



**Seattle**  
**City Attorney's Office**

Peter S. Holmes, City Attorney

---

April 29, 2021

Honorable Susan L. Carlson  
Clerk of the Washington State Supreme Court  
P.O. Box 40929  
Olympia, WA 98504

Dear Clerk Carlson,

Recognizing America's criminal justice system is one wrought with inherent bias, we at the Seattle City Attorney's Office have an obligation to our residents to acknowledge and work to remedy that bias. Education is at the heart of change, which is why I so enthusiastically support the Mandatory Continuing Legal Education (MCLE) Board's proposal to require that "equity, inclusion, and the mitigation of both implicit and explicit bias in the legal profession" be at least one of the six ethics credits licensed legal professionals are required to earn.

Our community saw anguished demonstrations and unrest over this past year, and persistent, dehumanizing institutional racism is at its heart. Our Washington State Supreme Court embraced the moment following George Floyd's murder and called on every member of our legal community to "reflect on this moment and ask ourselves how we may work together to eradicate racism." We should consider this MCLE proposal as an opportunity, especially following the bar's rejection of a similar recommendation in 2019.

The organized bar has a mixed history in standing up for equity and inclusion. For example, I'm proud of the King County Bar Association's organization and response to anti-Chinese laws early in our state's history, but I'm sickened by the bar's collective failure to act on Japanese internment preceding World War II. The bar's past engagement on racial justice, and sometimes lack thereof, should inspire us to educate ourselves and act on present failures of ongoing institutional racism.

Lifelong learning in law means gaining a broader understanding of the thoughts and experiences of the people underrepresented in the legal profession and also of those who sometimes suffer consequences of the law. In the legal profession, inertia can result in siloed thinking, leaving lawyers focused on legal minutia while operating unaware of the larger context of their actions. My office has a dedicated team who focuses on advancing racial and social equity in the workplace, through the law, and in governmental policy. This team elevates these issues in the office and opens dialogues to learn about each

other's lived experiences, which helps staff recognize and address their own personal biases. My office's Race & Social Justice Change Team also helps bring diverse perspectives while evaluating new and existing policy proposals; those proposals have been made better by the inclusion of multiple viewpoints than a homogenous group might have reached alone. Actions, no matter how well-intentioned, might have unforeseen consequences, and we've experienced that an environment fostering consideration of diverse opinions has identified problems early-on. Training and policy review with a racial equity lens can lead to dismantling structural dynamics that can perpetuate implicit bias.

We must educate lawyers first if the law itself is going to ultimately reconcile our egalitarian founding principles with our history since the first slave ships of 1619. And we must only look to history to see how the Rule of Law can either shroud us in shadow or lead us to the light. We've all read about *Dred Scott v. Sandford* and *Plessy v. Ferguson* but reoccurring education and self-reflection is essential if those cases are to mean more than just words on a page. Our team's most recent training, *Reparations for the Descendants of People Who Were Enslaved*, documents the shadow of our racist origins and discusses affirmative steps to repair the historic injustices committed against African Americans during slavery, Jim Crow and beyond.

We see the inclusion of the newly proposed ethics credit as being in-step with our team's efforts and will bring similar benefits to the legal profession as a whole. I'm glad to see the Mandatory Continuing Legal Education Board's again propose this change to make for a more inclusive and racially and culturally aware membership of legal professionals. The Board should not again reject this proposal. I urge you to adopt this change and help make inroads to advance equity and address bias. It's quite literally the least we can do.

Very truly yours,



Peter S. Holmes  
Seattle City Attorney

**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** [Linford, Tera](#)  
**Subject:** FW: WSBA Diversity Committee's Comment on Proposed Amendments to APR 11  
**Date:** Thursday, April 29, 2021 9:29:37 AM  
**Attachments:** [image001.png](#)  
[042921 Holmes MCLE Letter.pdf](#)

---

---

**From:** Nolte, Dan R [mailto:Dan.Nolte@seattle.gov]  
**Sent:** Thursday, April 29, 2021 9:28 AM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** WSBA Diversity Committee's Comment on Proposed Amendments to APR 11

**External Email Warning!** This email has originated from outside of the Washington State Courts Network. Do not click links or open attachments unless you recognize the sender, are expecting the email, and know the content is safe. If a link sends you to a website where you are asked to validate using your Account and Password, **DO NOT DO SO!** Instead, report the incident.

Honorable Clerk Carlson

Please see the attached comment from Seattle City Attorney Pete Holmes regarding the WSBA Diversity Committee's Comment on Proposed Amendments to APR 11.

Thank you for your consideration.



**Dan Nolte**  
Communications Director

Seattle City Attorney's Office  
701 Fifth Avenue, Suite 2050  
Seattle, WA 98104-7095