

Jack Darcher
Seattle University School of Law

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RE: WSBA Labor and Employment Clerkship Completion Memo

Dear Prof. Martin,

This memo is to notify you that I have completed my summer clerkship with the Washington State Human Rights Commission (HRC) under the supervision of Seattle's Enforcement Manager Idolina Reta.

My primary task with the HRC was the creation of an internal database, a kind of intranet library containing a variety of materials on employment discrimination, housing discrimination, retaliation, credit discrimination, and whistleblower protection. The major components of the library were 1) the HRC's own Investigative Findings, and 2) case law and legal scholarship.

Compiling the first component involved reading hundreds of HRC findings in order to identify those that were noteworthy enough to include in the database. Findings were chosen usually for one of three reasons: 1) they represented excellent writing as per the needs of the HRC, 2) they effectively and elegantly tackled a difficult fact pattern, and/or 3) they addressed a novel or complex legal question. The findings chosen were both findings of Reasonable Cause (meaning that the plaintiff had a legal action) and No Reasonable Cause (meaning no legal action could be supported by the HRC). This component of the library was to serve a variety of functions. Chiefly, it would serve as a training tool for incoming investigators, as a resource for current investigations to compare writing styles, and for the different branches to achieve more consistent results on complex or emerging legal matters.

Compiling the second component involved numerous hours on Westlaw, searching for relevant case law on dozens of legal topics both specific and broad. I usually would limit my searches to Washington and 9th Circuit decisions, but I would often have to look outside these parameters if a subject lacked mandatory authority on a subject. I compiled case law at every court level, unreported decisions (not to serve as authority, but as an example of legal theorizing), legal scholarship from law journals, practice series, and other sources. Overall, this component was intended to give investigators and other HRC staff access to current law (seeing as the HRC lacks access to online databases and current editions of case reporters) in order to foster more informed and accurate reasoning in their investigations.

In addition to these components, I also compiled many of the HRC's internal memos and training materials, thus making their internal documents immediately accessible from anywhere in the state. This involved communication with nearly every member of the HRC staff statewide.

In total, I came away this summer with a nearly encyclopedic knowledge of employment and housing protection within Washington State. I also received an education on the inner workings and

procedures of the HRC, and how they differ from other employment protection agencies (such as the EEOC or the Seattle Civil Rights Office).

- Jack Darcher