cases with one another.

By allowing second-year students to engage in skill development and careful consideration of ethical issues under the close supervision of a clinical faculty member whose primary responsibility is teaching, students are provided a solid foundation as they move into the externship setting. There they will be able to take the lessons of the clinic and apply them to a larger volume of cases and without the step-by-step instruction provided in the clinical professor.

In short, clinics and externships are both integral pieces of preparing students for practice. Maximizing the benefit to be gained from each requires a more deliberate sequencing that will be

¹³ LAW SCHOOL SURVEY OF STUDENT ENGAGEMENT, LESSONS FROM LAW STUDENTS ON LEGAL EDUCATION: 2012 ANNUAL SURVEY RESULTS 14–15 (2012), [hereinafter LSSSE LESSONS FROM LAW STUDENTS]https://lssse.indiana.edu/wp-content/uploads/2016/01/LSSSE_2012_AnnualReport.pdf [<https://perma.cc/55JG-BV89>].

supported by the suggested amendment allowing second-year clinic students admission to practice under APR 9.

B. The Suggested Amendment is Consistent with National Norms

If Washington were to amend APR 9 as suggested here, it would join the majority of states with student practice rules that allow law students a limited license prior to their third year of law school.¹⁴

States allowing students to practice during the second year vary in the specifics of their rules. A large number take the moderate approach suggested here and allow clinic students to practice sooner than non-clinical students who must wait until the third year.¹⁵ Even more states

¹⁴ Sixty-two percent of all states allow students to practice as licensed legal interns prior to their third year of law school. Another 5% (Louisiana, North Carolina and North Dakota) vest sole discretion in the law school to determine when students are prepared to practice. Louisiana Sup. Ct. R. XX, https://www.lasc.org/Supreme_Court_Rules?p=RuleXX [<https://perma.cc/JJK6-SFJX>]; N.C. State Bar R., Ch. 1 Subch. C, R. .0203 – Eligibility, <https://www.ncbar.gov/for-lawyers/governing-rules-of-the-state-bar/0203-eligibility/> [<https://perma.cc/U2HC-TW2R>]; N.D. Sup. Ct. Rule on Limited Practice of Law Students, III – Eligibility Requirements, <https://www.ndcourts.gov/legal-resources/rules/rldtpracticeoflawbylawstudents/3> [<https://perma.cc/K387-LCKZ>].

¹⁵ Kan. Admin. R. 719 – Legal Intern Permit (Attorney Admission), [https://www.kscourts.org/Rules-Orders/Rules/Legal-Intern-Permit#:~:text=\(1\)%20With%20the%20supervising%20attorney's,presence%20of%20the%20supervising%20attorney.&text=\(B\)%20approve%20any%20other%20legal,the%20client's%20rights%20or%20interests.](https://www.kscourts.org/Rules-Orders/Rules/Legal-Intern-Permit#:~:text=(1)%20With%20the%20supervising%20attorney's,presence%20of%20the%20supervising%20attorney.&text=(B)%20approve%20any%20other%20legal,the%20client's%20rights%20or%20interests.) [<https://perma.cc/5PXE-CFWD>]; Mass. Sup. Jud. Ct. Rule 3:03 – Legal Assistance to the Commonwealth and to Indigent Criminal Defendants and to Indigent Parties in Civil Proceedings, <https://www.mass.gov/doc/massachusetts-supreme-judicial-court-rules-and-orders/download> [<https://perma.cc/9DDY-HTCR>]; Miss. Code Ann. 73-3-205 – Definitions; Qualifications, https://advance.lexis.com/documentpage/?pdmfid=1000516&crd=2c010bbe-e7a9-44c4-b47e-5bb875c4e3b6&nodeid=ABMAADAADAAD&nodepath=%2fROOT%2fABM%2fABMAAD%2fABMAADAAD%2fABMAADAADAAD&level=4&haschildren=&populated=false&title=%c2%a7+73-3-205.+Definitions%3b+qualifications.&config=00JABhZDIzMTViZS04NjcxLTQ1MDItOTIiO3MDg0ZTQxYzU4ZTQKAFBvZENhdGFsb2f8inKxYiqNVSihJeNKRIUp&pddocfullpath=%2fshared%2fdocument%2fstatures-legislation%2furn%3acontentItem%3a8P6B-8682-D6RV-H2N5-00008-00&ecom=L38_kkk&prid=351c49fa-f7f5-44a7-93e8-fe2855f94269 [<https://perma.cc/P9H8-T22T>]; N.H. Sup. Ct. Rule 36 – Appearances in Courts by Eligible Law Students and Graduates, <https://www.courts.state.nh.us/rules/scr/scr-36.htm> [<https://perma.cc/6SY5-LGL3>]; Tex. Temp. Trial Card Req. – Rules and Regulations Governing the Participation of Qualified Law Students and Qualified Unlicensed Law School Graduates in the Trial of Cases in Texas, https://www.texasbar.com/AM/Template.cfm?Section=Law_Student_Info1&Template=/CM/ContentDisplay.cfm&ContentID=30272 [<https://perma.cc/NR9P-Y9SX>].

allow all second-year students to practice, without reference to clinic enrollment.¹⁶ Another large group of states use the halfway mark as the dividing line, allowing all students to practice in the

¹⁶ Cal. R. of Court, R 9.42 – Certified Law Students, https://www.courts.ca.gov/cms/rules/index.cfm?title=nine&linkid=rule9_42 [<https://perma.cc/8M9A-TUFL>]; Conn. P.B. 2014 §§ 3-14 through 3-21 – Application for Appearance of Legal Intern, <https://www.jud.ct.gov/webforms/forms/es096.pdf> [<https://perma.cc/6JBV-P7KA>]; Ga. S. Ct. R 92 Activities Permitted by a Registered Law Student, 93 — Requirements for Registration, and 94 — Procedure for Registration, <https://www.gasupreme.us/rules/rules-of-the-supreme-court-of-georgia/#XV8-15-15> [<https://perma.cc/X2KC-M6XC>]; Haw. R. Sup. Ct. 7.1 – Supervised Student-Practice of Law. Definitions, https://www.courts.state.hi.us/docs/court_rules/rules/rsch.pdf [<https://perma.cc/UFD2-K473>]; Mich. R. MCR 8.120 – Law Students and Recent Graduates; Participation in Legal Aid Clinics, Defender Offices, and Legal Training Programs, <https://michigancourtrules.org/mcr/chapter-8-administrative-rules-of-court/rule-8-120-law-students-and-recent-graduates-participation-in-legal-aid-clinics-defender-offices-and-legal-training-programs/> [<https://perma.cc/M987-S39Z>]; Minn. Ct. R. 2– Professional Rules-Student Practice Rules, https://www.revisor.mn.gov/court_rules/pr/subtype/stud/id/2/ [<https://perma.cc/R57E-TUDS>]; N.Y. Admissions Rule 805.5 – Activities of Eligible Law Students and Law School Graduates Authorized by Sections 478 and 484 of the Judiciary Law, http://www.courts.state.ny.us/ad3/admissions/805.5_ActivitiesOfEligibleLawSTudents.pdf [<https://perma.cc/EC4B-3JUB>]; Utah R. 14-1807 – Law School Student and Law School Graduate Legal Assistance, <http://www.utcourts.gov/resources/rules/ucja/ch14/08%20Special%20Practice/USB14-807.html> [<https://perma.cc/XHJ7-ZD97>]; Wyo. R. 9 – Limited Practice by Law School Clinic Supervising Attorneys and Law Students, <https://www.courts.state.wy.us/wp-content/uploads/2017/05/RULES-GOVERNING-THE-WYOMING-STATE-BAR-AND-THE-AUTHORIZED-PRACTICE-OF-LAW-March-2020.pdf> [<https://perma.cc/AH2D-2AHS>].

middle of their second year.¹⁷ A handful restrict all student practice to the clinical context, regardless of whether the student is a 2L or 3L student.¹⁸

The proponents of this suggested amendment advise against using the halfway point as the demarcating line here in Washington State. Many of the clinics offered in our law schools' Clinical Programs are yearlong. Some clinics centered in state court practice have students enrolled for the entire academic year in order to provide them with the most satisfying and

¹⁷ Alaska Bar R. 44 – Legal Interns and Supervised Practitioners, <https://admissions.alaskabar.org/rule-44> [<https://perma.cc/GXG7-38CB>]; Ariz. R. Sup. Ct. 38 – Certifications and Limited Admissions to Practice Law, <https://casetext.com/rule/arizona-court-rules/arizona-rules-of-the-supreme-court/regulation-of-the-practice-of-law/admission-to-practice-of-law/rule-38-certifications-and-limited-admissions-to-practice-law> [<https://perma.cc/3AJD-XN5X>]; Ill. S.Ct. R. 711 – Representation by Supervised Law Students or Graduates, http://www.illinoiscourts.gov/SupremeCourt/Rules/Art_VII/artVII.htm#711 [<https://perma.cc/XQL8-4AFK>]; Ind. St. R. 2.1 – Admission and Disciplinary Rules, Legal Interns, https://www.in.gov/courts/rules/ad_dis/index.html#_Toc65593947 [<https://perma.cc/2QUV-XVQM>]; Iowa C.A. 31.15 – Permitted Practice by Law Students and Recent Graduates, <https://www.legis.iowa.gov/docs/ACO/CourtRulesChapter/02-12-2016.31.pdf> [<https://perma.cc/26H3-HML6>]; Me. R. Civ. Pro 90 – Legal Assistance by Law Students, <https://casetext.com/rule/maine-court-rules/maine-rules-of-civil-procedure/general-provisions/rule-90-legal-assistance-by-law-students> [<https://perma.cc/Ry35-64G3>]; Mo. S. Ct. R. 13.02 – Rules Governing the Missouri Bar and the Judiciary - Legal Assistance by Law Students, Requirements and Limitations, <https://www.courts.mo.gov/courts/ClerkHandbooksP2RulesOnly.nsf/c0c6ffa99df4993f86256ba50057dcb8/27774ebc9fb534b686256db700740f17?OpenDocument> [<https://perma.cc/K87C-FF4N>]; Okla. T. 5, Ch.1 App. 6, Rule 1.1 – Purpose of the Licensed Legal Internship Rules, <https://www.okbar.org/wp-content/uploads/2018/05/Feb-2018-OSC-LI-Rules.pdf> [<https://perma.cc/7JMY-AKGA>]; Pa. Bd. Law Exam'rs, R. 321 – Requirements for Formal Participation in Legal Matters by Law Students and Law School Graduates, https://www.pabarexam.org/bar_admission_rules/321.htm [<https://perma.cc/5LQL-C2WM>]; R.I. Sup. Ct. R., Art. II, R. 9 – Admission of Attorneys and Others to Practice Law, <https://www.courts.ri.gov/AttorneyResources/baradmission/PDF/AdmissionBar-ArticleII.pdf> [<https://perma.cc/F7FV-GBAA>]; S.C. R. 401 – Student Practice Rule, <https://www.sccourts.org/courtreg/displayRule.cfm?ruleID=401.0&subRuleID=&ruleType=APP> [<https://perma.cc/HD24-M5XK>]; Tenn. Sup. Ct. R., 10.02 – Licensing of Attorneys, <https://www.tncourts.gov/rules/supreme-court/7> [<https://perma.cc/GG8G-YLMN>]; Vt. Pt. VI. Legal Interns, R. 21 – Eligibility Requirements, <https://casetext.com/rule/vermont-court-rules/vermont-rules-of-admission-to-the-bar-of-the-vermont-supreme-court/part-vi-legal-interns/rule-21-eligibility-requirements> [<https://perma.cc/3KXW-MRWA>]; Wis. SCR Ch. 50.03 – Practical Training of Law Students, <https://www.wicourts.gov/sc/scrule/DisplayDocument.pdf?content=pdf&seqNo=1097> [<https://perma.cc/Q658-MWA9>].

¹⁸ D.C. C.A. R. 48 – Legal Assistance by Law Students, <https://www.dccourts.gov/sites/default/files/2017-07/DCCA%20Rule%2048%20Legal%20Assistance%20by%20Law%20Students.pdf> [<https://perma.cc/Y8HX-4GXC>]; Md. R. Governing Admission to the Bar, Rule 16 – Legal Assistance by Law Students, http://www.teachinglegalethics.org/sites/default/files/lawyer_regulation/maryland%20student%20practice%20rule.pdf [<https://perma.cc/8J43-5GZF>]; N.M. R. Civ. P. Dist. Ct., Rule 1-094-1 – Clinical Education; University of New Mexico School of Law, <https://casetext.com/rule/new-mexico-court-rules/new-mexico-rules-of-civil-procedure-for-the-district-courts/article-10-general-provisions/rule-1-094-clinical-education-university-of-new-mexico-school-of-law> [<https://perma.cc/3XBM-WHXP>].

educationally beneficial clinical experience of seeing a case through from beginning to end. Therefore, making students Rule 9 eligible at the beginning of the year means the student will be able to see the case through from beginning to end. Clients also benefit from the continuity of representation when a student is able to remain on board throughout the life of the case. Making clinic students wait until they are halfway through their second year would thwart the underlying pedagogical purpose of this suggested change. In addition, the halfway mark would be particularly punitive for students at the University of Washington which operates on a quarter system. Requiring students to wait until they have met or exceeded the halfway point would result in the UW clinic students only being able to appear in cases for one eight-week period at the end of their second academic year.

The amendment suggested here strikes an appropriate balance among the approaches offered nationally. It is tailored to the particular needs of our state's law schools and their students while also ensuring that clients receive quality legal representation from law students at all stages of their education.

C. The Suggested Amendment Yields Significant Ancillary Benefits

In addition to achieving the primary goal of better preparing law students for the practice of law, the suggested amendment will also result in several significant ancillary benefits. These benefits include: 1) providing law offices and clients with better prepared law students and law graduates; 2) increasing capacity to retain a truly diverse student body through early and strong clinical programming; 3) increasing access to justice in the state courts for the people of Washington state; and 4) improving the administration of justice by reducing the number of *pro se* litigants in Washington's courts.

1. The Suggested Amendment Benefits the Bar and Clients by Better Preparing Graduates to Practice

The changing economics of a twenty-first century law practice has been among the strongest drivers for change in legal education.¹⁹ Whether it is Big Law responding to client demand for more efficient and transparent service provision, small and solo practice firms needing to make their services more affordable, or public interest organizations responding to ever-increasing demand for their services, the practice of law feels the pressure to make every billable or trackable hour count.²⁰ Gone are the days of lengthy mentoring periods for new lawyers.

These pressures have led to calls for practice-ready law graduates.²¹ Given that the practice of law is increasingly specialized and always changing, it is unrealistic to demand that each law graduate be fully practice-ready for all of the possible types of opportunities that exist.²²

¹⁹ David E. Van Zandt, *Client-Ready Law Graduates*, 36 ABA Litig. Mag. 11–16 (Fall 2009), https://www.jstor.org/stable/29760745?seq=1#metadata_info_tab_contents [<https://perma.cc/4KWE-VNKA>].

²⁰ *Id.* at 11–12.

²¹ *Id.*

²² *Id.* at 13.

However, allowing students to begin building their skills in the second year will provide the graduating law student with a better developed set of foundational lawyering skills and a stronger sense of professional identity.

The benefits of this expanded access rule would also extend to summer employment between the second and third year of law school. Those students with clinical experiences in state court practice in their 2L year will be that much more prepared to be effective contributors to the law offices that hire them. Ultimately, these benefits to future employers redound to the benefit of clients who will not only have more efficient junior counsel working on their matters but also will have more experienced, competent services rendered.

2. Addressing Retention of a Diverse Student Body through Early Student Engagement in Strong Clinical Programs

In the wake of the uprisings of 2020, the call for diversity, equity, and inclusion within legal institutions has grown increasingly louder. Washington General Rule 12.2 charges the Washington State Bar Association (WSBA) with the mission to “promote diversity and equality in the courts and in the legal profession.”²³ In furtherance of this goal, the WSBA has joined the Washington Race Equity & Justice Initiative,²⁴ which acknowledges that “[t]he effects of bias and structural racialization are especially damaging to the social fabric of our democracy when they are woven into the law, legal profession and justice system, where they can weaken the ability of these systems to safeguard equity and justice under the rule of law.”²⁵ The WSBA is committed to “change structures, policies, processes, and practices in the law, legal profession,

²³ Wash. Gen. R. 12.2(a)(6) – Washington State Bar Association: Purposes, Authorized Activities, and Prohibited Activities, https://www.courts.wa.gov/court_rules/?fa=court_rules.display&group=ga&set=GR&ruleid=gagr12.2 [<https://perma.cc/6JQP-UPDZ>].

²⁴ WSBA, Diversity & Inclusion (Jan. 19, 2021) <https://www.wsba.org/about-wsba/equity-and-inclusion> [<https://perma.cc/8MP8-9NZ7>].

²⁵ *Id.*

and justice system that allow harm and disparate outcomes for Black, Indigenous, and communities of color to continue unabated.”²⁶

Among the racialized harms and disparate outcomes that land right on the doorstep of law schools is the ongoing structural racism that excludes people of color from the profession itself. Structural racism embedded in legal education deters people of color from applying.²⁷ It keeps law schools from admitting people of color when they apply.²⁸ And it subsequently drives people of color out of the institution once they are admitted.²⁹ While the suggested amendment to APR 9 cannot address the problems surrounding admissions criteria and its impact on recruiting students of color is not well-studied, an amended APR 9 would contribute to creating learning environments early in the curriculum that support the retention of students of color.

Law students of color report that they lack of a sense of belonging in law school.³⁰ These feelings of alienation and isolation are likely among the drivers for the high attrition rates experienced by Black, Indigenous, and Latinx law students. Certainly, achieving a critical mass

²⁶ *Id.*

²⁷ Recent data from the Law School Admissions Council (LSAC) show that while 12.4% of the US population is Black, only 11.7% of those applying to law school are Black. An even deeper rate of disproportionality can be found when examining the statistics for American Indian and Alaskan Native communities, which make up only .7% of the US population but .4% of those applying. Similarly, even though the Latinx community comprises 18.4% of the US population, it comprises only 10.3% of law school applicants. LSAC, DIVERSITY IN THE US POPULATION & THE PIPELINE TO LEGAL CAREERS (2020).

²⁸ LSAC data show that even though Black candidates account for 11.7% of all applicants to law school and 12.4% of the US population, they only comprise 7.7% of those matriculated. American Indian and Native Alaskan applicants make up only .4% of all applicants and .7% of the population, while accounting for only .3% of those matriculated. Latinx applicants comprise only 10.3% of law school applicants and 18.4% of the population, but a mere 8.4% of matriculated law students. *Id.*

²⁹ A study of ABA-reported data looking at the attrition rates for law students leaving after the 1L year found that students of color are over-represented in this population of students. The report found that white students made up 62% of 1L enrollment and 49% of 1L non-transfer attrition. “In contrast, minority students made up 30 percent of 1L enrollment but accounted for 44% of 1L non-transfer attrition.” If one digs deeper into the nuances of this overrepresentation, one finds that this disproportionality is largely driven by departing Hispanic and Black law students. These findings held true across all categories of schools. *See*, ACCESSLEX INSTITUTE, ABA DATA REVEALS MINORITY STUDENTS ARE DISPROPORTIONATELY REPRESENTED IN ATTRITION FIGURES (Sept. 18, 2018)) <https://www.accesslex.org/xblog/aba-data-reveals-minority-students-are-disproportionately-represented-in-attrition-figures> [<https://perma.cc/LGY4-5JE6>].

³⁰ MEERA E. DEO & CHAD CHRISTENSEN, LAW SCHOOL SURVEY OF STUDENT ENGAGEMENT, 2020 DIVERSITY & EXCLUSION 9 (Sept. 2020) <https://lssse.indiana.edu/wp-content/uploads/2020/09/Diversity-and-Exclusion-Final-9.29.20.pdf> [<https://perma.cc/KLZ2-XHSJ>].

of students of color through better recruitment and admission practices will go a long way towards creating learning environments that embrace all students. However, curriculum also matters in retaining students once they are admitted. Expanding Rule 9 clinical offerings to the second year has a significant impact on the law school curriculum.

A recent national survey of law students of color indicated that curricular offerings that acknowledge privilege and equity concerns can make a difference in the well-being and sense of belonging that students of color experience. Students of color reported a dearth of learning opportunities that allow them to “reflect on their own backgrounds, connecting these with ongoing racial tensions, gender equity, and broader social justice goals.”³¹ There are many ways that law schools can address this need for change in every aspect of their curriculum. However, clinics are already meaningfully engaging in the type of teaching and learning that answers these needs. The small, collaborative environment of clinics is an ideal place for community building, critical thinking about privilege and equity, and learning through the dynamic teachable moments that practice provides.

Prior research has established the critical role that clinics play in student engagement and academic success.³² Students who may have felt intimidated in the larger doctrinal classrooms often regain their confidence and sense of achievement in clinics.³³ Furthermore, students who participate in clinics are more likely than non-clinical students to receive feedback that nurtures

³¹ *Id* at 15.

³² LAW SCHOOL SURVEY OF STUDENT ENGAGEMENT, STUDENT ENGAGEMENT IN LAW SCHOOL: KNOWING OUR STUDENTS 8 (2007), https://lssse.indiana.edu/wp-content/uploads/2016/01/EMBARGOED_LSSSE_2007_Annual_Report.pdf [<https://perma.cc/KJ8C-SFL4>].

³³ LSSSE LESSONS FROM LAW STUDENTS, *supra* note 13, at 14 .

their ongoing interest in the practice of law.³⁴ Allowing students access to clinics with Rule 9 practice opportunities sooner rather than later will support the well-being and academic success of all students.

3. The Suggested Amendment Will Expand Access to Justice

There is no shortage of unmet legal need in Washington.³⁵ The demand for legal assistance continues to expand and diversify. The longstanding vacuum in legal services for family law matters is well known, but more recently, unmet legal needs surrounding housing, health care, consumer credit, employment, and the collateral consequences of the criminal legal system are being recognized.³⁶ The Washington Supreme Court Task Force on Civil Legal Needs' most recent report found that “[m]ore than three-quarters (76%) of those who have a legal problem do not get the help they need.” Most low-income people, particularly those who are the survivors of domestic violence or sexual assault, face not just one legal problem, but a complex web of legal challenges.³⁷ Clinical law programs provide representation to clients whose legal needs would otherwise not be met. Allowing 2Ls to practice in the state courts of Washington will augment the resources available to address this staggering need.

The exclusion of 2Ls from the student practice rule has shaped the clinical offerings that are available to students, which in turn has artificially constrained law schools' full participation in educational programming that could help to improve access to justice. Due to the inability to

³⁴ LAW SCHOOL SURVEY OF STUDENT ENGAGEMENT, STUDENT ENGAGEMENT IN LAW SCHOOL: ENHANCING STUDENT LEARNING 11 (2009), https://lssse.indiana.edu/wp-content/uploads/2015/12/2009_LSSSE_Annual_Survey_Results.pdf [<https://perma.cc/7B6N-RX2A>].

³⁵ WASHINGTON STATE SUPREME COURT, CIVIL LEGAL NEEDS STUDY UPDATE (Oct. 2015), https://ocla.wa.gov/wp-content/uploads/2015/10/CivilLegalNeedsStudy_October2015_V21_Final10_14_15.pdf [<https://perma.cc/N75H-6CRG>].

³⁶ *Id.* at 3.

³⁷ *Id.*

involve 2Ls in state-court practice and the demand among 2Ls for clinical opportunities, the three law schools have looked to other types of clinical offerings that would allow 2L participation outside of state court proceedings. To the extent that state-court practice clinics are offered, they often are undersubscribed because students have opted for a 2L clinic experience and 3L externship. With the opening of the student practice rule to 2Ls, the ability to satisfy unmet legal needs in state courts will expand as clinical programs are freer to design a broader range of clinics to meet the 2L demand that will arise for them.

While it is true that clinic student caseloads are deliberately small, the typical approach with each client is very thorough, which often leads to uncovering and addressing the multiple legal needs that the client faces. In this way, clinics are ideally situated to provide holistic and effective representation for those most in need.

Research has shown that students who participate in clinics are oriented towards valuing public service in their future legal careers.³⁸ Therefore, clinics also contribute by familiarizing the state's future bar with the importance of meaningful pro bono representation, thereby expanding access to justice for low-income people into the years to come.

Expanding clinical opportunities to include second-year students creates an access to justice multiplier effect that goes far beyond the services provided by individual students in current clinics. By amending APR 9 as suggested here, new clinics addressing unmet legal needs in state court can be envisioned and, in turn, those students who participate will be prepared and incentivized to assist in pro bono work as they enter into the profession.

4. The Suggested Amendment Will Assist in the Administration of Justice

³⁸ LAW SCHOOL SURVEY OF STUDENT ENGAGEMENT, STUDENT ENGAGEMENT IN LAW SCHOOL: IN CLASS AND BEYOND 8 (2010), https://lssse.indiana.edu/wp-content/uploads/2016/01/2010_LSSSE_Annual_Survey_Results.pdf [<https://perma.cc/RLY7-X95X>].

To the extent that access to justice is improved, the administration of justice is improved as well. As acknowledged by the policies underlying the Superior Court Statistical Reporting Manual, “[p]ro se litigants ... place an additional workload on judicial and clerical resources because of their limited familiarity with legal issues and the court environment.”³⁹

These sentiments are consistent with an ABA Coalition for Justice survey of judges on the impact of *pro se* litigants in the courts.⁴⁰ Not surprisingly, 86% of the respondents felt that courts would be more efficient if all parties were represented.⁴¹ The impact on the administration of justice goes beyond merely slowing down processes as *pro se* litigants struggle to find their way through a foreign system. Having unrepresented parties affects the quality of justice itself. Judges also expressed concerns that *pro se* litigation decreased the likelihood of a fair representation of the facts and compromised the impartiality of the court as it sought to aid *pro se* litigants in the interests of avoiding injustice.⁴²

Amending APR 9 to expand clinical law student access to the state courts is an important step towards decreasing the overall rate of *pro se* appearances, which will benefit not only the litigants themselves but the courts as well.

D. Rationale for Specific Language in the Suggested Amendment

The current APR 9 provision requires the law student to have “successfully completed not less than two-thirds of a prescribed three-year course of study or five-eighths of a prescribed 4-

³⁹ WASHINGTON COURTS, SUPERIOR COURT STATISTICAL REPORTING MANUAL 2. Cases with *Pro Se* Litigants, https://www.courts.wa.gov/jislink/index.cfm?fa=jislink.codeview&dir=stats_manual&file=ct1prose [<https://perma.cc/N844-8ZDH>].

⁴⁰ ABA COALITION FOR JUSTICE, REPORT ON THE SURVEY OF JUDGES ON THE IMPACT OF THE ECONOMIC DOWNTURN ON REPRESENTATION IN THE COURTS (PRELIMINARY) (July 12, 2010), <https://legalaidresearchnlada.files.wordpress.com/2020/02/aba-coalition-justice-survey-judges-2010.pdf> [<https://perma.cc/2BGN-VA9S>].

⁴¹ *Id.* at 14.

⁴² *Id.* at 4

year course of study.” The proponents of this suggested change believe that the reference to a 4-year course of study was intended to reference Seattle University’s part-time law school program, which itself has evolved over time.

The proponents have simplified the reference to the law school curriculum by eliminating the three-year versus four-year distinction, instead referencing only that the student must have completed one-third of the prescribed law school curriculum if enrolled in a clinic or two-thirds if not. This choice was made in order to be inclusive of all of the varieties of law school curriculum that have arisen or may arise in the future. For example, since this rule was established Gonzaga University has both a part-time program and the “3+3 Program,” which prescribes specific pathways for students to earn their undergraduate and law degrees in six years instead of seven.”⁴³ Given the possibility for these and other unanticipated innovations in legal education in the future, the proponents believe that the suggested amendment will allow for maximum flexibility while maintaining the structure that adheres closely to the more common 3-year full-time student trajectory.

III. Letters in Support

⁴³ See Gonzaga University School of Law, 3 + 3 Programs, <https://www.gonzaga.edu/school-of-law/admission/3-plus-3-programs> [<https://perma.cc/83VW-3258>].

May 3, 2021

Ms. Susan L. Carlson
Clerk of the Washington Supreme Court
Supreme Court
Temple of Justice
P.O. Box 40929
Olympia, WA 98504

Re: Proposed Amendments to Admission to Practice Rule 9

Dear Ms. Carlson:

As deans of the three Washington law schools, we are writing to voice our unified support for the proposed amendments to APR 9 being put forward together by our Clinical Law Programs. These proposed amendments would expand APR 9 eligibility to second-year students enrolled in clinical courses at each of our law schools.

The suggested amendments to APR 9(b)(1)(A) not only comport with national student practice norms but, more importantly, they support best practices in legal education. Allowing second-year law students the chance to appear in state court under close clinical faculty supervision provides students the opportunity to engage earlier in their law training with matters of professional identity and the ethics of practice, while learning the importance of pro bono service and the competent representation of actual clients. This solid foundation will enable students to move more effectively into externships, summer employment, and their future careers.

As deans, we have heard the repeated calls from the bench and bar for law schools to graduate students who understand not only how to *think* like lawyers, but who also know how to *do the actual work* of lawyers. Our law schools seek to graduate students with a strong sense of professional identity and a firm grasp of the basic lawyering skills needed to succeed in the ever-changing practice of law. A deliberately structured and sequenced experiential learning curriculum is essential to achieving these goals. Having a variety of clinics available to students in their second year of law school is a fundamental part of such a sequential curriculum, and the proposed broadening of Licensed Legal Intern status to second-year students enrolled in clinics will support this effort.

The expansion of APR 9 to second-year clinical students also resonates with the strong public service missions held by all three law schools. Whether as a public law school or one with a social justice mission grounded in Jesuit values, each of our law schools seeks to introduce our students to the value of public service as early as possible in their law school careers. Currently, second-year students are unable to participate in clinics that address the many legal needs of unrepresented people in our state courts. We support amending Rule 9 so that our students

can help meet these needs and learn about the meaningful contributions they can make at an earlier and more formative stage of their legal education.

Finally, as deans, we understand the vital role that quality clinical programming plays in attracting and retaining an engaged and diverse student body. By aligning our law schools with national norms as to student practice, we will be strengthening our clinical programs and improving our attractiveness to a wider range of students. Clinics also play an important role in student retention. Clinical education gives students a place to work together in small groups to problem-solve and to reflect on the law's potential, its limitations, and even its harmful effects. It gives them the opportunity to learn from and interact with the community outside the walls of the law school. These benefits help all students to find meaning in, and remain engaged with, their legal education. This sense of belonging is especially essential for those students who are struggling to find their place in what can otherwise be a foreign legal culture. Thus, allowing students to have a full range of clinical opportunities in their second year will support a thriving student body.

Based on the foregoing considerations, we enthusiastically embrace the expansion of APR 9 to allow second-year JD students enrolled in clinics to be eligible to serve as Licensed Legal Interns. Thank you for your consideration of this letter.

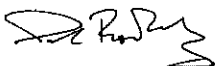
Sincerely,



Mario L. Barnes
Toni Rembe Dean and Professor of Law
University of Washington School of Law
William H. Gates Hall Box 353020
4293 Memorial Way NE, Seattle, WA 98195



Annette Clark
Dean and Professor of Law
Seattle University School of Law
901 12th Ave, Seattle, WA 98122



Jacob H. Rooksby
Dean, School of Law
Professor of Law and Leadership Studies
Gonzaga University
502 East Boone Avenue
Spokane, WA 99258-0102

May 5, 2021

Ms. Susan L. Carlson
Clerk of the Washington Supreme Court
Supreme Court
Temple of Justice
P.O. Box 40929
Olympia, WA 98504

Re: Suggested Amendments to Admission to Practice Rule 9

Dear Ms. Carlson:

We are writing as the leadership team of the University of Washington School of Law to voice our support for the suggested amendments to APR 9 proposed by the Clinical Law Programs of all three WA law schools. We also support the suggested amendments of the Washington State Bar Association that are intended to modernize and clarify existing practices and allow graduates of LLM programs who meet the requirements of Admission to Practice Rule 3(b)(4) to obtain Licensed Legal Intern status.

The suggested amendments to APR 9(b)(1)(A) not only comport with national student practice norms but, more importantly, support best practices in legal education. Allowing second-year law students the chance to appear in state court, under close clinical faculty supervision, provides students the opportunity to engage early with professional identity, the ethics of practice, the importance of pro bono service, and diligent client service. This solid foundation enables students to move more effectively into externships, summer employment, and their future careers.

The current APR 9 has unintended consequences for our Clinical Program that results in the near exclusion of state court practice opportunities. This stems from the confluence of student demand, the yearlong nature of most of our clinics, and the realities of our quarter system. The demand for clinics is often the highest among second-year students who are eager to emerge from the rigors of the doctrinal first year and apply their new analytical skills to actual practice. Within the strictures of a quarter system, clinical pedagogy favors yearlong clinics, particularly when the case work is likely to take an academic year to complete. Given that the quarter extends into late May, some third-year students try to finish law school requirements a quarter early so as to avoid studying for the bar while finishing classes. This means that we have less demand from third year students, who are currently APR 9 eligible, than from second-year students who are currently APR 9 ineligible.

Given that second-year students cannot practice in state court, most UW clinics focus on matters that do not require state court practice, and those that have some state court practice element struggle to find Rule 9 eligible students to enroll. While there is much to be learned from clinics that flourish in the policy, transactional, administrative, or tribal contexts, the near exclusion of state court practice from our Clinical Law Program is problematic. There are lawyering skills and substantive knowledge that we are unable to share with students. In addition, allowing qualifying students to be APR 9 eligible will add to the law

school's ability to provide free legal services to those most in need while exposing students to access to justice issues they can carry into their future careers.

In addition to the curricular benefits, amending APR 9 to allow second-year clinical participation will improve student well-being from early integration of practice into legal education. Clinical education gives students a place to work together in small groups to problem-solve and to reflect on the law's potential, its limitations, and even its harmful effects. It gives them the opportunity to learn from and interact with the community outside the walls of the law school. These benefits help all students to find meaning in and remain engaged with their legal education and seems especially essential for those who are struggling to belong in what can otherwise feel like a foreign legal culture. Allowing students to have a full range of clinical opportunities in their second year will support a thriving student body.

We also endorse the WSBA's proposed amendments to APR 9(b)(3) to make clear that graduates of the LLM program who are eligible to sit for the bar examination under APR 3 are also eligible to apply to practice as Licensed Legal Interns under APR 9. As the primary provider of the qualifying LLM graduates under APR 3 in Washington state, we want to voice our support for this proposed change which treats LLM graduates the same as all others who are eligible to sit for the bar. This result is not only equitable, but is obviously beneficial to the graduates, their employers and the community of clients who will receive the benefit of their work under supervision.

In conclusion, we enthusiastically embrace both suggested changes to APR 9.

Sincerely,

Mario L. Barnes
Toni Rembe Dean &
Professor of Law

Cristina Artega
Assistant Dean for Admissions & Financial Aid

Jessica Brase
Assistant Dean for Finance & Operations

Christine N. Cimini
Associate Dean for Experiential Education
Professor of Law

William Covington
Associate Dean for Diversity, Equity and Inclusion
Teaching Professor

Sellyna Ehlers
Director of Human Resources, Equity and Engagement

Anna Endter
Associate Dean for Students

Kerry Godes
Assistant Dean for Advancement

Mary Hotchkiss
Chair, Faculty Executive Committee
Teaching Professor

Elana Matt
Assistant Dean of Student and Career Services

Elizabeth Porter
Associate Dean for Academic Administration
Professor of Law

Terry Price
Director of Graduate Education

Zahr K. Said
Associate Dean for Research and Faculty Development
Charles I. Stone Professor of Law

Staishy Bostick Siem
Director of Marketing and Communications

Jessica West
Assistant Dean of Academic Success Programs

Alena Wolotira
Leadership Team Staff Council Representative
Head of Public Services

Thayer York
Director of Technology Services

MEMO

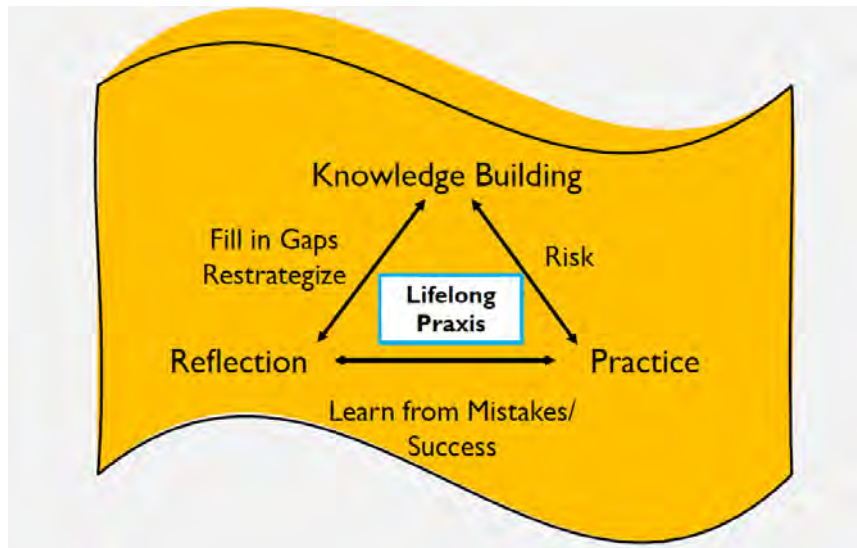
To: Board of Governors
From: Past President Rajeev Majumdar
Date: May 13, 2021
Re: Preparing for May 21 Discussion with Consultant ChrisTiana ObeySumner

At our upcoming Board of Governors meeting on May 21, 2021, we will be meeting with ChrisTiana ObeySumner of Epiphanies of Equity to debrief our April 19 training. I am writing to provide you with a preview of that meeting and discussion questions we will share at the meeting. My hope is that you review the questions ahead of time and be prepared to engage in a discussion.

Unlike our actual trainings, which are limited to BoG members only so that we can process challenging issues collectively, the debrief of materials will be in public so that the public can see the framework of our study— no substantive issues discussed will be mentioned.

ChrisTiana will give a brief overview of the concepts covered and you will have a chance to review the resources and PowerPoint slides ChrisTiana shared earlier. While I am mindful of everyone's varying levels of comfortability with being in public, I hope you will think about these questions ahead of the May 21 meeting so you can share your reflections when we meet if you have thoughts:

- What topics or areas would you like to continue discussing in our training series?
- What is a concept or term you are still thinking about/ researching/ grappling with?
- Is there a concept/ term/ training topic you have seen in real-time since the training?
- Do you have any reflections on learning about impact over intent and the praxis for equitable growth, which we discussed at the April 19 training? See the image below.



As we continue to engage in learning individually and collectively, I strongly encourage you to continue to take advantage of these opportunities. Please make sure the remaining virtual trainings are in your calendars:

- Training #2: 6/8/21 - 9:00am to noon
- Training #3: 8/17/21 - 9:00am to noon

Please also remember that ChrisTiana is available for one-on-one consultations which can be scheduled directly with them. To set up a consultation, you can schedule it directly with ChrisTiana through their [online calendar](#).

If you have any questions, concerns, or ideas about this process and our learning together, please let me know.

WASHINGTON STATE BAR ASSOCIATION

WSBA MISSION

The Washington State Bar Association’s mission is to serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice.

WSBA GUIDING PRINCIPLES

The WSBA will operate a well-managed association that supports its members and advances and promotes:

- **Access to the justice system.**
Focus: Provide training and leverage community partnerships in order to enhance a culture of service for legal professionals to give back to their communities, with a particular focus on services to underserved low and moderate income people.
- **Diversity, equality, and cultural understanding throughout the legal community.**
Focus: Work to understand the lay of the land of our legal community and provide tools to members and employers in order to enhance the retention of minority legal professionals in our community.
- **The public’s understanding of the rule of law and its confidence in the legal system.**
Focus: Educate youth and adult audiences about the importance of the three branches of government and how they work together.
- **A fair and impartial judiciary.**
- **The ethics, civility, professionalism, and competence of the Bar.**

MISSION FOCUS AREAS

Ensuring Competent and Qualified Legal Professionals

- Cradle to Grave
- Regulation and Assistance

Promoting the Role of Legal Professionals in Society

- Service
- Professionalism

PROGRAM CRITERIA

- Does the Program further either or both of WSBA’s mission-focus areas?
- Does WSBA have the competency to operate the Program?
- As the mandatory bar, how is WSBA uniquely positioned to successfully operate the Program?
- Is statewide leadership required in order to achieve the mission of the Program?
- Does the Program’s design optimize the expenditure of WSBA resources devoted to the Program, including the balance between volunteer and staff involvement, the number of people served, the cost per person, etc?

2016 – 2018 STRATEGIC GOALS

- **Equip members with skills for the changing profession**
- **Promote equitable conditions for members from historically marginalized or underrepresented backgrounds to enter, stay and thrive in the profession**
- **Explore and pursue regulatory innovation and advocate to enhance the public’s access to legal services**

GR 12
REGULATION OF THE PRACTICE OF LAW

The Washington Supreme Court has inherent and plenary authority to regulate the practice of law in Washington. The legal profession serves clients, courts, and the public, and has special responsibilities for the quality of justice administered in our legal system. The Court ensures the integrity of the legal profession and protects the public by adopting rules for the regulation of the practice of law and actively supervising persons and entities acting under the Supreme Court's authority.

[Adopted effective September 1, 2017.]

GR 12.1
REGULATORY OBJECTIVES

Legal services providers must be regulated in the public interest. In regulating the practice of law in Washington, the Washington Supreme Court's objectives include: protection of the public; advancement of the administration of justice and the rule of law; meaningful access to justice and information about the law, legal issues, and the civil and criminal justice systems;

- (a) transparency regarding the nature and scope of legal services To be provided, the credentials of those who provide them, and the availability of regulatory protections;
- (b) delivery of affordable and accessible legal services;
- (c) efficient, competent, and ethical delivery of legal services;
- (d) protection of privileged and confidential information;
- (e) independence of professional judgment;
- (f) Accessible civil remedies for negligence and breach of other duties owed, disciplinary sanctions for misconduct, and advancement of appropriate preventive or wellness programs;
- (g) Diversity and inclusion among legal services providers and freedom from discrimination for those receiving legal services and in the justice system.

[Adopted effective September 1, 2017.]

GR 12.2
**WASHINGTON STATE BAR ASSOCIATION: PURPOSES, AUTHORIZED
ACTIVITIES, AND PROHIBITED ACTIVITIES**

In the exercise of its inherent and plenary authority to regulate the practice of law in Washington, the Supreme Court authorizes and supervises the Washington State Bar Association's activities. The Washington State Bar Association carries out the administrative responsibilities and functions expressly delegated to it by this rule and other Supreme Court rules and orders enacted or adopted to regulate the practice of law, including the purposes and authorized activities set forth below.

- (a) Purposes: In General. In general, the Washington State Bar Association strives to:

- (1) Promote independence of the judiciary and the legal profession.
- (2) Promote an effective legal system, accessible to all.
- (3) Provide services to its members and the public.
- (4) Foster and maintain high standards of competence, professionalism, and ethics among its members.
- (5) Foster collegiality among its members and goodwill between the legal profession and the public.
- (6) Promote diversity and equality in the courts and the legal profession.
- (7) Administer admission, regulation, and discipline of its members in a manner that protects the public and respects the rights of the applicant or member.
- (8) Administer programs of legal education.
- (9) Promote understanding of and respect for our legal system and the law.
- (10) Operate a well-managed and financially sound association, with a positive work environment for its employees.
- (11) Serve as a statewide voice to the public and to the branches of government on matters relating to these purposes and the activities of the association and the legal profession.

(b) Specific Activities Authorized. In pursuit of these purposes, the Washington State Bar Association may:

- (1) Sponsor and maintain committees and sections, whose activities further these purposes;
- (2) Support the judiciary in maintaining the integrity and fiscal stability of an independent and effective judicial system;
- (3) Provide periodic reviews and recommendations concerning court rules and procedures;
- (4) Administer examinations and review applicants' character and fitness to practice law;
- (5) Inform and advise its members regarding their ethical obligations;
- (6) Administer an effective system of discipline of its members, including receiving and investigating complaints of misconduct by legal professionals, taking and recommending appropriate punitive and remedial measures, and diverting less serious misconduct to alternatives outside the formal discipline system;
- (7) Maintain a program, pursuant to court rule, requiring members to submit fee disputes to arbitration;
- (8) Maintain a program for mediation of disputes between members and others;
- (9) Maintain a program for legal professional practice assistance;
- (10) Sponsor, conduct, and assist in producing programs and products of continuing legal education;

- (11) Maintain a system for accrediting programs of continuing legal education;
- (12) Conduct examinations of legal professionals' trust accounts;
- (13) Maintain a fund for client protection in accordance with the Admission and Practice Rules;
- (14) Maintain a program for the aid and rehabilitation of impaired members;
- (15) Disseminate information about the organization's activities, interests, and positions;
- (16) Monitor, report on, and advise public officials about matters of interest to the organization and the legal profession;
- (17) Maintain a legislative presence to inform members of new and proposed laws and to inform public officials about the organization's positions and concerns;
- (18) Encourage public service by members and support programs providing legal services to those in need;
- (19) Maintain and foster programs of public information and education about the law and the legal system;
- (20) Provide, sponsor, and participate in services to its members;
- (21) Hire and retain employees to facilitate and support its mission, purposes, and activities, including in the organization's discretion, authorizing collective bargaining;
- (22) Establish the amount of all license, application, investigation, and other related fees, as well as charges for services provided by the Washington State Bar Association, and collect, allocate, invest, and disburse funds so that its mission, purposes, and activities may be effectively and efficiently discharged. The amount of any license fee is subject to review by the Supreme Court for reasonableness and may be modified by order of the Court if the Court determines that it is not reasonable;

(23) Administer Supreme-Court-created boards in accordance with General Rule 12.3.

(c) Activities Not Authorized. The Washington State Bar Association will not:

- (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.

[Adopted effective July 17, 1987; amended effective December 10, 1993; September 1, 1997; September 1, 2007; September 1, 2013; September 1, 2017.]

GR 12.3
WASHINGTON STATE BAR ASSOCIATION ADMINISTRATION
OF SUPREME COURT-CREATED BOARDS AND COMMITTEES

The Supreme Court has delegated to the Washington State Bar Association the authority and responsibility to administer certain boards and committees established by court rule or order. This delegation of authority includes providing and managing staff, overseeing the boards and committees to monitor their compliance with the rules and orders that authorize and regulate them, paying expenses reasonably and necessarily incurred pursuant to a budget approved by the Board of Governors, performing other functions and taking other actions as provided in court rule or order or delegated by the Supreme Court, or taking other actions as are necessary and proper to enable the board or committee to carry out its duties or functions.

[Adopted effective September 1, 2007; amended effective September 1, 2017.]

GR 12.4
WASHINGTON STATE BAR ASSOCIATION ACCESS TO
RECORDS

(a) Policy and Purpose. It is the policy of the Washington State Bar Association to facilitate access to Bar records. A presumption of public access exists for Bar records, but public access to Bar records is not absolute and shall be consistent with reasonable expectations of personal privacy, restrictions in statutes, restrictions in court rules, or as provided in court orders or protective orders issued under court rules. Access shall not unduly burden the business of the Bar.

(b) Scope. This rule governs the right of public access to Bar records. This rule applies to the Washington State Bar Association and its subgroups operated by the Bar including the Board of Governors, committees, task forces, commissions, boards, offices, councils, divisions, sections, and departments. This rule also applies to boards and committees under GR 12.3 administered by the Bar. A person or entity entrusted by the Bar with the storage and maintenance of Bar records is not subject to this rule and may not respond to a request for access to Bar records, absent express written authority from the Bar or separate authority in rule or statute to grant access to the documents.

(c) Definitions.

(1) "Access" means the ability to view or obtain a copy of a Bar record.

(2) "Bar record" means any writing containing information relating to the conduct of any Bar function prepared, owned, used, or retained by the Bar regardless of physical form or characteristics. Bar records include only those records in the possession of the Bar and its staff or stored under Bar ownership and control in facilities or servers. Records solely in the possession of hearing officers, non-Bar staff members of boards, committees, task forces, commissions, sections, councils, or divisions that were prepared by the hearing officers or the members and in their sole possession, including private notes and working papers, are not Bar records and are not subject to public access under this rule. Nothing in this rule requires the Bar to create a record that is not currently in possession of the Bar at the time of the request.

(3) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation in paper, digital, or other format.

(d) Bar Records--Right of Access.

(1) The Bar shall make available for inspection and copying all Bar records, unless the record falls within the specific exemptions of this rule, or any other state statute (including the Public Records Act, chapter 42.56 RCW) or federal statute or rule as they would be applied to a public agency, or is made confidential by the Rules of Professional Conduct, the Rules for Enforcement of Lawyer Conduct, the Admission to Practice Rules and associated regulations, the Rules for Enforcement of Limited Practice Officer Conduct, General Rule 25, court orders or protective orders issued under those rules, or any other state or federal statute or rule. To the extent required to prevent an unreasonable invasion of personal privacy interests or threat to safety or by the above-referenced rules, statutes, or orders, the Bar shall delete identifying details in a manner consistent with those rules, statutes, or orders when it makes available or publishes any Bar record; however, in each case, the justification for the deletion shall be explained in writing.

(2) In addition to exemptions referenced above, the following categories of Bar records are exempt from public access except as may expressly be made public by court rule:

(A) Records of the personnel committee, and personal information in Bar records for employees, appointees, members, or volunteers of the Bar to the extent that disclosure would violate their right to privacy, including home contact information (unless such information is their address of record), Social Security numbers, driver's license numbers, identification or security photographs held in Bar records, and personal data including ethnicity, race, disability status, gender, and sexual orientation. Membership class and status, bar number, dates of admission or licensing, addresses of record, and business telephone numbers, facsimile numbers, and electronic mail addresses (unless there has been a request that electronic mail addresses not be made public) shall not be exempt, provided that any such information shall be exempt if the Executive Director approves the confidentiality of that information for reasons of personal security or other compelling reason, which approval must be reviewed annually.

(B) Specific information and records regarding

(i) internal policies, guidelines, procedures, or techniques, the disclosure of which would reasonably be expected to compromise the conduct of disciplinary or regulatory functions, investigations, or examinations;

(ii) application, investigation, and hearing or proceeding records relating to lawyer, Limited Practice Officer, or Limited License Legal Technician admissions, licensing, or discipline, or that relate to the work of ELC 2.5 hearing officers, the Board of Bar Examiners, the Character and Fitness Board, the Law Clerk Board, the Limited Practice Board, the MCLE Board, the Limited License Legal Technician Board, the Practice of Law Board, or the Disciplinary Board in conducting investigations, hearings or proceedings; and

(iii) the work of the Judicial Recommendation Committee and the Hearing Officer selection panel, unless such records are expressly categorized as public information by court rule.

(C) Valuable formulae, designs, drawings, computer source code or object code, and research data created or obtained by the Bar.

(D) Information regarding the infrastructure, integrity, and security of computer and telecommunication networks, databases, and systems.

(E) Applications for licensure by the Bar and annual licensing forms and related records, including applications for license fee hardship waivers and any decision or determinations on the hardship waiver applications.

(F) Requests by members for ethics opinions to the extent that they contain information identifying the member or a party to the inquiry.

Information covered by exemptions will be redacted from the specific records sought. Statistical information not descriptive of any readily identifiable person or persons may be disclosed.

(3) Persons Who Are Subjects of Records.

(A) Unless otherwise required or prohibited by law, the Bar has the option to give notice of any records request to any member or third party whose records would be included in the Bar's response.

(B) Any person who is named in a record, or to whom a record specifically pertains, may present information opposing the disclosure to the applicable decision maker.

(C) If the Bar decides to allow access to a requested record, a person who is named in that record, or to whom the records specifically pertains, has a right to initiate review or to participate as a party to any review initiated by a requester. The deadlines that apply to a requester apply as well to a person who is a subject of a record.

(e) Bar Records--Procedures for Access.

(1) General Procedures. The Bar Executive Director shall appoint a Bar staff member to serve as the public records officer to whom all records requests shall be submitted. Records requests must be in writing and delivered to the Bar public records officer, who shall respond to such requests within 30 days of receipt. The Washington State Bar Association must implement this rule and adopt and publish on its website the public records officer's work mailing address, telephone number, fax number, and e-mail address, and the procedures and fee schedules for accepting and responding to records requests by the effective date of this rule. The Bar shall acknowledge receipt of the request within 14 days of receipt, and shall communicate with the requester as necessary to clarify any ambiguities as to the records being requested. Records requests shall not be directed to other Bar staff or to volunteers serving on boards, committees, task forces, commissions, sections, councils, or divisions.

(2) Charging of Fees.

(A) A fee may not be charged to view Bar records.

(B) A fee may be charged for the photocopying or scanning of Bar records according to the fee schedule established by the Bar and published on its web site.

(C) A fee not to exceed \$30 per hour may be charged for research services required to fulfill a request taking longer than one hour. The fee shall be assessed from the second hour onward.

(f) Extraordinary Requests Limited by Resource Constraints. If a particular request is of a magnitude or burden on resources that the Bar cannot fully comply within 30 days due to constraints on time, resources, and personnel, the Bar shall communicate this information to the requester along with a good faith estimate of the time needed to complete the Bar's response. The Bar must attempt to reach

agreement with the requester as to narrowing the request to a more manageable scope and as to a timeframe for the Bar's response, which may include a schedule of installment responses. If the Bar and requester are unable to reach agreement, the Bar shall respond to the extent practicable, clarify how and why the response differs from the request, and inform the requester that it has completed its response.

(g) Denials. Denials must be in writing and shall identify the applicable exemptions or other bases for denial as well as a written summary of the procedures under which the requesting party may seek further review.

(h) Review of Records Decisions.

(1) Internal Review. A person who objects to a record decision or other action by the Bar's public records officer may request review by the Bar's Executive Director.

(A) A record requester's petition for internal review must be submitted within 90 days of the Bar's public records officer's decision, on such form as the Bar shall designate and make available.

(B) The review proceeding is informal, summary, and on the record.

(C) The review proceeding shall be held within five working days. If that is not reasonably possible, then within five working days the review shall be scheduled for the earliest practical date.

(2) External Review. A person who objects to a records review decision by the Bar's Executive Director may request review by the Records Request Appeals Officer (RRAO) for the Bar.

(A) The requesting party's request for review of the Executive Director's decision must be deposited in the mail and postmarked or delivered to the Bar not later than 30 days after the issuance of the decision, and must be on such form as the Bar shall designate and make available.

(B) The review will be informal and summary, but in the sole discretion of the RRAO may include the submission of briefs no more than 20 pages long and of oral arguments no more than 15 minutes long.

(C) Decisions of the RRAO are final unless, within 30 days of the issuance of the decision, a request for discretionary review of the decision is filed with the Supreme Court. If review is granted, review is conducted by the Chief Justice of the Washington Supreme Court or his or her designee in accordance with procedures established by the Supreme Court. A designee of the Chief Justice shall be a current or former elected judge. The review proceeding shall be on the record, without additional briefing or argument unless such is ordered by the Chief Justice or his or her designee.

(D) The RRAO shall be appointed by the Board of Governors. The Bar may reimburse the RRAO for all necessary and reasonable expenses incurred in the completion of these duties, and may provide compensation for the time necessary for these reviews at a level established by the Board of Governors.

(i) Monetary Awards Not Allowed. Attorney fees, costs, civil penalties, or fines may not be awarded under this rule.

(j) Effective Date of Rule.

(1) This rule goes into effect on July 1, 2014, and applies to records that are created on or after that date.

(2) Public access to records that are created before that date are to be analyzed according to other court rules, applicable statutes, and the common law balancing test; the Public Records Act, chapter 42.56 RCW, does not apply to such Bar records, but it may be used for nonbinding guidance.

[Adopted effective July 1, 2014; amended effective September 1, 2017.]

**GR 12.5
IMMUNITY**

All boards, committees, or other entities, and their members and personnel, and all personnel and employees of the Washington State Bar Association, acting on behalf of the Supreme Court under the Admission and Practice Rules, the Rules for Enforcement of Lawyer Conduct, or the disciplinary rules for limited practice officers and limited license legal technicians, shall enjoy quasi-judicial immunity if the Supreme Court would have immunity in performing the same functions.

[Adopted effective January 2, 2008; amended effective September 1, 2017.]

2020-2021
WSBA BOARD OF GOVERNORS MEETING SCHEDULE

MEETING DATE	LOCATION	POTENTIAL ISSUES / SOCIAL FUNCTION	AGENDA ITEMS DUE FOR EXEC COMMITTEE MTG	EXECUTIVE COMMITTEE MTG 9:00 am–12:00 pm	BOARD BOOK MATERIALS DEADLINE
November 13-14, 2020	Webcast & Teleconference	BOG Meeting	October 20, 2020	October 26, 2020	October 28, 2020
January 14-15, 2021	WSBA Conference Center Seattle, WA	BOG Meeting	December 8, 2020	December 14, 2020	December 30, 2020
March 18-19, 2021	Hotel RL, Olympia, WA	BOG Meeting	February 23, 2021	March 1, 2021	March 3, 2021
March 19, 2021	Temple of Justice	BOG Meeting with Supreme Court			
April 16-17, 2021	Davenport Hotel Spokane, WA	BOG Meeting	March 23, 2021	March 29, 2021	March 31, 2021
May 20-21, 2021	WSBA Conference Center Seattle, WA	BOG Meeting	April 27, 2021	May 3, 2021	May 5, 2021
July 15, 2021	Hilton Portland Downtown Portland, OR	BOG Retreat	June 22, 2021	June 28, 2021	June 30, 2021
July 16-17, 2021		BOG Meeting			
August 20-21, 2021	TBD Boise, ID	BOG Meeting	July 27, 2021	August 2, 2021	August 4, 2021
September 23-24, 2021	WSBA Conference Center Seattle, WA	BOG Meeting	August 24, 2021	August 30, 2021	September 8, 2021

Note – In-person meetings are dependent upon Covid-19 state guidance on in-person gatherings.

The Board Book Material Deadline is the final due date for submission of materials for the respective Board meeting. Please notify the Executive Director's office in advance of possible late materials. Refer to 1305 BOG Action Procedure on how to bring agenda items to the Board.

This information can be found online at: www.wsba.org/About-WSBA/Governance/Board-Meeting-Schedule-Materials



WSBA Board of Governors CONGRESSIONAL DISTRICT MAP



Kyle Sciuchetti
President



Brian Tollefson
President-Elect



Rajeev Majumdar
Immediate Past
President



Terra Nevitt
Executive Director
& Secretary

2020-2021



BASIC CHARACTERISTICS OF MOTIONS

*From: The Complete Idiot's Guide to Robert's Rules
The Guerilla Guide to Robert's Rules*

MOTION	PURPOSE	INTERRUPT SPEAKER?	SECOND NEEDED?	DEBATABLE?	AMENDABLE?	VOTE NEEDED
1. Fix the time to which to adjourn	Sets the time for a continued meeting	No	Yes	No ¹	Yes	Majority
2. Adjourn	Closes the meeting	No	Yes	No	No	Majority
3. Recess	Establishes a brief break	No	Yes	No ²	Yes	Majority
4. Raise a Question of Privilege	Asks urgent question regarding to rights	Yes	No	No	No	Rules by Chair
5. Call for orders of the day	Requires that the meeting follow the agenda	Yes	No	No	No	One member
6. Lay on the table	Puts the motion aside for later consideration	No	Yes	No	No	Majority
7. Previous question	Ends debate and moves directly to the vote	No	Yes	No	No	Two-thirds
8. Limit or extend limits of debate	Changes the debate limits	No	Yes	No	Yes	Two-thirds
9. Postpone to a certain time	Puts off the motion to a specific time	No	Yes	Yes	Yes	Majority ³
10. Commit or refer	Refers the motion to a committee	No	Yes	Yes	Yes	Majority
11. Amend an amendment (secondary amendment)	Proposes a change to an amendments	No	Yes	Yes ⁴	No	Majority
12. Amend a motion or resolution (primary amendment)	Proposes a change to a main motion	No	Yes	Yes ⁴	Yes	Majority
13. Postpone indefinitely	Kills the motion	No	Yes	Yes	No	Majority
14. Main motion	Brings business before the assembly	No	Yes	Yes	Yes	Majority

1 Is debatable when another meeting is scheduled for the same or next day, or if the motion is made while no question is pending

2 Unless no question is pending

3 Majority, unless it makes question a special order

4 If the motion it is being applied to is debatable



Discussion Protocols Board of Governors Meetings

Philosophical Statement:

“We take serious our representational responsibilities and will try to inform ourselves on the subject matter before us by contact with constituents, stakeholders, WSBA staff and committees when possible and appropriate. In all deliberations and actions we will be courageous and keep in mind the need to represent and lead our membership and safeguard the public. In our actions, we will be mindful of both the call to action and the constraints placed upon the WSBA by GR 12 and other standards.”

Governor’s Commitments:

1. Tackle the problems presented; don’t make up new ones.
2. Keep perspective on long-term goals.
3. Actively listen to understand the issues and perspective of others before making the final decision or lobbying for an absolute.
4. Respect the speaker, the input and the Board’s decision.
5. Collect your thoughts and speak to the point – sparingly!
6. Foster interpersonal relationships between Board members outside Board events.
7. Listen and be courteous to speakers.
8. Speak only if you can shed light on the subject, don’t be repetitive.
9. Consider, respect and trust committee work but exercise the Board’s obligation to establish policy and insure that the committee work is consistent with that policy and the Board’s responsibility to the WSBA’s mission.
10. Seek the best decision through quality discussion and ample time (listen, don’t make assumptions, avoid sidebars, speak frankly, allow time before and during meetings to discuss important matters).
11. Don’t repeat points already made.
12. Everyone should have a chance to weigh in on discussion topics before persons are given a second opportunity.
13. No governor should commit the board to actions, opinions, or projects without consultation with the whole Board.
14. Use caution with e-mail: it can be a useful tool for debating, but e-mail is not confidential and does not easily involve all interests.
15. Maintain the strict confidentiality of executive session discussions and matters.



BOARD OF GOVERNORS

WSBA VALUES

Through a collaborative process, the WSBA Board of Governors and Staff have identified these core values that shall be considered by the Board, Staff, and WSBA volunteers (collectively, the “WSBA Community”) in all that we do.

To serve the public and our members and to promote justice, the WSBA Community values the following:

- Trust and respect between and among Board, Staff, Volunteers, Members, and the public
- Open and effective communication
- Individual responsibility, initiative, and creativity
- Teamwork and cooperation
- Ethical and moral principles
- Quality customer-service, with member and public focus
- Confidentiality, where required
- Diversity and inclusion
- Organizational history, knowledge, and context
- Open exchanges of information



BOARD OF GOVERNORS

GUIDING COMMUNICATION PRINCIPLES

In each communication, I will assume the good intent of my fellow colleagues; earnestly and actively listen; encourage the expression of and seek to affirm the value of their differing perspectives, even where I may disagree; share my ideas and thoughts with compassion, clarity, and where appropriate confidentiality; and commit myself to the unwavering recognition, appreciation, and celebration of the humanity, skills, and talents that each of my fellow colleagues bring in the spirit and effort to work for the mission of the WSBA. Therefore, I commit myself to operating with the following norms:

- ◆ I will treat each person with courtesy and respect, valuing each individual.
- ◆ I will strive to be nonjudgmental, open-minded, and receptive to the ideas of others.
- ◆ I will assume the good intent of others.
- ◆ I will speak in ways that encourage others to speak.
- ◆ I will respect others' time, workload, and priorities.
- ◆ I will aspire to be honest and open in all communications.
- ◆ I will aim for clarity; be complete, yet concise.
- ◆ I will practice "active" listening and ask questions if I don't understand.
- ◆ I will use the appropriate communication method (face-to-face, email, phone, voicemail) for the message and situation.
- ◆ When dealing with material of a sensitive or confidential nature, I will seek and confirm that there is mutual agreement to the ground rules of confidentiality at the outset of the communication.
- ◆ I will avoid triangulation and go directly to the person with whom I need to communicate. (If there is a problem, I will go to the source for resolution rather than discussing it with or complaining to others.)
- ◆ I will focus on reaching understanding and finding solutions to problems.
- ◆ I will be mindful of information that affects, or might be of interest or value to, others, and pass it along; err on the side of over-communication.
- ◆ I will maintain a sense of perspective and respectful humor.



BOARD OF GOVERNORS

Anthony David Gipe
President

phone: 206.386.4721
e-mail: adgipeWSBA@gmail.com

November 2014

BEST PRACTICES AND EXPECTATIONS

❖ Attributes of the Board

- Competence
- Respect
- Trust
- Commitment
- Humor

❖ Accountability by Individual Governors

- Assume Good Intent
- Participation/Preparation
- Communication
- Relevancy and Reporting

❖ Team of Professionals

- Foster an atmosphere of teamwork
 - Between Board Members
 - The Board with the Officers
 - The Board and Officers with the Staff
 - The Board, Officers, and Staff with the Volunteers

- We all have common loyalty to the success of WSBA

❖ Work Hard and Have Fun Doing It

Working Together to Champion Justice

WASHINGTON STATE
B A R A S S O C I A T I O N

Financial Reports

(Unaudited)

Year to Date March 31, 2021

Prepared by Maggie Yu, Controller
Submitted by
Jorge Perez, Chief Financial Officer
April 19, 2021

Washington State Bar Association Financial Summary
Compared to Fiscal Year 2021 Budget
For the Period from March 1, 2021 to March 31, 2021

Category	Actual Revenues	Budgeted Revenues	Actual Indirect Expenses	Budgeted Indirect Expenses	Actual Direct Expenses	Budgeted Direct Expenses	Actual Total Expenses	Budgeted Total Expenses	Actual Net Result	Budgeted Net Result
Access to Justice	-	-	107,604	205,966	5,501	56,824	113,105	262,790	(113,105)	(262,790)
Administration	2,582	100,000	551,609	1,070,204	7,428	15,200	559,037	1,085,404	(556,455)	(985,404)
Admissions/Bar Exam	856,385	1,134,375	402,293	847,813	41,445	318,693	443,737	1,166,506	412,647	(32,131)
Advancement FTE	-	-	118,187	235,893	-	-	118,187	235,893	(118,187)	(235,893)
Bar News	290,021	468,350	172,915	345,499	239,251	449,665	412,166	795,164	(122,145)	(326,814)
Board of Governors	-	-	106,050	210,537	27,336	406,500	133,386	617,037	(133,386)	(617,037)
Communications Strategies	-	-	226,111	453,887	7,893	76,045	234,005	529,932	(234,005)	(529,932)
Communications Strategies FTE	-	-	110,408	222,622	-	-	110,408	222,622	(110,408)	(222,622)
Discipline	69,629	97,500	2,870,868	5,826,381	52,872	194,473	2,923,739	6,020,854	(2,854,110)	(5,923,354)
Diversity	135,000	135,374	116,055	325,440	767	26,790	116,822	352,230	18,178	(216,856)
Foundation	-	-	61,298	122,376	3,025.00	12,150	64,323	134,526	(64,323)	(134,526)
Human Resources	-	-	205,473	458,623	-	-	205,473	458,623	(205,473)	(458,623)
Law Clerk Program	171,713	193,000	49,717	95,128	24	10,650	49,740	105,778	121,973	87,222
Legislative	-	-	55,368	126,909	14,992	32,250	70,359	159,159	(70,359)	(159,159)
Licensing and Membership Records	240,890	336,450	293,832	583,749	20,338	21,951	314,170	605,700	(73,279)	(269,250)
Licensing Fees	8,414,480	16,531,113	-	-	-	-	-	-	8,414,480	16,531,113
Limited License Legal Technician	20,503	23,267	51,062	115,845	1,412.50	8,203	52,474	124,048	(31,972)	(100,781)
Limited Practice Officers	108,770	195,300	27,336	55,230	7,264	22,785	34,600	78,015	74,171	117,285
Mandatory CLE	515,134	767,950	225,109	473,822	110,694	148,018	335,803	621,840	179,331	146,110
Member Assistance Program	5,676	8,000	45,754	91,838	825.00	1,075	46,579	92,913	(40,903)	(84,913)
Member Benefits	4,361	28,000	65,764	134,790	130,755	188,496	196,520	323,286	(192,159)	(295,286)
Member Services & Engagement	43,941	154,250	211,243	496,743	1,018	42,990	212,261	539,733	(168,320)	(385,483)
Office of General Counsel	657	-	437,973.08	952,454	8,677.02	18,677.37	446,650.10	971,131	(445,993)	(971,131)
Office of the Executive Director	-	-	311,441	614,257	133	101,651	311,574	715,908	(311,574)	(715,908)
OGC-Disciplinary Board	-	-	82,818	164,644	39,545	91,650	122,363	256,294	(122,363)	(256,294)
Outreach and Engagement	-	-	122,141	260,983	522	28,252	122,663	289,235	(122,663)	(289,235)
Practice of Law Board	-	-	18,232	36,875	-	9,000	18,232	45,875	(18,232)	(45,875)
Professional Responsibility Program	-	-	142,530	276,709	551	7,125	143,081	283,834	(143,081)	(283,834)
Public Service Programs	103,000	130,200	63,523	127,921	46	268,493	63,569	396,414	39,431	(266,214)
Publication and Design Services	-	-	49,385	98,843	4,300	5,730	53,685	104,573	(53,685)	(104,573)
Regulatory Services FTE	-	-	195,849	506,486	-	-	195,849	506,486	(195,849)	(506,486)
Sections Administration	277,245	300,000	142,386	288,915	6,353	9,875	148,739	298,790	128,506	1,210
Service Center	-	-	345,870	737,344	2,749	8,500	348,619	745,844	(348,619)	(745,844)
Technology	-	-	938,458	1,659,474	-	-	938,458	1,659,474	(938,458)	(1,659,474)
Subtotal General Fund	11,259,985	20,603,129	8,924,659	18,224,201	735,715	2,581,710	9,660,373	20,805,911	1,599,612.17	(202,782)
Expenses using reserve funds							9,660,373		-	-
Total General Fund - Net Result from Operations									1,599,612.17	(202,782)
Percentage of Budget	54.65%		48.97%		28.50%		46.43%			
CLE-Seminars and Products	557,963	1,682,000	513,879	1,039,119	49,803	535,891	563,681	1,575,010	(5,719)	106,990
CLE - Deskbooks	107,361	158,000	108,430	215,042	87,141	112,107	195,571	327,149	(88,210)	(169,149)
Total CLE	665,324	1,840,000	622,309	1,254,161	136,943	647,998	759,252	1,902,159	(93,928)	(62,159)
Percentage of Budget	36.16%		49.62%		21.13%		39.92%			
Total All Sections	579,774	585,779	-	-	300,183	865,167	300,183	865,167	279,592	(279,388)
Client Protection Fund-Restricted	406,154	529,540	77,171	155,699	26,144	502,400	103,314	658,099	302,840	(128,559)
Totals	12,911,238	23,558,448	9,624,138	19,634,061	1,198,984	4,597,276	10,823,122	24,231,337	2,088,116	(672,889)
Percentage of Budget	54.81%		49.02%		26.08%		44.67%			

Summary of Fund Balances:	Fund Balances Sept. 30, 2020	2021 Budgeted Fund Balances	Fund Balances Year to date
Restricted Funds:			
Client Protection Fund	4,193,130	4,064,571	4,495,970
Board-Designated Funds (Non-General Fund):			
CLE Fund Balance	469,241	407,082	375,313
Section Funds	1,210,209	930,821	1,489,801
Board-Designated Funds (General Fund):			
Operating Reserve Fund	1,500,000	1,500,000	1,500,000
Facilities Reserve Fund	550,000	550,000	550,000
Unrestricted Funds (General Fund):			
Unrestricted General Fund	3,478,234	3,275,452	5,077,846
Total General Fund Balance	5,528,234	5,325,452	7,127,846
Net Change in general Fund Balance		(202,782)	1,599,612
Total Fund Balance	11,400,814.00	10,727,925	13,488,930
Net Change In Fund Balance		(672,889)	2,088,116

Washington State Bar Association
 Statement of Activities
 For the Period from March 1, 2021 to March 31, 2021
50.00% OF YEAR COMPLETE

	MONTHLY BUDGET vs. ACTUAL			YEAR TO DATE BUDGET vs. ACTUAL			ANNUAL BUDGET COMPARISON		
	FISCAL 2021 BUDGET CURRENT MONTH	CURRENT MONTH ACTUAL	MONTHLY VARIANCE	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	YEAR TO DATE VARIANCE	FISCAL 2021 BUDGET ANNUAL	REMAINING BALANCE OF YEAR	% USED OF ANNUAL BUDGET
LICENSE FEES									
REVENUE:									
LICENSE FEES	1,374,217.34	1,480,451.87	106,234.53	8,601,582.39	8,414,479.65	(187,102.74)	16,531,113.10	8,116,633.45	50.90%
TOTAL REVENUE:	<u>1,374,217</u>	<u>1,480,452</u>	<u>106,235</u>	<u>8,601,582</u>	<u>8,414,480</u>	<u>(187,103)</u>	<u>16,531,113</u>	<u>8,116,633</u>	<u>50.90%</u>

Washington State Bar Association
Statement of Activities
For the Period from March 1, 2021 to March 31, 2021
50.00% OF YEAR COMPLETE

	MONTHLY BUDGET vs. ACTUAL			YEAR TO DATE BUDGET vs. ACTUAL			ANNUAL BUDGET COMPARISON		
	FISCAL 2021 BUDGET CURRENT MONTH	CURRENT MONTH ACTUAL	MONTHLY VARIANCE	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	YEAR TO DATE VARIANCE	FISCAL 2021 BUDGET ANNUAL	REMAINING BALANCE OF YEAR	% USED OF ANNUAL BUDGET
ACCESS TO JUSTICE									
REVENUE:									
TOTAL REVENUE:	-	-	-	-	-	-	-	-	
DIRECT EXPENSES:									
ATJ BOARD RETREAT	-	-	-	-	-	-	2,000	2,000	0
LEADERSHIP TRAINING	667	-	667	2,000	-	2,000	2,000	2,000	0
ATJ BOARD EXPENSE	1,667	5,500	(3,833)	8,000	5,501	2,499	18,000	12,499	31%
STAFF TRAVEL/PARKING	292	-	292	1,750	-	1,750	3,500	3,500	0%
STAFF MEMBERSHIP DUES	-	-	-	120	-	120	120	120	0%
PUBLIC DEFENSE	417	0	417	1,900	0	1,900	4,400	4,400	0%
CONFERENCE/INSTITUTE EXPENSE	1,978	-	1,978	5,935	0	5,935	17,804	17,804	0%
RECEPTION/FORUM EXPENSE	-	-	-	9,000	-	9,000	9,000	9,000	0%
TOTAL DIRECT EXPENSES:	5,020	5,500	(480)	28,704	5,501	23,203	56,824	51,322	9.68%
INDIRECT EXPENSES:									
SALARY EXPENSE (1.60 FTE)	9,556	13,487	(3,931)	56,500	63,971	(7,471)	113,835	49,864	56.20%
BENEFITS EXPENSE	3,697	3,525	171	22,345	21,150	1,195	44,524	23,374	47.50%
OTHER INDIRECT EXPENSE	3,635	2,848	787	23,367	22,483	884	47,607	25,124	47.23%
TOTAL INDIRECT EXPENSES:	16,888	19,860	(2,973)	102,212	107,604	(5,392)	205,966	98,362	52.24%
TOTAL ALL EXPENSES:	21,907	25,360	(3,453)	130,917	113,105	17,811	262,790	149,684	43.04%
NET INCOME (LOSS):	(21,907)	(25,360)	(3,453)	(130,917)	(113,105)	17,811	(262,790)	(149,684)	43.04%

Washington State Bar Association
Statement of Activities
For the Period from March 1, 2021 to March 31, 2021
50.00% OF YEAR COMPLETE

	MONTHLY BUDGET vs. ACTUAL			YEAR TO DATE BUDGET vs. ACTUAL			ANNUAL BUDGET COMPARISON		
	FISCAL 2021 BUDGET CURRENT MONTH	CURRENT MONTH ACTUAL	MONTHLY VARIANCE	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	YEAR TO DATE VARIANCE	FISCAL 2021 BUDGET ANNUAL	REMAINING BALANCE OF YEAR	% USED OF ANNUAL BUDGET
ADMINISTRATION									
REVENUE:									
INTEREST INCOME	6,368	(1,281)	(7,649)	52,488	2,582	(49,906)	100,000	97,418	2.58%
TOTAL REVENUE:	6,368	(1,281)	(7,649)	52,488	2,582	(49,906)	100,000	97,418	2.58%
DIRECT EXPENSES:									
CONSULTING SERVICES	2,750	-	2,750	5,500	6,088	(588)	11,000	4,913	55.34%
STAFF TRAVEL/PARKING	350	-	350	2,100	1,340	760	4,200	2,860	31.90%
TOTAL DIRECT EXPENSES:	3,100	-	3,100	7,600	7,428	173	15,200	7,773	48.87%
INDIRECT EXPENSES:									
SALARY EXPENSE (6.92 FTE)	56,869	60,970	(4,100)	340,584	357,313	(16,728)	661,603	304,290	54.01%
BENEFITS EXPENSE	16,875	16,185	690	101,453	96,612	4,841	202,703	106,091	47.66%
OTHER INDIRECT EXPENSE	15,723	12,376	3,347	101,064	97,685	3,379	205,898	108,213	47.44%
TOTAL INDIRECT EXPENSES:	89,467	89,530	(64)	543,101	551,609	(8,508)	1,070,204	518,595	51.54%
TOTAL ALL EXPENSES:	92,567	89,530	3,036	550,701	559,037	(8,336)	1,085,404	526,367	51.50%
NET INCOME (LOSS):	(86,199)	(90,811)	(4,612)	(498,213)	(556,455)	(58,241)	(985,404)	(428,949)	56.47%

Washington State Bar Association
Statement of Activities
For the Period from March 1, 2021 to March 31, 2021
50.00% OF YEAR COMPLETE

	MONTHLY BUDGET vs. ACTUAL			YEAR TO DATE BUDGET vs. ACTUAL			ANNUAL BUDGET COMPARISON		
	FISCAL 2021 BUDGET CURRENT MONTH	CURRENT MONTH ACTUAL	MONTHLY VARIANCE	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	YEAR TO DATE VARIANCE	FISCAL 2021 BUDGET ANNUAL	REMAINING BALANCE OF YEAR	% USED OF ANNUAL BUDGET
ADMISSIONS									
REVENUE:									
EXAM SOFT REVENUE	-	-	-	-	-	-	31,500	31,500	0.00%
BAR EXAM FEES	284,309	284,265	(44)	879,414	820,505	(58,909)	1,053,235	232,730	77.90%
RULE 9/LEGAL INTERN FEES	373	250	(123)	3,727	2,450	(1,277)	12,000	9,550	20.42%
RPC BOOKLETS	-	-	-	-	5	5	-	(5)	
SPECIAL ADMISSIONS	5,000	2,780	(2,220)	32,545	33,425	880	37,640	4,215	88.80%
TOTAL REVENUE:	289,682	287,295	(2,387)	915,686	856,385	(59,302)	1,134,375	277,990	75.49%
DIRECT EXPENSES:									
POSTAGE	150	-	150	900	67	833	1,800	1,733	3.73%
STAFF TRAVEL/PARKING	1,417	357	1,059	8,500	490	8,010	17,000	16,510	2.88%
STAFF MEMBERSHIP DUES	400	-	400	400	-	400	800	800	0.00%
SUPPLIES	83	-	83	500	940	(440)	1,000	60	94.00%
FACILITY, PARKING, FOOD	-	20	(20)	38,050	5,202	32,848	64,700	59,498	8.04%
EXAMINER FEES	10,000	10,000	-	10,000	10,000	-	20,000	10,000	50.00%
UBE EXMINATIONS	-	-	-	-	-	-	115,900	115,900	0.00%
BOARD OF BAR EXAMINERS	500	-	500	500	-	500	6,000	6,000	0.00%
BAR EXAM PROCTORS	12,000	-	12,000	12,000	(133)	12,133	27,000	27,133	-0.49%
CHARACTER & FITNESS BOARD	225	-	225	12,000	-	12,000	12,000	12,000	0.00%
DISABILITY ACCOMMODATIONS	8,509	(694)	9,204	8,509	2,085	6,424	10,000	7,915	20.85%
CHARACTER & FITNESS INVESTIGATIONS	-	-	-	150	6	144	300	294	2.05%
LAW SCHOOL VISITS	-	-	-	95	-	95	920	920	0.00%
ILG EXAM FEES	-	10,450	(10,450)	-	10,450	(10,450)	-	(10,450)	
COURT REPORTERS	1,250	-	1,250	7,500	5,717	1,783	15,000	9,283	38.11%
DEPRECIATION-SOFTWARE	1,898	1,627	271	11,389	5,019	6,370	22,778	17,759	22.03%
CONFERENCE CALLS	-	7	(7)	-	7	(7)	-	(7)	
ONLINE LEGAL RESEARCH	372	307	65	1,115	1,527	(412)	3,345	1,818	45.65%
LAW LIBRARY	17	11	6	50	67	(16)	150	84	44.26%
TOTAL DIRECT EXPENSES:	36,821	22,085	14,736	111,658	41,445	70,213	318,693	277,248	13.00%
INDIRECT EXPENSES:									
SALARY EXPENSE (6.55 FTE)	40,226	40,112	114	237,842	227,451	10,391	479,196	251,745	47.47%
BENEFITS EXPENSE	14,417	13,761	656	87,223	82,584	4,640	173,728	91,144	47.54%
OTHER INDIRECT EXPENSE	14,882	11,688	3,194	95,660	92,258	3,402	194,889	102,631	47.34%
TOTAL INDIRECT EXPENSES:	69,525	65,561	3,964	420,726	402,293	18,433	847,813	445,520	47.45%
TOTAL ALL EXPENSES:	106,346	87,646	18,699	532,384	443,737	88,647	1,166,506	722,769	38.04%
NET INCOME (LOSS):	183,336	199,649	16,313	383,302	412,647	29,345	(32,131)	(444,778)	-1284.27%

Washington State Bar Association
Statement of Activities
For the Period from March 1, 2021 to March 31, 2021
50.00% OF YEAR COMPLETE

	MONTHLY BUDGET vs. ACTUAL			YEAR TO DATE BUDGET vs. ACTUAL			ANNUAL BUDGET COMPARISON		
	FISCAL 2021 BUDGET CURRENT MONTH	CURRENT MONTH ACTUAL	MONTHLY VARIANCE	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	YEAR TO DATE VARIANCE	FISCAL 2021 BUDGET ANNUAL	REMAINING BALANCE OF YEAR	% USED OF ANNUAL BUDGET
ADVANCEMENT FTE									
INDIRECT EXPENSES:									
SALARY EXPENSE (1.15 FTE)	13,403	14,048	(645)	79,248	81,848	(2,600)	159,666	77,818	51.26%
BENEFITS EXPENSE	3,524	3,408	116	20,867	20,059	808	42,009	21,951	47.75%
OTHER INDIRECT EXPENSE	2,613	2,063	550	16,795	16,281	515	34,217	17,936	47.58%
TOTAL INDIRECT EXPENSES:	19,540	19,519	21	116,910	118,187	(1,277)	235,893	117,705	50.10%
NET INCOME (LOSS):	(19,540)	(19,519)	21	(116,910)	(118,187)	(1,277)	(235,893)	(117,705)	50.10%

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	MONTHLY BUDGET vs. ACTUAL			YEAR TO DATE BUDGET vs. ACTUAL			ANNUAL BUDGET COMPARISON		
	FISCAL 2021 BUDGET CURRENT MONTH	CURRENT MONTH ACTUAL	MONTHLY VARIANCE	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	YEAR TO DATE VARIANCE	FISCAL 2021 BUDGET ANNUAL	REMAINING BALANCE OF YEAR	% USED OF ANNUAL BUDGET
BAR NEWS									
REVENUE:									
ROYALTIES	-	-	-	1,662	1,262	(400)	1,500	238	84.12%
DISPLAY ADVERTISING	27,974	36,461	8,487	142,909	203,415	60,506	300,000	96,585	67.81%
SUBSCRIPT/SINGLE ISSUES	-	-	-	103	72	(31)	350	278	20.57%
CLASSIFIED ADVERTISING	57	(2,676)	(2,733)	3,939	1,089	(2,850)	11,500	10,411	9.47%
GEN ANNOUNCEMENTS	638	1,760	1,122	5,391	3,110	(2,281)	15,000	11,890	20.73%
PROF ANNOUNCEMENTS	1,968	4,515	2,547	9,697	11,261	1,564	20,000	8,739	56.31%
JOB TARGET ADVERTISING	-	16,655	16,655	66,850	69,812	2,962	120,000	50,188	58.18%
TOTAL REVENUE:	30,638	56,715	26,077	230,552	290,021	59,469	468,350	178,329	61.92%
DIRECT EXPENSES:									
BAD DEBT EXPENSE	-	-	-	-	-	-	750	750	0.00%
POSTAGE	9,622	10,576	(954)	47,747	51,842	(4,095)	95,000	43,158	54.57%
PRINTING, COPYING & MAILING	23,936	24,755	(820)	118,048	123,106	(5,058)	250,000	126,894	49.24%
DIGITAL/ONLINE DEVELOPMENT	917	1,399	(483)	5,500	5,749	(249)	11,000	5,251	52.27%
GRAPHICS/ARTWORK	125	-	125	750	-	750	1,500	1,500	0.00%
OUTSIDE SALES EXPENSE	9,104	19,887	(10,782)	46,919	58,554	(11,635)	90,000	31,446	65.06%
EDITORIAL ADVISORY COMMITTEE	-	-	-	600	-	600	800	800	0.00%
STAFF MEMBERSHIP DUES	-	-	-	-	-	-	615	615	0.00%
TOTAL DIRECT EXPENSES:	43,704	56,618	(12,914)	219,564	239,251	(19,687)	449,665	210,414	53.21%
INDIRECT EXPENSES:									
SALARY EXPENSE (2.83 FTE)	16,743	17,547	(804)	98,998	103,578	(4,580)	199,458	95,880	51.93%
BENEFITS EXPENSE	5,131	4,898	233	31,152	29,410	1,742	61,936	32,526	47.48%
OTHER INDIRECT EXPENSE	6,422	5,058	1,364	41,282	39,927	1,356	84,105	44,178	47.47%
TOTAL INDIRECT EXPENSES:	28,296	27,503	793	171,433	172,915	(1,482)	345,499	172,584	50.05%
TOTAL ALL EXPENSES:	72,000	84,121	(12,121)	390,996	412,166	(21,169)	795,164	382,998	51.83%
NET INCOME (LOSS):	(41,362)	(27,406)	13,956	(160,444)	(122,145)	38,299	(326,814)	(204,669)	37.37%

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	FISCAL 2021 BUDGET CURRENT MONTH	CURRENT MONTH ACTUAL	MONTHLY VARIANCE	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	YEAR TO DATE VARIANCE	FISCAL 2021 BUDGET ANNUAL	REMAINING BALANCE OF YEAR	% USED OF ANNUAL BUDGET
BOARD OF GOVERNOR									
REVENUE:									
TOTAL REVENUE:	-	-	-	-	-	-	-	-	
DIRECT EXPENSES:									
BOG MEETINGS	17,542	108	17,434	105,250	142	105,108	210,500	210,358	0.07%
BOG COMMITTEES' EXPENSES	2,500	0	2,500	15,000	8	14,992	30,000	29,992	0.03%
BOG RETREAT	-	60	(60)	-	411	(411)	15,000	14,589	2.74%
BOG CONFERENCE ATTENDANCE	3,667	-	3,667	22,000	497	21,503	44,000	43,503	1.13%
BOG TRAVEL & OUTREACH	2,917	277	2,640	17,500	1,938	15,562	35,000	33,062	5.54%
LEADERSHIP TRAINING	4,167	-	4,167	25,000	-	25,000	50,000	50,000	0.00%
BOG ELECTIONS	-	-	-	-	24,340	(24,340)	12,000	(12,340)	202.83%
PRESIDENT'S DINNER	-	-	-	-	-	-	10,000	10,000	0.00%
TOTAL DIRECT EXPENSES:	30,792	445	30,346	184,750	27,336	157,414	406,500	379,164	6.72%
INDIRECT EXPENSES:									
SALARY EXPENSE (1.75 FTE)	9,783	10,425	(642)	57,844	61,551	(3,708)	116,541	54,990	52.82%
BENEFITS EXPENSE	3,475	3,311	164	21,074	19,883	1,191	41,926	22,043	47.42%
OTHER INDIRECT EXPENSE	3,976	3,118	858	25,558	24,615	943	52,070	27,455	47.27%
TOTAL INDIRECT EXPENSES:	17,234	16,854	380	104,476	106,050	(1,574)	210,537	104,487	50.37%
TOTAL ALL EXPENSES:	48,026	17,300	30,726	289,226	133,386	155,840	617,037	483,651	21.62%
NET INCOME (LOSS):	(48,026)	(17,300)	30,726	(289,226)	(133,386)	155,840	(617,037)	(483,651)	21.62%

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CONTINUING LEGAL EDUCATION (CLE)									
REVENUE:									
SEMINAR REGISTRATIONS	68,750	88,654	19,904	412,500	317,442	(95,058)	825,000	507,558	38.48%
SEMINAR-EXHIB/SPNSR/ETC	-	-	-	1,500	-	(1,500)	28,000	28,000	0.00%
SHIPPING & HANDLING	83	9	(74)	500	128	(372)	1,000	872	12.83%
COURSEBOOK SALES	667	70	(597)	4,000	1,811	(2,189)	8,000	6,189	22.64%
MP3 AND VIDEO SALES	68,333	23,680	(44,654)	410,000	238,582	(171,418)	820,000	581,418	29.10%
TOTAL REVENUE:	137,833	112,412	(25,421)	828,500	557,963	(270,537)	1,682,000	1,124,037	33.17%
DIRECT EXPENSES:									
COURSEBOOK PRODUCTION	125	-	125	750	-	750	1,500	1,500	0.00%
POSTAGE - FLIERS/CATALOGS	667	-	667	4,000	-	4,000	8,000	8,000	0.00%
POSTAGE - MISC./DELIVERY	67	-	67	400	-	400	800	800	0.00%
DEPRECIATION	399	109	290	2,391	2,532	(141)	3,188	656	79.42%
ONLINE EXPENSES	4,000	4,039	(39)	24,000	22,674	1,326	48,000	25,326	47.24%
ACCREDITATION FEES	250	(36)	286	1,500	2,640	(1,140)	3,000	360	88.00%
SEMINAR BROCHURES	1,667	-	1,667	10,000	-	10,000	20,000	20,000	0.00%
FACILITIES	23,250	6,800	16,450	139,500	15,200	124,300	279,000	263,800	5.45%
TRANSACTION SERVICES	-	-	-	-	270	(270)	-	(270)	
SPEAKERS & PROGRAM DEVELOP	4,167	49	4,118	25,000	1,164	23,836	50,000	48,836	2.33%
SPLITS TO SECTIONS	-	3,611	(3,611)	100,000	3,611	96,389	100,000	96,389	3.61%
CLE SEMINAR COMMITTEE	21	-	21	125	-	125	250	250	0.00%
BAD DEBT EXPENSE	54	-	54	325	-	325	650	650	0.00%
STAFF TRAVEL/PARKING	1,250	-	1,250	7,500	73	7,427	15,000	14,927	0.49%
STAFF MEMBERSHIP DUES	121	-	121	726	1,336	(610)	1,453	117	91.95%
SUPPLIES	83	-	83	500	-	500	1,000	1,000	0.00%
CONFERENCE CALLS	4	-	4	25	-	25	50	50	0.00%
COST OF SALES - COURSEBOOKS	125	2	123	750	133	617	1,500	1,367	8.88%
A/V DEVELOP COSTS (RECORDING)	167	-	167	1,000	-	1,000	2,000	2,000	0.00%
POSTAGE & DELIVERY-COURSEBOOKS	42	60	(19)	250	169	81	500	331	33.80%
TOTAL DIRECT EXPENSES:	36,457	14,634	21,823	318,743	49,803	268,940	535,891	486,088	9.29%
INDIRECT EXPENSES:									
SALARY EXPENSE (8.42 FTE)	47,710.87	49,132	(1,421)	282,101	290,768	(8,667)	568,366	277,598	51.16%
BENEFITS EXPENSE	18,271	17,410	862	110,595	104,493	6,102	220,223	115,730	47.45%
OTHER INDIRECT EXPENSE	19,131	15,028	4,103	122,971	118,617	4,354	250,529	131,912	47.35%
TOTAL INDIRECT EXPENSES:	85,113	81,569	3,543	515,667	513,879	1,789	1,039,119	525,240	49.45%
TOTAL ALL EXPENSES:	121,570	96,203	25,367	834,410	563,681	270,729	1,575,010	1,011,328	35.79%
NET INCOME (LOSS):	16,263	16,209	(54)	(5,910)	(5,719)	191	106,990	112,709	-5.35%

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COMMUNICATION STRATEGIES									
REVENUE:									
TOTAL REVENUE:	-	-	-	-	-	-	-	-	-
DIRECT EXPENSES:									
STAFF TRAVEL/PARKING	392	548	(156)	2,350	1,538	812	4,700	3,162	32.72%
STAFF MEMBERSHIP DUES	99	-	99	591	380	211	1,183	803	32.12%
SUBSCRIPTIONS	254	570	(316)	1,526	1,890	(364)	3,052	1,162	61.93%
DIGITAL/ONLINE DEVELOPMENT	67	214	(148)	400	214	186	800	586	26.79%
APEX DINNER	-	-	-	-	837	(837)	25,000	24,163	3.35%
50 YEAR MEMBER TRIBUTE LUNCH	-	-	-	10,708	-	10,708	10,708	10,708	0.00%
COMMUNICATIONS OUTREACH	2,083	535	1,549	12,500	2,500	10,000	25,000	22,500	10.00%
TELEPHONE	25	88	(63)	150	535	(385)	300	(235)	178.24%
CONFERENCE CALLS	25	-	25	151	-	151	302	302	0.00%
MISCELLANEOUS	417	-	417	2,500	-	2,500	5,000	5,000	0.00%
TOTAL DIRECT EXPENSES:	3,361	1,955	1,407	30,877	7,893	22,983	76,045	68,152	10.38%
INDIRECT EXPENSES:									
SALARY EXPENSE (3.80 FTE)	21,598	22,390	(792)	127,706	133,050	(5,344)	257,297	124,247	51.71%
BENEFITS EXPENSE	6,910	6,589	321	41,966	39,567	2,399	83,426	43,858	47.43%
OTHER INDIRECT EXPENSE	8,641	6,777	1,864	55,546	53,494	2,052	113,165	59,671	47.27%
TOTAL INDIRECT EXPENSES:	37,150	35,756	1,394	225,218	226,111	(893)	453,887	227,776	49.82%
TOTAL ALL EXPENSES:	40,511	37,711	2,800	256,095	234,005	22,090	529,932	295,928	44.16%
NET INCOME (LOSS):	(40,511)	(37,711)	2,800	(256,095)	(234,005)	22,090	(529,932)	(295,928)	44.16%

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COMMUNICATION STRATEGIES FTE									
INDIRECT EXPENSES:									
SALARY EXPENSE (1.00 FTE)	12,555	13,072	(517)	74,234	75,741	(1,507)	149,565	73,824	50.64%
BENEFITS EXPENSE	3,653	3,530	123	21,384	20,519	865	43,303	22,784	47.38%
OTHER INDIRECT EXPENSE	2,272	1,793	480	14,605	14,149	456	29,754	15,605	47.55%
TOTAL INDIRECT EXPENSES:	18,480	18,394	86	110,222	110,408	(186)	222,622	112,214	49.59%
NET INCOME (LOSS):	(18,480)	(18,394)	86	(110,222)	(110,408)	(186)	(222,622)	(112,214)	49.59%

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CLIENT PROTECTION FUND									
REVENUE:									
CPF RESTITUTION	1,957	4,798	2,840	2,949	54,734	51,784	4,000	(50,734)	1368.34%
CPF MEMBER ASSESSMENTS	29,606	6,010	(23,596)	341,435	348,650	7,215	515,540	166,890	67.63%
INTEREST INCOME	833	(72)	(906)	5,000	2,771	(2,229)	10,000	7,229	27.71%
TOTAL REVENUE:	32,397	10,735	(21,662)	349,384	406,154	56,770	529,540	123,386	76.70%
DIRECT EXPENSES:									
BANK FEES - WELLS FARGO	141	164	(23)	620	1,080	(460)	1,000	(80)	107.99%
GIFTS TO INJURED CLIENTS	-	24,628	(24,628)	30,223	25,015	5,208	500,000	474,985	5.00%
CPF BOARD EXPENSES	30	28	3	892	49	843	1,200	1,151	4.10%
STAFF MEMBERSHIP DUES	-	-	-	200	-	200	200	200	0.00%
TOTAL DIRECT EXPENSES:	172	24,820	(24,648)	31,935	26,144	5,791	502,400	476,256	5.20%
INDIRECT EXPENSES:									
SALARY EXPENSE (1.23 FTE)	7,091	7,431	(340)	41,929	43,528	(1,599)	84,478	40,950	51.53%
BENEFITS EXPENSE	2,880	2,744	136	17,346	16,393	953	34,624	18,231	47.34%
OTHER INDIRECT EXPENSE	2,795	2,185	609	17,964	17,250	714	36,598	19,348	47.13%
TOTAL INDIRECT EXPENSES:	12,766	12,361	405	77,239	77,171	68	155,699	78,529	49.56%
TOTAL ALL EXPENSES:	12,937	37,181	(24,243)	109,173	103,314	5,859	658,099	554,785	15.70%
NET INCOME (LOSS):	19,459	(26,446)	(45,905)	240,211	302,840	62,629	(128,559)	(431,399)	-235.56%

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DESKBOOKS									
REVENUE:									
SHIPPING & HANDLING	250	162	(88)	1,500	2,122	622	3,000	878	70.72%
DESKBOOK SALES	8,333	7,441	(892)	50,000	74,032	24,032	100,000	25,968	74.03%
SECTION PUBLICATION SALES	417	300	(117)	2,500	9,890	7,390	5,000	(4,890)	197.80%
CASEMAKER ROYALTIES	4,167	-	(4,167)	25,000	21,317	(3,683)	50,000	28,683	42.63%
TOTAL REVENUE:	13,167	7,903	(5,264)	79,000	107,361	28,361	158,000	50,639	67.95%
DIRECT EXPENSES:									
COST OF SALES - DESKBOOKS	4,740	3,561	1,179	28,440	37,300	(8,860)	56,880	19,580	65.58%
COST OF SALES - SECTION PUBLICATION	167	147	19	1,000	3,003	(2,003)	2,000	(1,003)	150.16%
SPLITS TO SECTIONS	1,250	-	1,250	7,500	3,193	4,307	15,000	11,807	21.29%
DESKBOOK ROYALTIES	-	-	-	274	199	75	500	301	39.87%
POSTAGE & DELIVER-DESKBOOKS	250	364	(114)	1,500	2,984	(1,484)	3,000	16	99.47%
FLIERS/CATALOGS	125	-	125	750	2,507	(1,757)	1,500	(1,007)	167.15%
ONLINE LEGAL RESEARCH	151	153	(3)	453	763	(311)	1,672	909	45.65%
POSTAGE - FLIERS/CATALOGS	63	-	63	375	936	(561)	750	(186)	124.83%
COMPLIMENTARY BOOK PROGRAM	83	-	83	500	-	500	1,000	1,000	0.00%
OBSOLETE INVENTORY	1,750	16,893	(15,143)	10,500	31,619	(21,119)	21,000	(10,619)	150.57%
BAD DEBT EXPENSE	8	-	8	50	-	50	100	100	0.00%
RECORDS STORAGE - OFF SITE	675	-	675	4,050	4,450	(400)	8,100	3,650	54.94%
STAFF MEMBERSHIP DUES	-	-	-	-	-	-	220	220	0.00%
MISCELLANEOUS	17	-	17	100	-	100	200	200	0.00%
SUBSCRIPTIONS	-	-	-	-	185	(185)	185	0	99.98%
TOTAL DIRECT EXPENSES:	9,278	21,118	(11,840)	55,492	87,141	(31,649)	112,107	24,967	77.73%
INDIRECT EXPENSES:									
SALARY EXPENSE (1.52 FTE)	10,472	10,976	(504)	61,920	65,438	(3,518)	124,754	59,316	52.45%
BENEFITS EXPENSE	3,744	3,580	163	22,599	21,478	1,121	45,062	23,584	47.66%
OTHER INDIRECT EXPENSE	3,454	2,726	728	22,199	21,514	685	45,226	23,712	47.57%
TOTAL INDIRECT EXPENSES:	17,670	17,282	387	106,718	108,430	(1,712)	215,042	106,612	50.42%
TOTAL ALL EXPENSES:	26,948	38,401	(11,453)	162,210	195,571	(33,361)	327,149	131,579	59.78%
NET INCOME (LOSS):	(13,781)	(30,498)	(16,716)	(83,210)	(88,210)	(5,000)	(169,149)	(80,940)	52.15%

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DISCIPLINE									
REVENUE:									
COPY FEES	-	-	-	-	60	60	-	(60)	
AUDIT REVENUE	208	80	(128)	1,250	739	(511)	2,500	1,761	29.55%
RECOVERY OF DISCIPLINE COSTS	6,667	19,712	13,045	40,000	59,695	19,695	80,000	20,305	74.62%
DISCIPLINE HISTORY SUMMARY	1,250	1,935	1,935	7,500	9,135	1,635	15,000	5,865	60.90%
TOTAL REVENUE:	8,125	21,727	14,852	48,750	69,629	20,879	97,500	27,871	71.41%
DIRECT EXPENSES:									
PUBLICATIONS PRODUCTION	21	-	21	125	181	(56)	250	69	72.24%
STAFF TRAVEL/PARKING	2,917	396	2,521	17,500	8,316	9,184	35,000	26,684	23.76%
STAFF MEMBERSHIP DUES	420	350	70	2,517	3,430	(913)	5,035	1,605	68.12%
TELEPHONE	242	184	58	1,450	1,085	365	2,900	1,815	37.43%
COURT REPORTERS	2,917	797	2,120	17,500	6,334	11,166	35,000	28,666	18.10%
OUTSIDE COUNSEL/AIC	417	-	417	2,500	-	2,500	5,000	5,000	0.00%
LITIGATION EXPENSES	2,917	746	2,170	17,500	2,961	14,539	35,000	32,039	8.46%
DISABILITY EXPENSES	833	-	833	5,000	4,900	100	10,000	5,100	49.00%
ONLINE LEGAL RESEARCH	4,441	4,450	(9)	26,644	22,140	4,503	53,288	31,147	41.55%
LAW LIBRARY	1,000	81	919	6,000	3,024	2,976	12,000	8,976	25.20%
TRANSLATION SERVICES	83	500	(417)	500	500	(0)	1,000	500	50.00%
CONFERENCE CALLS	-	(2)	2	-	-	-	-	-	
TOTAL DIRECT EXPENSES:	16,206	7,502	8,704	97,236	52,872	44,365	194,473	141,601	27.19%
INDIRECT EXPENSES:									
SALARY EXPENSE (37.00 FTE)	301,968	309,545	(7,577)	1,785,559	1,827,062	(41,503)	3,627,767	1,800,705	50.36%
BENEFITS EXPENSE	91,622	87,976	3,646	547,982	522,044	25,938	1,097,713	575,669	47.56%
OTHER INDIRECT EXPENSE	84,065	66,101	17,964	540,372	521,762	18,610	1,100,901	579,139	47.39%
TOTAL INDIRECT EXPENSES:	477,655	463,622	14,033	2,873,913	2,870,868	3,045	5,826,381	2,955,513	49.27%
TOTAL ALL EXPENSES:	493,861	471,124	22,737	2,971,149	2,923,739	47,410	6,020,854	3,097,114	48.56%
NET INCOME (LOSS):	(485,736)	(449,397)	36,339	(2,922,399)	(2,854,110)	68,289	(5,923,354)	(3,069,243)	48.18%

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	FISCAL 2021 BUDGET CURRENT MONTH	CURRENT MONTH ACTUAL	MONTHLY VARIANCE	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	YEAR TO DATE VARIANCE	FISCAL 2021 BUDGET ANNUAL	REMAINING BALANCE OF YEAR	% USED OF ANNUAL BUDGET
DIVERSITY									
REVENUE:									
DONATIONS	10,417	-	(10,417)	62,500	135,000	72,500	125,000	(10,000)	108.00%
WORK STUDY GRANTS	865	-	(865)	5,187	-	(5,187)	10,374	10,374	0.00%
TOTAL REVENUE:	11,281	-	(11,281)	67,687	135,000	67,313	135,374	374	99.72%
DIRECT EXPENSES:									
STAFF TRAVEL/PARKING	333	-	333	2,000	-	2,000	4,000	4,000	0.00%
STAFF MEMBERSHIP DUES	-	-	-	-	-	-	640	640	0.00%
COMMITTEE FOR DIVERSITY	500	0	500	1,900	17	1,883	4,900	4,883	0.35%
DIVERSITY EVENTS & PROJECTS	1,438	-	1,438	8,625	750	7,875	17,250	16,500	4.35%
TOTAL DIRECT EXPENSES:	2,271	0	2,271	12,525	767	11,758	26,790	26,023	2.86%
INDIRECT EXPENSES:									
SALARY EXPENSE (2.46 FTE)	16,197	10,277	5,920	95,912	53,270	42,642	193,096	139,826	27.59%
BENEFITS EXPENSE	4,904	4,679	225	29,726	28,092	1,634	59,149	31,057	47.49%
OTHER INDIRECT EXPENSE	5,589	4,395	1,194	35,927	34,694	1,234	73,195	38,501	47.40%
TOTAL INDIRECT EXPENSES:	26,691	19,352	7,339	161,565	116,055	45,510	325,440	209,385	35.66%
TOTAL ALL EXPENSES:	28,961	19,352	9,609	174,090	116,822	57,268	352,230	235,408	33.17%
NET INCOME (LOSS):	(17,680)	(19,352)	(1,672)	(106,403)	18,178	124,581	(216,856)	(235,034)	-8.38%

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	FISCAL 2021 BUDGET CURRENT MONTH	CURRENT MONTH ACTUAL	MONTHLY VARIANCE	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	YEAR TO DATE VARIANCE	FISCAL 2021 BUDGET ANNUAL	REMAINING BALANCE OF YEAR	% USED OF ANNUAL BUDGET
FOUNDATION									
REVENUE:									
TOTAL REVENUE:	-	-	-	-	-	-	-	-	
DIRECT EXPENSES:									
CONSULTING SERVICES	-	-	-	3,000	3,000	-	3,000	-	100.00%
PRINTING & COPYING	75	-	75	450	-	450	900	900	0.00%
STAFF TRAVEL/PARKING	-	-	-	500	-	500	500	500	0.00%
SUPPLIES	21	-	21	125	-	125	250	250	0.00%
SPECIAL EVENTS	-	-	-	-	-	-	5,000	5,000	0.00%
BOARD OF TRUSTEES	-	25	(25)	362	25	337	2,000	1,975	1.25%
POSTAGE	-	-	-	500	-	500	500	500	0.00%
TOTAL DIRECT EXPENSES:	96	25	71	4,937	3,025	1,912	12,150	9,125	24.90%
INDIRECT EXPENSES:									
SALARY EXPENSE (1.00 FTE)	6,443	6,753	(310)	38,098	39,596	(1,498)	76,759	37,163	51.58%
BENEFITS EXPENSE	1,309	1,257	53	8,007	7,553	454	15,863	8,310	47.61%
OTHER INDIRECT EXPENSE	2,272	1,793	480	14,605	14,149	456	29,754	15,605	47.55%
TOTAL INDIRECT EXPENSES:	10,025	9,802	222	60,710	61,298	(587)	122,376	61,078	50.09%
TOTAL ALL EXPENSES:	10,121	9,827	293	65,647	64,323	1,325	134,526	70,203	47.81%
NET INCOME (LOSS):	(10,121)	(9,827)	293	(65,647)	(64,323)	1,325	(134,526)	(70,203)	47.81%

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	FISCAL 2021 BUDGET CURRENT MONTH	CURRENT MONTH ACTUAL	MONTHLY VARIANCE	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	YEAR TO DATE VARIANCE	FISCAL 2021 BUDGET ANNUAL	REMAINING BALANCE OF YEAR	% USED OF ANNUAL BUDGET
HUMAN RESOURCES									
REVENUE:									
TOTAL REVENUE:	-	-	-	-	-	-	-	-	
DIRECT EXPENSES:									
STAFF TRAVEL/PARKING	396	-	396	440	-	440	741	741	0.00%
STAFF MEMBERSHIP DUES	-	-	-	-	-	-	193	193	0.00%
SUBSCRIPTIONS	1,951	-	1,951	2,525	173	2,352	3,505	3,332	4.93%
STAFF TRAINING- GENERAL	8,333	1,265	7,068	50,000	1,474	48,526	100,000	98,526	1.47%
RECRUITING AND ADVERTISING	583	1,977	(1,393)	3,500	17,287	(13,787)	7,000	(10,287)	246.96%
PAYROLL PROCESSING	3,735	3,745	(10)	20,308	21,439	(1,132)	49,000	27,561	43.75%
SALARY SURVEYS	242	-	242	1,450	-	1,450	2,900	2,900	0.00%
CONSULTING SERVICES	-	883	(883)	-	24,083	(24,083)	37,500	13,417	64.22%
CONFERENCE CALLS	-	-	-	-	13	(13)	-	(13)	
TRANSFER TO INDIRECT EXPENSE	(15,240)	(7,870)	(7,370)	(78,223)	(64,469)	(13,753)	(200,839)	(136,370)	32.10%
TOTAL DIRECT EXPENSES:	(0)	-	(0)	(0)	-	(0.01)	-	-	
INDIRECT EXPENSES:									
SALARY EXPENSE (3.00 FTE)	24,214	25,628	(1,414)	143,169	122,415	20,754	288,452	166,037	42.44%
BENEFITS EXPENSE	7,081	6,801	279	42,757	40,806	1,951	85,241	44,435	47.87%
OTHER INDIRECT EXPENSE	6,494	5,353	1,141	42,126	42,253	(127)	84,930	42,677	49.75%
TOTAL INDIRECT EXPENSES:	37,788	37,782	6	228,051	205,473	22,578	458,623	253,150	44.80%
TOTAL ALL EXPENSES:	37,788	37,782	6	228,051	205,473	22,578	458,623	253,150	44.80%
NET INCOME (LOSS):	(37,788)	(37,782)	6	(228,051)	(205,473)	22,578	(458,623)	(253,150)	44.80%

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LAW CLERK PROGRAM									
REVENUE:									
LAW CLERK FEES	3,069	16,806	13,737	158,575	169,713	11,138	190,000	20,287	89.32%
LAW CLERK APPLICATION FEES	703	1,000	297	1,758	2,000	242	3,000	1,000	66.67%
TOTAL REVENUE:	3,772	17,806	14,034	160,333	171,713	11,380	193,000	21,287	88.97%
DIRECT EXPENSES:									
SUBSCRIPTIONS	-	-	-	-	-	-	250	250	0.00%
CHARACTER & FITNESS INVESTIGATIONS	-	-	-	-	-	-	100	100	0.00%
LAW CLERK BOARD EXPENSE	267	-	267	3,792	24	3,769	7,000	6,976	0.34%
STAFF TRAVEL/PARKING	-	-	-	40	-	40	300	300	0.00%
LAW CLERK OUTREACH	-	-	-	2,252	-	2,252	3,000	3,000	0.00%
TOTAL DIRECT EXPENSES:	267	-	267	6,084	24	6,061	10,650	10,626	0.22%
INDIRECT EXPENSES:									
SALARY EXPENSE (0.90 FTE)	4,146	4,795	(649)	24,515	28,177	(3,661)	49,392	21,215	57.05%
BENEFITS EXPENSE	1,569	1,489	80	9,543	8,942	601	18,957	10,015	47.17%
OTHER INDIRECT EXPENSE	2,045	1,596	449	13,144	12,598	546	26,779	14,181	47.05%
TOTAL INDIRECT EXPENSES:	7,760	7,880	(120)	47,203	49,717	(2,514)	95,128	45,411	52.26%
TOTAL ALL EXPENSES:	8,027	7,880	147	53,287	49,740	3,547	105,778	56,038	47.02%
NET INCOME (LOSS):	(4,255)	9,926	14,181	107,046	121,973	14,926	87,222	(34,751)	139.84%

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LEGISLATIVE									
REVENUE:									
TOTAL REVENUE:	-	-	-	-	-	-	-	-	
DIRECT EXPENSES:									
STAFF TRAVEL/PARKING	660	-	660	3,560	-	3,560	4,550	4,550	0.00%
STAFF MEMBERSHIP DUES	-	-	-	450	-	450	450	450	0.00%
SUBSCRIPTIONS	-	-	-	2,000	1,982	18	2,000	18	99.09%
OLYMPIA RENT	1,039	-	1,039	1,104	-	1,104	2,500	2,500	0.00%
CONTRACT LOBBYIST	3,333	4,333	(1,000)	10,000	13,000	(3,000)	20,000	7,000	65.00%
LEGISLATIVE COMMITTEE	-	-	-	-	10	(10)	2,500	2,490	0.39%
BOG LEGISLATIVE COMMITTEE	-	-	-	-	-	-	250	250	0.00%
TOTAL DIRECT EXPENSES:	5,033	4,333	699	17,114	14,992	2,122	32,250	17,258	46.49%
INDIRECT EXPENSES:									
SALARY EXPENSE (1.00 FTE)	5,902	2,831	3,071	34,898	28,469	6,429	70,311	41,842	40.49%
BENEFITS EXPENSE	2,228	2,125	103	13,477	12,750	727	26,844	14,094	47.50%
OTHER INDIRECT EXPENSE	2,272	1,793	480	14,605	14,149	456	29,754	15,605	47.55%
TOTAL INDIRECT EXPENSES:	10,402	6,748	3,654	62,979	55,368	7,612	126,909	71,541	43.63%
TOTAL ALL EXPENSES:	15,435	11,081	4,353	80,093	70,359	9,734	159,159	88,800	44.21%
NET INCOME (LOSS):	(15,435)	(11,081)	4,353	(80,093)	(70,359)	9,734	(159,159)	(88,800)	44.21%

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LICENSING & MEMBERSHIP RECORDS									
REVENUE:									
STATUS CERTIFICATE FEES	2,192	2,750	558	15,921	16,430	508	26,300	9,870	62.47%
INVESTIGATION FEES	1,822	2,200	378	12,348	10,800	(1,548)	24,000	13,200	45.00%
PRO HAC VICE	22,900	48,090	25,190	137,400	211,138	73,738	274,800	63,662	76.83%
MEMBER CONTACT INFORMATION	399	801	402	8,642	2,403	(6,240)	11,000	8,597	21.84%
PHOTO BAR CARD SALES	-	-	-	174	120	(54)	350	230	34.29%
TOTAL REVENUE:	27,314	53,841	26,528	174,486	240,890	66,404	336,450	95,560	71.60%
DIRECT EXPENSES:									
DEPRECIATION	96	-	96	576	1,151	(575)	1,151	0	99.98%
POSTAGE	7,915	10,134	(2,219)	12,422	16,342	(3,920)	18,300	1,958	89.30%
LICENSING FORMS	-	-	-	2,500	2,845	(345)	2,500	(345)	113.81%
TOTAL DIRECT EXPENSES:	8,011	10,134	(2,123)	15,498	20,338	(4,840)	21,951	1,613	92.65%
INDIRECT EXPENSES:									
SALARY EXPENSE (3.80 FTE)	29,662	30,685	(1,023)	176,380	179,683	(3,303)	343,552	163,869	52.30%
BENEFITS EXPENSE	10,572	10,115	457	63,698	60,655	3,043	127,131	66,476	47.71%
OTHER INDIRECT EXPENSE	8,634	6,777	1,857	55,498	53,494	2,003	113,066	59,572	47.31%
TOTAL INDIRECT EXPENSES:	48,868	47,577	1,291	295,576	293,832	1,744	583,749	289,917	50.34%
TOTAL ALL EXPENSES:	56,879	57,712	(833)	311,074	314,170	(3,096)	605,700	291,530	51.87%
NET INCOME (LOSS):	(29,565)	(3,871)	25,695	(136,588)	(73,279)	63,308	(269,250)	(195,971)	27.22%

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LIMITED LICENSE LEGAL TECHNICIAN PROGRAM									
REVENUE:									
SEMINAR REGISTRATIONS	114	-	(114)	341	796	455	1,750	954	45.49%
LLLT LICENSE FEES	1,082	769	(312)	5,615	4,051	(1,564)	10,905	6,854	37.14%
LLLT LATE LICENSE FEES	-	-	-	412	206	(206)	412	206	50.02%
INVESTIGATION FEES	-	-	-	133	-	(133)	300	300	0.00%
LLLT EXAM FEES	413	7,650	7,237	5,417	15,150	9,733	9,600	(5,550)	157.81%
LLLT WAIVER FEES	-	300	300	-	300	300	300	-	100.00%
TOTAL REVENUE:	1,608	8,719	7,111	11,918	20,503	8,585	23,267	2,764	88.12%
DIRECT EXPENSES:									
STAFF TRAVEL/PARKING	-	-	-	49	-	49	200	200	0.00%
LLLT BOARD	-	-	-	2,765	-	2,765	7,000	7,000	0.00%
LLLT OUTREACH	-	-	-	468	-	468	1,000	1,000	0.00%
LLLT EXAM WRITING	-	1,413	(1,413)	-	1,413	(1,413)	-	(1,413)	
LICENSING FORMS	-	-	-	-	-	-	3	3	0.00%
TOTAL DIRECT EXPENSES:	-	1,413	(1,413)	3,282	1,413	1,869	8,203	6,791	17.22%
INDIRECT EXPENSES:									
SALARY EXPENSE (1.00 FTE)	5,249	4,124	1,125	31,037	25,756	5,281	62,533	36,777	41.19%
BENEFITS EXPENSE	1,952	1,858	94	11,844	11,157	688	23,558	12,401	47.36%
OTHER INDIRECT EXPENSE	2,272	1,793	480	14,605	14,149	456	29,754	15,605	47.55%
TOTAL INDIRECT EXPENSES:	9,474	7,774	1,699	57,486	51,062	6,425	115,845	64,783	44.08%
TOTAL ALL EXPENSES:	9,474	9,187	287	60,768	52,474	8,294	124,048	71,574	42.30%
NET INCOME (LOSS):	(7,865)	(467)	7,398	(48,850)	(31,972)	16,879	(100,781)	(68,809)	31.72%

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LIMITED PRACTICE OFFICERS									
REVENUE:									
INVESTIGATION FEES	-	100	100	151	700	549	1,000	300	70.00%
LPO EXAMINATION FEES	1,979	10,600	8,621	10,302	20,600	10,298	18,400	(2,200)	111.96%
LPO LICENSE FEES	14,618	15,315	697	85,713	87,270	1,557	171,400	84,130	50.92%
LPO LATE LICENSE FEES	-	-	-	865	-	(865)	4,500	4,500	0.00%
LPO LICENSE FEES - REINSTATES	-	200	200	-	200	200	-	(200)	
TOTAL REVENUE:	16,597	26,215	9,618	97,032	108,770	11,739	195,300	86,530	55.69%
DIRECT EXPENSES:									
FACILITY, PARKING, FOOD	-	-	-	-	-	-	100	100	0.00%
EXAM WRITING	4,875	4,875	-	4,875	4,875	-	9,750	4,875	50.00%
ONLINE LEGAL RESEARCH	151	153	(3)	453	763	(311)	1,672	909	45.65%
LAW LIBRARY	183	268	(85)	549	1,621	(1,072)	3,663	2,042	44.26%
LPO BOARD	187	-	187	996	4	992	3,000	2,996	0.15%
LPO OUTREACH	-	-	-	34	-	34	4,000	4,000	0.00%
PRINTING & COPYING	-	-	-	100	-	100	100	100	0.00%
STAFF TRAVEL/PARKING	62	-	62	62	-	62	500	500	0.00%
TOTAL DIRECT EXPENSES:	5,458	5,296	162	7,069	7,264	(195)	22,785	15,521	31.88%
INDIRECT EXPENSES:									
SALARY EXPENSE (0.50 FTE)	2,454	2,537	(83)	14,512	15,106	(594)	29,238	14,132	51.66%
BENEFITS EXPENSE	921	875	46	5,592	5,253	340	11,115	5,862	47.26%
OTHER INDIRECT EXPENSE	1,136	884	252	7,302	6,978	325	14,877	7,899	46.90%
TOTAL INDIRECT EXPENSES:	4,511	4,296	215	27,406	27,336	70	55,230	27,894	49.49%
TOTAL ALL EXPENSES:	9,969	9,592	377	34,475	34,600	(124)	78,015	43,415	44.35%
NET INCOME (LOSS):	6,628	16,623	9,995	62,556	74,171	11,615	117,285	43,114	63.24%

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MEMBER ASSISTANCE PROGRAM									
REVENUE:									
DIVERSIONS	-	1,500	1,500	6,000	5,676	(324)	8,000	2,324	70.95%
TOTAL REVENUE:	-	1,500	1,500	6,000	5,676	(324)	8,000	2,324	70.95%
DIRECT EXPENSES:									
STAFF MEMBERSHIP DUES	-	-	-	-	-	-	225	225	0.00%
PROF LIAB INSURANCE	-	-	-	811	825	(14)	850	25	97.06%
TOTAL DIRECT EXPENSES:	-	-	-	811	825	(14)	1,075	250	76.74%
INDIRECT EXPENSES:									
SALARY EXPENSE (0.50 FTE)	4,394	4,606	(212)	25,979	27,008	(1,028)	52,342	25,335	51.60%
BENEFITS EXPENSE	2,052	1,964	88	12,308	11,769	539	24,619	12,850	47.80%
OTHER INDIRECT EXPENSE	1,136	884	252	7,302	6,978	325	14,877	7,899	46.90%
TOTAL INDIRECT EXPENSES:	7,582	7,454	128	45,590	45,754	(164)	91,838	46,084	49.82%
TOTAL ALL EXPENSES:	7,582	7,454	128	46,401	46,579	(178)	92,913	46,334	50.13%
NET INCOME (LOSS):	(7,582)	(5,954)	1,628	(40,401)	(40,903)	(502)	(84,913)	(44,010)	48.17%

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	MONTHLY BUDGET vs. ACTUAL			YEAR TO DATE BUDGET vs. ACTUAL			ANNUAL BUDGET COMPARISON		
	FISCAL 2021 BUDGET CURRENT MONTH	CURRENT MONTH ACTUAL	MONTHLY VARIANCE	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	YEAR TO DATE VARIANCE	FISCAL 2021 BUDGET ANNUAL	REMAINING BALANCE OF YEAR	% USED OF ANNUAL BUDGET
MEMBERSHIP BENEFITS									
REVENUE:									
SPONSORSHIPS	-	-	-	1,358	-	(1,358)	9,000	9,000	0.00%
INTERNET SALES	-	392	392	-	4,361	4,361	19,000	14,639	22.95%
TOTAL REVENUE:	-	392	392	1,358	4,361	3,003	28,000	23,639	15.58%
DIRECT EXPENSES:									
TRANSCRIPTION SERVICES	-	-	-	-	-	-	1,500	1,500	0.00%
CONFERENCE CALLS	-	-	-	2,000	-	2,000	2,000	2,000	0.00%
LEGAL LUNCHBOX SPEAKERS & PROGRAM	167	1,321	(1,155)	1,000	1,321	(321)	2,000	679	66.06%
WSBA CONNECTS	10,347	10,440	(93)	37,938	31,040	6,898	46,560	15,520	66.67%
CASEMAKER & FASTCASE	5,558	-	5,558	106,410	98,394	8,016	136,436	38,042	72.12%
TOTAL DIRECT EXPENSES:	16,071	11,761	4,310	147,348	130,755	16,592	188,496	57,741	69.37%
INDIRECT EXPENSES:									
SALARY EXPENSE (1.16 FTE)	6,522	6,991	(469)	38,562	38,781	(219)	77,694	38,913	49.92%
BENEFITS EXPENSE	1,868	1,781	86	11,374	10,703	672	22,582	11,879	47.39%
OTHER INDIRECT EXPENSE	2,636	2,063	573	16,941	16,281	661	34,515	18,234	47.17%
TOTAL INDIRECT EXPENSES:	11,025	10,835	191	66,878	65,764	1,114	134,790	69,026	48.79%
TOTAL ALL EXPENSES:	27,096	22,596	4,500	214,226	196,520	17,706	323,286	126,767	60.79%
NET INCOME (LOSS):	(27,096)	(22,204)	4,892	(212,867)	(192,159)	20,709	(295,286)	(103,128)	65.08%

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	FISCAL 2021 BUDGET CURRENT MONTH	CURRENT MONTH ACTUAL	MONTHLY VARIANCE	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	YEAR TO DATE VARIANCE	FISCAL 2021 BUDGET ANNUAL	REMAINING BALANCE OF YEAR	% USED OF ANNUAL BUDGET
MANDATORY CONTINUING LEGAL EDUCATION									
REVENUE:									
ACCREDITED PROGRAM FEES	40,000	61,000	21,000	240,000	278,600	38,600	480,000	201,400	58.04%
FORM 1 LATE FEES	12,500	25,350	12,850	75,000	119,150	44,150	150,000	30,850	79.43%
MEMBER LATE FEES	225	296	71	1,350	2,246	896	2,700	454	83.19%
ANNUAL ACCREDITED SPONSOR FEES	-	250	250	42,250	42,500	250	42,250	(250)	100.59%
ATTENDANCE LATE FEES	6,667	10,850	4,183	40,000	62,350	22,350	80,000	17,650	77.94%
COMITY CERTIFICATES	265	1,500	1,235	12,377	10,287	(2,090)	13,000	2,713	79.13%
TOTAL REVENUE:	59,656	99,246	39,590	410,977	515,134	104,156	767,950	252,816	67.08%
DIRECT EXPENSES:									
DEPRECIATION	11,920	5,532	6,388	71,522	109,864	(38,341)	143,045	33,181	76.80%
STAFF MEMBERSHIP DUES	-	-	-	500	-	500	500	500	0.00%
ONLINE LEGAL RESEARCH	186	153	33	558	763	(206)	1,672	909	45.65%
LAW LIBRARY	17	11	6	50	67	(16)	150	84	44.27%
MCLE BOARD	-	-	-	1,300	-	1,300	2,600	2,600	0.00%
STAFF TRAVEL/PARKING	4	-	4	25	-	25	50	50	0.00%
TOTAL DIRECT EXPENSES:	12,127	5,696	6,431	73,955	110,694	(36,738)	148,018	37,324	74.78%
INDIRECT EXPENSES:									
SALARY EXPENSE (3.80 FTE)	20,010	22,109	(2,098)	146,659	127,093	19,566	266,722	139,629	47.65%
BENEFITS EXPENSE	7,800	7,421	378	47,236	44,522	2,714	94,034	49,512	47.35%
OTHER INDIRECT EXPENSE	8,634	6,777	1,857	55,498	53,494	2,004	113,066	59,572	47.31%
TOTAL INDIRECT EXPENSES:	36,444	36,307	137	249,392	225,109	24,283	473,822	248,713	47.51%
TOTAL ALL EXPENSES:	48,571	42,004	6,568	323,348	335,803	(12,455)	621,840	286,037	54.00%
NET INCOME (LOSS):	11,085	57,243	46,157	87,629	179,331	91,701	146,110	(33,220)	122.74%

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	FISCAL 2021 BUDGET CURRENT MONTH	CURRENT MONTH ACTUAL	MONTHLY VARIANCE	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	YEAR TO DATE VARIANCE	FISCAL 2021 BUDGET ANNUAL	REMAINING BALANCE OF YEAR	% USED OF ANNUAL BUDGET
MEMBER SERVICES & ENGAGEMENT									
REVENUE:									
ROYALTIES	10,288.30	12,092.69	1,804.39	26,426.37	34,308.49	7,882.12	49,250.00	14,941.51	69.66%
NMP PRODUCT SALES	2,823	1,624	(1,199)	59,331	9,608	(49,723)	80,000	70,392	12.01%
SEMINAR REGISTRATIONS	3,090	(17,169)	(20,259)	6,398	25	(6,373)	15,000	14,975	0.17%
TRIAL ADVOCACY PROGRAM	-	-	-	-	-	-	10,000	10,000	0.00%
TOTAL REVENUE:	16,202	(3,452)	(19,654)	92,155	43,941	(48,214)	154,250	110,309	28.49%
DIRECT EXPENSES:									
STAFF TRAVEL/PARKING	208	-	208	1,250	-	1,250	2,500	2,500	0.00%
SUBSCRIPTIONS	42	32	10	250	92	159	500	408	18.30%
CONFERENCE CALLS	-	-	-	35	-	35	300	300	0.00%
YLL SECTION PROGRAM	-	30	(30)	948	800	148	1,500	700	53.33%
WYLC CLE COMPS	-	-	-	-	-	-	1,000	1,000	0.00%
WYLC OUTREACH EVENTS	-	-	-	150	-	150	2,500	2,500	0.00%
WYL COMMITTEE	153	-	153	9,493	-	9,493	12,500	12,500	0.00%
TRIAL ADVOCACY EXPENSES	-	-	-	0	-	0	5,000	5,000	0.00%
RECEPTION/FORUM EXPENSE	-	-	-	1,699	67	1,632	4,000	3,933	1.67%
WYLC SCHOLARSHIPS/DONATIONS/GRANT	1,212	-	1,212	1,212	-	1,212	5,000	5,000	0.00%
STAFF MEMBERSHIP DUES	-	-	-	148	-	148	490	490	0.00%
LENDING LIBRARY	132	20	112	2,955	60	2,895	6,200	6,140	0.97%
NMP SPEAKERS & PROGRAM DEVELOPMENT	-	-	-	541	-	541	1,500	1,500	0.00%
TOTAL DIRECT EXPENSES:	1,747	82	1,665	18,682	1,018	17,664	42,990	41,972	2.37%
INDIRECT EXPENSES:									
SALARY EXPENSE (4.13 FTE)	24,009	24,371	(362)	141,958	111,407	30,550	286,011	174,604	38.95%
BENEFITS EXPENSE	7,274	6,941	333	44,204	41,690	2,514	87,848	46,158	47.46%
OTHER INDIRECT EXPENSE	9,384	7,366	2,017	60,317	58,146	2,171	122,884	64,738	47.32%
TOTAL INDIRECT EXPENSES:	40,666	38,678	1,988	246,479	211,243	35,236	496,743	285,500	42.53%
TOTAL ALL EXPENSES:	42,413	38,760	3,653	265,160	212,261	52,899	539,733	327,472	39.33%
NET INCOME (LOSS):	(26,211)	(42,212)	(16,001)	(173,005)	(168,320)	4,685	(385,483)	(217,163)	43.66%

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	FISCAL 2021 BUDGET CURRENT MONTH	CURRENT MONTH ACTUAL	MONTHLY VARIANCE	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	YEAR TO DATE VARIANCE	FISCAL 2021 BUDGET ANNUAL	REMAINING BALANCE OF YEAR	% USED OF ANNUAL BUDGET
OFFICE OF THE EXECUTIVE DIRECTOR									
REVENUE:									
TOTAL REVENUE:	-	-	-	-	-	-	-	-	-
DIRECT EXPENSES:									
WASHINGTON LEADERSHIP INSTITUTE	6,667	-	6,667	40,000	-	40,000	80,000	80,000	0.00%
ABA DELEGATES	417	-	417	2,500	-	2,500	5,000	5,000	0.00%
SECTION/COMMITTEE CHAIR MTGS	-	-	-	500	-	500	500	500	0.00%
VOLUNTEER SUPPORT	917	-	917	5,500	-	5,500	11,000	11,000	0.00%
BOG ELECTIONS	-	-	-	1	-	1	1	1	0.00%
ED TRAVEL & OUTREACH	417	16	401	2,500	16	2,484	5,000	4,984	0.32%
LAW LIBRARY	15	11	4	120	67	53	150	84	44.27%
STAFF MEMBERSHIP DUES	-	-	-	-	50	(50)	-	(50)	
TOTAL DIRECT EXPENSES:	8,432	27	8,405	51,121	133	50,988	101,651	101,519	0.13%
INDIRECT EXPENSES:									
SALARY EXPENSE (3.00 FTE)	33,547	36,534	(2,987)	198,354	210,707	(12,353)	399,638	188,931	52.72%
BENEFITS EXPENSE	10,743	10,351	392	61,442	58,481	2,961	125,357	66,876	46.65%
OTHER INDIRECT EXPENSE	6,816	5,353	1,463	43,814	42,253	1,561	89,262	47,009	47.34%
TOTAL INDIRECT EXPENSES:	51,106	52,238	(1,132)	303,610	311,441	(7,831)	614,257	302,816	50.70%
TOTAL ALL EXPENSES:	59,538	52,265	7,273	354,731	311,574	43,157	715,908	404,335	43.52%
NET INCOME (LOSS):	(59,538)	(52,265)	7,273	(354,731)	(311,574)	43,157	(715,908)	(404,335)	43.52%

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OFFICE OF GENERAL COUNSEL									
REVENUE:									
COPY FEES	-	-	-	-	117	117	-	(117)	
RECORDS REQUEST FEES	-	540	540	-	540	540	-	(540)	
TOTAL REVENUE:	-	540	540	-	657	657	-	(657)	
DIRECT EXPENSES:									
DEPRECIATION	139	-	139	834	-	834	1,668	1,668	0.00%
STAFF TRAVEL/PARKING	8	-	8	50	-	50	100	100	0.00%
STAFF MEMBERSHIP DUES	-	-	-	1,500	25	1,475	1,500	1,475	1.67%
ONLINE LEGAL RESEARCH	1,115	921	194	3,345	4,581	(1,235)	10,034	5,454	45.65%
LAW LIBRARY	-	22	(22)	-	1,826	(1,826)	-	(1,826)	
COURT RULES COMMITTEE	-	29	(29)	1,055	31	1,024	2,250	2,219	1.39%
DISCIPLINE ADVISORY ROUNDTABLE	-	-	-	-	-	-	375	375	0.00%
CUSTODIANSHIPS	-	439	(439)	870	2,189	(1,320)	2,500	311	87.57%
ADMIN HEARINGS	-	-	-	-	7	(7)	-	(7)	
LITIGATION EXPENSES	21	-	21	125	-	125	250	250	0.00%
SUPPLIES	-	-	-	-	0	(0)	-	(0)	
CONFERENCE CALLS	-	-	-	-	17	(17)	-	(17)	
TOTAL DIRECT EXPENSES:	1,283	1,411	(127)	7,779	8,677	(898)	18,677	10,000	46.46%
INDIRECT EXPENSES:									
SALARY EXPENSE (6.38 FTE)	50,179	47,157	3,023	296,695	270,165	26,530	597,771	327,606	45.20%
BENEFITS EXPENSE	13,817	13,276	541	82,022	77,876	4,146	164,926	87,050	47.22%
OTHER INDIRECT EXPENSE	14,490	11,393	3,097	93,141	89,932	3,209	189,757	99,825	47.39%
TOTAL INDIRECT EXPENSES:	78,487	71,826	6,660	471,858	437,973	33,885	952,454	514,481	45.98%
TOTAL ALL EXPENSES:	79,770	73,237	6,533	479,637	446,650	32,987	971,131	524,481	45.99%
NET INCOME (LOSS):	(79,770)	(72,697)	7,073	(479,637)	(445,993)	33,644	(971,131)	(525,138)	45.93%

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	FISCAL 2021 BUDGET CURRENT MONTH	CURRENT MONTH ACTUAL	MONTHLY VARIANCE	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	YEAR TO DATE VARIANCE	FISCAL 2021 BUDGET ANNUAL	REMAINING BALANCE OF YEAR	% USED OF ANNUAL BUDGET
OFFICE OF GENERAL COUNSEL - DISCIPLINARY BOARD									
REVENUE:									
TOTAL REVENUE:	-	-	-	-	-	-	-	-	
DIRECT EXPENSES:									
STAFF MEMBERSHIP DUES	-	-	-	100	-	100	100	100	0.00%
LAW LIBRARY	-	67	(67)	-	402	(402)	-	(402)	
DISCIPLINARY BOARD EXPENSES	28	10	18	388	143	245	1,500	1,357	9.52%
CHIEF HEARING OFFICER	2,619	2,500	119	15,714	15,000	714	33,000	18,000	45.45%
HEARING OFFICER EXPENSES	(129)	-	(129)	1,500	-	1,500	1,500	1,500	0.00%
HEARING OFFICER TRAINING	-	-	-	229	-	229	550	550	0.00%
OUTSIDE COUNSEL	4,252	4,000	252	25,764	24,000	1,764	55,000	31,000	43.64%
TOTAL DIRECT EXPENSES:	6,770	6,577	194	43,696	39,545	4,150	91,650	52,105	43.15%
INDIRECT EXPENSES:									
SALARY EXPENSE (1.30 FTE)	7,840	8,217	(376)	46,357	49,001	(2,645)	93,398	44,397	52.46%
BENEFITS EXPENSE	2,710	2,586	123	16,307	15,404	904	32,566	17,163	47.30%
OTHER INDIRECT EXPENSE	2,954	2,333	621	18,986	18,413	573	38,680	20,267	47.60%
TOTAL INDIRECT EXPENSES:	13,504	13,136	368	81,650	82,818	(1,167)	164,644	81,827	50.30%
TOTAL ALL EXPENSES:	20,274	19,712	562	125,346	122,363	2,983	256,294	133,931	47.74%
NET INCOME (LOSS):	(20,274)	(19,712)	562	(125,346)	(122,363)	2,983	(256,294)	(133,931)	47.74%

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OUTREACH & ENGAGEMENT									
REVENUE:									
TOTAL REVENUE:	-	-	-	-	-	-	-	-	
DIRECT EXPENSES:									
STAFF TRAVEL/PARKING	117	-	117	700	-	700	1,400	1,400	0.00%
STAFF MEMBERSHIP DUES	-	-	-	-	-	-	1,152	1,152	0.00%
ABA DELEGATES	948	-	948	1,896	-	1,896	5,600	5,600	0.00%
ANNUAL CHAIR MEETINGS	-	-	-	541	-	541	600	600	0.00%
JUDICIAL RECOMMENDATIONS COMMITTEE	375	-	375	2,250	-	2,250	4,500	4,500	0.00%
BAR OUTREACH	1,250	-	1,250	7,500	522	6,978	15,000	14,478	3.48%
TOTAL DIRECT EXPENSES:	2,690	-	2,690	12,887	522	12,365	28,252	27,730	1.85%
INDIRECT EXPENSES:									
SALARY EXPENSE (2.00 FTE)	12,549	9,797	2,752	74,200	69,316	4,883	149,495	80,178	46.37%
BENEFITS EXPENSE	4,313	4,119	194	26,101	24,721	1,380	51,981	27,260	47.56%
OTHER INDIRECT EXPENSE	4,544	3,560	984	29,209	28,104	1,105	59,508	31,404	47.23%
TOTAL INDIRECT EXPENSES:	21,407	17,477	3,929	129,510	122,141	7,369	260,983	138,843	46.80%
TOTAL ALL EXPENSES:	24,096	17,477	6,619	142,397	122,663	19,734	289,235	166,573	42.41%
NET INCOME (LOSS):	(24,096)	(17,477)	6,619	(142,397)	(122,663)	19,734	(289,235)	(166,573)	42.41%

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PRACTICE OF LAW BOARD									
REVENUE:									
TOTAL REVENUE:	-	-	-	-	-	-	-	-	
DIRECT EXPENSES:									
PRACTICE OF LAW BOARD	139	-	139	2,651	-	2,651	9,000	9,000	0.00%
TOTAL DIRECT EXPENSES:	139	-	139	2,651	-	2,651	9,000	9,000	0.00%
INDIRECT EXPENSES:									
SALARY EXPENSE (0.15 FTE)	2,200	2,307	(107)	13,005	13,300	(295)	26,203	12,903	50.76%
BENEFITS EXPENSE	543	528	16	2,949	2,800	149	6,209	3,409	45.09%
OTHER INDIRECT EXPENSE	341	270	71	2,191	2,132	59	4,463	2,331	47.77%
TOTAL INDIRECT EXPENSES:	3,084	3,104	(20)	18,145	18,232	(87)	36,875	18,643	49.44%
TOTAL ALL EXPENSES:	3,223	3,104	119	20,796	18,232	2,564	45,875	27,643	39.74%
NET INCOME (LOSS):	(3,223)	(3,104)	119	(20,796)	(18,232)	2,564	(45,875)	(27,643)	39.74%

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PROFESSIONAL RESPONSIBILITY PROGRAM									
REVENUE:									
TOTAL REVENUE:	-	-	-	-	-	-	-	-	-
DIRECT EXPENSES:									
STAFF TRAVEL/PARKING	250	-	250	1,500	-	1,500	3,000	3,000	0.00%
STAFF MEMBERSHIP DUES	31	-	31	188	250	(63)	375	125	66.67%
LAW LIBRARY	-	45	(45)	-	269	(269)	-	(269)	
CPE COMMITTEE	-	-	-	1,977	31	1,945	3,750	3,719	0.84%
TOTAL DIRECT EXPENSES:	281	45	237	3,664	551	3,114	7,125	6,574	7.73%
INDIRECT EXPENSES:									
SALARY EXPENSE (1.69 FTE)	13,521	14,922	(1,400)	79,948	87,547	(7,599)	161,077	73,530	54.35%
BENEFITS EXPENSE	5,438	5,206	232	32,645	31,143	1,502	65,273	34,130	47.71%
OTHER INDIRECT EXPENSE	3,845	3,020	825	24,718	23,840	879	50,359	26,519	47.34%
TOTAL INDIRECT EXPENSES:	22,805	23,148	(343)	137,312	142,530	(5,218)	276,709	134,179	51.51%
TOTAL ALL EXPENSES:	23,086	23,193	(107)	140,976	143,081	(2,105)	283,834	140,753	50.41%
NET INCOME (LOSS):	(23,086)	(23,193)	(106)	(140,976)	(143,081)	(2,105)	(283,834)	(140,753)	50.41%

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	MONTHLY BUDGET vs. ACTUAL			YEAR TO DATE BUDGET vs. ACTUAL			ANNUAL BUDGET COMPARISON		
	FISCAL 2021 BUDGET CURRENT MONTH	CURRENT MONTH ACTUAL	MONTHLY VARIANCE	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	YEAR TO DATE VARIANCE	FISCAL 2021 BUDGET ANNUAL	REMAINING BALANCE OF YEAR	% USED OF ANNUAL BUDGET
PUBLIC SERVICE PROGRAMS									
REVENUE:									
DONATIONS & GRANTS	-	-	-	130,000.00	103,000.00	(27,000.00)	130,000.00	27,000.00	79.23%
PSP PRODUCT SALES	-	-	-	132	-	(132)	200	200	0.00%
TOTAL REVENUE:	-	-	-	130,132	103,000	(27,132)	130,200	27,200	79.11%
DIRECT EXPENSES:									
DONATIONS/SPONSORSHIPS/GRANTS	19,433	-	19,433	116,597	-	116,597	233,193	233,193	0.00%
STAFF TRAVEL/PARKING	167	-	167	1,000	-	1,000	2,000	2,000	0.00%
PRO BONO & PUBLIC SERVICE COMMITTEE	233	-	233	1,100	46	1,054	2,500	2,454	1.84%
PUBLIC SERVICE EVENTS AND PROJECTS	-	-	-	-	-	-	27,000	27,000	0.00%
PRO BONO CERTIFICATES	317	-	317	1,900	-	1,900	3,800	3,800	0.00%
TOTAL DIRECT EXPENSES:	20,149	-	20,149	120,597	46	120,551	268,493	268,447	0.02%
INDIRECT EXPENSES:									
SALARY EXPENSE (1.00 FTE)	6,104	3,356	2,748	36,089	37,274	(1,185)	72,710	35,436	51.26%
BENEFITS EXPENSE	2,112	2,016	96	12,785	12,100	685	25,457	13,357	47.53%
OTHER INDIRECT EXPENSE	2,272	1,793	480	14,605	14,149	456	29,754	15,605	47.55%
TOTAL INDIRECT EXPENSES:	10,488	7,164	3,323	63,479	63,523	(44)	127,921	64,398	49.66%
TOTAL ALL EXPENSES:	30,637	7,164	23,473	184,075	63,569	120,507	396,414	332,845	16.04%
NET INCOME (LOSS):	(30,637)	(7,164)	23,473	(53,943)	39,431	93,374	(266,214)	(305,645)	-14.81%

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	FISCAL 2021 BUDGET CURRENT MONTH	CURRENT MONTH ACTUAL	MONTHLY VARIANCE	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	YEAR TO DATE VARIANCE	FISCAL 2021 BUDGET ANNUAL	REMAINING BALANCE OF YEAR	% USED OF ANNUAL BUDGET
PUBLICATION & DESIGN SERVICES									
REVENUE:									
TOTAL REVENUE:	-	-	-	-	-	-	-	-	-
DIRECT EXPENSES:									
EQUIPMENT, HARDWARE & SOFTWARE	25	-	25	150	-	150	300	300	0.00%
SUBSCRIPTIONS	17	-	17	100	200	(100)	200	0	99.99%
SUPPLIES	13	-	13	75	-	75	150	150	0.00%
IMAGE LIBRARY	-	-	-	4,744	4,100	644	5,080	980	80.71%
TOTAL DIRECT EXPENSES:	54	-	54	5,069	4,300	769	5,730	1,430	75.04%
INDIRECT EXPENSES:									
SALARY EXPENSE (0.87 FTE)	4,529	4,746	(217)	26,779	28,181	(1,403)	53,952	25,771	52.23%
BENEFITS EXPENSE	1,574	1,497	76	9,562	8,993	569	19,005	10,012	47.32%
OTHER INDIRECT EXPENSE	1,977	1,547	430	12,706	12,211	495	25,886	13,675	47.17%
TOTAL INDIRECT EXPENSES:	8,079	7,790	289	49,046	49,385	(339)	98,843	49,458	49.96%
TOTAL ALL EXPENSES:	8,134	7,790	344	54,116	53,685	431	104,573	50,888	51.34%
NET INCOME (LOSS):	(8,134)	(7,790)	344	(54,116)	(53,685)	431	(104,573)	(50,888)	51.34%

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REGULATORY SERVICES FTE									
INDIRECT EXPENSES:									
SALARY EXPENSE (2.70 FTE)	27,832	19,388	8,444	164,561	112,340	52,220	331,552	219,212	33.88%
BENEFITS EXPENSE	7,873	7,593	280	47,361	45,520	1,841	94,598	49,078	48.12%
OTHER INDIRECT EXPENSE	6,135	4,813	1,322	39,433	37,989	1,444	80,336	42,348	47.29%
TOTAL INDIRECT EXPENSES:	41,839	31,794	10,046	251,354	195,849	55,505	506,486	310,637	38.67%
NET INCOME (LOSS):	(41,839)	(31,794)	10,046	(251,354)	(195,849)	55,505	(506,486)	(310,637)	38.67%

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SERVICE CENTER									
REVENUE:									
TOTAL REVENUE:	-	-	-	-	-	-	-	-	
DIRECT EXPENSES:									
TRANSLATION SERVICES	650	300	350	4,600	2,749	1,851	8,500	5,751	32.34%
TOTAL DIRECT EXPENSES:	650	300	350	4,600	2,749	1,851	8,500	5,751	32.34%
INDIRECT EXPENSES:									
SALARY EXPENSE (6.71 FTE)	31,234	29,231	2,002	194,339	177,639	16,700	381,740	204,101	46.53%
BENEFITS EXPENSE	12,921	12,265	657	78,426	73,647	4,779	155,954	82,307	47.22%
OTHER INDIRECT EXPENSE	15,245	11,983	3,263	97,997	94,584	3,413	199,650	105,066	47.37%
TOTAL INDIRECT EXPENSES:	59,400	53,478	5,922	370,762	345,870	24,892	737,344	391,474	46.91%
TOTAL ALL EXPENSES:	60,050	53,779	6,272	375,362	348,619	26,743	745,844	397,225	46.74%
NET INCOME (LOSS):	(60,050)	(53,779)	6,272	(375,362)	(348,619)	26,743	(745,844)	(397,225)	46.74%

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SECTIONS ADMINISTRATION									
REVENUE:									
REIMBURSEMENTS FROM SECTIONS	3,440	3,891	450	267,029	277,245	10,216	300,000	22,755	92.42%
TOTAL REVENUE:	3,440	3,891	450	267,029	277,245	10,216	300,000	22,755	92.42%
DIRECT EXPENSES:									
STAFF TRAVEL/PARKING	43	-	43	559	-	559	1,740	1,740	0.00%
SUBSCRIPTIONS	34	-	34	205	410	(205)	410	0	99.90%
CONFERENCE CALLS	-	-	-	13	8	5	300	292	2.81%
MISCELLANEOUS	-	-	-	-	-	-	300	300	0.00%
SECTION/COMMITTEE CHAIR MTGS	-	-	-	457	-	457	1,000	1,000	0.00%
DUES STATEMENTS	-	-	-	5,866	5,935	(69)	6,000	65	98.92%
STAFF MEMBERSHIP DUES	-	-	-	-	-	-	125	125	0.00%
TOTAL DIRECT EXPENSES:	77	-	77	7,100	6,353	747	9,875	3,522	64.33%
INDIRECT EXPENSES:									
SALARY EXPENSE (2.68 FTE)	13,661	11,084	2,578	80,776	82,661	(1,885)	162,744	80,083	50.79%
BENEFITS EXPENSE	3,834	3,648	186	23,424	21,930	1,494	46,430	24,500	47.23%
OTHER INDIRECT EXPENSE	6,089	4,788	1,301	39,140	37,795	1,346	79,741	41,946	47.40%
TOTAL INDIRECT EXPENSES:	23,585	19,520	4,065	143,340	142,386	955	288,915	146,529	49.28%
TOTAL ALL EXPENSES:	23,662	19,520	4,142	150,440	148,739	1,701	298,790	150,051	49.78%
NET INCOME (LOSS):	(20,222)	(15,630)	4,592	116,589	128,506	11,917	1,210	(127,296)	10620.36%

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SECTIONS OPERATIONS									
REVENUE:									
SECTION DUES	5,167.93	6,100.00	932.07	398,791.43	433,917.94	35,126.51	439,445.00	5,527.06	98.74%
SEMINAR PROFIT SHARE	721	114,811	114,090	71,029	114,811	43,782	98,364	(16,447)	116.72%
INTEREST INCOME	13	-	(13)	80	-	(80)	1,470	1,470	0.00%
PUBLICATIONS REVENUE	-	-	-	1,827	3,976	2,148	6,000	2,024	66.26%
OTHER	1,293	1,105	(188)	20,957	27,070	6,113	40,500	13,430	66.84%
TOTAL REVENUE:	7,195	122,016	114,821	492,685	579,774	87,089	585,779	6,005	98.97%
DIRECT EXPENSES:									
DIRECT EXPENSES OF SECTION ACTIVITIES	18,504	5,747	12,757	143,669	22,938	120,731	584,594	561,656	3.92%
REIMBURSEMENT TO WSBA FOR INDIRECT I	3,302	3,891	(589)	255,195	277,245	(22,050)	280,573	3,328	98.81%
TOTAL DIRECT EXPENSES:	21,806	9,638	12,169	398,864	300,183	98,681	865,167	564,984	34.70%
NET INCOME (LOSS):	(14,611)	112,378	126,989	93,821	279,592	185,771	(279,388)	(558,980)	-100.07%

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	FISCAL 2021 BUDGET CURRENT MONTH	CURRENT MONTH ACTUAL	MONTHLY VARIANCE	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	YEAR TO DATE VARIANCE	FISCAL 2021 BUDGET ANNUAL	REMAINING BALANCE OF YEAR	% USED OF ANNUAL BUDGET
TECHNOLOGY									
REVENUE:									
TOTAL REVENUE:	-	-	-	-	-	-	-	-	
DIRECT EXPENSES:									
CONSULTING SERVICES	9,167	10,910	(1,743)	55,000	44,787	10,213	110,000	65,213	40.72%
STAFF TRAVEL/PARKING	208	-	208	1,250	-	1,250	2,500	2,500	0.00%
STAFF MEMBERSHIP DUES	-	-	-	150	-	150	450	450	0.00%
TELEPHONE	1,450	1,383	67	9,578	7,588	1,990	22,000	14,412	34.49%
COMPUTER HARDWARE	5,000	540	4,460	30,000	18,404	11,596	60,000	41,596	30.67%
COMPUTER SOFTWARE	9,350	73	9,277	56,100	68,636	(12,536)	112,200	43,564	61.17%
HARDWARE SERVICE & WARRANTIES	-	1,524	(1,524)	38,537	20,480	18,056	55,000	34,520	37.24%
SOFTWARE MAINTENANCE & LICENSING	15,179	4,995	10,183	150,902	144,969	5,933	336,600	191,631	43.07%
TELEPHONE HARDWARE & MAINTENANCE	-	350	(350)	427	350	77	7,000	6,650	5.00%
COMPUTER SUPPLIES	833	-	833	5,000	982	4,018	10,000	9,018	9.82%
THIRD PARTY SERVICES	10,833	1,066	9,767	65,000	55,243	9,757	130,000	74,757	42.49%
TRANSFER TO INDIRECT EXPENSES	(52,020)	(20,841)	(31,180)	(411,944)	(361,439)	(50,504)	(845,750)	(484,311)	42.74%
TOTAL DIRECT EXPENSES:	(0)	-	(0)	(0)	-	(0)	-	-	
INDIRECT EXPENSES:									
SALARY EXPENSE (12.00 FTE)	95,113	89,187	5,926	562,557	522,643	39,914	1,120,558	597,915	46.64%
BENEFITS EXPENSE	29,848	28,624	1,224	180,104	171,702	8,402	359,195	187,493	47.80%
CAPITAL LABOR & OVERHEAD	(13,333)	(3,235)	(10,099)	(80,000)	74,715	(154,715)	(160,000)	(234,715)	-46.70%
OTHER INDIRECT EXPENSE	25,974	21,461	4,513	168,502	169,398	(896)	339,721	170,323	49.86%
TOTAL INDIRECT EXPENSES:	137,602	136,038	1,564	831,163	938,458	(107,294)	1,659,474	721,016	56.55%
TOTAL ALL EXPENSES:	137,602	136,038	1,564	831,163	938,458	(107,294)	1,659,474	721,016	56.55%
NET INCOME (LOSS):	(137,602)	(136,038)	1,564	(831,163)	(938,458)	(107,294)	(1,659,474)	(721,016)	56.55%

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INDIRECT EXPENSES:									
SALARIES	985251.89	985,389	(137)	5,825,494	5,754,938	70,556	11,737,007	5,982,069	49.03%
ALLOWANCE FOR OPEN POSITIONS	(16,667)	-	(16,667)	(100,000)	-	(100,000)	(200,000)	(200,000)	0.00%
TEMPORARY SALARIES	11,070	5,376	5,694	109,308	33,894	75,414	162,458	128,564	20.86%
CAPITAL LABOR & OVERHEAD	(13,333)	(3,235)	(10,099)	(80,000)	74,715	(154,715)	(160,000)	(234,715)	-46.70%
EMPLOYEE ASSISTANCE PLAN	448	1,200	(752)	2,688	2,800	(112)	5,376	2,576	52.08%
EMPLOYEE SERVICE AWARDS	152	-	152	910	-	910	1,820	1,820	0.00%
FICA (EMPLOYER PORTION)	61,034	69,231	(8,197)	349,793	405,804	(56,011)	715,455	309,651	56.72%
L&I INSURANCE	4,181	-	4,181	25,085	10,447	14,638	50,169	39,722	20.82%
WA STATE FAMILY MEDICAL LEAVE (EMPLC	1,406	1,354	52	8,436	7,863	572	16,871	9,008	46.61%
FFCRA LEAVE (EMPLOYER PORTION)	-	-	-	-	(1,456)	1,456	-	1,456	-
MEDICAL (EMPLOYER PORTION)	120,388	114,302	6,087	716,434	684,421	32,013	1,438,763	754,342	47.57%
PARKING BENEFITS	-	1,631	(1,631)	-	11,907	(11,907)	-	(11,907)	-
RETIREMENT (EMPLOYER PORTION)	127,679	117,644	10,035	754,918	698,006	56,912	1,520,993	822,986	45.89%
TRANSPORTATION ALLOWANCE	-	-	-	35,620	(23,777)	59,397	35,620	59,397	-66.75%
UNEMPLOYMENT INSURANCE	4,167	574	3,593	25,000	26,383	(1,383)	50,000	23,617	52.77%
STAFF DEVELOPMENT-GENERAL	525	-	525	3,150	-	3,150	6,300	6,300	0.00%
TOTAL SALARY & BENEFITS EXPENSE:	1,286,302	1,293,464	(7,163)	7,676,834	7,685,945	(9,110)	15,380,832	7,694,887	49.97%
WORKPLACE BENEFITS	3,250	650	2,600	19,500	6,567	12,933	39,000	32,433	16.84%
HUMAN RESOURCES POOLED EXP	15,240	7,870	7,370	78,222	64,469	13,753	200,838	136,369	32.10%
MEETING SUPPORT EXPENSES	1,250	160	1,091	5,625	1,132	4,493	13,125	11,993	8.63%
RENT	162,583	147,048	15,535	975,500	1,052,672	(77,172)	1,951,000	898,328	53.96%
PERSONAL PROP TAXES-WSBA	958	527	432	5,750	3,390	2,360	11,500	8,110	29.48%
FURNITURE, MAINT, LH IMP	2,500	453	2,047	15,000	4,772	10,228	30,000	25,228	15.91%
OFFICE SUPPLIES & EQUIPMENT	3,584	5,328	(1,744)	22,495	9,896	12,599	44,000	34,104	22.49%
FURN & OFFICE EQUIP DEPRECIATION	4,294	4,683	(389)	25,766	27,297	(1,531)	51,533	24,236	52.97%
COMPUTER HARDWARE DEPRECIATION	4,315	2,949	1,366	25,891	18,151	7,740	51,782	33,632	35.05%
COMPUTER SOFTWARE DEPRECIATION	11,091	10,417	674	66,545	64,035	2,509	133,089	69,054	48.11%
INSURANCE	16,275	18,810	(2,535)	97,650	111,928	(14,278)	195,300	83,372	57.31%
PROFESSIONAL FEES-AUDIT	-	-	-	46,000	32,000	14,000	46,000	14,000	69.57%
PROFESSIONAL FEES-LEGAL	20,833	9,369	11,465	125,000	74,917	50,083	250,000	175,083	29.97%
TELEPHONE & INTERNET	2,750	6,918	(4,168)	16,500	33,770	(17,270)	33,000	(770)	102.33%
POSTAGE - GENERAL	2,333	1,075	1,258	14,000	7,949	6,051	28,000	20,051	28.39%
RECORDS STORAGE	3,500	1,714	1,786	21,000	12,896	8,104	42,000	29,104	30.71%
STAFF TRAINING	1,776	1,725	51	23,966	8,416	15,550	57,922	49,506	14.53%
BANK FEES	4,208	3,010	1,199	25,250	33,005	(7,755)	50,500	17,495	65.36%
PRODUCTION MAINTENANCE & SUPPLIES	1,000	2,002	(1,002)	6,000	5,492	508	12,000	6,508	45.76%
COMPUTER POOLED EXPENSES	52,020	20,841	31,179	411,943	365,438	46,505	845,750	480,312	43.21%
TOTAL OTHER INDIRECT EXPENSES:	313,762	245,548	68,215	2,027,603	1,938,193	89,410	4,086,339	2,148,146	47.43%
TOTAL INDIRECT EXPENSES:	1,600,064	1,539,012	61,052	9,704,437	9,624,138	80,299	19,467,171	9,843,033	49.44%

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ACCESS TO JUSTICE	(21,907)	(25,360)	(3,453)	(130,917)	(113,105)	17,811	(262,790)	(149,684)
ADMINISTRATION	(86,199)	(90,811)	(4,612)	(498,213)	(556,455)	(58,241)	(985,404)	(428,949)
ADMISSIONS/BAR EXAM	183,336	199,649	16,313	383,302	412,647	29,345	(32,131)	(444,778)
ADVANCEMENT FTE	(19,540)	(19,519)	21	(116,910)	(118,187)	(1,277)	(235,893)	(117,705)
BAR NEWS	(41,362)	(27,406)	13,956	(160,444)	(122,145)	38,299	(326,814)	(204,669)
BOARD OF GOVERNORS	(48,026)	(17,300)	30,726	(289,226)	(133,386)	155,840	(617,037)	(483,651)
CLE - PRODUCTS	50,024	4,885	(45,139)	299,248	127,241	(172,007)	598,785	471,544
CLE - SEMINARS	(33,760)	11,324	45,084	(305,158)	(132,960)	172,198	(491,795)	(358,835)
CLIENT PROTECTION FUND	19,459	(26,446)	(45,905)	240,211	302,840	62,629	(128,559)	(431,399)
COMMUNICATIONS	(40,511)	(37,711)	2,800	(256,095)	(234,005)	22,090	(529,932)	(295,928)
COMMUNICATIONS FTE	(18,480)	(18,394)	86	(110,222)	(110,408)	(186)	(222,622)	(112,214)
DESKBOOKS	(13,781)	(30,498)	(16,716)	(83,210)	(88,210)	(5,000)	(169,149)	(80,940)
DISCIPLINE	(485,736)	(449,397)	36,339	(2,922,399)	(2,854,110)	68,289	(5,923,354)	(3,069,243)
DIVERSITY	(17,680)	(19,352)	(1,672)	(106,403)	18,178	124,581	(216,856)	(235,034)
FOUNDATION	(10,121)	(9,827)	293	(65,647)	(64,323)	1,325	(134,526)	(70,203)
HUMAN RESOURCES	(37,788)	(37,782)	6	(228,051)	(205,473)	22,578	(458,623)	(253,150)
LAW CLERK PROGRAM	(4,255)	9,926	14,181	107,046	121,973	14,926	87,222	(34,751)
LEGISLATIVE	(15,435)	(11,081)	4,353	(80,093)	(70,359)	9,734	(159,159)	(88,800)
LICENSE FEES	1,374,217	1,480,452	106,235	8,601,582	8,414,480	(187,103)	16,531,113	8,116,633
LICENSING AND MEMBERSHIP	(29,565)	(3,871)	25,695	(136,588)	(73,279)	63,308	(269,250)	(195,971)
LIMITED LICENSE LEGAL TECHNICIAN	(7,865)	(467)	7,398	(48,850)	(31,972)	16,879	(100,781)	(68,809)
LIMITED PRACTICE OFFICERS	6,628	16,623	9,995	62,556	74,171	11,615	117,285	43,114
MANDATORY CLE ADMINISTRATION	11,085	57,243	46,157	87,629	179,331	91,701	146,110	(33,220)
MEMBER ASSISTANCE PROGRAM	(7,582)	(5,954)	1,628	(40,401)	(40,903)	(502)	(84,913)	(44,010)
MEMBER BENEFITS	(27,096)	(22,204)	4,892	(212,867)	(192,159)	20,709	(295,286)	(103,128)
MEMBER SERVICES & ENGAGEMENT	(26,211)	(42,212)	(16,001)	(173,005)	(168,320)	4,685	(385,483)	(217,163)
OFFICE OF GENERAL COUNSEL	(79,770)	(72,697)	7,073	(479,637)	(445,993)	33,644	(971,131)	(525,138)
OFFICE OF THE EXECUTIVE DIRECTOR	(59,538)	(52,265)	7,273	(354,731)	(311,574)	43,157	(715,908)	(404,335)
OGC-DISCIPLINARY BOARD	(20,274)	(19,712)	562	(125,346)	(122,363)	2,983	(256,294)	(133,931)
OUTREACH & ENGAGEMENT	(24,096)	(17,477)	6,619	(142,397)	(122,663)	19,734	(289,235)	(166,573)
PRACTICE OF LAW BOARD	(3,223)	(3,104)	119	(20,796)	(18,232)	2,564	(45,875)	(27,643)
PROFESSIONAL RESPONSIBILITY PROGRAM	(23,086)	(23,193)	(106)	(140,976)	(143,081)	(2,105)	(283,834)	(140,753)
PUBLIC SERVICE PROGRAMS	(30,637)	(7,164)	23,473	(53,943)	39,431	93,374	(266,214)	(305,645)
PUBLICATION & DESIGN SERVICES	(8,134)	(7,790)	344	(54,116)	(53,685)	431	(104,573)	(50,888)
REGULATORY SERVICES FTE	(41,839)	(31,794)	10,046	(251,354)	(195,849)	55,505	(506,486)	(310,637)
SECTIONS ADMINISTRATION	(20,222)	(15,630)	4,592	116,589	128,506	11,917	1,210	(127,296)
SECTIONS OPERATIONS	(14,611)	112,378	126,989	93,821	279,592	185,771	(279,388)	(558,980)
SERVICE CENTER	(60,050)	(53,779)	6,272	(375,362)	(348,619)	26,743	(745,844)	(397,225)
TECHNOLOGY	(137,602)	(136,038)	1,564	(831,163)	(938,458)	(107,294)	(1,659,474)	(721,016)
INDIRECT EXPENSES	(1,600,064)	(1,539,012)	61,052	(9,704,437)	(9,624,138)	80,299	(19,467,171)	(9,843,033)
TOTAL OF ALL	(1,471,299)	(982,767)	488,532	(8,506,972)	(7,536,022)	970,950	(20,140,059)	(12,604,037)
NET INCOME (LOSS)	128,765	556,245	427,480	1,197,466	2,088,116	890,650	(672,889)	(2,761,004)

**Washington State Bar Association
Analysis of Cash Investments
As of March 31, 2021**

Checking & Savings Accounts

General Fund

Checking

<u>Bank</u>	<u>Account</u>	<u>Amount</u>
Wells Fargo	General	\$ 458,400

Total

<u>Investments</u>	<u>Rate</u>	<u>Amount</u>
Wells Fargo Money Market	0.00%	\$ 15,276,402
UBS Financial Money Market	0.00%	\$ 1,081,112
Morgan Stanley Money Market	0.00%	\$ 3,353,765
Merrill Lynch Money Market	0.00%	\$ 1,983,271

General Fund Total \$ **22,152,950**

Client Protection Fund

Checking

<u>Bank</u>	<u>Amount</u>
Wells Fargo	\$ 270,055

<u>Investments</u>	<u>Rate</u>	<u>Amount</u>
Wells Fargo Money Market	0.00%	\$ 4,406,826
Morgan Stanley Money Market	0.00%	\$ 106,909

Client Protection Fund Total \$ **4,783,790**

Grand Total Cash & Investments \$ **26,936,740**

TO: WSBA Board of Governors and Governors-Elect
FROM: Pam Anderson, Chair, Committee on Professional Ethics
Jeanne Marie Clavere, Staff Liaison
DATE: May 3, 2021
RE: New Advisory Opinion 202102

INFORMATION ONLY: New Advisory Opinion 202102 regarding lawyer acting as third party neutral in mediation of unrepresented parties in a domestic relations matter.

The Committee on Professional Ethics (CPE) approved an advisory opinion regarding the special ethical considerations of lawyer acting as a third party neutral in a mediation of unrepresented parties in a domestic relations matter where there may be a risk of domestic abuse. A subcommittee of the CPE studied the issue over eight months and met with family law practitioners and mediators, and a domestic abuse expert as it developed the opinion. The CPE believes the new opinion, which is narrowly focused on mediation of domestic relations matters involving unrepresented parties, will be helpful to lawyer mediators who undertake mediation of these types of cases.

WASHINGTON STATE BAR ASSOCIATION

Advisory Opinion: 202102

Date: April 9, 2021

Lawyer acting as a third-party neutral under RPC 2.4 in domestic relations matters that may involve risk of domestic abuse

SUMMARY: When a lawyer serves as a third-party neutral in a domestic relations matter that may present a risk of domestic abuse to an unrepresented party, or to a child or other member of the household, the lawyer should provide an explanation of the role of the third-party neutral that is adequate to enable the unrepresented party to make an informed decision whether to participate. This communication is particularly important when the lawyer intends to draft a written confirmation if the alternative dispute resolution (ADR) process produces a resolution.

Issue presented:

May a lawyer act as a third-party neutral under RPC 2.4 in a domestic relations matter when a party is unrepresented and the matter potentially involves risk of domestic abuse to a party, child or other household member?

Short answer:

Yes, subject to important considerations.

Rules:

RPC 2.4 and 1.12

Discussion:

A lawyer acting as a third-party neutral under Rule 2.4 must be sensitive to, and adequately address, the possibility that an unrepresented party may not fully understand the lawyer's neutral role. Absent an adequate explanation, an unrepresented party may believe that the lawyer's assistance in resolving the matter includes assistance that is incompatible with the lawyer's role as a third-party neutral. This concern is particularly acute in a domestic relations matter where there may be risk of domestic abuse to an unrepresented party or to a child or other household member.¹

¹"Domestic abuse," as used in this opinion, refers to patterns of behavior that fit the definition of "domestic violence" in RCW 26.50.010(3) as well as relevant conduct that may be described in other statutes, e.g., RCW Ch. 9A44, 26.44, and 26.51. In addition to harm inflicted directly by a party on a

As a threshold matter, ADR is ordinarily not an appropriate means of resolving matters that involve domestic abuse.² Domestic relations cases are particularly common settings for abusive tactics by which an abuser can reestablish power and control over a former partner long after a relationship has ended.³ Nevertheless, subject to the requirements of RCW 26.09.016(2), a party at risk of domestic abuse may make an informed decision to proceed with ADR, if the lawyer provides adequate information about the limitations of the role of a third-party neutral and otherwise believes ADR is appropriate.⁴

Rule 2.4(b) provides: "A lawyer serving as a third-party neutral shall inform unrepresented parties that the lawyer is not representing them. When the lawyer knows or reasonably should know that a party does not understand the lawyer's role in the matter, the lawyer shall explain the difference between the lawyer's role as a third-party neutral and a lawyer's role as one who represents a client."

Comment [3] to the rule elaborates on the lawyer's duty to unrepresented parties because, "[u]nlike nonlawyers who serve as third-party neutrals, lawyers serving in this role may experience unique problems as a result of differences between the role of a third-party neutral and a lawyer's service as a client representative." It notes that the potential for confusion is "significant" when a party is unrepresented. A statement of non-representation might suffice in some situations, such as when an unrepresented party frequently uses ADR. However, the Comment provides that "more information will be required" in other circumstances, and in those instances "the lawyer should inform unrepresented parties of the important differences between the lawyer's role as third-party neutral and a lawyer's role as a client representative, including the inapplicability of the attorney-client evidentiary privilege." Comment [3] concludes: "The extent of disclosure required under this paragraph will depend on the particular parties involved and the subject matter of the proceeding, as well as the particular features of the dispute-resolution process selected."

In determining the extent of disclosure required before mediating a domestic relations matter, a lawyer should consider that it may be difficult to detect a risk of domestic abuse. Because an unrepresented party who has been a target of abuse might not volunteer that information, a lawyer may find it appropriate to develop questions to use in screening potential matters. In addition, such a party may have unrealistic expectations about the role of a neutral that would not be dispelled by a statement of nonrepresentation. A lawyer may wish to consider offering concrete examples, such as an explanation that the neutrality required of a mediator precludes

household member, the term includes indirect but very serious harm inflicted on children who witness domestic abuse and the fear of imminent harm to children. In re Marriage of Stewart, 133 Wn. App. 545, 551, 137 P3d 25 (2006) (children witnessing abuse); Rodriguez v. Zavala, 188 Wn.2d 586, 596-8, 398 P.3d 1071 (2017) (fear of imminent harm to children).

² RCW 26.09.016(1) ("Mediation is generally inappropriate in cases involving domestic violence and child abuse").

³ RCW 26.51.010.

⁴ The availability of independent support, such as that provided by a domestic violence advocate, is a factor that may weigh in favor of mediating a domestic relations dispute that presents a risk of domestic abuse. RCW 26.09.016(2).

giving any advice and precludes commenting on the reasonableness or unreasonableness of a party's proposal.⁵

Although a lawyer typically has limited information about the sophistication of the parties at the outset, the lawyer may develop questions or concerns regarding an unrepresented party's comprehension of the neutral's role as the mediation progresses. Training in the area of domestic abuse can assist the lawyer in interviewing techniques or identifying behavioral cues that could be of value in assessing whether undisclosed abuse may be an issue that would merit supplemental explanations or disclaimers about the neutral's role.

If the ADR process results in an agreement, the third-party neutral may draft a written confirmation of that agreement with as much or as little specificity as appears warranted under the circumstances. However, the neutral may not draft a pleading with customized provisions on behalf of both parties nor undertake a common representation of the parties pursuant to Rule 1.12(a). WSBA Advisory Opinion 201901. When drafting a confirmation of a mediated agreement, the lawyer acting as a third-party neutral should consider the risk that a court may hold that the writing meets the standards for an enforceable agreement despite the lawyer's intention not to represent either party.⁶

⁵ A lawyer may also consider offering concrete examples pertinent to the issues in dispute in the particular case. For example, if one party's retirement accounts are a significant asset and the other party has limited experience with or understanding of such financial matters, a lawyer may wish to explain that the neutral role precludes offering information or guidance regarding the accounts.

⁶ The main points of a settlement between parties might be held enforceable even if the parties anticipate a more definitive agreement. See *Marriage of Ferree*, 71 Wn. App. 35, 856 P.2d 706 (1993) (agreement of parties and counsel reached with assistance of court commissioner was enforceable though it was not reduced to writing or entered in the court record). See also *Morris v. Maks*, 69 Wn. App. 865 (1993) (letters between counsel established a binding settlement agreement even though the parties contemplated a more formal written agreement).