

To the Washington Supreme Court:

Contrary to the some of the opinions already submitted, the proposed ethics credit is **NOT** a politicized course that aims at lecturing white people about their biases. Those comments are evidence of just how much this credit is needed.

As soon as people hear the word “bias” or “diversity” they are quick to assume it has to do about race, does not apply to legal profession or only applies to lawyers who support a certain community. Race bias is only one type of bias. For example, if you love going to trial, your bias could influence your negotiations or advice given to your client. Conversely, if you loathe trial, you could be unaware you are doing a disservice to your client by unconsciously pushing for settlement.

Understanding bias is not always about your own biases, it is also about understanding the bias others have. If you’re a personal injury attorney and the insurance adjuster you are negotiating with is biased against plaintiffs and believes all, or the majority of, claimants are grubby, money seeking malingerers, you will want to know how to mitigate or negate the bias that is negatively impacting your client’s case.

It is important to remember biases are not always in the negative. People can be predisposed to thinking people with glasses or are of Asian descent are smart. Voters can vote for someone simply based on the candidate’s looks. And people who are marginalized by biases can have their own biases.

Also, diversity doesn’t mean just being racially diverse. Age, religious beliefs, education, geographic location, and disability are just some of the characteristics that make us a diverse population.

So why is there so much opposition to this proposal? No one likes to be told what to do. I get it. However, being able to practice law is not a right, it is a privilege. A privilege we have worked hard to have. What better way of respecting that privilege than by learning all we can as attorneys? We have a duty to our clients to provide them with the best possible representation we can.

I have heard some people say this CLE is great and needed but let’s make it voluntary, not mandatory. But that doesn’t encourage progress. The simple truth is: we don’t know what we don’t know. And we don’t grow by doing the same thing over and over. Those who understand the value of such courses and are open to them will voluntarily take the courses. We are preaching to the choir there. I’m sure the ones that are dead set against learning anything will not benefit. But by making it mandatory for those that are ambivalent or the one person who doesn’t think it can help their practice but comes away with learning one thing during that hour, that course will have been a success. It isn’t about brainwashing, it isn’t about changing someone, it isn’t about shaming. Those are all assumptions by people who haven’t taken such a course.

Simply, the pushback is because people think these courses are going to be uncomfortable, make them feel ashamed. I've read the public comments from this proposal and the prior proposal, and from the sentiments voiced, I gather that many have never taken a class like this before. I have, and I've found it immensely helpful, not only in my professional life, but my personal life as well. I've realized I have biases against smokers, people who are overweight, homeless people, and favor people who belong to the political party I do and I work hard every day to mitigate those biases. I've taken at least one (usually more than one) CLE on this topic every year for the last three years. There was no brainwashing, no cult recruitment, no shaming. It just gave me information I didn't have before and allowed me to see an issue in a way I didn't see before. I think we can all agree that this is an advantage in legal practice.

I've also heard only certain sectors of the legal practice, for example non-profits who work with immigrants or marginalized communities, will benefit from such CLEs. Bias and inequity have the possibility to touch and impact all facets of the legal system. If you are a litigator, you want to know what positive and negative biases your client invokes the judge and/or jury. It could determine the outcome of your case. If you are a corporate attorney, you want to make sure you are being inclusive in your actions or else risk losing a valuable client.

Additionally, saying this proposal is political issue is a false narrative. It parallels what is going on with masks today. A mask is not political statement it is a health precaution just as a CLE is not a political statement it is an educational class. Classes like these have been held for years prior to our proposal with no outrage. So what is different now? Again, people don't like to be told what to do and they think spinning the proposal as being political will defeat it. However, if CLE classes like the CLEs we are proposing are political, then GR 12 is contradictory and needs to be changed because 12.1 says:

*Legal services providers must be regulated in the public interest. In regulating the practice of law in Washington, the Washington Supreme Court's objectives include:*

*(j) diversity and inclusion among legal services providers and freedom from discrimination for those receiving legal services and in the justice system.*

General Rule 12.2 additionally states the purposes and authorized activities of the Washington State Bar Association further emphasizes that, "In general the Washington State Bar Association strives to: . . . (6) Promote diversity and equality in the courts and the legal profession."

So, if the proposed CLEs are political, GR12 needs to be amended.

In June 2020, the Court stated that the "legal community must recognize that we all bear responsibility for . . . ongoing injustice, and that we are capable of taking steps to address it, if only we have the courage and the will." This is the Court's chance to act and make a difference and positive impact on our community. To take a phrase from Past WSBA President William Pickett at the Board of Governors' meeting regarding this proposal, this is how we start to stitch hearts together. Thus, I humbly ask that you adopt the proposed amendment.

Thank you and respectfully,

Asia Wright

**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** [Linford, Tera](#)  
**Subject:** FW: Comment on Proposed Amendment to APR 11  
**Date:** Wednesday, February 24, 2021 10:34:02 AM  
**Attachments:** [Comment on Proposed Amendment to APR 11.pdf](#)

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**From:** Asia Wright [mailto:asianoelwright@hotmail.com]  
**Sent:** Wednesday, February 24, 2021 10:20 AM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
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