

# WASHINGTON STATE BAR ASSOCIATION

## Washington Young Lawyers Committee

**Washington Young Lawyers Committee Meeting | Virtual via Zoom**

**Saturday, November 16, 2024, | 10:00 a.m. – 2:00 p.m.**

[Via Zoom](#) | Meeting ID: 873 7434 2637 | Passcode 096954 | Call In 888-788-0099

### AGENDA:

- 1) **Welcome & Introductions; Approval of April & August Special Meeting Minutes** – Mason
- 2) **WSBA Updates** –Chelle, Jordan
  - a) BOG Meeting Updates
  - b) WYLC Positions Update: Vacant positions moving into FY25
- 3) **WYLC Orientation** – Chelle
- 4) **Proposed FY25 Schedule Discussion** - Mason
- 5) **Summer Bar Exam Social Updates** – Chelle/ Stephan
  - a) Recap
  - b) February Bar Exam Discussion
- 6) **Project Team Presentations and Regional Reports** – All
  - a) Public Service Leadership Award – Alex
  - b) STAR Committee Updates – Cody / Chelle
  - c) Recruitment and Outreach – Zach
  - d) Financial Focus CLE – Elyse, Chawisa
- 7) **WYLC Bylaw Amendments** – Mason
- 8) **Potential CLE Collaborations** – Chelle
  - a) Trial Advocacy Program
  - b) Legal Lunchbox
  - c) Professional Development CLE
- 9) **WYLC Outgoing Member Awards** - Aaron
- 10) **New ideas for Next Meeting** – All
- 11) **Adjournment** – Mason

## 2024 - 2025 WYLC Meeting Schedule

November 16, 2024	Meeting: 10:00 a.m. – 2:00 p.m.	WSBA Office, Seattle Wa & Hybrid
<i>TBD</i>		

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

## Washington Young Lawyers Committee

### Washington Young Lawyers Committee Meeting I Virtual Only Saturday, April 20, 2024, | 10:03 a.m. – 12:28 p.m. Meeting Minutes

**WYLC Members Present In-Person or Phone:** Aaron Haynes, Alexander Reaganson, Bethany Nolan, Mason Ji, Adin Johnson, Chawisa Laicharoenwat, Elyse Waters, Matthew Rommelmann, Stephan Yhann, Sydney Sherman

**WYLC Members Absent:** Cody Branstetter (unexcused), Mackenzie Lloyd (unexcused), Zachary Davison (unexcused), Catarina Ferriera (excused)

**Board of Governors Liaisons:** Jordan Couch

**WSBA Staff:** Chelle Gegax – WSBA Member Services and Engagement Specialist, Julianne Unite – WSBA Member Services and Engagement Manager

**Public Attendees:** Joey Ortiz – Board of Governors At-large Young Lawyer applicant, Fabiola Jimenez- Board of Governors At-large Young Lawyer applicant

#### Welcome & Introductions; Approval of March Minutes –Aaron

WYLC Chair, Aaron Haynes, opened the meeting at 10:03 a.m. and welcomed everyone in attendance, both remote and in-person. WYLC Members introduced themselves to the Board of Governors At-large Young Lawyer applicants. On motion by WYLC Member Mason Ji, seconded by WYLC Member Bethany Nolan, the WYLC unanimously (10-0-0) to approve the March WYLC meeting minutes.

#### BOG At-large Candidate Interviews – All

Mason, Aaron, WYLC Member Bethany Nolan, and WYLC Member Sydney Sherman will each ask interview questions. Joey Ortiz volunteered to go first. Joey dismissed at 10:29 am. Fabiola interview started at 10:30 am, ended at 10:47. Jordan interview started at 10:54 am, ended at 11:20 a.m.

WSBA Member Services and Engagement Manager, Julianne Unite, advised that per WSBA bylaws the WYLC should recommend at least 3 candidates for the ballot. If the WYLC does not recommend three, the bog can choose to add additional candidates to avoid uncontested elections. If the WYLC adds three candidates, the BOG cannot add additional.

WYLC Members discussed applicant interviews in executive session.

WYLC Member, Adin Johnson, asked what would happen if the WYLC only recommended two for the ballot. Julianne responded that the BOG could accept the two recommendations, the BOG could choose to add a third candidate, or the BOG could choose to extend the application period, hold additional interviews, or choose a different path.

Members discussed a revision in the criteria for applicants for future application cycles.

On motion by Mason, seconded by Adin, the WYLC (6-4-0) approved to recommend all three applicants to the ballot.

### WSBA Updates – Julianne/ Chelle

Jordan Couch provided an update from the BOG. Bar licensure task force, public defender caseloads have been cleared out. BOG president Hunter Abell is running for office, and Sunitha will be stepping in as interim chair. Still working on projects surrounding the technology task force and member wellness. Jordan commented that if anyone from the WYLC wanted to have their voice heard regarding the tech task force, to show up and attend. Stephan commented that he thought the tech task force was focused on AI. Jordan clarified that the task force is not solely focused on AI and has a broader scope. Will also discuss needs of the court. Julianne advised that the charter for the task force can be found online and will define their scope in more detail. Jordan advised if the committee wanted to push for other tech related projects such as e-filing, that the committee can do this without involvement of the tech task force. Jordan offered to connect the WYLC with the ATJ's Technology Committee.

Jordan advised that the state bar set standards on what public defender case loads should be. Changed the standard to reflect and look at case loads differently (different types of cases, number of cases, etc.)

Julianne advised that applications open May 1 for boards, committees, task forces. If anyone who is currently on the WYLC and wants to reapply, they will need to do so to remain on the committee. If anyone is in an expiring position, it would be helpful to have members recruit applicants for those regions. Aaron, Mason, Jordan, and Zach will need to meet in July (recommendations/nominations team) to discuss applicants.

Julianne advised that the next BOG meeting will be May 2/3. Asked who on the WYLC would be available to speak at the meeting in Richland, WA with an option for virtual. Aaron, Mason, and Stephan indicated that they could be available, if needed.

### Summer Bar Exam Social Discussion – Stephan

Stephan commented that he has a potential venue, which would be the Tacoma Art Museum. The venue has a room that can accommodate 300 people and can be set up cocktail party style. The event cost would be all inclusive and would require working with their vendors for catering, etc. Jordan advised that depending on costs, that Tacoma young lawyers may be able to co-sponsor the event. Julianne also commented that if alcohol would be served, an outside sponsor would be required. Julianne advised that the committee does not meet again until July, and that we would want to market this event to the potential attendees as early as possible. Additional venues could be local hotels or Tacoma Armory.

On motion by Aaron, seconded by Mason, the WYLC unanimously (10-0-0) approved to reallocate \$2000 from GL Code 58525 (Scholarships, Donations & Grants) to GL Code 55266 (WYLC/ New Lawyer Outreach Events) for the July after-bar-exam social.

### Project Team Presentations and Regional Reports – All

#### Public Service Leadership Award – Alex

Chelle Gegax commented that there is an updated application for FY25 in the meeting materials.

### STAR Committee Updates – Cody

Julianne advised that the STAR Committee will be hosting a Rural Summit at Gonzaga, on June 7<sup>th</sup> with CLE accreditation. Julianne invited the WYLC to attend if they will be in the area, as the rural topic started as a subcommittee of the WYLC. The STAR Committee will also be offering up to nine \$5,000 grants to interns serving in a rural area as defined by the committee. The committee held a job fair last month at Gonzaga, with approximately 20 employers and upwards of 40 applicants.

The STAR Committee will meet again on May 3<sup>rd</sup> to vote on grant recipients and then again on May 15<sup>th</sup> as their regular meeting date.

Jordan asked if the STAR Committee reached out to the Alaska Community Legal Services? Julianne answered that for this inaugural event most recruited have been very local but plans to expand if the committee chooses to do this as an annual program.

The STAR Committee will be joining with Legal Lunchbox in July with a CLE on Farmer's Rights.

### Recruitment and Outreach – Zach

Not present.

### Financial Focus CLE – Elyse, Chawisa

Chawisa advised that they finalized a topic of budget and debt management for the small firm lawyer.

### New ideas for Next Meeting – All

Stephan commented on bylaw changes, if still pending, talking about switching unfilled district positions to at-large 1-year terms to at least fill quorum and have higher chances of filling seats. Julianne advised that this would be a committee policy, not a bylaw, but the BOG would likely still need to approved. Could be presented to the BOG at the same time as the by law changes.

Aaron advised that next meeting will be hosted at his firm in Bellingham, WA.

### Adjournment – Aaron

Meeting adjourned at 12:46 p.m.

# WASHINGTON STATE BAR ASSOCIATION

Washington Young Lawyers Committee

**Washington Young Lawyers Committee Special Meeting | Virtual Only**  
**Wednesday, August 14, 2024, | 2:03 p.m. – 2:41 p.m.**  
**Meeting Minutes**

**WYLC Members Present In-Person or Phone:** Aaron Haynes, Adin Johnson, Alexander Reaganson, Catarina Ferriera, , Chawisa Laicharoenwat, Elyse Waters, Mackenzie Lloyd, Mason Ji, Matthew Rommelmann

**WYLC Members Absent:** Bethany Nolan (excused), Cody Branstetter (excused), Zachary Davison (excused), Stephan Yhann (excused), Sydney Sherman (excused)

**BOG Liaison:** Jordan Couch (absent, excused)

**WSBA Staff:** Chelle Gegax – WSBA Member Services and Engagement Specialist, Vanessa Sweeney – WSBA Member Services and Engagement Program Coordinator

## Welcome & Introductions – Aaron

WYLC Chair, Aaron Haynes, opened the meeting at 2:03 p.m. and welcomed everyone in attendance.

## Public Service Leadership Award Nominee Review and Voting – Alexander

WYLC Members reviewed applications for the Public Service Leadership Award. WSBA Member Engagement Specialist Chelle Gegax confirmed that up to four recipients can be selected for this year's award.

Applicant Number	Votes
1	2
2	5
3	9
4	4
5	1
6	0
7	9
8	9
9	9

On motion by Aaron, seconded by Alexander, the WYLC voted unanimously (9-0-0) to award the Public Service Leadership Award to nominees 3, 7, 8, and 9.

Chelle will send unredacted applicant information to Aaron Haynes. PSLA Certificates will be awarded to recipients at the September 14 meeting.

### Adjournment – Aaron

Meeting adjourned at 2:41 p.m.

**2024-2025 WSBA BOARD OF GOVERNORS MEETING SCHEDULE**

MEETING DATE	LOCATION	DESCRIPTION	EXECUTIVE COMMITTEE MEETING	MATERIALS DEADLINE
October 18-19, 2024	Semiahmoo Resort Blaine, WA	Team Building Retreat		n/a
November 7-8, 2024	WSBA Conference Center Seattle, WA	BOG Meeting	October 16, 2024	October 8, 2024
January 17-18, 2025	WSBA Conference Center Seattle, WA	BOG Meeting KCBA MLK Luncheon Jan. 17	December 18, 2024	December 10, 2024
March 21-22, 2025	Great Wolf Lodge Conference Center Grand Mound, WA	BOG Meeting	February 26, 2025	February 18, 2025
May 2-3, 2025	Red Lion Hotel Port Angeles Harbor Port Angeles, WA	BOG Meeting	April 16, 2025	April 8, 2025
July 17 - 18, 2025 July 19, 2025	The Marcus Whitman Hotel and Conference Center Walla Walla, WA	BOG Meeting BOG Planning Retreat	June 25, 2025	June 17, 2025
September 26-27, 2025	WSBA Offices Seattle, WA	BOG Meeting	September 3, 2025	August 26, 2025

All proposed agenda items and materials must be submitted by the deadline stated above. Materials can be submitted through 1) a staff liaison, 2) staff supervisor or department director, 3) staff member identified by the Office of the Executive Director or, if none of those are applicable, 4) directly to the Executive Director (terran@wsba.org). Submitters will be notified of the status of their request after the materials deadline. All meeting materials will be published appx. two weeks prior to the meeting.

Materials should include: 1) a cover memo, 2) additional/supplemental materials, 3) be inclusive of all WSBA analyses, if relevant and, 4) be in final form suitable for publication. Click [here](#) for more information.

## FY25 WYLC Proposed Meeting Dates

Meetings will take place on the second Thursday of each month, from 12:10 – 1:10 P.M.

- **December 2024:** December 12
- **January 2025:** January 9
- **February 2025:** February 13
- **March 2025:** March 13
- **April 2025:** April 10
- **May 2025:** May 8
- **June 2025:** June 12
- **July 2025:** July 10
- **August 2025:** August 14
- **September 2025:** September 11



# WASHINGTON STATE BAR ASSOCIATION

**TO:** WSBA Board of Governors

**FROM:** Washington Young Lawyers Committee  
Julianne Unite, Member Services and Engagement Manager  
Curtiss Melvin, Member Engagement Specialist and Staff Liaison to the WYLC

**RE:** WSBA Bylaws Amendments—Proposed Changes Young Lawyer Title and Definition

**DATE:** May 13, 2023

**FIRST READ:** Proposed WSBA Bylaws Amendments to Sections VI., XI., and XII. re. Young Lawyers

## 1. Summary & Background

Over the past few years, the Washington Young Lawyers Committee (WYLC) has discussed the benefits of and drawbacks to amending Section XII of the Bylaws (the “Bylaws”) of the Washington State Bar Association (WSBA). This discussion was, in part, a response to initiatives from other jurisdictions around the country to expand the notion of what it means to be a “new” or “young” lawyer. As a result of this discussion, the WYLC has determined that an amendment to Section XII (and other related sections of the WSBA Bylaws referring to “young lawyer”, e.g., Sections VI. and XI.), will serve its constituents and further the WSBA’s Guiding Principles; the WSBA’s mission to serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice; and Washington GR 12.2. Specifically, the purpose of this proposed amendment is to (1) promote diversity and inclusion within the bar and facilitate access to justice; (2) enhance member engagement; and (3) extend reach of the WYLC’s programming and services to members wishing to benefit from those programming and services.

Section XII, currently titled “Young Lawyers,” includes two subsections, one that lists the “Purpose” of Section XII and another that lists the “Definition” of who is considered “Young Lawyers” for purposes of qualifying for WYLC membership and participating in certain activities.<sup>1</sup> The current version of Section XII is as follows:

## **XII. YOUNG LAWYERS**

### **A. PURPOSE**

There will be a member segment within the Bar identified as “Young Lawyers” for the purposes of encouraging the interest and participation of (i) new and young lawyers and law students in the activities of the Bar; and (ii) developing and conducting programs of interest and value to new and young lawyers consistent with the focus areas of public service and pro bono programs, transition to

<sup>1</sup> For some WSBA programming, e.g., New Member Education (NME), the WSBA uses a separate new member definition that will be unaffected by this proposed Bylaws amendment.



practice, and member outreach and leadership; and (iii) upholding and supporting the Guiding Principles of the Bar.

## **B. DEFINITION**

Active lawyer members of the Bar will be considered Young Lawyers until the last day of December of the year in which the member attains the age of 36 years or until the last day of December of the fifth year after the year in which such member first was admitted to practice as a lawyer in any state, whichever is later.

As written, Section XII excludes categories of constituents who would benefit from the WYLC's programming and services but, due to immutable circumstances not currently accounted for under the rule, would not qualify as a "Young Lawyer". Examples of situations where constituents might be excluded include, but are not limited to, WYLC membership, WYLC awards and scholarships, Young Lawyer Liaison to Sections program, and eligibility for the At large Young Lawyer Governor seat. In support of a potential amendment, the WYLC surveyed its constituents to obtain additional feedback and assess support for a broader, more inclusive version of Section XII that promotes diversity and inclusion within our legal community. In response to the results of the survey, as well as its ongoing discussion, the WYLC concluded that Section XII should be amended to provide broader coverage to new and young attorneys within Washington state. Specifically, the WYLC proposes an amendment to Section XII that: (1) changes the term "Young Lawyers" to "New and Young Lawyers"; (2) removes the currently imposed age restriction of 36 years old; and (3) extends the years of practice requirement to 10 years. With these changes, other sections of the Bylaws referring to "Young Lawyers" would need to be revised to reflect the updated term "New and Young Lawyers". These sections include Section VI.A.2.b., Section VI.C., Section VI.F.2., and Section XI.F.4. The WYLC further recommends that use of the acronym "WYLC" be replaced with "WNYLC."

## **2. History and Purpose**

The genesis for this proposal arose pre-pandemic. During its September 14, 2019, a WYLC member reported that the American Bar Association had recently voted on changing the definition of a "young lawyer" and notified the WYLC that other jurisdictions were assessing similar changes throughout the country. The WYLC began discussing whether the WSBA's of "Young Lawyers" should be modified in response to a broader initiative across all jurisdictions. In doing so, the WYLC looked at narrower examples, such as the definition of "young lawyers" the [American Bar Association](#) imposes, as well as broader examples, such as the definition used in [New York](#) (no age restriction; open to "attorneys admitted 10 years or less"). Other jurisdictions, including the neighboring [State of Oregon](#) ("[e]very lawyer who has practiced six years or less, or is 36 years old or younger (whichever is later) is automatically a member of the ONLD"), take an intermediate approach. The WYLC noted that the current version of Section XII tracks the narrowest definition of "young lawyers" that the WYLC could find.

The WYLC also considered other initiatives to promote the inclusion of "new" and "young" lawyers in other organizations, including the King County Bar Association's recent initiative to change the name of its "Young Lawyers Division" to "New Lawyers Division"—with a stated mission of "further[ing] the objectives of new and aspiring

lawyers by representing the diverse interests of the Division’s members to the Association and the legal community, creating opportunities for continuing legal education, mentoring, and networking, as well as addressing the needs of the community through pro bono and volunteer service.”

Through this process, the WYLC identified an opportunity to revise WSBA’s definition of “young lawyers”, garnered preliminary support for the project, and began charting a course to determine what, if any, amendments to Section XII the WYLC should propose.

### 3. Community Input

As an initial step, the WYLC resolved to determine whether its constituents felt that an amendment was needed. On June 1, 2020, the WSBA surveyed its new members about a potential revision to the WSBA’s definition of “Young Lawyer.” The pertinent survey questions, and the corresponding responses, were as follows:

Question	Response (%)		
	Yes	No	No Opinion
<b>Q30.</b> Should the WSBA consider amending the WSBA definition of a young lawyer to remove the age restriction and extend the years of practice to 10 years?	<u><b>49.55%</b></u>	20.47%	29.97%
<b>Q31.</b> Does the current WSBA's young lawyer definition accurately reflect your understanding of a "young lawyer"? <sup>2</sup>	<u><b>41.84%</b></u>	32.64%	22.55%
<b>Q32.</b> Should the age restriction (36 years or younger) remain in the definition of WSBA young lawyer?	18.34%	<u><b>55.92%</b></u>	25.74%
<b>Q34.</b> Should the WSBA young lawyer name and definition align with the definition of a WSBA member, which includes lawyers, limited license legal technicians (LLTs), and limited practice officers (LPOs)?	28.57%	<u><b>36.31%</b></u>	35.12%

In addition to these questions, the survey asked whether “the years of practice (5 years or less) be extended in WSBA’s definition of a young lawyer and, if so, to how many?” (**Q33**) 25.82% of respondents said no. 3.26% of respondents said yes, to six (6) years. 8.61% of respondents said yes, to seven (7) years. 6.53% of respondents said yes, to eight (8) years. 0.30% of respondents said yes, to nine (9) years. **27.89%** of the respondents said yes, to ten (10) years. 24.93% of respondents had no opinion.

The WYLC also received unsolicited feedback from other members of the WSBA in support of a proposed amendment. For example, we received notification that international attorneys who recently moved to Washington state are interested in participating in the WYLC’s networking programs, such as the MentorLink Mixer, as part of their job hunt. Yet, many of these members do not qualify under the existing definition, since they are over age 36 or have been licensed to practice law in another jurisdiction for greater than five years. Through its outreach and

<sup>2</sup> 2.97% of respondents stated that they do not understand the definition of “young lawyer.”

discussion with other WSBA members, the WYLC broadly observed that, although there may only be a handful of constituents who fall at the margins of the existing version of Section XII (and who would thus benefit from a more inclusive definition), those individuals feel strongly about their need to be included within the purview of Section XII.

#### **4. Equity Analysis**

The survey results, as well as the WYLC's outreach efforts and informal discussions with constituents, reflected popular support for an amendment to Section XII. The WYLC conferred on a series of tentative changes designed to implement the feedback it received. Specifically, the WYLC solicited discussion and debate on the following proposals:

1. Current definition should be amended to reflect constituent responses to Q30 and Q31. Amendments should remove age restriction and extend years of practice to 10 years pursuant to responses to Q30.
2. Remove "until the last day of December of the year in which the member attains the age of 36 years or" and ", whichever is later" to reflect constituent responses to Q30 and Q32.
3. Replace "fifth" with "tenth" to reflect constituent responses to Q30 and Q33.
4. Change "[a]ctive lawyer members of the Bar" to "[a]ctive members of the Bar" pursuant to constituent responses to Q34 and overarching purpose of proposed amendment to be more inclusive.

The WYLC also discussed whether (1) the phrase "first admitted to practice as a lawyer in **any state**" (emphasis added) should be changed to "first was admitted to practice as a lawyer in Washington state" and (2) whether the term "Young Lawyer" should be revised to be more inclusive and less age-focused.

WYLC members largely favored extending the "years of practice" requirement to ten years and removing the age restriction altogether. A concern was raised that, by removing the age restriction and extending the "years of practice" requirement, we would defeat the purpose of what it means to be a young lawyer. WYLC members noted that other services and programming, such as discounts on CLEs for new members, are available to constituents who do not fit within Section XII's current restrictions. Other members noted that, if someone within this category wished to participate in a WYLC program, or utilize a new member benefit, there was no significant reason to deny them that opportunity—particularly since the WYLC rarely meets its capacity at outreach events under the existing version of Section XII. The consensus was that, in practice, there appears to be little downside to offering these opportunities to a larger segment of the WSBA and offering "new" and "young" lawyer services and benefits to a broader group of attorneys.

The WYLC raised the practical implications (and shortcomings) of maintaining an age restriction and shorter "years of practice" requirement. For example, a new attorney admitted to the bar at the age of 37 would automatically be precluded from relying on the age-component of the existing Section XII.B. for purposes of leveraging the benefits of the WYLC and WSBA, such as WYLC membership, WYLC awards and scholarships, Young Lawyer Liaison to Sections program, and eligibility for the At large Young Lawyer Governor seat. Although the WYLC noted that the "years of experience" component was designed to protect against this scenario, the WYLC discussed additional circumstances

in which the existing language might be unfairly restrictive. For example, a person admitted to the WSBA at 37, has a child at age 38, and chooses to withdraw from practice for the next five years, would be precluded from receiving new lawyer privileges of the WYLC upon returning to practice—even though this person could still benefit from those privileges and new member services.

Through these discussions, the WYLC observed that the current restrictions might therefore impose restrictions on less advantaged segments of the WSBA, such as attorneys providing for single-parent households, attorneys tending to an elderly or sick family member, attorneys experiencing chronic illnesses or other medical conditions, and other attorneys whose life circumstances might require them to step away from their practice during the period in which they would qualify under the existing version of Section XII. In these scenarios, a person returning to practice after the age of 36 and after five years of admittance would unfairly be precluded from enjoying certain new member benefits and services.

The WYLC also considered situations in which the “[a]ctive lawyer members of the Bar” component of Section XII.B. might be unduly restrictive. For example, a person over the age of 36 might relocate to Washington after being barred in another state for over five years. Although that person might benefit from WYLC services, including for example networking events and opportunities to meet local attorneys who are also new to the legal community, they would be excluded from receiving information and updates and these events and opportunities under the existing definition. The WYLC agreed that, for this reason, the triggering event should be when a lawyer is first admitted to Washington state, rather than a different state.

The WYLC unanimously agreed that the term “Young Lawyers” should be modified to more accurately reflect the other proposed changes to Section XII and to be less age-focused. WYLC members agreed that, even under the existing version of Section XII, an attorney who is not necessarily young (because they did not enter the legal profession until later in life), but who qualifies under the “years of experience” prong, might either feel excluded under the existing terminology or not be aware that they qualify for the corresponding benefits and programming. Comparatively, the WYLC could not identify any legitimate reason to maintain the existing terminology, so long as the amended terminology accurately reflects the intended membership.

Finally, the WYLC believes that the pros and cons of the proposed amendment should be weighed in the context of the COVID-19 pandemic. New and young lawyers entering the legal market are faced with unique challenges that attorneys did not experience in the pre-pandemic world. The WYLC observed that, in the “remote” and “virtual” world we currently live in, a larger segment of the bar is likely looking for more opportunities to network with peers, develop mentorship relationships, and provide volunteer services. By providing services to a larger segment of the bar, the WYLC can fill this projected need.

## **5. Fiscal Analysis & Implementation Implications**

The WYLC discussed whether an amendment to cover a broader segment of the WSBA might overextend the WYLC’s resources and require budget changes. As of December 31, 2022, 6,037 lawyers qualified under the existing definition of “Young Lawyer.” Had the proposed amendment been in place at that time, 12,208 lawyers would qualify

as a “New and Young Lawyer”. The WYLC does not currently foresee the need for additional outreach events, increased scholarships, or changes to meeting costs as a result of the proposed amendment—particularly given the level of interest, participation, and attendance from existing constituents over the past few years. For these reasons, the WYLC does not currently anticipate any increase in any of the three expense line items associated with the WYLC (55266 WYLC Outreach Events; 58525 WYLC ABA Scholarship; 55270 WYL Committee). Although new WSBA members receive a discount on licensing within their first few years of practice, the WYLC is not proposing any change to that policy at this time. Should the proposed Bylaws amendment be implemented, the WYLC will endeavor to fill one of its seats with a member who qualifies within the newly amended language (e.g., an attorney over 36 years and who has been practicing between five and ten years). The WYLC also anticipates revisiting the budgetary needs on an ongoing basis as it normally does in the course of its ongoing business. Any requests for additional budget in the WYLC-associated expense line items would be made in connection with the budget setting process for FY25. The WYLC anticipates questions from constituents concerning the amendment and will be prepared to address those questions.

#### **6. Proposed Amendment & Rule Compliance**

The proposed amendment agreed upon by the WYLC, reflected in redline, is enclosed as **Exhibit A**. The changes reflected in these enclosures are intended to address the considerations discussed above. If adopted, other references in the Bylaws to “Young Lawyer(s)” will need to be updated to “New and Young Lawyer(s),” as reflected in **Exhibit A**.

This Bylaw Amendment was approved by the WYLC on May 12, 2023 by a majority vote of 7 with 0 dissenting votes and 0 of abstaining votes. Section XVI. Amendments of the WSBA Bylaws governs the next steps of this proposed amendment. Under Subsection A., the Bylaws “may be amended by the BOG at any regular meeting of the BOG . . . .” “All proposed bylaw amendments must be posted on the Bar’s website and presented for “first reading” at least one BOG meeting prior to the meeting at which the BOG votes on the proposed amendment, and the BOG will not vote on any proposed bylaw amendment at the meeting at which the amendment is originally proposed . . . .” Section XVI.B.

The WYLC respectfully requests that, in compliance with the requirements of Section XVI, the BOG post the proposed amendment to the Bar’s website and present for “first reading” at least one BOG meeting prior to the meeting at which the BOG votes on the proposed amendment. Please let me know if you have any questions or concerns, or need anything else from the WYLC.

<p><b>WSBA RISK ANALYSIS:</b> <i>This section is to be completed by the Office of General Counsel, with input from the proposing entity or individual.</i></p>
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#### ***1. Board cannot vote on this proposed change in June***

***The WSBA Bylaws article XVI.B states that***

**“All proposed bylaw amendments must be posted on the Bar’s website and presented for “first reading” at least one BOG meeting prior to the meeting at which the BOG votes on the proposed amendment, and the BOG will not vote on any proposed bylaw amendment at the meeting at which the amendment is originally proposed, except as may be allowed below.” The exception relates to exceptional circumstances and is not implicated here.**

2. Removing age as a factor lowers risk.

Using age as a factor to divide the membership into groups can be viewed as discrimination. The current bylaws use age and length of time in practice to limit any potential discrimination. Eliminating the age requirement lowers, or eliminates, this risk.

3. Exclusionary Application

Both the current Bylaws and the proposed changes limit membership in the New and Young Lawyer segment of the Bar to lawyer members, although LLLTs and LPOs are WSBA members. This memo states:

“As written, Section XII excludes categories of constituents who would benefit from the WYLC’s programming and services but, due to immutable circumstances not currently accounted for under the rule, would not qualify as a “Young Lawyer”. Examples of situations where constituents might be excluded include, but are not limited to, WYLC membership, WYLC awards and scholarships, Young Lawyer Liaison to Sections program, and eligibility for the At large Young Lawyer Governor seat. In support of a potential amendment, the WYLC surveyed its constituents to obtain additional feedback and assess support for a broader, more inclusive version of Section XII that promotes diversity and inclusion within our legal community.”

The proposed change continues to exclude categories of constituents who could benefit from the WYLC’s programming-LPOs and LLLTs licensed for ten years or less. The Board may wish to discuss whether the WSBA Bylaws should exclude some members from benefits based on license type.

WSBA FISCAL ANALYSIS: *This section is to be completed by the Finance Department, with input from the proposing entity or individual.*

The fiscal impact to WSBA resulting from the proposed changes to the bylaws includes a limited to the amount of staff time used to incorporate the changes to WSBA records and outreach to communicate the changes, and management of potential increased volume in applications in the election process for at-large board positions. The staff time that would be allocated to this work is included in the overall duties of existing WSBA staff and would not require additional staff or allocation of resources from other internal sources.

Additionally, WSBA currently offers new member discounts on CLE seminars and products, however the discount applies to *all* members (lawyers, limited license legal technicians, and limited practice officers) who are within their first 5 years of admission to the WSBA and there is no age limit. The proposed changes to the bylaws only apply to lawyer members and do not impact the new member discount as it is set by internal policy. However, it is possible that if the proposal is approved, WSBA’s internal policy could be reviewed for alignment considerations.



WSBA EQUITY ANALYSIS: *This section is to be completed by the Equity and Justice Team, with input from the proposing entity or individual.* The proposal to remove the age restriction and extend the number of years in practice will promote more equitable outcomes for members who have not previously had access to benefits. The WYLC's efforts to consider the perspectives of impacted communities including new members and international attorneys helped inform how to make the membership more inclusive. To further inclusion, we suggest that the WYLC consider changing "L"/"lawyer" in the new name to "LP"/"legal professional" so that all new Bar members – including limited licensed legal technicians (LLLTs) and limited practice officers (LPOs) feel included in the newly named committee. The survey showed that the feedback on whether the new committee name should align with the definition of a WSBA member was nearly split with 28.5% in favor, 36.3% not in favor, and 35.12% without opinion. We encourage WYLC to consider that LLLTs and LPOs are a smaller percentage of the membership as it weighs the input and how changing the name to include all legal professionals will foster inclusion among all members. We also note that the with the proposed removal of the age requirement, the WYLC should consider removing "Y"/"young" to avoid confusion for future members.

Thank you,



Project Lead for WYLC Bylaws and Governance Project

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#### Attachments

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



# WASHINGTON STATE BAR ASSOCIATION

## Board of Governors June 2023 Meeting Update

*A summary prepared by the WSBA of the Board of Governors (Board) meeting held June 23, 2023, in Vancouver, Washington. The agenda, materials, and video recording from this Board meeting are [online](#). The next regular meeting is Aug. 11-12 in Richland, Washington. The Board of Governors is WSBA's governing body charged with determining general policies of the WSBA and approving its annual budget. To subscribe to the Board Meeting Notification list, email [barleaders@wsba.org](mailto:barleaders@wsba.org).*

### NEED TO KNOW

1. **2024 WSBA Budget Taking Shape.** The Board saw a first draft of the Fiscal Year 2024 budget, which maintains programs and services while purposefully using a portion of available reserves to keep license fees stable (the 2024 license fee has already been set by the Board and approved by the Washington Supreme Court). Looking toward the future, board members discussed values and priorities when it comes to setting the license fee and developing the budget to best carry out the WSBA's mission—especially in light of annual increases in the basic costs of doing business as well as potential new programs and services. [See page 29.](#)

### OTHER BUSINESS

**Local Heroes.** The WSBA honored [Hon. Michael Evans](#) and [Zachary H. Stoumbos](#). The Local Hero Award is bestowed by the WSBA President, in partnership with county bar associations, to recognize colleagues who make noteworthy contributions to their communities. Hon. Evans was nominated by the Cowlitz-Wahkiakum Bar Association for his many years of service on the bench dedicated to access to justice. Mr. Stoumbos was nominated by the Clark County Bar Association in recognition of his volunteerism and exceptional professionalism as a legal leader and mentor.

**Redefinition of Eligibility for Washington Young Lawyers Committee.** After a nationwide study and collection of feedback, leaders of the WSBA Washington Young Lawyers Committee are proposing changes to the WSBA bylaws that would expand the definition of what is “new” or “young.” Specifically, the recommendation is to remove any age restrictions and make eligibility for the WYLC and associated programs/services contingent upon years of practice; and to extend the years of practice cap from 5 to 10 years. The purpose is to expand WYLC programming and practice to support more new lawyers; examples include WYLC awards and

scholarships, WYLC liaisonship seats, and the WYLC seat on the Board of Governors. ([See page 98.](#)) The Board expects to vote on the proposed bylaw changes at a future meeting.

**Proposed New Comments to RPC 1.2 and RPC 8.4 Regarding Reproductive**

**Rights.** In August 2022, the Washington State Attorney General asked the Board to confirm that lawyers who advise clients in accessing or providing reproductive healthcare that is lawful and protected in Washington state are not in violation of legal ethical requirements nor subject to professional discipline. In response, the Board asked the WSBA's Committee on Professional Ethics (CPE) to study the issue and make a recommendation. The basic scenario, the CPE found, involves a Washington lawyer giving advice which is being treated by a prosecutor in another jurisdiction as possible criminal activity. After much consideration, the CPE presented a recommendation that the Washington Supreme Court adopt new comments to Rules of Professional Conduct (RPC) [1.2](#) and [8.4](#) (along the lines of the "special circumstances" Comment [18] previously adopted with respect to Washington's marijuana laws). The Board asked the CPE to consider extending the scope of the proposed comments to include other potential conflicts between state and federal laws, while still specifically referencing reproductive rights as an example. ([See page 321.](#))

**Justice and Fairness in Our Legal System.** The WSBA's [Equity and Disparity Work Group](#) was chartered in 2020 to review rules, regulations, and laws to identify those that impede real justice and fairness in Washington. A subcommittee has identified General Rule 12.2(C) as one such regulation and has proposed changes to it. ([See page 301.](#)) The Board expects to decide at a future meeting whether to recommend the changes to the Court; before then, the subcommittee is seeking member feedback via this [online form before July 7.](#)

**The Board also:**

- On the Thursday before the business meeting, held an orientation for newly-elected Governors.
- On the Thursday before the business meeting, held a training on diversity, equity, and inclusion for all Board members. This introductory training focused on interpersonal and group skills to have respectful conversations about difficult topics, common definitions and understanding of basic concepts, and the way the WSBA's mission and strategic goals are grounded in DEI efforts.
- Met with members of the [Washington Young Lawyers Committee](#) and [Washington Leadership Institute.](#)
- On the Saturday after the business meeting, held a retreat to discuss strategic goals for Fiscal Year 2024.