

WACD POLICY # 2012-005
WACD LEGAL ASSISTANCE FUND

The Washington Association of Conservation Districts (hereinafter referred to as “the Association”) established a Legal Defense Fund in 2011 for the purpose of assisting in legal representation and costs incurred by conservation districts or the Association for actions needed to respond to court challenge to the conservation district local assessment process. Contributions for this fund were solicited from conservation districts with local assessments, and moneys were received and expended by the Association in accordance with the purpose of the fund. As of January, 2012, no moneys remained in the Legal Defense Fund, and the Association has not solicited any further funds.

The Legal Defense Fund is hereby declared dissolved.

The Association declares that it is in the interest of conservation districts and their Association that a fund be established and maintained on a more permanent and contingency basis, to provide assistance in supporting legal representation and costs for conservation districts and/or the Association on matters that have a **statewide impact** on conservation district operations or conservation district governance. This fund shall be named the **WACD Legal Assistance Fund**.

To obtain moneys for the WACD Legal Assistance Fund, the Association shall solicit funds from all conservation districts. Moneys received shall be placed into a contingency reserve fund held by the Association. Funds in the WACD Legal Assistance Fund shall not exceed \$50,000 at any time, but may be combined with other WACD long-term investments or reserve accounts as determined by the Board of Directors. When the fund balance drops below \$10,000, the Association shall solicit funds from all conservation districts.

Funds from the WACD Legal Assistance Fund contingency reserve shall be drawn and expended by the Association’s Executive Committee only as directed on a case-by-case basis by the Board of Directors, based upon a determination by the Board of Directors of the following:

1. That legal representation for the Association is required to respond to a legal case or lawsuit that threatens a **statewide impact** to operation or governance of conservation districts;
2. That legal representation is required for one or more conservation districts to respond to a legal case or lawsuit that threatens a **statewide impact** to operation or governance of conservation districts; or,
3. That costs for legal representation already incurred by one or more conservation districts warrant limited financial support by the Association where a legal case or lawsuit of previously localized nature grows to threaten a **statewide impact** to operation or governance of conservation districts.

The Board of Directors shall specify the maximum amount and duration of funds to be drawn and expended by the Executive Committee. The Secretary-Treasurer shall approve all invoices for payment from the WACD Legal Assistance Fund, and shall report same to the Board of Directors.