

**CIVIL LEGAL AID
OVERSIGHT COMMITTEE**

**MEETING OF
DECEMBER 15, 2023**

MATERIALS

**CIVIL LEGAL AID OVERSIGHT COMMITTEE
MEETING OF DECEMBER 15, 2023**

MEETING MATERIALS

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attachments)**

TAB 1

CIVIL LEGAL AID OVERSIGHT COMMITTEE

December 15, 2023

11:00 a.m. – 1:00 p.m.

Via [Zoom Link](#)

AGENDA

1. Introduction of Members and Guests; Introduction of new Supreme Court appointees Megan Johnston and Margaret MacRae (Chair Stallings-Ala'ilima, Megan Johnston, Margaret MacRae)
2. Occupied Land Acknowledgment and Recognition of Responsibility (TBD)
3. Approval of Minutes of June 30, 2023 and September 28, 2023 Meetings (Chair Stallings-Ala'ilima)
4. Ratifying Election of Alé Sanchez as Vice-Chair/Chair-Elect
5. Setting CY 2024 Meeting Schedule (Chair Stallings-Ala'ilima, Jim Bamberger)
6. Introduction of and Initial Comments from OCLA's Next Director, Sara Robbins (Chair Stallings-Ala'ilima, Jim Bamberger, Sara Robbins)
7. Briefing on OCLA Legislative Agenda (Jim Bamberger, Philippe Knab, Ali Kingston, Bailey Zydek)
8. Reflective Remarks from Jim Bamberger
9. Adjourn

TAB 2

**CIVIL LEGAL AID OVERSIGHT
COMMITTEE MEETING OF
JUNE 30, 2023
DRAFT MINUTES**

Pursuant to notice duly provided in advance the quarterly meeting of the Civil Legal Aid Oversight Committee was held virtually through [Zoom.us](https://zoom.us) on Friday, June 30, 2023.

Members Participating: Chair Sarah Augustine, Vice-Chair Chalia Stallings-Ala'ilima, Alejandro (Ale') Sanchez, Judge Rebecca Pennell, Rep. My-Linh Thai, Senator Drew MacEwen

Members Not Participating: Judge Faye Chess, Senator June Robinson, Rep. Peter Abbarno, Justice G. Helen Whitener

OCLA Staff: Jim Bamberger (OCLA Director), RaShelle Davis (OCLA Director of Operations), Renee Villa (OCLA Support Team), Gabriel Robinson (OCLA Support Team), Hope Hough (OCLA Support Team), Philippe Knab (OCLA Eviction Defense/Reentry Programs Team), Ali Kingston (OCLA Eviction Defense /Reentry Programs Team), Bailey Zydek (OCLA Children's Representation Team), Katherine Kameron (OCLA Children's Representation Team), Katie Maucione (OCLA Children's Representation Team), Jeffrey Adams (OCLA Children's Representation Team), Annalise Martucci (OCLA Crime Victims/DV Program Manager)

Other Participants: Alex Deas (Equal Justice Coalition), César Torres (Northwest Justice Project (NJP)), Abigail Daquiz (NJP), Marcos Martinez (TeamChild), Kari Petrasek (WSBA BOG Liaison and CRP attorney in Snohomish County), Michael Terasaki (Pro Bono Council), Larry Jefferson (Director, Office of Public Defense), Michelle Lucas (NJP)

1. Welcome and Introductions

Chair Sarah Augustine welcomed members and invited them to introduce themselves. Sarah then invited guests to introduce themselves.

2. Occupied Land Acknowledgment and Recognition of Responsibility

Judge Pennell provided the Land Acknowledgment and Recognition of Responsibility. She said that she was speaking from Yakima, Washington the historic home of the Yakama people. She noted that the Yakima Nation consists of several federally recognized tribes and bands including the Klikitat, Palus, Wallawalla, Wanapum, Wenatchi, Wishram, and Yakama people.

She acknowledged that the Yakama people are committed stewards of this land, cherishing it and protecting it, as instructed by elders through generations. She expressed her gratitude to live, work and raise her family on their traditional lands and gave thanks to the legacy of the original people, their lives, and their descendants.

Judge Pennell reminded members and guests that as partners in the justice system, it is incumbent on all of us to study the history of our lands and the people who occupied and continue to occupy them. She said that all must strive to understand and address the harms that have been wrought by generations of injustices to Indigenous people and Indigenous lands. At the same time, she said that we should also cherish and celebrate the resilience of Native people and their contributions to culture and our communities. She closed by paraphrasing a portion of Justice Gorsuch's concurring opinion in the Supreme Court's recent decision upholding the constitutionality of the Indian Child Welfare Act, *Haaland v. Brackeen*, the essence of which is that all too often Native people have come to the court system seeking justice, only to leave with bowed heads and empty hands We all know there is justice to give. To give it, we must be clear eyed about the injustices of the past.

3. Recognizing Chair Sarah Augustine and Justice Whitener

Jim Bamberger recognized Chair Augustine and Justice Whitener for their leadership, wisdom, and overall contributions to the work of the Civil Legal Aid Oversight Committee, OCLA, and the state-funded legal aid system over the past six years.

4. Minutes of October 28, 2022, Meeting

Vice-Chair Stallings-Ala'Ilima invited a motion to approve the minutes of the October 28, 2022, meeting which are found under Tab 2 of the meeting materials.

Motion: By Chalia Stallings-Ala'Ilima

Second: By Rep Thai

Amendments: None

Action: Approved

5. OCLA Staff Introductions (Jim Bamberger)

OCLA staff members introduced themselves, described their primary areas of work, and shared where they are principally located.

Jim Bamberger referenced the substantial change in staff composition and size outlined in the Director's Report. Prior to the COVID pandemic, OCLA only had four staff members. Today, as a result of our establishment of emergency COVID-impact programs, the nation's first and still only civil public defense program for tenants in eviction cases, the establishment of a greatly expanded right to appointed counsel for children and youth in dependency and termination cases, and the funding of a Blake Civil Consequences program, a pre-appointed counsel tenant defense program, a Reentry Legal Aid Program, a Domestic Violence Legal Aid

program, and other legislatively created programs, OCLA staffing stands at 12. It will soon expand to 17. He observed that some of the programs OCLA now underwrites and oversees are unprecedented nationally.

6. Review of FY 23 Legislative Session (Jim Bamberger and Legislative Members)

Jim Bamberger encouraged members to review the memo attached to the Director's Report outlining the outcomes of the 2023 legislative session. All OCLA priority investments were funded at or very near requested levels. He invited members to speak to their perceptions about the session as a whole and the prospects for OCLA funding in the coming years.

Jim Bamberger advised that the planning effort is underway for the upcoming short supplemental budget session. Budget decision packages are due to the Administrative Office of the Courts for transmission to the Office of Financial Management and the Legislature in early October. He reported that staff was considering three potential supplemental decision packages:

- A request for funding to cover the costs of Westlaw legal research services for Children's Representation Program staff and contractors.
- A request for funding to cover the costs of access to superior court records hosted and managed by County Clerks, most of whom utilize the Odyssey Case and Document Management Systems and charge a range of fees per attorney for access. He explained that the majority of County Clerks will not waive these costs. As access to court records is essential to the ability of OCLA contracted attorneys (whether employed by non-profit legal aid providers or private attorneys/law firms), it is important that OCLA seek and secure funding to defray the costs of accessing these records. Rep. Thai expressed concern about County Clerks requiring state contracted attorneys to pay for access to the Odyssey Records Management System since that system itself was funded with state appropriations to the Administrative Office of the Courts. She expressed an interest in following up more closely on this.
- Continuation of funding for the *State v. Blake* civil consequences program. Jim Bamberger explained that the FY 24-25 operating budget only provided one year's funding for this program. He said that the need for these services will continue into FY 25 and well beyond.

7. Update on OCLA Program Initiatives

Chair Augustine asked Jim Bamberger to introduce the teams who will be presenting on the four areas of current agency priority focus.

a. Community Reinvestment Plan (Philippe Knab, RaShelle Davis)

Jim Bamberger invited Philippe Knab (Eviction Defense/Reentry Programs Manager) and RaShelle Davis (OCLA Director of Operations, former Equity Policy Advisor to Governor Inslee) to speak to the origins of the Community Reinvestment Fund and the areas of OCLA's likely upcoming engagement. Philippe and RaShelle provided background on the effort to direct funding to address

the continuing and disproportionate harms on individuals and communities targeted in the war on drugs; the Legislature's establishment of the Community Reinvestment Fund and the four target areas of investment; the community-driven process undertaken by the Department of Commerce Office of Firearm Safety and Crime Prevention; and current areas in which OCLA will be engaged in the coming two years.

b. Domestic Violence and Crime Victims Programs (Annalise Martucci)

Annalise Martucci (Crime Victims/Domestic Violence Program Manager) reported on the two programs for which she is principally responsible. She shared PowerPoint slides outlining the purpose, scope, and programs funded through each of the programs. She explained the challenges that the Crime Victims program faced this past year and her appreciation for the Legislature's willingness to step in and prevent a 34% reduction in funding for crime victim services. She told members that she looked forward to working with the Legislature to find a permanent way to provide a consistent and meaningful level of support for these services over time. Annalise described the process by which OCLA invested newly appropriated funding for domestic violence legal aid services and the unique set-aside to ensure targeted investment in on-near reservation services to Indigenous DV survivors. She outlined the respective focus of the DV services provided through the Lummi Victims of Crime Program and WomenSpirit Coalition's Family Justice Center.

c. Eviction Defense Programs (Philippe Knab, Ali Kingston)

Philippe Knab (Eviction Defense/Restorative Justice Program Manager) and Ali Kingston (Eviction Defense/Restorative Justice Program Counsel) provided an update on the nation's first and still only program for court appointed attorneys for indigent tenants in eviction cases. They reminded Committee members that this program is more in the nature of a civil public defense program than a traditional civil legal aid program. They shared updates on performance data demonstrating the impact of the program. They also spoke to the changes in the culture of the eviction process resulting from both the establishment of the appointed counsel program and the Legislature's passage of legislation establish a right to just cause eviction as well as recent appellate cases favorably interpreting these laws.

d. Children's Representation Programs (Bailey Zydek and CRP Team)

Jim Bamberger reintroduced Bailey Zydek (Children's Representation Program (CRP) Manager) and the team working to implement the expanded program for appointed counsel for representation of children and youth in dependency and termination cases. Bailey described the study that led to the Legislature's action to establish a statewide program for court-appointed attorneys to represent the stated and legal interests of children and youth in dependency and termination cases, the statutory requirements for court-appointed counsel in these cases (HB 1219 program), the revised standards for representation of children and youth in these cases, the progress to date implementing the program in the first 8 of 39 counties (37 judicial districts), and the challenges facing the program as it moves forward with implementation. Bailey invited

her CRP team colleagues to share their areas of activity and focus, including recruitment, oversight, training, and support for contracted attorneys.

8. Update on OCLA Staff Race Equity and Justice Related Efforts

Jim Bamberger invited Director of Operations RaShelle Davis to provide an update on OCLA's ongoing efforts to operationalize the agency's race equity and justice commitments in all aspects of agency operations. RaShelle narrated through a series of slides describing the activities that OCLA staff have been engaged in the period following the murder of George Floyd and issuance by the Washington State Supreme Court of a unanimous Open Letter to the judicial and legal communities less than a week later. She noted that the Court's June 4, 2020 Open Letter serves as a critical touchstone for the agency and is referenced in all of our publications, contracts, and notices. RaShelle invited questions.

9. Update on Director Search Process

Alé Sanchez provided an update on the search process for the next OCLA Director. Jim has announced his retirement and it's important that we had a successor in place in a timely manner. He reminded members that the OCLA Director is appointed by the Supreme Court from three names submitted by the Access to Justice Board. He reminded members that the composition of the search committee is outlined in the Director's Report and includes three ATJ Board members, three members from the Civil Legal Aid Oversight Committee (currently Chalia Stallings-Ala'Ilima, and Judge Pennell), two members from the ATJ Board's Community Advisory Panel – one of whom recently withdrew due to a conflict of interest as their organization was planning on seeking funding from OCLA – and representatives from four providers of civil legal aid programs.

ATJ Board Chair Terry Price is co-chairing the search committee with Alé. He noted that candidates must have five years licensed as an attorney in the state of Washington, which he noted substantially narrows the potential candidate pool. He also reminded members that candidates must have experience in representation of low-income people in civil matters, which experience may be in the form of volunteer representation; knowledge of and demonstrated commitment to promoting access to the civil justice system for indigent persons; and proven managerial or supervisory experience. He noted that it will also be important for candidates to recognize the importance of and honor the REJI principles.

Alé advised that the search committee is close to selecting an executive search consultant. Once the consultant is selected and under contract, they will outline a thorough plan of engagement with key interest holders, *e.g.*, members of the search committee, OCLA staff, and external community members who rely on or are using the services of the agency as well. He advised that the search committee will use that feedback to help the consultant shape the position description, and the recruitment process, with the goal of meeting the November 17th target date for forwarding three names to the Supreme Court.

10. New Business

For the first time in three years, the Access to Justice Conference will be held September 28-30. There will be an opportunity to attend in person or virtually. Historically, the Oversight Committee has met at the conference so a question has arisen whether the Oversight Committee would like to reschedule its October 6 meeting to September 28 instead. Jim Bamberger will send out a memo to members to determine if they would like to meet then instead of October 6.

11. The meeting adjourned at 1:02 p.m.

**CIVIL LEGAL AID OVERSIGHT
COMMITTEE MEETING OF
SEPTEMBER 28, 2023
DRAFT MINUTES**

Pursuant to notice duly provided in advance the quarterly meeting of the Civil Legal Aid Oversight Committee was held virtually through [Zoom.us](https://zoom.us) on Thursday, September 28, 2023.

Members Participating: Chair Chalia Stalling-Ala'ilima, Alejandro (Ale') Sanchez, Judge Rebecca Pennell, Judge Faye Chess

Members Not Participating: Senator June Robinson, Rep. My-Linh Thai, Senator Drew MacEwen, Rep. Peter Abbarno, Andre Henderson

OCLA Staff: Jim Bamberger (OCLA Director), RaShelle Davis (OCLA Director of Operations), Hope Hough (OCLA Support Team), Bailey Zydek (OCLA Children's Representation Program Manager), Gabriel Robinson (OCLA Support Team), Sean Hendrickson (OCLA Support Team), Karrina Guilbault (OCLA Children's Representation Program Counsel), Rowan Young (OCLA Support Team)

Other Participants: Alex Deas (LFW/Equal Justice Coalition), César Torres (Northwest Justice Project (NJP)), Kari Petrsek (WSBA BOG Liaison and CRP attorney in Snohomish County), Megan Johnston (Resolution WA); Emily Meltzer (LCYC)

The meeting convened at 11:33 a.m.

1. Welcome and Introductions

Chair Chalia Stallings-Ala-Ilima welcomed members and invited them to introduce themselves. She then invited guests to introduce themselves.

Jim Bamberger advised that the ATJ Board had forwarded the names of Megan Johnston and Margaret McCrea to succeed Sarah Augustine and Justice Whitener respectively.

2. Occupied Land Acknowledgment and Recognition of Responsibility

Jim Bamberger said that OCLA's main office is OCLA's office in Olympia Washington, which is at the southernmost point of the Salish Sea. He recognized that the lands on which Olympia, Lacey, and Tumwater are located were the ancestral and continue to be the current home of the Nisqually, Squaxin Island, and other Coast Salish bands and tribes. He said that these lands were expropriated from these people under "authority" of the Treaty of Medicine Creek.

He noted that central to OCLA's purpose is to understand and target services to address the justice needs of people and communities that have experienced disproportionate as a consequence laws,

systems, and practices. He acknowledged OCLA's unfinished obligation and responsibility to secure resources to provide restorative justice services for members of these and other Indigenous communities and people in Washington State.

Jim explained that he was participating in the meeting from OCLA's office in downtown Tacoma in close proximity to the Conference Center where the Access to Justice Conference is being held. Thus, he – and the conference participants – stand on lands wrongfully appropriated traditional lands used and occupied from time immemorial by the Puyallup Tribe. He then played (with permission) a video developed by the Tribe.

3. Acknowledgment of the continuing role of racism in society at large and in our law and justice systems, structures, and practices; living up the challenge of the [Supreme Court's June 4, 2020 Open Letter](#)

Chair Stalling-Ala'ilima invited Judge Chess, Presiding Judge of Seattle Municipal Court, to share some perspectives on the realities and challenges as a judge and community member.

Judge Chess spoke, indicating that she comes to us not as a judge but as a Black woman who has lived in the United States for 60 years. She was born in 1962 in Mississippi. Today she sits as the Presiding Judge of the Seattle Municipal Court.

Her parents are Mississippians. Her father was a medical doctor who possessed four degrees before his death. While he was in Mississippi, he was unable to vote because he could not pass the test.

Her mother, an educator with a Bachelor's as well as a Master's in education, did not vote until they moved to Cincinnati, Ohio. When the movie came out on Emmett Till, her response about why she wasn't attending she said, "I was there. Why do I need to relive those moments?"

Judge Chess also pointed out that she has a first cousin who, up until recently, was the Chief Justice of the Mississippi Supreme Court.

Judge Chess spoke about the critical importance of the June 4, 2020, the Washington Supreme Court's open letter calling on the judicial and legal community to work together on racial justice. She observed how difficult the challenge is to shine a light on and squarely address racialized injustice.

Judge Chess pointed to the recent decision in the recently decided State vs. Vaile case, where the Court of Appeals acknowledged that systemic racism that exists and the court's duty work towards its eradication. She noted, however, that the majority judges did not believe they could use history, statistics, current events, and human nature to inform their decision when the issue of race had not been raised, briefed, or found. While they acknowledged that racism probably existed in this case, they did not believe that the Supreme Court's directive to require "courts to raise issues sua sponte or decide cases on issues that the parties had not briefed."

Judge Chess then reflected on the lengthy dissenting opinion by Judge Fearing in which he began by quoting Langston Hughes, “That Justice is a blind goddess, is a thing to which we blacks are wise. Her bandage hides two festering sores that once perhaps were eyes.” He went on to say he believed this appeal presented a primer on racial prejudice that permeates our criminal justice system.

Judge Chess spoke to the backlash that Judge Fearing experienced from law enforcement, fellow judicial officers, the press, and others; and praised his courage to stand by his convictions and lean into the Supreme Court’s challenge.

Judge Chess next described a case she presided over in 2022. In that case, a young Black man punched his white boss after being told he was being fired for poor attendance. This assault was caught on video. The jury convicted him. The victim, however, asked for grace and did not believe a conviction and jail time would be best for this single father. Instead of imposing the suspended sentence, she honored the victim’s request and granted the man a deferred sentence.

On appeal, the defendant’s white attorney pressed for a new trial claiming that Judge Chess’s comments during sentencing suggested an indication of racial bias. Judge Chess noted that the appeal itself placed the defendant in greater jeopardy than the deferred sentence she imposed. She reported that the Superior Court Judge upheld the conviction and deferred sentence noting that the record did not reflect any comments or rulings during the trial that would give the objective observer the impression that race was a factor in the jury’s verdict or the imposition of sentence. Judge Chess read pertinent and compelling parts of the Superior Court’s ruling, including that no judge can leave their common experience and common sense derived from lived experience outside the courtroom door. The reviewing court expressly found that Judge Chess “was drawing on her common sense and experience as a black citizen, parent, and a member of the justice system in an effort to connect with [the man], a black man, and encouraged him to make good choices going forward despite the challenges he incurs, particularly in light of his request for a deferred sentence.” The court concluded by observing that “Drawing on common experience and common sense is not only permissible under the law, but it also realizes a hope for our judicial system for judge possessing experience and knowledge of the workings of the world in the cogs of her community rather than a judge with a vacuumed mind.

Jim Bamberger invited Bailey Zydek to speak about recent experiences at our statewide training that was jointly held with the Office of Public Defense which manages the statewide the Parents Representation Program and OCLA which manages the statewide children’s representation program. The training was attended by predominantly white lawyers. Issues of race equity and justice were a centerpiece of the curriculum, the presentations, and the conversations.

[Corey Best](#) was invited to be a keynote speaker. He is a community organizer, activist, and leader to advance racial justice within the nation’s child welfare and human service delivery systems. There was also a session where attendees read excerpts coauthored by Mr. Best that

challenged white audiences to examine how they contribute to harm, uphold the white supremacist system, and contribute to the breakup of BIPOC families through the child welfare system.

There were several people whom Bailey assumes identify as white who submitted feedback to the effect that the agenda was Marxist, and that it was anti-American to suggest there is racism in the law and justice or child welfare systems or that people have the responsibility to look inside themselves to determine how they're promoting and doing harm. For OPD and OCLA, this type of feedback affirmed how necessary our common race equity focus is to effective representation of children and parents who are disproportionately Black, Brown, Indigenous, and other people of color.

4. Minutes of June 30, 2023, Meeting

Chair Stalling-Ala'ilima invited a motion to approve the minutes of the June 30, 2023, meeting which are found under Tab 2 of the meeting materials. Since there wasn't a quorum to vote on the minutes, they will be held over for approval at the meeting in December.

5. Selection of Vice-Chair/Chair Elect

Chair Stalling-Ala'ilima reminded members that no action was taken to fill the Vice-Chair/Chair Elect position at the last meeting. She noted that her term ends at the end of the fiscal year so it is urgent that a successor be identified and on-boarded, especially during this time of executive leadership transition. She reminded members that Alé Sanchez has volunteered to serve in this capacity and asked if there were any other volunteers. There being none, she asked whether a quorum existed and was advised that there was not a quorum. She then asked for agreement to invite Oversight Committee members to elect the Vice-Chair/Chair Elect via e-mail poll. Members present agreed with this approach.

6. Update on the OCLA Director Search Process

Chair Stalling-Ala'ilima reminded members that she, Alé Sanchez, and Judge Pennell represented the Oversight Committee on the search committee, and that Alé Sanchez serves as co-chair along with ATJ Board Chair Terry Price. Applicant names will be submitted to the Supreme Court at the end of October or early November.

Chair Stalling-Ala'ilima invited Alé Sanchez and Judge Pennell to share their perspectives.

Alé indicated that he is very optimistic and really pleased that we were all able to come together with so many diverse voices to come to a process, and Judge Pennell is looking forward to seeing who applied.

7. Unfinished business – updating the Civil Legal Aid Oversight Committee’s Mission Statement

Jim Bamberger reported that he and Alé Sanchez had hoped to develop a suggested draft revised Mission Statement for the Oversight Committee, but that work has stalled. He expressed his hope that a draft revised mission statement would be offered for the committee’s consideration at the next full regular meeting.

8. Program updates not covered in Director’s Report

Jim Bamberger informed members that the OCLA team would have a two-day staff retreat on October 23-24 in Olympia. The retreat will focus on team building, completion of Phase I of the agency’s Race Equity and Justice Initiative (REJI) implementation efforts, sharing by program teams, and exploration of the “why’s” relating to our professional commitments and the work that we do.

In the Director’s report, it was indicated that three supplemental budget decision packages. After consultation with Bailey Zydek, the decision package for the Children’s Representation Program is going to be pulled since we think we can live within the means of the current appropriation.

On the other hand, we are more than doubling the amount of the Eviction Defense request. Eviction filings since April have increased by more than 70%, and in King County they have increased by more than 100%, and our capacity to accept court appointments statewide is seriously being challenged. As a result, OCLA is going to ask the Legislature to fund additional tenant eviction defense attorney capacity.

Chair Stalling-Ala’ilima inquired about the status of the civil legal aid study. Jim Bamberger explained that there are no current plans for an updated assessment of civil legal needs other than the general recognition that it needs to happen. He noted that the approaches that were used in the 2003 and 2015 study are not responsive to the reorientation and culture of the entire legal aid delivery system and the expectation of authentic involvement or community members in the design and execution of such inquiries. To date, there has not been an intentional developed approach. He observed that it will be a huge undertaking, will likely require legislative funding, and not one that OCLA can do alone.

9. Adjourn

The meeting adjourned at 1:18 p.m.

TAB 3

CIVIL LEGAL AID OVERSIGHT COMMITTEE

MISSION STATEMENT

To ensure that all people in Washington share in the fundamental right to civil justice, the Civil Legal Aid Oversight Committee, consistent with its statutory authority, shall oversee and support the Office of Civil Legal Aid and shall periodically make recommendations to the Supreme Court, the Access to Justice Board and the Legislature as to the most efficient and effective use of state-appropriated civil legal aid funds on behalf of low-income people.

TAB 4

CIVIL LEGAL AID OVERSIGHT COMMITTEE ROSTER (September 2023)

Position 1 (BJA 1):

Name: Hon. Rebecca Pennell
Address: Court of Appeals, Div. 3
500 N Cedar St
Spokane, WA 99201-1905
Phone: 509-456-3920
E-mail: j_r.pennell@courts.wa.gov
Appointing Entity: Board for Judicial Administration
Term Expires: June 30, 2024; not eligible for reappointment

Position 2 (BJA 2):

Name: Hon. Faye Chess
Address: Seattle Municipal Court
600 5th Ave.
Seattle, WA 98104
Phone: 206-684-5600
E-mail: faye.chess@seattle.gov
Appointing Entity: Board for Judicial Administration
Term Expires: June 30, 2025; not eligible for reappointment

Position 3 (Supreme Court 1):

Name: Megan Johnston
Address: P.O. Box 6188
Olympia, WA 98507-6188
Phone: (360) 628-9560
E-mail: mjohnston@resolutionwa.org
Appointing Entity: Supreme Court (on recommendation of the Access to Justice Board)
Term Expires: June 30, 2026; eligible for reappointment

Position 4 (Supreme Court 2):

Name: Appointment Pending
Address:

Phone:
E-mail:
Appointing Entity: Supreme Court (on recommendation of the Access to Justice Board)
Term Expires: June 30, 2026; eligible for reappointment

Position 5 (Supreme Court 3 – Client Eligible):

Name: Margaret MacRae
Address:

Phone:
E-mail: mjmacrae07@gmail.com
Appointing Entity: Supreme Court (on recommendation of the Access to Justice Board)
Term Expires: June 30, 2025; eligible for reappointment

Position 6 (Senate Republican Caucus):

Name: Senator Drew MacEwen
Address: 115 Legislative Modular Building
PO Box 40435
Olympia, WA 98504
Phone: (360) 786-7668
E-mail: Drew.MacEwen@leg.wa.gov
Appointing Entity: Senate Republican Caucus
Term Expires: June 30, 2026; eligible for reappointment

Position 7 (Senate Democratic Caucus):

Name: Senator June Robinson
Address: 236 John Cherberg Building
PO Box 40433
Olympia, WA 98504-0443
Phone: 360-786-7674
E-mail: june.robinson@leg.wa.gov
Appointing Entity: Senate Democratic Caucus
Term Expires: June 30, 2024; eligible for reappointment

Position 8 (House Republican Caucus):

Name: Representative Peter Abbarno
Address: 411 John L. O'Brien Building
PO Box 40600
Olympia, WA 98504-0600
Phone: 360-786-7896
E-mail: Peter.abbarno@leg.wa.gov
Appointing Entity: House Republican Caucus
Term Expires: June 30, 2025; eligible for reappointment

Position 9 (House Democratic Caucus):

Name: Representative My-Linh Thai
Address: 424 John L. O'Brien Building
PO Box 40600
Olympia, WA 98504-0600
Phone: 206-333-4107
E-mail: My-linh.thai@leg.wa.gov
Appointing Entity: House Democratic Caucus
Term Expires: June 30, 2025; eligible for reappointment

Position 10 (Office of the Governor):

Name: Alejandro (Ale') Sanchez
Address: WA St. Department of Licensing
1125 Washington Street SE - HLB, FL 4 - MS: 48002
Olympia, WA 98501
Phone: (360)634-5252
E-mail: alejandro.sanchez@gov.wa.gov
Appointing Entity: Office of the Governor
Term Expires: June 30, 2024; eligible for reappointment

Position 11 (Washington State Bar Association):

Name: Chalia Stallings-Ala'ilima
Address: Office of the Attorney General
800 Fifth Avenue, Suite 2000
Seattle, WA 98104
Phone: 206-326-5480
E-mail: chalia.stallingsalailima@atg.wa.gov
Appointing Entity: Washington State Bar Association
Term Expires: June 30, 2024; not eligible for reappointment

TAB 5

CIVIL LEGAL AID OVERSIGHT COMMITTEE OPERATING RULES AND PROCEDURES

(Revised 4-23-07)

I. Name

The name of this body shall be the Civil Legal Aid Oversight Committee (hereafter Oversight Committee)

II. Membership

The membership of the Committee is established by RCW 2.53.010 and includes:

- (a) Three persons appointed by the supreme court from a list of nominees submitted by the access to justice board, one of whom at the time of appointment is income eligible to receive state-funded civil legal aid;
- (b) Two persons appointed by the board for judicial administration;
- (c) Two senators, one from each of the two largest caucuses, appointed by the president of the senate; and two members of the house of representatives, one from each of the two largest caucuses, appointed by the speaker of the house of representatives;
- (d) One person appointed by the Washington state bar association; and
- (e) One person appointed by the governor.

III. Terms of Membership

Pursuant to RCW 2.53.010, the terms of membership of the Oversight Committee shall be staggered so that, after the first three years of the committee's existence, the terms of one-third of the members expire each year. To this end, a term of membership shall be allocated to each position as follows:

A. Judicial Branch

BJA 1	Initial term -- 1 year, expiring June 30, 2006 Eligible for two full additional terms (through June 30, 2012)
BJA 2	Initial term -- 2 years, expiring June 30, 2007 Eligible for one full additional term (through June 30, 2010)
Supreme Court 1 (attorney)	Initial term -- 3 years, expiring June 30, 2008 Eligible for one full additional term (through June 30, 2011)

Supreme Court 2 (attorney) Initial term -- 1 year, expiring June 30, 2006
Eligible for two full additional terms (through June 30, 2012)

Supreme Court 3 (client eligible) Initial term -- 2 years, expiring June 30, 2007
Eligible for one full additional term (through June 30, 2010)

B. Legislative Branch

Senate Republican Caucus Initial term -- 3 years, expiring June 30, 2008
Eligible for one full additional term (through June 30, 2011)

Senate Democratic Caucus Initial term -- 1 year, expiring June 30, 2006
Eligible for two full additional terms (through June 30, 2012)

House Republican Caucus Initial term -- 2 years, expiring June 30, 2007
Eligible for one full additional term (through June 30, 2010)

House Democratic Caucus Initial term -- 3 years, expiring June 30, 2008
Eligible for one full additional term (through June 30, 2011)

C. Other

WSBA Initial term -- 1 year, expiring June 30, 2006
Eligible for two full additional terms (through June 30, 2012)

Office of the Governor Initial term -- 2 years, expiring June 30, 2007
Eligible for one full additional term (through June 30, 2010)

IV. Officers

There shall be a Chair and a Vice-Chair/Chair-Elect. The Chair and Vice-Chair/Chair-Elect shall be selected by the full membership of the oversight committee.

A. Term

The term of the Chair and Vice-Chair/Chair-Elect shall run commensurate with the state fiscal calendar, commencing on July 1st of the odd numbered year and ending on June 30th of the succeeding odd numbered year. The Chair and Vice-Chair/Chair-Elect shall not be eligible to serve more than one biennial term, *provided that*, the initial Chair and Vice-Chair/Chair Elect may serve up to one additional biennial term.

B. Authority/Responsibility of Officers

1. Chair

The Chair shall preside over all meetings of the Civil Legal Aid Oversight Committee. The Chair shall also serve as the spokesperson for the Oversight Committee, execute official documents (including, but not limited to, statutorily required reports) and represent the Oversight Committee on matters relevant to the Oversight Committee's work as circumstances require. The Chair shall be the primary point of contact for the Director of the Office of Civil Legal Aid. The Chair shall serve as the chair of the Executive Committee.

2. Vice-Chair/Chair-Elect

In the event of the Chair's absence or unavailability, the Vice-Chair/Chair-Elect shall perform all functions of the chair on an as-needed basis. The Vice-Chair/Chair-Elect shall serve as a member of the Executive Committee.

V. Committees

There shall be an Executive Committee. The Executive Committee shall consist of three members, the Chair, the Vice-Chair/Chair-Elect and one of the Oversight Committee's legislative members.

A. Appointment of Legislative Member; Succession

The legislative member of the Executive Committee shall be selected by the four legislative members of the Oversight Committee. The first legislative member shall serve from the date of the first meeting through June 30, 2007. In the event that a legislative member is no longer eligible to serve on the Civil Legal Aid Oversight Committee by reason that he or she no longer serves as an elected state senator or representative, such legislator shall submit his or her resignation to the Chair of the

Oversight Committee and the legislative caucus that appointed him or her to the Oversight Committee. Upon appointment of a successor by the appropriate legislative caucus, the legislative members shall meet and select a member to serve on the Executive Committee.

B. Responsibilities

The Executive Committee shall develop procedures and criteria to review the performance of the Director of the Office of Civil Legal Aid and perform such other responsibilities as the Oversight Committee deems appropriate.

The Oversight Committee may establish such other committees as it determines appropriate to perform its statutory functions.

VI. Staffing

The Oversight Committee, the Executive Committee and any other committees established by the Oversight Committee shall be staffed by the Director of the Office of Civil Legal Aid.

VII. Regular and Special Meetings, Notice, Committee Member Attendance

The Oversight Committee shall meet not less than quarterly at dates and times determined in advance by the Committee. Notice of regular meetings of the Oversight Committee shall be provided to the Supreme Court, the Access to Justice Board, the Chairs of the judiciary committees of the Washington State Legislature, the Office of the Governor and the Washington State Bar Association, and shall also be published in the State Register in manner that substantially conforms to the requirements of RCW 42.30.075.

A special meeting may be called at any time by the Chair or by a majority of the members of the Oversight Committee by delivering personally or by mail written notice to each member of the Oversight Committee. Such notice must be delivered personally or by mail at least twenty-four hours before the time of such meeting as specified in the notice. Notice of a special meeting may be supplemented by an electronic notice transmitted via e-mail to all members of the Oversight Committee. Such notice shall not be deemed a substitute for the personal notice or mailed notice otherwise required by this section. The call and notice shall specify the time and place of the special meeting and the business to be transacted. The Oversight Committee shall limit its business in any special meeting to those matters included in the call and notice.

Regular meetings of the Oversight Committee shall be open and public and all persons shall be permitted to attend any meeting of the Oversight Committee. The Oversight Committee may adjourn to executive session for the following purposes:

- A. To receive and evaluate complaints or charges brought against the Director of the Office of Civil Legal Aid. However, upon the request of the Director of the Office of

- Civil Legal Aid, a public hearing or a meeting open to the public shall be conducted upon such complaint or charge;
- B. To review the performance of the Director of the Office of Civil Legal Aid; or
 - C. To review the status of investigations carried out by the Director of the Office of Civil Legal Aid which involve matters protected by the attorney-client privilege and where public disclosure could substantially prejudice the interests of client(s) being represented by a legal aid provider that receives funding from the Office of Civil Legal Aid; and
 - D. To discuss with legal counsel representing the Oversight Committee or the Office of Civil Legal Aid matters relating to litigation or potential litigation to which the Oversight Committee or the Office of Civil Legal Aid or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the Oversight Committee or the Office of Civil Legal Aid.

All members are expected to attend regular meetings of the Civil Legal Aid Oversight Committee unless they have good cause not to attend and have been excused from attendance by the Chair. In the event that a member misses two consecutive meetings without sufficient cause, the Chair shall discuss the member's lack of attendance directly with the member. If the Chair determines that the member is not likely to meaningfully and regularly participate in the work of the Oversight Committee, the Chair may notify the appointing entity of the member's lack of attendance and request the appointment of a replacement member.

VIII. Quorum

The presence of six (6) voting members of the Oversight Committee shall constitute a quorum for the purpose of enabling the Oversight Committee to take official action. Upon establishment of a quorum, the Oversight Committee shall have full power to conduct the scheduled business of the meeting even if a member whose presence was necessary to establish the quorum in the first instance subsequently becomes unavailable.

IX. Voting

Each member of the Oversight Committee shall have one vote. All decisions of the Oversight Committee shall be made by majority vote of those present and voting. Telephonic or electronic attendance shall be permitted but no member shall be allowed to cast a vote by proxy.

X. Amendment or Repeal

Amendments and/or repeal of any or all of these Operating Rules and Procedures shall be made by majority vote at a regular or special meeting of the Oversight Committee. The notice of the meeting shall include a statement of proposed action to amend or repeal these Operating Rules and Procedures and shall include an interlineated version of the full text of any section subject to proposed amendment or repeal.

TAB 6

CIVIL LEGAL AID OVERSIGHT COMMITTEE POLICIES AND RESOLUTIONS 6-2023				
Number	Date	Subject Matter	Status	Further Action Required
2008-01	18-Jan-08	Regarding Recommendations Relating to the Provision of State Funded Civil Legal Aid	approved	
2008-02	21-Feb-08	Acceptance of Tull Report and Related Recommendations	approved	
2009-01	27-Mar-09	Endorsing Temporary Surcharge on Attorney License Fees	approved	
2009-02	11-Dec-09	Endorsing ATJ Board Performance Standards	approved	
2009-03	11-Dec-09	Endorsing JusticeNet	approved	
2010-01	10-May-10	Endorsing Judicial Branch Whistleblower Policy	approved	
2010-02	3-Dec-10	Relating to Oversight Committee Meeting Expenditures	approved	
2010-03	3-Dec-10	Resolution Urging Adequate Funding of the Judicial Branch	approved	
2010-04	10-Dec-10	Regarding the Importance of the Office of Civil Legal Aid and Funding for Essential Civil Legal Aid Services in Washington State	approved	
2011-01	7-Sep-11	Regarding Funding for the Federal Legal Services Corporation	approved	
2011-02	7-Oct-11	Affirming the Authority of the Director of the Office of Civil Legal Aid to Engage in Travel Necessary or Appropriate to the Discharge of the Director's Official Responsibilities	approved; removed 10-28-23	Annual Report to the Oversight Committee detailing destination, costs, and purpose of each trip taken in the prior fiscal year the total cost of which exceeded \$100 and which was incurred at agency expense.
2015-01	12-Jun-15	Regarding Funding for the Federal Legal Services Corporation	approved	
2016-01	25-Mar-16	Resolution Re: OCLA Director's Travel -- Revising Resolution 2011-02	approved	Increased threshold for reporting from \$100 per travel event to \$500 per travel event
2016-02	30-Sep-16	Endorsing the Civil Justice Reinvestment Plan and Recommending Legislative Funding of the Same	approved	Encourages Legislature to establish tax or surcharge to generate dedicated funding for civil legal aid
2016-03	28-Dec-16	Endorsing the Civil Justice Reinvestment Plan and Recommending Legislative Funding of the Same -- Revised	approved	Encourages Legislature to fund the Civil Justice Reinvestment Plan, recommends state general fund, proposes alternative of tax or surcharge if general funds not available.
2017-01	5-Apr-17	Opposing Elimination of federal Legal Services Corporation and asking Congress to maintain funding	approved	Requests state congressional delegation to oppose administration's proposal to eliminate LSC effective FFY 2018
Policy Directions and Statements				
	8-Jun-12	Policy Regarding OCLA Involvement in Promoting or Opposing Bills Before the Washington State Legislature	approved	Notice to OC before taking positions on policy bills not directly affecting OCLA or judicial branch budgets or statutes
	18-Apr-13	Endorsing Policy on Use of State Owned Mobile Telecommunications Devices	endorsed via e-mail	
	15-Dec-17	Embracing the Race Equity and Justice Initiative Acknowledgments and Commitments and directing that race equity discussions be a standing agenda item in future meetings	approved by motion in open meeting	Requires a standard agenda item for discussion and/or training
	29-Dec-20	Policy on Extraordinary Executive Action	approved March 25, 2021	

TAB 7



Washington State Office of Civil Legal Aid

PO Box 41183
Olympia, WA 98504
jim.bamberger@ocla.wa.gov
360-485-1530
360-280-1477 (mobile)

James A. Bamberger, Director

To: Civil Legal Aid Oversight Committee

From: Jim Bamberger

Re: December 2023 Quarterly Report

Date: December 8, 2023

I am pleased to share my 74th and final quarterly report on the activities of the Office of Civil Legal Aid. I had hoped to keep this report short as it has been just a few short months since the Oversight Committee's last meeting on September 28th. But, alas, that's just not my style.

1. OCLA Director Selection

After an extensive search process, the Supreme Court, on November 20, 2023, appointed Sara Robbins as the next Director of the Office of Civil Legal Aid. Sara comes to OCLA with extensive experience as a legal aid and human services provider, non-profit housing contracts manager, and manager of the very successful Immigrant Assistance Fund established by the Legislature to provide emergency relief to unemployed immigrants and their families categorically excluded from eligibility for state unemployment benefits. Sara has extensive legislative experience and excellent relations with key members who share a keen interest in the work underwritten by the Office of Civil Legal Aid.

I am excited to welcome Sara into this role and confident that she and the team will build on OCLA's amazing successes of recent years in a manner that serves the agency's core values and commitments, including our race equity and justice [Statement of Purpose and Values](#). As of this writing, Sara and I have spent extensive in-person time and are in continuous e-mail communication. We are both committed to a successful and effective leadership transition that puts those in need of OCLA funded services front and center in all transitional efforts. Sara's letter of appointment, resume, and letter in response to the Invitation to Apply are attached (Attachment 1).

2. OCLA Retreat

OCLA staff met in person and virtually for a two-day retreat on October 23-24. Those able to attend in person met at the [Harbor House](#) at Percival Landing here in Olympia. The core purpose

was to build connections among staff (5 of whom were new within the month), recognize interconnections and discuss interconnections across the various areas of program focus (an excellent “standing in their shoes” exercise), reconnect around our race equity efforts and initiatives, and explore the “Whys” that bring us to OCLA and that drive OCLA. Extended time was made available for people to connect, walk the boardwalks, and just spend time learning about and from one another. The retreat agenda is attached (Attachment 2). Timing was perfect given the uncertainties regarding the Director succession process, and feedback suggests that the time and travel expenses to bring people together were worth it.

3. Comings and Goings

December 15 marks Katie Maucione's final day with OCLA. Katie is a children's attorney extraordinaire who came on as Program Counsel in the summer of 2022. She has been an amazing member of the Children's Representation Team, providing counsel, expert advice, helping recruit, and providing training to our increasingly large cohort of children's representation contract attorneys. Katie is taking time off to focus on parenting and hopes to rejoin the effort as an OCLA contract attorney when we expand into Spokane County in 2025.

After hiring and onboarding 5 people in recent months, we have not added any new employees in October or November. This will change as, of course, Sara Robbins will join us as the new full-time Director on January 2nd. We are also in the final stages of recruiting for an additional Eviction Defense Program Counsel to assist Philippe Knab and Ali Kingston in administering the program at a particularly challenging time.

While we have not hired new staff in the past month or two, I am pleased to share that on Thursday, December 7th, OCLA's Director of Operations RaShelle Davis gave birth to a baby girl (whose name at this time is unknown). Mother and daughter are doing well. I know you all will join the OCLA team in sending hearty congratulations to RaShelle, her longtime partner. RaShelle will be on parent leave until June 1st.

4. Upcoming Legislative Session

OCLA has submitted two requests for supplemental funding. Both will appear in the Governor's budget which gets announced shortly after the Oversight Committee meeting on the 15th. Links to the decision packages are included in the descriptions below:

- a. Address Emergent Need for Increased Attorney Capacity in Tenant Defense Program: After months of post-moratorium unlawful detainer filings that averaged between 900 and 1200 per month, we have seen an unanticipated doubling of filings between April and September 2023. We await receipt of the October filing numbers, but the 100% increase in filings has resulted in critical capacity challenges that threaten OCLA's ability to ensure effective assistance of counsel in all cases in which an indigent tenant is eligible for court appointed counsel. To address this crisis, we submitted a request for budget authority to add 10 additional full-time eviction defense attorneys (13.3% increase) and one additional staff Program Counsel. Philippe Knab and Ali

Kingston are actively briefing key legislative members of the urgency of the request and the dire consequences of failing to fund it. You can find our request [here](#).

- b. Continue *State v. Blake* Civil Consequences Efforts. As previously reported, OCLA has received funding since FY 22 to provide information, advice, and legal representation to individuals entitled to civil relief (vacation of convictions, refund of legal financial obligations (LFOs)). The Legislature has funded this effort on a year-to-year basis, given all the various legislative and programmatic efforts to respond to the Supreme Court's 2021 decision that determined the state's prior drug possession laws unconstitutional. Every individual convicted under those laws and who paid LFOs that were imposed on them (including interest on unpaid balances) is entitled to vacation of their convictions and full refund of LFOs paid. Estimates are that more than 250,000 people are eligible for relief from these unconstitutional convictions.

OCLA requested biennial funding for these services in the FY 2023-25 operating budget. The Legislature elected to provide one year of funding, with instruction to resubmit any request for year 2 funding in the supplemental budget. OCLA's supplemental request continues existing programs and adds two attorneys who will handle appeals from determinations made by the [Refund Bureau](#) established and administered by the Administrative Office of the Courts. You can read our request [here](#).

- c. Legislation to Extend the Period for Implementation of the HB 1219 Children's Representation Program Expansion. In 2021, the Legislature enacted HB 1219 (Laws of 2021, ch. 210). That legislation, now codified at RCW 13.34.212(3), directed that courts appoint attorneys to represent children and youth age 8 and above in dependency cases and all children regardless of age upon the filing of parental rights termination proceedings. The legislation established a six year implementation schedule, with full statewide operations to be achieved by CY 2027. Administration of the program was assigned to OCLA. RCW [2.53.025](#), [.045](#).

Concerned that some of the out-year cohorts would involve the addition of unmanageable numbers of children and youth, the 2023 Legislature directed that "[b]y October 1, 2023, [OCLA] must develop a revised implementation schedule based on a caseload assumption of adding no more than 1,250 new dependency cases to the program each fiscal year for consideration by the governor and the legislature." Laws of 2023, ch. 475, sec. 116(1). OCLA submitted the requested report and recommendations in October 2023 (Attachment 3). On the basis of that report, Senators Frame and Boehnke introduced (prefiled) [SB 5805](#) which will codify the recommendations presented in OCLA's October report. Bailey Zydek will be OCLA's lead legislative contact on this bill. At this time we do not expect opposition to the bill.

Legislative session starts January 8th and runs through March 8th, by which date we will know how the Legislature responded to our budget and policy requests.

As always, OCLA will monitor new bill filings for legislation that might directly or indirectly affect OCLA's programmatic and administrative responsibilities. Existing Oversight Committee policy direction (Attachment 4) requires the OCLA Director to advise the Oversight Committee in a timely manner of any proposed position on policy legislation that, in the Director's judgment, will have a direct and consequential impact on (a) demand for civil legal aid services or (b) the ability of low-income people to seek and secure civil legal aid services. [Editorial note: This policy (as with most OC policies) could use some updating].

Not directly related to OCLA, you might be interested to know that a series of bills designed to address the crisis in indigent criminal defense (as most recently documented in OPD Director Larry Jefferson's emergency request of the Supreme Court (Attachment 5)). The lead sponsor of these bills is Sen. Nikki Torres (R-Tri-Cities). Given the parallels to the challenges we are facing in recruiting and retaining attorneys for our appointed counsel programs, we will be monitoring the progress of these efforts.

5. Attorney Pipeline Efforts

In recent months, OCLA and OPD have been working hand in hand to support and develop new initiatives to expand both the number and diversity attorneys interested in practicing in our housing justice and child welfare programs. Efforts to date include:

1. Entry into a Housing Justice Collaborative with Seattle University School of Law (OCLA only). Under this initiative, the specifics of which are outlined in Attachment 6, OCLA is underwriting three summer fellows to work with the King County Bar Association's Housing Justice Project. This is the third year of this effort, and we are pleased to say that nearly all our fellows have moved into eviction defense practice following graduation from law school.
2. Support for the joint law school/Heritage University (Wapato)/Law School Admissions Council (LSAC) [Prelaw Undergraduate Scholars \(PLUS\)](#) program to provide opportunities for students from under-represented communities to take a deep dive into the opportunities that law school might offer to them and how they might prepare for the same. This was the second year of the effort, which was initially conceived and championed by NJP Executive Director, César Torres in partnership with Seattle U. Law School Dean Emerita, Annette Clark. OCLA and OPD observed the program this summer and will be supporting the program in CY 24. I had the privilege to attend the September 9th graduation of 28 Latin-x and Indigenous students at the campus of Heritage University. It was a thrilling moment for these students and their proud families.
3. Entry into a Memorandum of Understanding to establish and support a Childrens and Parents Rights Justice Initiative (CRJI) at Gonzaga University School of Law. On

October 25th, I travelled to Spokane to execute a Memorandum of Understanding (Attachment 7) with Gonzaga University School of Law Dean Jacob Rooksby and the Office of Public Defense establishing the [Children's and Parents Rights Justice Initiative](#) at the law school. The MOU outlines the respective goals and commitments of the law school, OPD, and OCLA in developing, implementing, and supporting a comprehensive effort to offer a continuum of doctrinal, substantive law, skills, and experiential learning to position dedicated law students to move directly into practice as children's and parent representation attorneys. We are thrilled to be part of this effort and look forward to working closely with the law school to support the various phases of the effort. CRP Manager Bailey Zydek and Spokane-based CRP Training Coordinator Jeffrey Adams will be OCLA's lead liaisons to the effort, working directly with Gonzaga Law Assistant Dean for Academic Affairs, Agnieszka McPeak.

OCLA and OPD, with the support of others, have begun discussions with Seattle University School of Law to establish a similar child welfare justice related initiative. At some point it is likely that these efforts will merge into common efforts to secure dedicated legislative support for a range of pipeline programs to address the [crisis](#) in the availability of attorneys in essential public interest practice. A current example is [SB 5871](#) sponsored by Sen. Torres to establish a law student rural public defense program. Statutes and constitutions can establish rights to appointed counsel, but unless there are lawyers trained and willing to provide these services, the systems collapse of their own weight – and injustice becomes the norm.

6. Closing Thoughts

As I move away from agency leadership, I leave you with these brief observations:

- a. The OCLA team is amazing. Though scattered across the state, they are motivated, committed, commonly brought together by their and the agency's "why", and consistently rise to the challenges presented to them.
- b. The OCLA team is under-staffed. Program staff in particular often find themselves running on empty. The situation is unsustainable. This is a major failure on my part, one that I have already encouraged Sara to take steps to address. In the earnest commitment to push as much funding to client services as possible, I'm afraid that agency staffing needs have not been properly tended to. I am reminded of a quote left on the chair of a longtime colleague and legal aid leader some years ago. Copied from a biography of Gandhi, the quote read: "While Mohandas Gandhi was off liberating India, the people of his village starved." While not quite that stark, I do think that staffing issues have been neglected here for too long. I therefore strongly recommend that the next biennial budget include funding requests to right-size the agency so that core functions are supported and staff have time to breathe.
- c. On a related note, as OCLA's budget becomes more complex, the agency will need some level of meaningful in-house budget capabilities. To be clear, OCLA is well-served by AOC's fiscal and budget team. But they do not necessarily bring a strategic OCLA-

focused approach to their efforts. We should complement their terrific work with assistance from either the addition of part-time budget staff or an experienced budget contractor who “gets” OCLA and its mission and is interested in part time strategic budget related work.

- d. As excited and confident I am in Sara's passion and ability to lead the agency in the years ahead, she will need active support from Oversight Committee leadership and legislative members – in a manner that respects the line between guidance, mentoring, and support on the one hand, and active involvement in day-to-day agency operations on the other (which falls outside the scope of the OC's responsibilities). I am pleased that Chalia and, after her, Alé will lead the Oversight Committee. I could not think of a better pair to support Sara through her transition.

Finally, the privilege to establish, lead, grow, and expand the responsibilities of this agency has been the highlight of my professional life. I thank you and every Oversight Committee member before you (and I will try to pull the list together from archived records) for your trust, confidence, guidance, and support. We all know that the equity and justice challenges faced by low-income Washingtonians continue to grow. I am pleased to leave you all with a strong, trusted (on a bipartisan basis), and mission-oriented agency, staff members of which are grounded in a common understanding of the “why” and willing and able to rise to any opportunity and any responsibility assigned to them.

Please know and appreciate what a special thing this is.

Jim

ATTACHMENT 1

The Supreme Court
State of Washington

STEVEN C. GONZÁLEZ
CHIEF JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON 98504-0929



(360) 357-2030
E-MAIL J_S.GONZALEZ@COURTS.WA.GOV

November 20, 2023

Sara Robbins
3703 S. Edmunds St. #136
Seattle, WA 98118
robbins.sara@gmail.com

Re: Office of Civil Legal Aid Director - Appointment

Dear Sara:

In accordance with RCW 2.53.020, the Access to Justice Board provided the Supreme Court with a list of three names from which the Court shall appoint the Director of the Office of Civil Legal Aid (OCLA). It is my pleasure to inform you that the Supreme Court has selected you as the new OCLA Director, effective January 2, 2024.

Your salary will be set by the Civil Legal Aid Oversight Committee. As a state employee, you will also receive a comprehensive benefit package. James Bamberger, OCLA's current Director, will follow up with you to facilitate next steps.

On behalf of the justices of the Supreme Court, I want to congratulate you on your appointment and wish you every success in your new and vitally important work. I am confident that OCLA, the people it serves, and our legal community will benefit from your leadership, expertise and experience.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven C. Gonzalez".

Steven C. González
Chief Justice

cc: Terry J. Price, Chair, Access to Justice Board, tprice@uw.edu
Chalia Stallings-Ala'ilima, Chair, Civil Legal Aid Oversight Committee, chalia.sa@atg.wa.gov
Alejandro Sanchez, Civil Legal Aid Oversight Committee, AlSanchez@dol.wa.gov
James Bamberger, Director, Office of Civil Legal Aid, jim.bamberger@ocla.wa.gov

SARA ROBBINS

██████████ | robbins_sara@hotmail.com

September 29, 2023

Dear OCLA Hiring Team

I am writing to apply for the position of Director of the Office of Civil Legal Aid. I believe that my experience as a lawyer, advocate, contract manager, and program manager make me a great fit for this position. Much of my career has been providing high quality representation of clients in administrative hearings and appeals regarding public benefits and working to address systemic barriers that low-income clients face. In all of my work, I strive to examine biases and the structural oppressions both in the law and in the institutions that harm individuals and communities.

More recently I made a transition in my career from working in legal services to working in contract management and compliance. I have extensive experience overseeing the contract management, compliance, monitoring, and reporting of publicly funded contracts. I have also worked to establish and implement a large-scale statewide program as the Contract Manager for the Washington Immigrant Relief Fund (WIRF), and to monitor compliance and performance of the project.

Another aspect of my work has been advocacy in the Washington State Legislature. I have a great deal of experience providing technical expertise related to state public benefits legislation. I have done extensive research, editing and drafting of bills related to state public benefits such as Temporary Assistance for Needy Families (TANF), Housing and Essential Needs (HEN), and Aged, Blind or Disabled (ABD). My role has been to both provide the technical expertise for bill language, to help explain complex public benefits legal issues to legislators, and how law changes would affect individuals receiving public benefits. I believe that my experience providing direct client representation, managing a legal services program, and my extensive experience in managing government contracts make me a successful candidate for this position.

Thank you for your time and consideration. I look forward to the opportunity to speak with you further about this opportunity.

Sincerely,
/s/ Sara Robbins

SARA ROBBINS

██████████ | robbins_sara@hotmail.com

EDUCATION

Seattle University School of Law, Seattle, WA
Juris Doctor earned December, 2007, *Cum Laude*

Western Washington University, Bellingham, WA
Bachelor of Arts, Humanities, with an emphasis in Liberal Studies, Religion minor,
June 2001.

EMPLOYMENT HISTORY

Contract and Programs Manager, Scholar Fund

Seattle, WA 8/2023-Present

- Manage and oversee the administration of contracts
- Develop and manage project plans, schedules, and budgets to ensure that objectives are met on time and within budget.
- Draft and negotiate agreements
- Build out and oversee the infrastructure for contract management across programs, including establishing processes, tools, and guidelines for contract administration.

Senior Policy and Operations Manager, Seattle King County Coalition on Homelessness

Seattle, WA 4/2021-6/2023

- Analyzes city, county and state policies that affect those experiencing homelessness and housing
- Research WA State legislative proposals, draft analysis of these measures and recommend policy positions for the organization
- Create documents and presentations for engagement with internal and external stakeholders.
- Develops trust and works with external and internal partners to further our goals.

Contract Manager, Washington COVID-19 Immigrant Relief Fund at Legal Foundation of Washington

Seattle, WA , 10/2020-Present

- Provide consultation for all contractual activities within the Washington COVID-19 Immigrant Relief Fund.
- Ensuring compliance with state, and federal laws and policies as well as maintaining accountability systems and controls.
- Working closely with LFW and Department of Social and Health Services (DSHS) staff to develop, execute, and monitor the agency's consolidated community based contracts and reports, and timely communicating any problems implementing the goals of the program.

-Washington Immigrant Relief Fund ended 12/2021 and this work transitioned to overseeing all federal contracts.

Contract Compliance Consultant, Solid Ground

Seattle, WA, 3/2021-9/2021

- Mapping current complex government contracts for compliance.
- Drafting policy and procedures to ensure compliance with contracts.
- Making recommendations for policy, procedure, risk management and operations to support contract compliance.

Senior Manager of Contract Compliance and Quality Improvement at Downtown Emergency Service Center (DESC)

Seattle, WA, 12/2019-10/2020

- Contract management, compliance and monitoring of housing and clinical contracts. I oversaw all the publicly funded contracts for DESC including state, federal, city and county contracts.
- HIPAA Privacy Officer-ensure clinical program is following privacy and confidentiality laws and regulations
- Oversee housing and clinical compliance and audits
- Advised housing program on landlord tenant law and helped to revise policy and procedures.
- Direct supervision of Contracts Managers, Housing Compliance, Clinical Compliance and Records Technician.

Program Manager and Benefits Attorney, Benefits Legal Assistance at Solid Ground

Seattle, WA, 1/2016-12/2019

- Managing Benefits Legal Assistance Program and supervising the Benefits Attorneys, Legal Assistant, volunteer attorneys, and law school students.
- Managed grants, contracts and program budget
- Provide legal representation in administrative hearings and appeals for state public benefits including Department of Social and Health Services, Department of Children Youth and Families and Health Care Authority.
- Provide community training and Community Legal Education on public benefit issues.
- Systems and legislative advocacy on public benefits including Working Connections Child Care in coalition with other statewide legal advocates.
- Legal research, legislative advocacy and technical expertise related to public benefits legislation.

Benefits Attorney, Solid Ground

Seattle, WA, 5/2010-12/2015

- Provided legal representation in administrative hearings and appeals for state public benefits.
- Provided community trainings and outreach on public benefits.

Housing Case Manager, Broadview Shelter and Transitional Housing, Solid Ground

Seattle, WA, 1/2002-10/2009

- Provided case management to homeless families with children.
- Conducted safety planning and advocacy to families facing domestic violence.

Activities

- Member Washington State Bar Association
- Member United States District Court, Western Washington
- Just Lead Washington Leadership Academy Cohort V, 2018
- Board Member and Secretary, Seattle King County Coalition on Homelessness, Seattle, WA 2011-December, 2017

-

ATTACHMENT 2



All Staff Retreat | Olympia Harbor House | October 23 & 24

Monday

- 10:00 AM Arrival
- 10:15 AM Land Acknowledgment and Welcome
- 10:30 AM Introductions:
- Name
 - Program
 - Location
 - What did you do before coming to OCLA?
 - Bring an item from your workspace and tell the group about its significance to you!
- 11:30 AM History of Legal Aid and Sargent Shriver video (Jim)
- 12:15 Lunch and Free Time
- Lunch from Nineveh
 - Mingle and Chat
 - Walk along the harbor and Percival Landing
- 1:45 PM Understanding Our “Why” Part I
- Simon Sinek Video
 - Facilitated discussion between management team
 - Small group breakout sessions
- 2:45 PM Break
- 3:00 PM Race Equity and Justice Initiative (REJI)
- History in and out of the Agency, Centrality to our Mission, Team Tools
 - Statement of Purpose Reading and Discussion
 - OCLA Work in 2023 and the Supreme Court’s Example of “Walking the Talk”
 - Discussion: Leaning into our REJI Commitments
- 5:00 PM Conclusion for the day

Tuesday

- 8:30 AM Arrival (Coffee and pastries provided)
- Update from the Wellness Committee
- 8:45 AM Team Building Exercise: Three Question Mingle
- 9:15 AM Programs Report Out
- CRP
 - Eviction Defense
 - Re-Entry
 - General Civil Legal Aid
 - COVID
 - Domestic Violence
 - Crime Victims
- 10:45 AM Break
- 11:00 AM Understanding our “Why” Part II
- Jim shares his “Why”
 - Volunteers invited to share in large group
- 12:00 PM Lunch and Free Time
- Lunch from Meconi’s
- 1:00 PM Awards
- Leadership Award
 - Team Champion Award
- 1:30 PM Reflection
- 2:00 PM Conclusion

ATTACHMENT 3



Washington State Office of Civil Legal Aid

PO Box 41183
Olympia, WA 98504-1183
(360) 338-5619

Bailey Zydek, Program Manager
Children's Representation Program
bailey.zydek@ocla.wa.gov

To: Sen. Claire Wilson, Chair Senate Human Services Committee
Sen. Noel Frame
Sen. Matt Boehnke, Ranking Member Senate Human Services Committee
Sen. June Robinson, Chair Senate Ways and Means Committee
Sen. Lynda Wilson, Ranking Member Senate Ways and Means Committee
Rep. Tana Senn, Chair House Human Services, Youth & Early Learning Committee
Rep. Carolyn Eslick, Ranking Member House Human Services, Youth & Early Learning Committee
Rep. Timm Ormsby, Chair House Appropriations Committee
Rep. Chris Corry, Ranking Member House Appropriations Committee

From: Bailey Zydek, OCLA Children's Representation Program Manager
Jim Bamberger, OCLA Director

Re: Report to Legislature in Response to Sec. 116(1), Ch. 475, Laws of 2023
Revised Implementation Schedule for RCW 13.34.212(3)(c)

Date: October 2, 2023

Sec. 116(1), ch. 475, Laws of 2023 directed in relevant part:

By October 1, 2023, the office must develop a revised implementation schedule based on a caseload assumption of adding no more than 1,250 new dependency cases to the program each fiscal year for consideration by the governor and the legislature.

In accordance with the budget proviso, the Office of Civil Legal Aid (OCLA) hereby submits a proposed revised schedule for implementation of the mandate for expanded children's representation required under RCW 13.34.212(3).

As currently written, RCW 13.34.212(3)(c) directs:

(c) The [OCLA] statewide children's legal representation program shall develop a schedule for court appointment of attorneys for every child in dependency proceedings that will be phased in on a county-by-county basis over a six-year period. The schedule required under this subsection must:

(i) Prioritize implementation in counties that have:

(A) No current practice of appointment of attorneys for children in dependency cases; or

- (B) Significant prevalence of racial disproportionality or disparities in the number of dependent children compared to the general population, or both;
- (ii) Include representation in at least:
 - (A) Three counties beginning July 1, 2022;
 - (B) Eight counties beginning January 1, 2023;
 - (C) Fifteen counties beginning January 1, 2024;
 - (D) Twenty counties beginning January 1, 2025;
 - (E) Thirty counties beginning January 1, 2026; and
- (iii) Achieve full statewide implementation by January 1, 2027.

As currently planned and implemented to date, OCLA’s RCW 13.34.212(3) implementation schedule is:

- Cohort 1 (2023) (Grant, Lewis, Cowlitz, Yakima, Benton, Franklin, Walla Walla, Kittitas)
- Cohort 2 (2024) (Thurston, Mason, Adams, Grays Harbor, Pacific, Klickitat, Skamania)
- Cohort 3 (2025) (Pierce, Whitman, Stevens, Ferry, Pend Oreille)
- Cohort 4 (2026) (Spokane, Lincoln, Kitsap, Clallam, Jefferson, Chelan, Douglas, Clark, Skagit, Whatcom)
- Cohort 5 (2027) (King, Snohomish, Okanogan, Asotin, San Juan, Island, Wahkiakum, Garfield, Columbia)

Cohort 1 has been fully implemented. Cohort 2 attorneys are identified and will be under contract shortly and begin accepting appointments on or shortly before January 1, 2024.

Cohorts 3, 4, and 5 involved onboarding the state’s largest counties – Pierce, Spokane, Snohomish, King, and Clark. Based on caseload numbers at the time, OCLA projected the number of children for whom appointments would be required to range from 900 (Cohort 3) to 2100 (Cohort 4). Recognizing that bringing on cohorts of this size at a time of extreme attorney shortages presented a potentially impossible task, the Legislature in the budget proviso set forth above directed OCLA to come up with an extended implementation schedule during which no single cohort would exceed 1250 children/youth.

OCLA’s Children’s Representation Program (CRP) team reviewed the best available caseload data, its recruitment and contracting experience to date, the legislative priorities guiding implementation of the expanded program, and the team’s capacity to bring the additional counties on-line successfully. Based on this review, the CRP team recommends that the implementation schedule be extended through FY 28 and be carried out in accordance with the schedule below:

County	# of Eligible Children	Projected FTE Contractors
2025		
Pierce	628	14.0
Stevens	1	0.0
Ferry	13	0.3

Pend Oreille	2	0.1
Wahkiakum	10	0.3
2025 Totals	654	14.6
2026		
Spokane	525	12.0
Chelan	53	1.3
Douglas	23	0.5
Okanogan	32	0.8
Lincoln	7	0.2
Asotin	16	0.4
Columbia	8	0.2
Garfield	1	0.1
Whitman	21	0.5
Clark	390	9.0
2026 Totals	1076	24.9
2027		
Kitsap	120	3.0
Skagit	95	2.2
Whatcom	189	4.2
Jefferson	33	0.8
Clallam	60	1.5
Snohomish	247	5.5
2027 Totals	744	17.2
2028		
King	896	20.0
San Juan	3	0.1
Island	22	0.5
2028 Totals	921	20.6

This schedule meets the directive of the budget proviso and flattens out the implementation effort. This in turn increases the likelihood of achieving implementation objectives consistent with relevant standards and reduces the volatility of budget demands as new cohort sizes will average 849 children/youth and no single cohort will require contracts for more than 1076 new children/youth.

Based on the foregoing, OCLA's Children's Representation Program recommends that the Legislature amend the implementation schedule set forth in RCW 13.34.212(3)(c) to extend the period for implementation of the program expansion consistent with this proposed revised schedule. Suggested language to this effect is reproduced below:

Sec. 6(3)(c), ch. 210, laws of 2021 is hereby amended to read:

(c) The statewide children's legal representation program shall develop a schedule for court appointment of attorneys for every child in dependency proceedings that will be phased in on a county-by-county basis over a seven-year period. The schedule required under this subsection must not add more than 1,250 cases each fiscal year and should, to the extent practicable:

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(E) Thirty counties beginning January 1, 2026; ~~and~~

(F) Thirty-six counties beginning in January 1, 2027; and

(iii) Achieve full statewide implementation by January 1, ~~2027~~ 2028.

We welcome the opportunity to provide a briefing in a work session or otherwise.

ATTACHMENT 4



Washington State Office of Civil Legal Aid

1206 Quince St. SE
Olympia, WA 98504
MS 41183
360-704-4135
360-704-4003 (fax)

James A. Bamberger, Director
jim.bamberger@ocla.wa.gov

POLICY REGARDING OFFICE OF CIVIL LEGAL AID INVOLVEMENT IN PROMOTING OR OPPOSING BILLS BEFORE THE WASHINGTON STATE LEGISLATURE

The Office of Civil Legal Aid (OCLA) is an independent judicial branch agency. The agency administers and oversees the use of state funding appropriated for the provision of civil legal aid services to eligible low income people in Washington State. OCLA's authority is set forth in RCW 2.53.030. OCLA does not play a general lobbying or policy advocacy function for low income people.

I. OCLA's Involvement With the Washington State Legislature

OCLA develops, submits and educates members of the Legislature on matters relating to its budget and the operation of state funded civil legal aid system. OCLA responds to legislative member and staff requests for information relating to agency budgets and operations.

As a judicial branch agency, OCLA also monitors and communicates with the Legislature on proposed legislation the passage of which would affect the funding and operations of the judicial branch, with special emphasis on those that would affect access to and the fair operation of the civil justice system for low income residents of Washington State (e.g., *Justice in Jeopardy*). OCLA's activities are carried out in consultation with the Chief Justice, the Board for Judicial Administration and key judicial branch agency organizations and leaders.

Because the state-funded civil legal aid system is able to provide civil legal aid services to only a small portion of those who need them, OCLA monitors proposed policy legislation to assess its potential impact on demand on the civil legal aid system.

II. Establishment of Policy on Legislative Involvement

The purpose of this Policy is to clarify and distinguish OCLA's status as an independent judicial branch agency and make clear that OCLA (or any staff member thereof) will not involve itself in legislative matters unrelated to its budget, the agency's statute or judicial branch budgets and operations except in rare and exceptional circumstances consistent with objective considerations and only after consultation with the Civil Legal Aid Oversight Committee. This policy is necessary to protect OCLA's institutional integrity and credibility.

- A. OCLA may take positions on proposed policy legislation only if passage of such legislation will have a direct and consequential impact on (a) demand for civil legal aid services or (b) the ability of low income people to seek and secure civil legal aid services.

- B. Before taking a position on proposed policy legislation that meets the criteria of Section A, the OCLA Director will timely consult with the Civil Legal Aid Oversight Committee. In presenting the proposal that the agency take a position, the OCLA Director will set forth in writing (e-mail is sufficient):
 1. The bill number, prime sponsors, links to bill reports (if any) and a narrative description of its substantive focus
 2. The reasons why the OCLA Director believes passage of the bill will have a direct and consequential impact on (a) demand for civil legal aid services or (b) the rights of low income people to seek and secure civil legal aid services, and the nature of the impacts identified
 3. Other organizations and entities with an interest in the outcome of the legislation, including an overview of the positions in support of and contrary to the position that the OCLA Director proposes to take
 4. A statement outlining the unique message/impact that OCLA's involvement will bring

The OCLA Director will seek and give special consideration to input received from legislative members of the Oversight Committee.

The Civil Legal Aid Oversight Committee will provide its input and guidance to the OCLA Director in a timely manner. If OCLA proceeds to take a position on proposed policy legislation, it will report the same to the Oversight Committee and provide copies of any materials made available to legislators, committees or legislative staff.

This Policy Regarding OCLA Involvement in Promoting or Opposing Bills Before the Washington State Legislature was reviewed and endorsed by the Civil Legal Aid Oversight Committee at its meeting of June 8, 2012.

ATTACHMENT 5



Washington State Office of Civil Legal Aid

PO Box 41183
Olympia, WA 98504-1183
(360) 338-5619

Bailey Zydek, Program Manager
Children's Representation Program
bailey.zydek@ocla.wa.gov

To: Sen. Claire Wilson, Chair Senate Human Services Committee
Sen. Noel Frame
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We welcome the opportunity to provide a briefing in a work session or otherwise.

ATTACHMENT 6

TO: President Eduardo M. Peñalver

FROM: Annette E. Clark, Dean and Professor of Law
Cindy Yeung, Assistant Dean, Access to Justice Institute
James Bamberger, Director, Office of Civil Legal Aid
Philippe Knab, OCLA Eviction Defense Program Manager

DATE: November 1, 2021

SUBJECT: Seattle University School of Law and the Office of Civil Legal Aid
Housing Justice Collective

Announcing the Housing Justice Collective at Seattle University School of Law

In order to build a sustainable community of practice in housing eviction defense and to address the housing inequities that have plagued this country for over a century, Seattle University School of Law and the Office of Civil Legal Aid (OCLA) are pleased to announce a partnership, the ***Housing Justice Collective***, with the goal of creating a sustainable pipeline of diverse, highly competent, and committed lawyer-advocates to represent tenants in unlawful detainer actions in Washington State. Together with OCLA, Seattle U Law recognizes the expanding job market in this practice area and the need for deeper, more specialized substantive and skills instruction for students who wish to serve individuals and families experiencing rental housing instability and risk of eviction.

Civil Gideon and the Need for Highly Qualified and Trained Students/Attorneys

On April 22, 2021, Washington State Governor Jay Inslee signed 2ESSB 5160, which made Washington the first state in the nation to require that courts appoint attorneys for indigent tenants in eviction cases. Establishing the right to appointed counsel (RTC) in all thirty-seven of Washington's counties has created a significant number of opportunities for both lawyers and law students. Attorneys are needed to fill the RTC positions and administrators are needed to ensure quality, consistency of service, and develop and deliver training.

We believe that Washington's law schools have a duty to educate and train the next generation of lawyers to be knowledgeable and prepared in this practice area. Given its commitment to social justice, Seattle University School of Law, in partnership with the Office of Civil Legal Aid (OCLA), is leading the way in fostering RTC implementation and educating powerful advocates for justice for this critically important work.

Seattle University School of Law is the Pacific Northwest's most diverse law school; the entering class of 2024 is comprised of 37 percent Black, Indigenous, and People of



Color and 64 percent women. These students have diverse and powerful lived experiences and chose Seattle U Law in part because of its demonstrated commitment to social justice. They are eager to use their legal skills to identify and dismantle the systems that cause renters of color to be evicted at disproportionate rates as compared to white renters.

Seattle U Law is committed to being proactive and responsive to the needs of the legal community. As a Jesuit institution, social justice and educating the whole person run through the veins of our community. It is our priority to creating lasting partnerships with advocacy partners in order to educate and train passionate and competent attorneys who are prepared to serve the public good.

OCLA is an independent judicial branch established to administer and oversee expenditure of state appropriations for civil legal aid services to low-income Washingtonians. It is institutionally committed to equity, inclusion, and diversity in the assessment of legal needs and the delivery of legal aid services. OCLA is a founding member of and embraces the race equity and justice commitments articulated by the Washington State Race Equity and Justice Initiative. OCLA works to ensure and support early identification, recruitment, and training of diverse attorneys, as well as support for attorneys and those interested in a public justice legal career.

OCLA operates a number of distinct civil legal aid projects, including, effective July 1, 2021, the nation's first statewide program for appointed attorneys representing low-income tenants in eviction cases. After the legislature passed and Governor Inslee signed 2ESSB 5160 into law, OCLA was assigned responsibility to implement and administer the RTC program in Washington. OCLA was required to submit an implementation plan to the legislature within 90 days of its effective date and for full implementation to be accomplished within 12 months after its effective date (April 22, 2022). Roughly 65 attorneys will be hired initially to provide right to counsel services to eligible tenants.

Priming the Pump for the Housing Justice Collective: Initial Seattle U Law Steps

Since 2015, Seattle U Law has housed the [Homeless Rights Advocacy Project](#) (HRAP), led by Professor Sara Rankin, that offers students the opportunity to do policy research, analysis, and advocacy on behalf of unhoused people. HRAP builds partnerships across a range of disciplines with community members, advocates, academic institutions, and other stakeholders to advance the rights of homeless people. HRAP also advocates for the repeal of laws that criminalize homelessness and poverty and for the pursuit of alternatives that address the root problems of homelessness and poverty.

In October 2020, the Seattle U Law Access to Justice Institute, in partnership with students and the King County Bar Association's Housing Justice Project (HJP), sponsored an eviction defense clinic as part of the ABA's Celebrate Pro Bono Week. The clinic introduced students to eviction defense, and in that one day, assisted more clients than would ordinarily be served by HJP in a week. Given the clinic's success, it



was replicated again with great success on October 29, 2021, in celebration of Pro Bono Week.

In the Spring 2021 semester, Seattle U Law launched its Housing Justice Clinic course, bringing together law school faculty and the staff at HJP. The clinic was both fully enrolled (10 students) and highly successful, with two students who participated in the clinic being hired by HJP immediately upon graduation in May. The Housing Justice Clinic is again being offered in the Fall 2021 semester and is fully enrolled.

In August 2021, Seattle U Law made housing inequity the theme of 1L Orientation, a multi-day program that introduces new students to the law school and the legal profession. All 230 1Ls read *The Color of Law: A Forgotten History of How Our Government Segregated America*, by Richard Rothstein, and engaged in small group discussions of the relevance of the book's findings to the escalating eviction crisis, particularly in light of the COVID-19 pandemic. They also listened to a timely presentation by Edmund Witter of the KCBA's Housing Justice Project on racial justice and the important role of lawyers in challenging housing inequities.

Housing Justice Collective: Seattle University School of Law Commitments

- Undertake a review of the law school's curriculum, revising and adding courses/components as necessary to ensure provision of comprehensive education and training for students to become competent housing defense lawyers:
 - Substantive law, including increasing the availability of our current landlord/tenant course and/or offering additional courses on subsidized housing, the Fair Housing Amendments Act, and trauma informed lawyering,
 - Skills training in specialized practices and procedures for eviction defense, including mediation and conflict resolution
 - Training in anti-racist lawyering, emphasizing an understanding of the racialization and bias inherent in the housing system
 - Relevant externship opportunities
- Explore opportunities for broader collaboration with Seattle University, particularly relevant undergraduate departments and majors and the Center for Community Engagement, in the hopes of creating an even deeper pipeline of students committed to this practice area
- Promote the Housing Justice Collective through social media and a story in the Lawyer magazine
- Educate students about the Housing Justice Collective through an annual Social Justice Monday presentation (inaugural presentation scheduled for January 10, 2022)



- Add appropriate components to the Center for Professional Development's (career services) programming so that students are fully aware of the practice opportunities in eviction defense
- Invite Matthew Desmond, author of *Evicted: Poverty and Profit in the American City*, to speak at Seattle University

Housing Justice Collective: Office of Civil Legal Aid Commitments

- Fund two Public Interest Law Foundation (PILF) grants for Seattle U Law students at the KCBA Housing Justice Project annually for the next 3 years (inaugural OCLA funding already approved for two Summer 2022 PILF grants)¹
- Support Seattle U Law efforts to obtain additional PILF grant funding (e.g., inaugural Northwest Justice Project funding of one PILF grant, at OCLA's suggestion)
- Collaborate with and support Seattle U Law efforts to seek additional grant funding to grow the Housing Justice Collective
- Promote the Housing Justice Collective through appropriate means, including recommending graduates of the Seattle U Law curriculum to RTC employers

Conclusion

Together, Seattle University School of Law and the Office of Civil Legal Aid, through the Housing Justice Collective, will provide students with meaningful exposure to unlawful detainer practice and create a permanent pipeline of qualified and justice-minded advocates for the state of Washington.

¹ The underwriting PILF grants guarantees that each summer our students will be exposed to unlawful detainer defense and develop an understanding of the opportunities that exist in this practice area. Post-graduation, PILF grantees are more likely to pursue public interest careers and, in some cases, are hired by their host organizations. Several PILF grantees are now access to justice leaders in the community, and grantees can be found at almost every public interest entity in Washington, both civil and criminal.



ATTACHMENT 6

Memorandum of Understanding

Between
Gonzaga University School of Law
And
Washington State Office of Civil and Legal Aid
And
Washington State Office of Public Defense

This Memorandum of Understanding (“MOU”) sets forth the agreement between Gonzaga University School of Law (“Gonzaga Law”), the Washington State Office of Civil Legal Aid (“OCLA”), and the Washington State Office of Public Defense (“OPD”) to develop academic programming on child and parent rights and justice, referred to as the Children and Parent Rights and Justice Initiative (“CRJI”).

The Parties

Gonzaga Law is an ABA-accredited law school in Spokane, Washington whose mission is to provide excellent legal education informed by its humanistic, Jesuit, and Catholic traditions and values. As a Jesuit institution, Gonzaga Law is committed to diversity and strives to produce lawyers who are compassionate counselors serving the public good.

OCLA is an independent judicial branch agency responsible for administering and overseeing state funds for providing civil legal aid services to low-income Washingtonians. OCLA maintains a strong commitment to race equity and justice and strives to serve the needs of indigent persons in their access to civil justice. Its core values include equity and inclusion, leadership, transparency and accountability, and change and innovation.

OPD is an independent agency of the judicial branch that implements legal guarantees to counsel by providing indigent defense services throughout Washington State. Its mission is to uphold the rights of all people facing the loss of liberty or family by providing statewide leadership, administration, and support to the multidisciplinary public defense profession. Its values include justice, service, equity, and excellence.

Background

The parties to this MOU recognize the need for trained and qualified lawyers to work in the area of child and parent rights and justice, representing not only children and parents in dependency hearings but also working across other areas of law affecting the rights of children and parents, including but not limited to criminal, immigration, and family law. Children and parents have a right to their families. Children have a right to safety. Attorneys for both need to understand each others’ roles either through education, or by practicing the representation of both.

As needs across the state – and nation – continue to grow, the parties recognize the challenges in recruiting, training, and retaining qualified lawyers competent to represent children and parents in dependency, termination, and related cases. The parties also recognize the imperative to develop a pipeline for the recruitment, training, and placement into practice of new attorneys

dedicated to providing trauma- and equity-informed representation of children and parents in these cases.

Purpose

The shortage of qualified lawyers, along with the commitment to serve our community and each party's mission, has led to this MOU for developing the CRJI at Gonzaga Law. The parties intend to work together to identify, develop, and place well-prepared law graduates, who support and are committed to diversity, into child welfare system practice to provide meaningful, equity-informed, and effective representation for children and parents upon graduation and passage of the bar. The parties will explore a concentration program for JD students, Continuing Legal Education ("CLE") opportunities for licensed attorneys, and post-graduate certificate offerings for JD holders looking to transition into child rights work. The parties also intend to explore clinical and/or experiential programs that focus on child and parent rights.

Project Goals and Timeline

CRJI will proceed in three phases: (1) launching a CRJI Concentration for JD students; (2) offering CRJI programming for JD holders, including CLE programming and a CRJI post-graduate Certificate, and (3) Clinical and/or Externship programs housed at Gonzaga Law furthering CRJI objectives.

The first phase is to establish a concentration in child and parent rights for JD students. This phase will include developing a sequence of coursework that covers the doctrinal, practical, and interpersonal skills necessary to work in child and parent rights upon graduation. In particular, the concentration will not only cover substantive knowledge, but also equity-, justice-, and trauma-responsive lawyering, including understanding child safety and the harm of separating families. It will also include experiential learning components for law students interested in careers serving the needs of children and families. This first phase will begin in Fall 2023 with developing a framework and initial proposal for the CRJI Concentration, with the goal of May 2026 as the date the first cohort of JD students will graduate with the CRJI Concentration.

The second phase seeks to develop programming for JD holders wishing to gain additional knowledge relevant to child and parent rights. This phase will include CLE events ideal for both practitioners working in child and parent rights and law students who are CRJI Concentration candidates. The goal for launching CLE programming is Fall 2024. Additionally, the second phase will explore a post-graduate certificate for JD holders wishing to gain the foundation for working in child and parent rights, with a goal of Fall 2027 for launching a post-graduate Certificate program.

The third phase will result in developing clinical and externship programming devoted to child and parent rights. This phase will include establishing and funding a Child and Parent Rights Clinic focusing on child and parent rights work and an externship program that targets agencies and private practitioners doing work in child and parent rights. Exploration of clinical and externship opportunities will begin in Spring 2024, with the goal of establishing a standing clinic and/or externship track for child and parent rights in Fall 2027.

Mutual Commitments Among the Parties

Gonzaga Law intends to offer and administer the CRJI Concentration, including staffing courses in the JD program and providing overall programmatic support. It also intends to host and facilitate CLE programs and a CRJI post-graduate Certificate. Lastly, Gonzaga Law intends to staff and host a standing clinic and/or externship track for child and parent rights as feasible.

OCLA and OPD intend to provide experiential learning opportunities, complementary substantive legal training, guidance on funding opportunities, and other support for the development and progressive evolution of all three CRJI phases. In particular, OCLA and OPD will collaborate with Gonzaga Law on identifying the core competencies and objectives of CRJI; finding qualified adjunct faculty, CLE speakers, and externship partners; promoting job placement and mentoring opportunities for students; and promoting and growing the program as needs evolve.

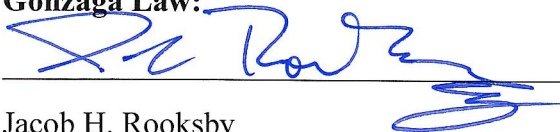
Amendment

Gonzaga Law, OCLA, and OPD will revisit and, if necessary, update this MOU annually in the first three years, in Fall 2024, Fall 2025, and Fall 2026. After the first three years, each party can request an amendment as needed.

Signatures

By signing below, each Party acknowledges that this MOU is a non-binding statement of the Parties' intent and understanding for future collaboration. Additionally, each Party agrees to act in good faith and to do what is reasonably within its power to give effect to the spirit of this MOU.

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