

MEETING MINUTES

June 21, 2018

The Practice of Law Board (PLB) met on June 21, 2018 at the office of the Washington State Bar Association. PLB members attending were: Michele Carney, Prof. George Critchlow, Brooks Good, Andre Lang, Amber Rush, Gary Swearingen, Jennifer Unger, and Doug Walsh. Paula Littlewood, WSBA Executive Director, Sean Davis, WSBA General Counsel, Sara Niegowski, WSBA Communications and Outreach Director, Jennifer Olegario, Communications Strategies Manager, and Julie Shankland, Assistant General Counsel, also attended. Julie Shankland acted as secretary for the Board.

Minutes

The May 17, 2018 Minutes were adopted by consensus.

Updates

The Board learned that the Court published the suggested amendments to GR 25 for comment.

Continued Discussion of Online Document Preparation Services, Public Protection and Regulation

The Board discussed the draft discussion paper requested by the Court. The Board discussed how to determine whether regulation of online document preparation services is needed. If UPL regulations are pulled back and new actors are permitted in the market place, are additional regulations needed, or is the CPA enough. What types of harm will occur and what evidence can we find to document the type and scope of regulations needed to protect the public. The Board also discussed the potential impacts of these regulations on competition and that the government actor must intend to impact or displace competition. Are additional regulations needed to protect the public? The regulations need to be tailored to prevent the documented harm and not inhibit innovation. The Board also discussed how to better understand how the industry actually delivers these services, what consumers like and do not like about the services, and how best to identify the risks.

The Board also discussed how to avoid conflicts of interest, whether this should be part of GR 24 or a separate rule, whether disbarred lawyers should be able to offer these services.

Legal Health Check Up

Sara Niegowski and Jennifer Olegario discussed plans to set up three or four focus groups around the state to gather input on the usability of the Legal Health Check Up form and concept. The Board discussed needing input on these topics: (1) is this something you would use; (2) where would you look to find this information now; (3) are the questions easy to understand; (4) are these the right topics and questions. The Board and the WSBA Communications and Outreach team decided that the Communications and Outreach team would organize and administer the focus groups. Some members of the Board offered to assist. The feedback from the meetings will be provided to the Board, hopefully by the end of the summer.

The Board was updated that Curo Legal was chosen as the vendor for the web application and that the contract was in progress.

The meeting was adjourned.

