

# LEGISLATION AND COURT RULE COMMENT POLICY

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**Purpose:** This policy governs Section, Committee, Division or Council comment on court rules and legislation and clarifies the conditions under which WSBA entities can publicly comment.

**Policy:**

The Board of Governors, the Executive Director, the Legislative Committee, or the Legislative Representative, are authorized to refer legislative proposals or proposed court rule changes to Sections, Committees, Divisions and Councils of the Washington State Bar Association for their consideration; and Sections, Committees, Divisions and Councils are authorized to appear before the Legislature or a committee of the Legislature, or to comment on any proposed rule change pursuant to Supreme Court General Rule 9(f), upon the following conditions:

1. The Section, Committee, Division or Council will not take a position unless that position is the opinion and position of at least 75% of the total membership of the governing body of the Section, Committee, Division or Council.
2. The Section, Committee, Division or Council shall not advocate a position in opposition to a legislative or rule proposal or position of the Board of Governors without prior written notice to the Board.
3. The Executive Director, the Board of Governors, the Legislative Committee, and the Legislative Representative, shall, as appropriate, be advised on an ongoing basis of decisions, positions, and actions of the Section, Committee, Division or Council.
4. The Sections, Committees, Divisions or Councils shall represent to the Legislature or to the Chief Justice that their views and opinions are those of the Section, Committee, Division or Council only, and not the official position of the Washington State Bar Association unless the Section, Committee, Division or Council has the written approval of the Board of Governors to represent the Association.
5. The Section, Committee, Division or Council representatives shall cease to advocate the position of the Section, Committee, Division or Council if requested to do so by the Executive Director, the Board of Governors, the President of the Bar, or, in the case of comment on legislative proposals, the Legislative Committee or the Legislative Representative.
6. Sections, Committees, Divisions or Councils are prohibited from joining or affiliating with groups or associations whose legislative advocacy reaches beyond the areas allowable under GR 12: "affecting the practice of law or the administration of justice."