

Dear WSBA Sections Policy Workgroup Members,

I am the chair of the Administrative Law Section and have reached out to current and former members of the section leadership for their advice and reactions regarding the workgroup's proposals. I write on my own behalf and on behalf of Katy Hatfield, the immediate past chair of the section. I also include feedback from individual bar members as noted.

I agree that it is appropriate to increase uniformity among the sections where such changes are necessary for the efficient and practical management of the sections, but some of the proposals threaten the diversity and collegiality that currently exist among the individual sections. My primary concerns are summarized below.

- 1. Pooling of section resources.** Prohibiting sections from carrying over any funds is a drastic step that would stifle the enthusiasm of section leaders to put on events and write materials that ultimately result in section revenues. I have heard more negative feedback regarding this proposal, both from the Administrative Law Section leadership and from leaders of other sections, than regarding any other proposals.

Even if the sections are not legally distinct from the WSBA, they are cohesive and individual groups that are bound by common interests and practice areas. Part of what motivates our section leaders to spend hours organizing financially successful CLEs or revising chapters of a deskbook that results in profitable sales is that money earned from those efforts will contribute to a scholarship for a law student working in administrative law or to another CLE that, while beneficial to section members, may not turn a profit. One of the leaders of the Administrative Law Section responded to me that this proposal is disrespectful of section members—particularly those whose volunteer efforts result in section revenue. That member indicated that if this proposal passes, he would seriously consider dropping his section membership and ending the substantial and time-intensive efforts that he contributes. The loss of that member's volunteer hours would be a significant blow to our section and to the WSBA.

I strongly oppose the pooling of section funds.

If the funds are pooled, I would like to see more indication of how any pooled funds would be used. Would they be used exclusively for section expenses, or would the amount also be available for broader WSBA purposes?

- 2. Adopting a section charter to replace section bylaws.** Because section needs are different, a uniform section charter will not work for all. For example, a section member may be willing (and a great candidate) to serve as the secretary/treasurer, even if that person would not commit to serving as the chair in two years. Although the member could decline to take the next office when the first term ended, the possibility of having to relinquish a position after agreeing to fulfill it could be sufficient cause to discourage an otherwise exceptional candidate from contributing to section leadership. Within the Administrative Law Section, and I assume among most other sections, we have a wealth of active leaders who have contributed to the section for years, or even decades. While

those members may not be free to commit to serving in a series of officer positions, their contribution in terms of volunteer hours and expertise is invaluable. This is just one example of how our bylaws allow our board to reflect the variety of committed volunteers who contribute to the section's programming and publications.

- 3. Member dues.** At least in the case of the Administrative Law Section, the amount of our member dues is tied to our membership. We are aware—and proud—that many of our section members and leaders have dedicated their careers to the public service. We intentionally have decided in the past not to raise our dues so that no administrative law practitioner experiences a hardship in becoming and remaining a member of the section throughout his or her career. Other sections may not have the same concern, and it is appropriate that they adjust their section dues to the amount that is suitable for their membership.

Finally, if the WSBA has not yet reached out to section members directly, I recommend sending them a brief email regarding the most significant of the proposals. Although section leaders were notified of the workgroup's meetings, the full nature of the proposed changes was not revealed until New Year's Eve, which did not allow the sections sufficient time to organize board meetings on the issue or request detailed feedback from section members.

Sincerely,

Gabe Verdugo  
Chair, WSBA Administrative Law Section

Katy Hatfield  
Immediate Past Char, WSBA Administrative Law Section