



**Issue 158 | June 4**

## **State Says No to Mandatory Malpractice Insurance**

### **Washington State Bar Association Board Rejects Mandatory Malpractice**

As it turns out, Washington will not join Oregon and Idaho as a state where lawyers are required to carry malpractice insurance: The board of the Washington State Bar Association recently rejected a task force recommendation that would have made it the third state to mandate malpractice insurance for lawyers. This follows the news that the board of the State Bar of California also decided against instituting this requirement. The task force noted that 14 percent of private lawyers in Washington state don't carry malpractice insurance, posing a risk to their clients. The WSBA board voted 9-5 against the recommendation, saying there were other, less burdensome ways to encourage lawyers to carry malpractice insurance. Learn more about this decision, and the similar one in California, at [Above the Law](#).

### **U.S. District Court Dismisses Two Cases Against Oregon State Bar**

Late last month, a U.S. district judge dismissed the two recent cases against the Oregon State Bar, in what could be taken as a hopeful sign for other mandatory bars with pending lawsuits that challenge their structure and how they use member fees. Judge Michael H. Simon adopted the findings and recommendations by U.S. Magistrate Judge Jolie Russo, who wrote that the bar has sovereign immunity; that integrated bars' mandatory membership and fees do not violate the First and Fourteenth Amendments; and that this is true even of political speech "so long as the speech is germane to regulating the legal profession and improving the quality of legal services." Perhaps as a sign of how closely other states have been watching these cases, [Texas Lawyer](#) has more information including the plaintiffs' plans to appeal.

### **New Mexico Supreme Court to Look into Adding Limited License Legal Technicians**

Similar to some other states that have one or two densely populated areas and other regions that are sparsely populated, lawyers in New Mexico are concentrated in two big cities—Albuquerque and Santa Fe—while some counties have just one or two lawyers, or none at all. Potentially to help address unmet civil legal needs in rural areas, state Supreme Court Chief Justice Judith Nakamura has established a work group to explore the idea of adding a limited license legal technician designation modeled after the program that began in Washington state in 2015. In Washington, LLLTs are not lawyers but are specially trained and licensed to provide some legal services in certain areas of law. The [Las Cruces Sun News](#) offers further details about the work group and about the scope of legal need in New Mexico.

### **Attracting and Retaining Members Takes Careful Strategies in Programming, Marketing**

When it comes to attracting and retaining members, the most important thing is to make sure your programming is solid. But how will they know how great it is if you don't tell them how membership can help them achieve their career goals? That's where marketing

comes in. A few key strategies can help you connect with members at any point in their journey with your association, writes Aimee Pagano of marketing firm HighRoad Solution. For example, she says, make sure you have the right technology in place to provide sophisticated data analytics and then use those analytics to help personalize all of your communications and to develop "buyer personas" to help you identify any gaps in your programming. Pagano shares additional insights at [Association Universe](#).

## ABA Partnership Awards Program Nominations Deadline Approaching

Is your bar doing great work to increase diversity and inclusion in your legal community? Nominations are now open for the ABA Partnership Awards Program, and the awards will be presented at a National Conference of Bar Presidents luncheon at the ABA Annual Meeting in San Francisco this August. Eligible bar programs are those that address participation and advancement of lawyers of color, women lawyers, LGBTQ lawyers, lawyers with disabilities and other lawyers from underrepresented communities. Program results should be measurable and replicable by others. All submissions will be judged by a panel that will include members of the ABA Standing Committee on Bar Activities and Services and representatives from several national affinity bars. The [nomination form](#) is due by June 7.



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