



# District of Columbia Bar

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*Communities Policies and Procedures*

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## I. Governance

### A. Mission and Activities

The mission of the D.C. Bar Communities is to advance the professional development and competence of members of the D.C. Bar by delivering high quality educational programming and professional networking opportunities. The D.C. Bar is committed to serving as a national model of excellence, a commitment that animates the activities of the Communities.

Communities programming includes presentations, lectures, conferences, seminars and symposia about the law and its practice; information apprising members of legislative, regulatory, and judicial developments affecting the law and its interpretation; receptions and other networking events that promote career enhancement; publications including newsletters, handbooks, practice manuals, course materials, and other written information; comments and public statements on issues within members' areas of expertise; and public service and community outreach activities. Communities programming will include in-person events at the D.C. Bar headquarters and offsite locations; webinars; a library of on-demand videos; social media and other online community activities.

### B. Communities Committee

The Board of Governors is the governing body of the District of Columbia Bar. The operation of the Communities shall be governed by policies proposed by the D.C. Bar Communities Committee and adopted by the Board of Governors.

#### 1. Number and Appointment

The D.C. Bar President, with the approval of the Board of Governors, will appoint an 11-member Communities Committee composed of active D.C. Bar members. Communities Committee members are appointed for two-year terms, with no member to serve more than three consecutive terms.

#### 2. Duties

The D.C. Bar Communities Committee oversees the operation of the Communities Program. The Committee facilitates Communities-wide programming and content, volunteer opportunities, and member engagement initiatives. The Committee evaluates the programs, events, and publications of Communities, monitors the overall financial health of the Communities Program, and works to provide Communities members with added value for their membership dues. The Committee reviews the benefits of Communities membership annually and develops proposals to improve their value. The Board of Governors will receive periodic reports from the Committee about the Program, as well as review for approval any revisions of the Communities Policies.

#### 3. Engagement with Community Steering Committees

The D.C. Bar Communities Committee shall establish each year a schedule to meet with the communities and collect feedback about the Communities overall program. The goal of these opportunities will be to assess programmatic goals for all communities, as well as creating opportunities

for the various leaders to learn about the future planning taking place across and among the communities.

#### 4. Creation of New Communities

The Communities Committee may create new Communities, and new program subcommittees, by majority vote, as it deems appropriate.

If the proposed Community is approved by a majority vote of the Communities Committee, the new Community shall officially begin operation commencing with the new fiscal year. Prior to the start of the fiscal year, the Communities Committee Chair shall delegate from its body a three-member committee, to appoint an initial five-member steering committee, to serve one-year terms. These initial appointments shall not be counted as the steering committee members' first terms, for the purpose of the term limits for Community steering committee members required by §I.E.5.

Prior to the fiscal year, the five-member steering committee shall elect two co chairs or one chair and one vice chair, and create such other committees as it deems appropriate.

#### 5. Reorganizing or Discontinuing Communities

The Communities Committee may periodically review and consider the activity and viability of a particular community. Each community is responsible for holding a minimum of six programs annually. The inability of a community to meet required criteria of sustaining appropriate activity opportunities for the community may be grounds for the Committee to consider recommendations to reorganize or discontinue such community. Before a recommendation to reorganize or discontinue a community is made, the Communities Committee will make every effort to engage with the community, seeking feedback about the status of the community's activities and options for sustaining improved activity that supports the value proposition of all Communities. After considering the entire value proposition and a community's contribution, the Communities Committee may determine that a reorganization or discontinuing of communities is of the best interest of the entire Communities program that must always support a sustainable value proposition for its membership.

#### 6. Community Name Changes

The Communities Committee may periodically review and consider the name and branding of a particular community. A community's Steering Committee may also propose to change its Community's name by request to the Communities Committee. Ordinarily, such name change will take effect at the beginning of the next fiscal year. Before a recommendation is made, the Communities Committee will seek feedback from the communities.

#### C. Relationship with D.C. Bar Staff

Communities programming will be coordinated and implemented by the Communities Office staff in cooperation with the Community Steering Committee and/or subcommittee in accordance with the business and operational standards of the D.C. Bar. Communities Office staff may develop and deliver programming on behalf of a community to supplement or help a community maintain minimum programming requirements.

##### 1. Chief Executive Officer of the Bar

The Chief Executive Officer (CEO) is the chief administrator of the Bar and shall be responsible for assuring the orderly and effective operation of the Communities and the Communities Office, consistent with the policies approved by the Board of Governors and the recommendations of its Communities Committee. The CEO may delegate this responsibility to the Chief Programs Officer (CPO).

## 2. Director of Communities

The Director of Communities shall be responsible for the day-to-day operations of the Communities program and for direction and supervision of the Communities Office Staff. The Director shall ensure that all operational details for Communities programming comport with the business practices of the D.C. Bar as approved by its Board of Governors.

## 3. Communities Office and Volunteers

Activities will be produced collaboratively through the efforts of volunteer and staff planners. The priority will be to produce content and resources for all Communities in support of the value proposition of membership in the Communities.

### D. D.C. Bar Policy on Fundraising

Any Community desiring to solicit or accept financial or in-kind contributions from individuals, law firms, corporations or other organizations shall submit requests in writing to the D.C. Bar Executive Committee for prior approval and possible coordination with other Bar fundraising efforts. A Community that proposes to cosponsor an activity with another organization that plans to solicit such contributions for that activity shall submit requests in writing to the D.C. Bar Executive Committee for prior approval and possible coordination with other Bar fundraising efforts. Potential cosponsors shall be advised of this prerequisite for Community participation when the activity is planned. There is a moratorium on processing fundraising requests from the third Tuesday in June until the third Tuesday in July.

### E. Steering Committees

#### 1. Timing

The fiscal year for each Community will correspond with the fiscal year of the Bar, which is July 1 through June 30. Each year, coinciding with the election of officers and members of the Board of Governors, the membership of each Community will elect Community members to the Community steering committee for staggered terms of three years, commencing on July 1.

The Director of Communities will establish a schedule governing election procedures and notify Community members and the Bar at large of the election schedule.

#### 2. Nominations

The D.C. Bar Communities Committee shall nominate a slate of Community members in good standing for the steering committee of each Community. If possible, the Screening Committee will not nominate more than two members from the same institution, *e.g.*, a law firm or a government agency. No member of the Communities Committee shall be eligible for nomination.

### 3. Nomination Process

The Communities Office shall assist the nominations process by soliciting input from the Communities' steering committee leadership, Communities' membership, the Bar at large, and voluntary bar associations. The Communities Committee shall encourage the participation of all segments of the Bar, in accordance with the D.C. Bar's core organizational values of diversity and inclusion.

If the Communities Committee determines that the pool of potential nominees is not balanced, reflecting the D.C. Bar's core organizational values of diversity and inclusion, the Screening Committee shall request the Community steering committee recruit additional persons. The Committee may also attempt to recruit such additional persons as it deems appropriate.

All members of the D.C. Bar are eligible for nomination, except that no person will be eligible for election to a steering committee if he or she is a current member or officer of the Board of Governors.

The Communities Office shall make available a candidate interest form to the members of each Community. The number of steering committee vacancies will be publicized and will be posted on the D.C. Bar website.

Interested Community members shall submit their candidate interest form and resume to the Communities Office who will then transmit it to the Communities Committee. Any Bar member may offer his or her candidacy, or may suggest the candidacy of another member on a candidate interest form. Non-Bar member subscribers to a Community are ineligible to serve on a steering committee.

After the deadline for submission of candidate interest forms and resumes, the Communities Committee shall meet to review the potential candidates. A Community steering committee and/or community nominations chair may submit feedback to the Communities Committee setting forth requests for expertise as well as specific information about potential candidates. The Screening Committee shall prepare a slate that fairly represents the diversity of the Bar and the diversity of views within the Community's area of practice.

The Director of Communities will submit a list of steering committee candidates for all Communities for inclusion in the *Washington Lawyer* and other Bar publications.

### 4. Election Process

Voting shall be by secret ballot. Ballots and voting instructions shall be provided online. All Community members in good standing as of April 15 will be provided ballots for the Communities to which they belong.

Campaigning by candidates in the form of distribution of leaflets, paid announcements in legal publications, or other forms of mass solicitation is allowed. Bar and Community postal mailing lists are available from the Bar's Marketing Representative, at a candidate discount from the retail price as determined by the D.C. Bar Board of Governors.

The Director of Communities (or the Director's designee) shall prepare a ballot containing the names of all nominees, with a biographical statement of no more than 675 characters from each candidate who submits one. Only the first 675 characters submitted shall be included on the ballot. The ballot order will be determined at random.

Three working days prior to the deadline for submission of biographical statements, a communication will

be transmitted to candidates whose statements have not been received. If a candidate fails to submit his or her biographical statement on a timely basis, pursuant to the schedule prepared by the Director of Communities, only the candidate's name will appear on the ballot.

In the event of death, disability or resignation of any member of the Community steering committee after the Communities Committee has designated the candidate slates, that member's seat shall remain vacant until June 30. It shall be filled by the non-elected candidate receiving the next highest number of votes in the election, who shall serve the remainder of the unexpired term. Regardless of the length of an unexpired term, it shall be counted under the term limits required by §I.E.5. as a new steering committee member's first term.

In the event of a tie vote, the successful nominee will be decided by lot, as determined by the official representative designated in the current election cycle to break a tie. All ballots will be stored for sixty days.

All challenges to the results of the election shall be lodged in writing and shall be submitted to the Chair of the D.C. Bar Communities Committee within 14 days after the results of the election have been announced. The D.C. Bar Communities Committee shall decide the challenge, and its decision shall be final.

The results of the election will be published in Bar-wide periodicals, and in other appropriate publications, within a reasonable time. Upon request, a candidate may obtain from the Communities Office the following actual vote count information on that candidate's election:

- the total number of votes cast,
- the number of votes the candidate received, and
- the number of votes received by the winning candidates.

## 5. Number

Each Community's activities shall be guided by a steering committee composed of five Community members, elected by their Community. The steering committees shall work in coordination with the D.C. Bar Communities Office, which shall provide the Communities with administrative support and supervision.

Steering committee members shall be elected by their Community's membership to serve staggered three-year terms, commencing on July 1 each year. An individual may serve two consecutive three-year terms on a steering committee. At least three years must elapse before a person who has served two consecutive terms on a steering committee may again serve on that steering committee.

No person shall be eligible to serve on a steering committee unless he or she is an active, inactive, or judicial member in good standing of the Bar and the Community. A member of a steering committee who is suspended for non-compliance with the Mandatory Course on the D.C. Rules of Professional Conduct and District of Columbia Practice ("D.C. Bar Mandatory Course"), or for non-payment, D.C. Bar dues and/or late fees automatically shall be deemed to have resigned from the steering committee.

No person shall be eligible to serve on a steering committee who is also a member of the Board of Governors or the Communities Committee. A member of a steering committee who is elected to the Board of Governors or appointed to the Communities Committee automatically shall be deemed to have resigned



from the steering committee.

#### 6. Selection and Responsibilities of Steering Committee Officers

Each Community steering committee shall hold an initial organizational meeting, in person or by electronic means, in July of each year. At this meeting, the steering committee shall elect from its body a chair and a vice chair or, if preferred by the steering committee, two cochairs, to serve one-year terms. The Community steering committee shall also designate from its body a *Practice Manual* coordinator and an individual to receive and review proposed public statements of other Communities. The Director of Communities shall be notified promptly of the results of this meeting.

No person may serve more than three consecutive terms in any one or more of the following positions: chair, vice chair or cochair of a steering committee. At least two years must elapse before a person who has served three consecutive terms in any one or more of these positions may again serve in any one of these positions. Throughout these policies and procedures, the term "chair" refers to the chair for each Community that has a chair and to either or both of the two cochairs for each Community that has cochairs.

The steering committee chair shall be responsible for assuring that the Community and all of its program subcommittees operate in conformity with the policies adopted by the Board of Governors and the strategic vision set forth by the Communities Committee, in furtherance of the orderly and effective operation and management of the Communities. The Communities Committee, by majority vote, may remove a steering committee chair for good cause, or take such other action as may be necessary or appropriate, after a hearing before the Communities Committee, if requested.

#### 7. Steering Committee Meetings

Community steering committees shall endeavor to meet at least 10 times each year, and preferably monthly, commencing on July 1. Members may attend such meetings by teleconference, or any other electronic means, if necessary. A majority of steering committee members shall constitute a quorum. Steering committee meetings shall be open to all Community members and other interested persons. However, a steering committee, in its discretion, may conduct portions of its meetings in executive session or otherwise restrict attendance or participation in its meetings to steering committee members, the members of the D.C. Bar Communities Committee and Bar staff, as may be necessary or appropriate in the circumstances.

No member shall be entitled to vote by proxy.

#### 8. Steering Committee Vacancies and Removal

A steering committee member may be removed from office, by a majority vote of the steering committee, if he or she fails to attend three consecutive meetings or a total of four such Community steering committee meetings during the fiscal year.

A steering committee member may also be removed from office, for good cause, by a majority vote of the steering committee.

No steering committee member shall be removed without notice of the committee's intention to hold a removal vote. If removed, the member shall be afforded a hearing, if requested. This hearing, in the nature of an appeal, shall be before the Communities Committee.

Alternatively, the President of the Bar, with the concurrence of the Board of Governors, may remove a steering committee member for good cause, or take such other action as may be necessary or appropriate, with a hearing, if requested.

If a vacancy occurs on a steering committee during the fiscal year, the candidate who received the next highest number of votes in the most recent election shall fill the vacancy for the remainder of the unexpired term. Regardless of the length of the unexpired term, it shall be counted under the term limits required by §I.E.5. as the new steering committee member's first term.

#### F. Communities Program Subcommittees

Steering committees shall establish program subcommittees to select program topics, recruit presenters and help create program material. The Communities Committee and/or community steering committee also may establish new program subcommittees for any Community, as necessary.

The steering committee chair, with the approval of the steering committee, shall designate a chair, and a vice chair or co chairs for each program subcommittee by August 1. The subcommittees shall be composed of all current Community members who notify the Communities Office of their interest in participating in a subcommittee's work.

Program subcommittees shall work in concert with the steering committees and with the Communities Office. The Communities Office shall have final authority over organizing, publicizing, and providing all logistical support for Communities programming. Program subcommittees and the Communities Office will work collaboratively, with the subcommittees focused on content and the Communities Office focused on logistics and procedure. There may be times where the Communities Office Program Attorneys will need to collaborate on the content with the program subcommittees to add support, expertise or when imbalance of topic has been identified.

Only Community members are eligible for appointment as chairs or vice chairs and co chairs of program subcommittees. Non-Bar member subscribers to a Community are ineligible for such appointment. Any subcommittee chair, co-chair or vice chair suspended for non-compliance with the Mandatory Course on the D.C. Rules of Professional Conduct and District of Columbia Practice ("D.C. Bar Mandatory Course") or for non-payment of Bar dues, and/or late fees automatically shall be deemed to have resigned from that position. No Community member may serve more than three consecutive one-year terms as chair, cochair or vice chair of a program subcommittee. After serving three years in any of these positions – or three years in any combination of these positions – at least two years must elapse before a member is eligible to serve as chair, cochair or vice chair of the same subcommittee.

All active, inactive and judicial members of the D.C. Bar who are members in good standing of a Community are eligible to serve on that Community's program subcommittees. Subcommittee membership remains in effect as long as a person is a member in good standing of the Community. An individual who is not a member of the D.C. Bar is also eligible to join a Community subcommittee, if the person is a subscriber of the Community. A Community subscriber may not serve as chair or vice chair of a program subcommittee.

The Communities Office shall provide the appropriate subcommittee sign-up forms to members and subscribers throughout the year.

The Communities Office shall promote membership on Community program subcommittees through Community-wide mailings, publicity in Bar publications, and other appropriate vehicles. The

Communities Office shall maintain the record of subcommittee rosters and mailing lists of Community members and subscribers.

#### G. Community Members

##### 1. Eligibility

Any member in good standing of the District of Columbia Bar is eligible for Community membership, without regard to a member's active, inactive or judicial status. Community membership automatically shall be suspended for Bar members who are administratively suspended for failure to complete the D.C. Bar Mandatory Course or for nonpayment of Bar dues and/or late fees. A disbarred or suspended D.C. Bar member is not eligible to be a member of, or subscriber to, a Community.

##### 2. Dues

The D.C. Bar annual dues invoice sent to every Bar member will provide a mechanism for members to join or renew and pay dues for Communities membership when they remit their D.C. Bar annual dues. New members of the Bar will be afforded the same opportunity when they first join the Bar.

#### H. Subscribers

Individuals who are not members of the D.C. Bar may join Communities as subscribers. The subscription fee shall be set at \$30.00 above the Communities dues level set by the Bar for Bar members. The Communities subscription year shall correspond to the fiscal year of the D.C. Bar.

Subscribers may attend Community activities and join program subcommittees, but may not serve as chairs or vice chairs. Subscribers may not participate in Communities elections, serve on Community steering committees, or participate in the development of public statements.

### II. Programs, Events, and Publications

#### A. In General

Communities programming will be coordinated and implemented by the Communities Office staff in accordance with the business and operational standards of the D.C. Bar.

Communities Steering Committees, with the assistance of their Subcommittees, are responsible for ensuring that each Community hosts a sufficient number of programs, events, and publications to meet the needs of its Community and deliver the value proposition that D.C. Bar members expect and deserve. At a minimum, each Community shall host at least six programs per Bar Year. Communities should ensure that programs, events, and publications provide balanced coverage of subjects and issues within the Community's subject matter, and that the speakers, leaders, and programming the Community offers reflect the Bar's core values of diversity, inclusion, and excellence.

Each Community Steering Committee and Subcommittee shall be given broad latitude to design programs, events, and publications that meet the standards of the D.C. Bar Communities. The Communities Committee, in consultation with D.C. Bar Staff, shall review and, if necessary, revise program recommendations, in order to be responsive to the changing strategic priorities and objectives as outlined by the Board of Governors.

## B. Live Events and Webinars

### 1. Continuing Legal Education

The D.C. Bar CLE Program with the assistance of its Committee offers programs providing CLE accreditation for more than 43 jurisdictions, which requires substantial up-front costs and planning. By contrast, D.C. Bar Communities programs are designed to cover current developments and hot topics that require rapid implementation, and some D.C. Bar Communities networking events lack written materials which otherwise makes such programs ineligible for CLE credit.

D.C. Bar Communities recognize that CLE credit is important to members and as such coordinates with D.C. Bar CLE to provide Community member access to CLE's on demand library content as part of the value proposition that Communities offers. D.C. Bar Communities and Staff should whenever possible produce content that can be submitted to the CLE Committee who would seek the appropriate accreditation and administer as a CLE under the umbrella of the D.C. Bar CLE Program.

### 2. Coordination with Outside Groups

Cosponsorships of programs with outside organizations require prior approval by the Communities Office. If a cosponsorship involves a CLE-accredited program, a request to participate must be submitted to the Communities Committee. If it is approved by the Communities Committee, the request shall be forwarded to the D.C. Bar CLE Committee on behalf of the Community proposing the cosponsorship. Final approval rests with the CLE Committee.

### 3. Location of Programs

Except in unusual circumstances, Communities activities should be held in the District of Columbia. Events shall be held in locations that comply with the Americans with Disabilities Act. Events shall be open to all members of the D.C. Bar and individuals who are not members of the Bar who have subscribed to a Community, as well as to the public.

### 4. Off-site Events

Because Community leaders are not authorized to enter into contracts or agreements on behalf of a Community or the D.C. Bar, if an event is to be held at any venue other than the D.C. Bar, the Communities Office shall communicate with representatives of the venue. The Communities Office shall make the final determination about whether entering into a contract with the venue provider comports with the policies and business practices of the D.C. Bar. Absent Communities Office approval, the event or activity may not be held or publicized.

### 5. Media

Activities shall be open to the media unless there is a compelling reason to hold the program off the record and the Communities Office has received information and confirmed that a program shall be designated as such.

## C. Monitoring and Evaluation

### 1. Evaluation

After each program, each participant will be provided with a survey that asks him or her to evaluate the following program criteria:

- Speaker(s) (knowledge of topic, communication skill, engagement)
- Subject matter (topic of program, scope of material)
- Written materials (including PowerPoint, outlines, handouts, etc)
- Program administration (registration, audio/visual services, food, facilities)

In order to ensure the overseeing committees have sufficient information to evaluate Community programs, the organizer(s) of the program and D.C. Bar Staff involved in administering the program shall provide feedback including the information above as well as:

- Attendance at the program
- Staff and volunteer interaction

2. Monitoring

a. Steering Committees

Biannually, Bar staff should meet with the steering committees of each community to review survey results.

b. Communities Committee

Biannually, each community steering committee should give a report to the Communities Committee describing the aggregate feedback they received (good and bad) and how they have responded or plan to respond.

c. Board of Governors

Biannually, the Communities Committee should give a report to the Board of Governors with feedback from all of the communities and how the Communities Committee plans to respond (or has responded.)

D. Publications

1. *D.C. Practice Manual*

An annual update of the *D.C. Practice Manual*, published by the D.C. Bar Communications Office, is generally the Communities' principal yearly publication project. The schedule for completion of updated chapters each year shall be set by the Communications Office, in consultation with the Communities Office. The Manual will be drafted, reviewed, and revised pursuant to the provisions of the D.C. Practice Manual Style Guide.

Community practice manual coordinators, designated pursuant to Communities Policies and Procedures Chapter I.E.6., shall meet in the Fall of each year to begin the update process. The meeting shall include staff from both the Communities Office and the Communications Office.

## 2. Materials for Events

Whenever possible program materials should be included in Community programs in furtherance of advancing the educational goals of the members. Before any materials may be circulated by the D.C. Bar an executed copyright release form will need to be provided by the author or presenter authorizing the use of such materials. The D.C. Bar will make use of its own copyright release form.

## 2. Comments and Other Public Statements of Communities

The D.C. Bar Board of Governors has sole authority to express the policy of the D.C. Bar. See D.C. Court of Appeals Rule V, Section 4. No person speaking in a personal capacity about a matter within the scope of his or her D.C. Bar Communities work shall state or imply authority to speak for the Bar, a Bar committee, a Community of the Bar, or a Community program subcommittee.

Any person who explicitly refers to his or her Bar leadership position within a D.C. Bar Community, while speaking in a personal capacity, must contemporaneously make an express disclaimer, stating that he or she is not speaking for the Bar, a Bar committee, a Community of the Bar, or a Community program subcommittee.

Any Community of the Bar, through its steering committee, may represent the views of the Community as provided in these Policies.

Community steering committee members must take reasonable steps to keep Community members informed of positions taken by a steering committee in the name of the Community, by Community-wide meetings, mailings, notification in D.C. Bar publications, by email, or otherwise. Proposed public statements must not be circulated outside the D.C. Bar until the review process outlined in these policies has been completed.

Every public statement shall fairly and accurately set forth the facts underlying the points of view expressed. After the review process outlined in these Policies is complete, the steering committee chair shall provide the Communities Office with a copy of all Community correspondence or transmittals related to the public statement, for inclusion in the Communities Office archive. The Communities Office shall index and retain copies of Communities public statements indefinitely.

### E. Public Statements

Subject to the following conditions, a Community steering committee may present views on behalf of its Community in the form of written testimony, a letter to the editor, and expert white paper, an amicus brief, etc. (hereinafter “Public Statement”) that:

- addresses a subject matter within the Community’s special expertise; and
- furthers the Communities program’s values of education and professional development by (1) providing high quality and legally accurate analysis; and (2) reflecting the interests the Community’s membership.

The Public Statement must be approved unanimously by all members of the applicable Community's steering committee participating in the vote.<sup>1</sup> A steering committee may also agree (subject to the same requirement of unanimous consent) to join the Public Statement of another Community. A Community may sign on to a final Public Statement of another party (including parties outside of the Communities program) provided that such a Public Statement be in sufficiently final form that it will not change substantively after the Community's steering committee has voted to join it.

If a steering committee has fewer than 5 members voting to approve the public statement, the Communities Committee will determine on a case-by-case basis if the committee may publish a Public Statement, per § II.E.

Steering Committees may publish public statements during the 45-day period from July 1 through August 12, during which time committees typically organize themselves. Notice will be sent to all steering committee members during this period. The steering committee's Public Statement Designee will receive notice on behalf of the committee once leadership report forms are submitted.

The 10-day review period for statements submitted from July 1 through August 15 may be extended by majority vote of the Communities Committee for a period not to exceed seven (7) additional days to allow for the steering committees to organize. During this review period, the Communities Office will send two communications to all steering committees giving them the opportunity to respond.

Further, all Public Statements must bear the following mandatory disclaimer:

*"The views expressed herein are presented on behalf of the [Name] Community, a voluntary association of individuals, most but not necessarily all of whom are members of the D.C. Bar. The D.C. Bar itself made no monetary contribution to fund the preparation or submission of this [brief or statement]. Moreover, the views expressed herein have been neither approved nor endorsed by the D.C. Bar, its Board of Governors, or its general membership."*

Nothing in the Public Statements or transmittal documents may contradict this disclaimer.

## 1. Distribution of Proposed Statements

The Community shall submit the proposed Public Statement to the Director of Communities, along with a one-page summary if the proposed Public Statement is longer than one page, and the full text of any rules, legislation, or governmental policy being commented upon. Except in cases where expedited consideration is necessary (*see* Part II.E.2.c, below), these materials must be submitted to the Director of Communities at least 10 business days before the proposed Public Statement is scheduled for publication. The Communities Committee may, in its discretion, shorten this period, but it may not lengthen it.

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<sup>1</sup> For purposes of determining whether unanimity has been reached, members of the steering committee who abstain or recuse

themselves are not considered to be participating in the vote. A member should abstain or recuse themselves if the member has a conflict of interest that affects the member's objectivity in performing the member's responsibilities. In recusing or abstaining themselves from participating in the vote, members of the steering committee and members of the community participating in drafting the public statement are encouraged to be mindful of the D.C. Rules of Professional Conduct, particularly Rules 6.4 and 1.7, and the responsibility of a member to disclose when the member knows that the interests of a client, which need not be identified, may be materially benefited.



Within three business days of receiving the Community's submission, the Director of Communities will transmit the one-page summary, the full proposed Public Statement, and any underlying legislation, rules, or governmental policy being commented upon to:

- the Chair, Vice Chair, and members of the Communities Committee; and
- the members of each Community steering committee designated to receive proposed Public Statements.

Distributees may make suggestions to improve the clarity and effectiveness of the proposed Public Statement, or to assure fairness and accuracy in the presentation of the facts underlying or bearing on the proposed Public Statement. Such suggestions should be transmitted directly to the sponsoring Community's steering committee chair with sufficient time to allow for revisions. The sponsoring Community's steering committee has the discretion to accept or reject any such suggestions.

If, after circulation and review, changes in the proposed Public Statement raise a substantially different issue of policy, then the modified proposed Public Statement shall be treated as a new Public Statement under the process described in this section and resubmitted to the Director of Communities.

## 2. Communities Committee Review

### a. Uncontested Public Statement

The Community may issue its Public Statement on the fifth business day after it is distributed, unless at least three members of the Communities Committee have requested in writing that the Director of Communities delay the publication of the proposed Public Statement so that it may be considered by the full Committee. For informational purposes only, a copy of the Public Statement should be transmitted to the President of the D.C. Bar at the same time it is submitted for publication.

### b. Contested Public Statement

If, in accordance with Part II.E.2.a, a timely request is made in writing to the Director of Communities that publication of the proposed Public Statement be delayed so that it may be considered by the Communities Committee, the Community may not issue its proposed Public Statement until the matter has been decided by the Communities Committee. The Chair of the Communities Committee, at his or her discretion, may either place the matter on the agenda to be considered at the Committee's next meeting or poll the members of the Committee by email. If the Chair opts for an email poll and a Committee member requests that the matter be discussed at the next scheduled Committee meeting, the matter shall be placed on the agenda for discussion at its next meeting.

If the Committee determines, by a majority of its members present and participating in the vote, that the proposed Public Statement does not address a subject matter within the Community's special expertise or further the Communities program's values of education and professional development by providing high quality and legally accurate analysis and reflecting the interests of the Community's membership,

then the Community may not issue the proposed Public Statement.<sup>2</sup> On the other hand, if the Committee does not so determine by a majority of its members present and participating in the vote, the Community may issue the Public Statement. For informational purposes only, a copy of the Public Statement should be transmitted to the President of the D.C. Bar at the same time it is submitted for publication.

Nothing in these guidelines is intended to preclude a Community from filing a Public Statement that disagrees with the position taken by a different Community in its Public Statement.

However, any such alternative Public Statement must adhere to the same guidelines for submission and review established in Part II E.

### c. Expedited Procedures

In an emergency situation, defined as the exigencies of court or legislative deadlines or timing issues outside of the Community's control, the Community shall make delivery of the proposed statement, and the full text of any rules, legislation or governmental policy being commented upon to the Communities Committee no later than 12:00 p.m. noon 3 business days before the statement is to be submitted to the judicial, legislative or governmental body. Steering Committees shall communicate initial intent to submit a public statement in advance to the Communities Office and the Communities Committee Chair if expedited review will be requested.

The Chair, Communities Committee, will evaluate and determine requests and decide if the statement qualifies for expedited review. Additionally, the Chair will confirm expedited status with the proposing Community within 1 business day. Review is triggered by the request of the Community of jurisdiction. Should the Chair of the Communities Committee determine that the statement does not qualify for expedited review, the Community may request an emergency meeting with the Chair to reconsider.

In an expedited review process, as with the standard process, the statement will be approved unless at least 3 members of the Communities Committee have requested that the Director of Communities delay the publication of the proposed Public Statement so that it may be considered by the full Committee at its next scheduled meeting.

### 3. Subsequent Oral and Written Statements

Once a Community has issued a Public Statement, members of the Community may make oral statements or give oral testimony based upon the Public Statement. To the extent feasible, any oral statement should include the same disclaimer contained in the Public Statement itself; in any event, no oral statement may undermine or contradict such disclaimer. The Director of Communities shall be kept informed of all such oral statements or testimony.

Also, once a Public Statement has been issued by a Community, the Community is authorized to submit any reasonable or necessary follow-up written comments, if such supplementary comments only repeat or clarify positions already taken in the original approved Public Statement, and if they do not take any new

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<sup>2</sup> For purposes of determining whether a majority has been reached, Committee members who abstain or recuse themselves are

not considered to be participating in the vote.

positions on behalf of the Community. Any such written comments should include the same disclaimer contained in the Public Statement itself.

Before submitting any such follow-up written comments, the Community's steering committee must certify in writing to the Director of Communities that the comments take no new positions. A copy of all follow-up comments shall be submitted to the Director of Communities prior to publication.

Approved by Board of Governors - October 31, 2023

## **Communities Committee Charter**

### **Purpose**

The D.C. Bar Communities Committee (“Committee”) oversees the operation of the D.C. Bar Communities Program which advances the professional development and competence of members of the D.C. Bar by delivering high quality programming and content, as well as professional networking, volunteer, and member engagement opportunities. The Committee facilitates communication between the voluntary Communities and the D.C. Bar Board of Governors (“Board”); ensures compliance of Communities and their steering committees with Communities Policies and Procedures; and advises the D.C. Bar Communities staff on Communities-wide programming.

### **Composition and Term**

1. The Committee shall consist of eleven active D.C. Bar members in good standing.
2. Committee members shall be appointed by the D.C. Bar President, with the approval of the Board for staggered two-year terms. Terms shall commence upon Board approval unless a later date is specified. Appointments shall be made during the first quarter of the fiscal year and as needed to fill any vacancies that arise.
3. No member shall serve more than three consecutive terms.
4. Committee members may be subject to removal for cause upon Board approval.

### **Responsibilities**

1. The Committee shall:
  - a. oversee the Communities Program;
  - b. facilitate Communities-wide programming and content, volunteer opportunities, and member engagement initiatives;
  - c. evaluate the benefits (educational programs, publications, events) of Communities membership annually with input from the Communities’ steering committees and consider proposals to improve their value;
  - d. monitor the overall financial health of the Communities Program;
  - e. provide periodic reports to the Board about the Communities Program;
  - f. consider and recommend to the Board amendments to the Communities Policies and Procedures;
  - g. review and approve public statements made by Communities to ensure their compliance with Communities Policies and Procedures;
  - h. approve the creation of new Communities, the reorganization of existing Communities to increase viability, and the dissolution of inactive Communities,

and consider community name changes as needed to better reflect area of law or scope of interest;

- i. periodically meet with the Communities leaders and collect feedback about the Communities Program;
- j. in consultation with steering committee leaders, nominate a slate of Community members in good standing for the steering committee of each Community reflecting the diversity of the Bar and the diversity of views within the Community's area of practice;
- k. hear appeals from any steering committee member removed from a committee if requested;
- l. at its first meeting of the fiscal year, or as soon as practical thereafter, develop a meeting schedule and task plan for the year, which shall be modified as appropriate; and
- m. review this Charter at least annually.

2. Every Committee member shall:

- a. participate actively and collaboratively in the Committee's work;
- b. prepare for and regularly attend meetings and maintain a culture of professionalism, respect, and inclusivity;
- c. respond to all communications and requests for feedback in a timely and constructive manner;
- d. carry out individual assignments as requested by the chair or the staff liaison on behalf of the chair,
- e. attend orientations, as appropriate, for new volunteers/chairs;
- f. act in good faith and in the best interest of the Committee, the Bar and the legal profession; and
- g. perform the above responsibilities to advance the mission of the Bar and its strategic plan without personal or professional conflicts.

## **Meetings**

- 1. The Committee shall meet not less than six times per fiscal year. In consultation with the staff liaison, the chair shall hold additional meetings as necessary and/or handle matters by email.
- 2. Meetings will be held in person or remotely (via conference call, Zoom, or other platform by which attendees can participate meaningfully) at the discretion of the chair and the staff liaison.

## **Staff Liaison**

The staff liaison shall prepare the agenda and meeting materials, provide support, and perform other tasks reasonably necessary to assist the Committee in carrying out its purpose and responsibilities.

## **Conflict of Interest**

The staff liaison and all Committee members shall report actual and potential conflicts of interest in accordance with the D.C. Bar Conflict of Interest Policy.

## **Amendments**

1. In consultation with the D.C. Bar Chief Executive Officer, the Committee may recommend amendments to the Charter to the Board.
2. All amendments to this Charter shall be subject to Board approval.



**DISTRICT OF COLUMBIA BAR**  
**COMMUNITIES ANTI-HARASSMENT**  
**POLICY** *[Approved May 12, 2020]*

The D.C. Bar Communities Office takes reasonable measures to provide a safe environment for all volunteers and program participants. Each individual has the right to a professional atmosphere free of harassment. This policy covers individuals who participate in or attend Communities- sponsored activities, including, but not limited to, volunteers, consultants, contractors, vendors, suppliers, and visitors. This policy applies not only to events or activities in the D.C. Bar Headquarters but also to offsite locations such as law firms, courthouses, government buildings, and other venues where D.C. Bar Communities sanctioned work, events, programs, or receptions take place.

**Prohibited Conduct**

The Bar does not tolerate workplace violence or harassment. D.C. Communities volunteers and program participants are prohibited from making threats or engaging in any form of violent activity.

The list below, while not inclusive, provides examples of prohibited conduct:

- Causing physical injury to, or engaging in unwanted touching of an employee's body;
- Making threatening remarks and/or verbally abusing others;
- Engaging in aggressive or hostile behavior that creates a reasonable fear of injury to another person, or subjects another individual to emotional distress;
- Intentionally damaging property of the Bar or one of its employees;
- Possessing a weapon while on Bar property or on Bar business;



- Committing acts that threaten, intimidate, or coerce an employee, volunteer, program participant, or a member of the public at any time, including off-duty periods where the employee is a representative of the Bar, and all acts of harassment.

The D.C. Bar Communities Office also recognizes that harassment may occur between people of the same sex and/or gender and does not distinguish between the sex and/or gender of the alleged abuser and victim when conduct is unwanted and unwelcome by the person against whom the conduct is directed.

### **Reporting and Investigations**

Any individual who believes they have been subjected to conduct that violates this policy should immediately report the incident to the Director, Human Resources, D.C. Bar, via D.C. Bar staff person (i.e., Director, Communities). Likewise, any individual who witnesses conduct that violates this policy should immediately contact a D.C. Bar staff person.

The Bar will investigate complaints and will maintain confidentiality during such investigations to the extent possible. The Bar may put reasonable interim measures in place while the investigation proceeds, such as removing the accused individual from the premises and/or requiring the individual to remain off premises or refrain from attending Communities events pending the outcome of an investigation. Program participants and volunteers determined to have engaged in prohibited conduct may be barred from attending current or future Communities programs, held either at the D.C. Bar Building or offsite locations, for a period of time as determined by the Bar. In addition, volunteer steering committee leaders who are determined to have engaged in prohibited conduct may be asked by the Bar President, CEO, or Director, Communities, to resign their term immediately or at the end of the current Bar year, per section E (8), pg. 6 of the *Communities Policies and Procedures*.

### **No Retaliation**

The Bar does not allow retaliation of any kind, and no employee, program participants, or volunteers will be retaliated against for making a complaint or assisting with the investigation of a complaint. No employee, program participant, or volunteer may treat another employee, program participant, or volunteer adversely who reports harassment, assists in making a complaint,

cooperates in an investigation, or files an administrative claim with the EEOC or a state governmental agency. All employees, program participants, or volunteers who experience or witness retaliatory conduct should report it immediately.

### **Acknowledgement**

My signature below acknowledges that I have read, understood, and agree to adhere by the D.C. Bar Communities Office's Harassment policy. I understand that if I have questions regarding the contents of this policy, I should ask the Staff Attorney for Member and Policy or Director, Communities for clarification.

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Volunteer Signature

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Date