

March 1, 2021

Justice Whitener
Washington State Supreme Court
By email

cc: Chief Justice González, Associate Chief Justice Johnson, Justice Madsen, Justice Owens, Justice Stephens, Justice Gordon McCloud, Justice Yu, Justice Montoya-Lewis, POLB members, Governor Sunitha Anjilvel, WSBA Staff Liaison Julie Shankland, WSBA Executive Director Terra Nevitt

Re: Followup on questions about diversity of the Practice of Law Board

Dear Justice Whitener,

The Practice of Law Board wants to clarify the board's answer to your question about the board's diversity efforts. This memo covers our situation and our tentative plans as the board works to address diversity and inclusion.

Current Situation

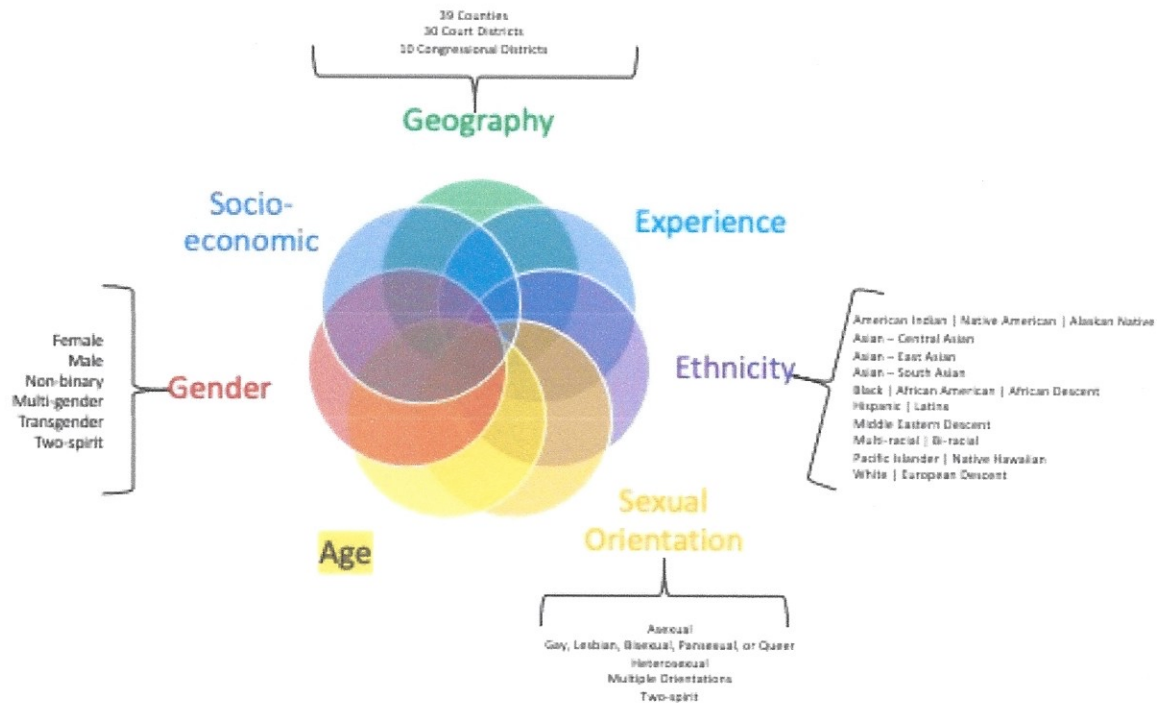
The board has four members who are not currently licensed to practice law (public members), five legal professionals, and four vacancies. The board should have 13 members, and at least five of the members must not currently be licensed to practice law. Since our meeting, the board has received three applications that the board will be forwarding to the Court after they are considered by the Board of Governors. One application is from a person not currently licensed to practice law, and two are from legal professionals, which if confirmed, will bring the board to five members not currently licensed to practice law, seven legal professionals, and one vacancy.

Future Plans

The board does not have a diversity and inclusion plan, but the board acknowledges this is something the board must put in place. The board is creating a plan as soon as possible because the board sees the plan as a key component to help achieve the board's goals. Only through ongoing diversity and inclusion efforts will the board be able to ensure it is representative, and in a position to listen, understand, and act on the legal needs of all Washingtonians.



In creating this plan, the board intends to address multiple facets of diversity including ethnicity, sexual orientation, age, gender, and socio-economics. The board also plans to consider geography, and experience (especially to get newer members of the profession involved in the board's activities).



With only 13 members, the board knows that to realize a commitment to diversity and inclusion, membership is only one, albeit important, aspect of the process. The board cannot think of diversity and inclusion merely in terms of board membership.

One aspect of creating the plan is to seek the assistance of WSBA's Equity and Justice Team and the Diversity Committee. For example, the board will ask for assistance in drafting job descriptions for the position of chair, and member, to ensure that the board communicates the opportunities and responsibilities and recruits the best candidates across an appropriately diverse spectrum.

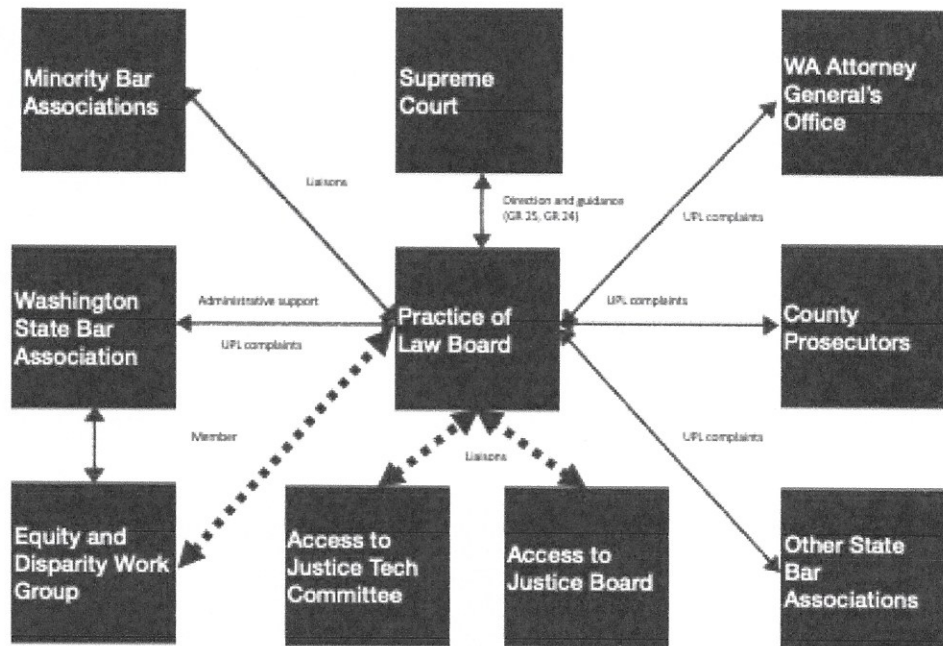
Another aspect of the plan is to look at preserving the board's institutional knowledge to ensure such knowledge is not lost at the end of member's tenure. The board is considering creating the position of past-chair, and chair-elect to help with transitions as the board adds new members and former members end their service.

To increase the scope and effect of our actions and to help us measure those actions through a diversity and equity lens and move beyond our limited size, the board wants create liasons with each of the minority bar associations. The board believes such liasons can assist the board not only in recruiting, but also in our outreach to diverse communities with our projects such as the Legal Health Checkup. The board wants to make sure that its output reflects the communities' needs and works for the different communities the board serves.

Therefore, the picture of who the board works with adds a new box (upper left-hand side) and evolves to look like this:

Practice of Law Board

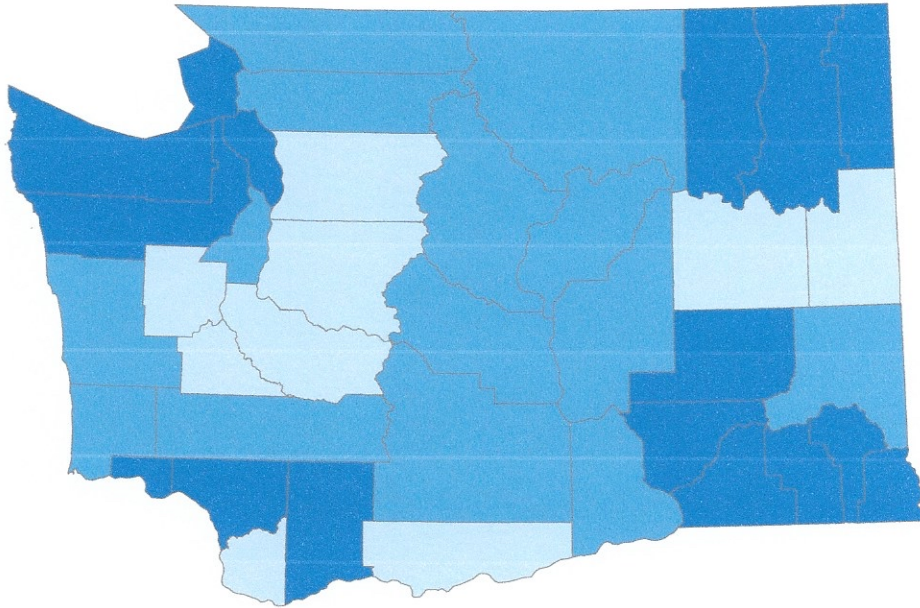
Who we work with



Finally, the board is hoping to bring a new way of looking at the geographic criteria facet, particularly in the selection of members. Unlike the WSBA Governors, members of the Practice of Law Board need not be from specific Congressional or other district. But, the board has been very “Puget Sound centric” in its membership, with most members of the board coming from King, Pierce, and Snohomish counties.

In terms of geography, the board is thinking about dividing the state into three regions based on determining which courts in the state work in a similar fashion, work closely together, and serve a similar population. That could lead to our recruitment looking to balance membership across three distinct courthouse-centric regions, that look something like the following diagram. Note that using criteria like this could mean that the regions comprise contiguous and noncontiguous counties, and in this draft geographic grouping light-blue indicates areas the board believes may have larger similarly focused courts, dark-blue smaller similarly focused courts and the final blue the medium-sized similarly focused courts.

Washington Geographies



Powered by Bing
© GeoNames

Admittedly the board has significant work to do, and work that must be put in place so it is not merely a one-off plan, but, becomes an ongoing focus with continual improvement.

The board hopes this better answers your question. As always the board looks forward to a dialogue with the Court on this matter, and look forward to the Court's feedback and guidance on the board's efforts.

Respectfully,

Handwritten signature of Michael Cherry in black ink.

Michael Cherry

Chair, Practice of Law Board (WSBA #48132)