

**PRACTICE OF LAW BOARD
STATE OF WASHINGTON**

1325 Fourth Avenue, Ste. 600, Seattle, WA 98101-2539
(206) 239-2125
Fax (206) 727-8314

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Stephen Crossland
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June 13, 2008

Hon. Paul A. Bastine
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Spokane

Lacandas Malone

██████████
Centerville, OH ██████████

Rita L. Bender
Seattle

RE: File No. 06-17 Unauthorized Practice of Law Complaint

Brian J. Dano
Moses Lake

Dear Ms. Malone:

Jeanne J. Dawes
Spokane

The Practice of Law Board was created by order of the Washington State Supreme Court, General Rule (GR) 25. The Board is charged with the investigation of individuals in Washington allegedly engaging in the unauthorized practice of law. Revised Code of Washington (RCW) 2.48.180 states that a nonlawyer practicing law or holding himself out as entitled to practice law constitutes the unauthorized practice of law. Court rule GR 24 defines the practice of law. The unauthorized practice of law is a crime in Washington.

Stephanie Delaney
Seattle

C. Robert Ford
Bellevue

Nancy C. Ivarinen
Burlington

Cheryl D. Kringle
Seattle

As you are aware, S ██████ A ██████ filed a complaint against you alleging that you engaged in the unauthorized practice of law when you appeared in Renton Municipal Court and signed a Motion and Order of Continuance.

Howard H. Marshack
Vancouver

Daniel Pérez
Seattle

Mr. A ██████ is an associate of a law firm which contracts with the city of Renton to provide prosecutorial services. On February 13, 2006, you appeared in the Renton Municipal Court in the case of *City of Renton v. D ██████ S ██████*, CR 39010. You represented to Mr. A ██████ that you were the attorney for Mr. S ██████, that you were licensed to practice law in Indiana, and that the Washington State Bar Association was in the process of issuing you a bar number. You signed a Motion and Order for Continuance as defense counsel for Mr. S ██████'s case, which was rescheduled for March 22, 2006.

Hon. Jane M. Smith
Nespelem

Administrator
Julie Shankland

Investigator
Sandra Schilling

On March 22, 2006, you called the Renton Municipal Court Clerk and asked for a continuance of the hearing because you had strep throat. You also contacted Mr. A ██████ regarding a continuance. You told Mr. A ██████ that you had been in a car accident. Mr. A ██████ advised the Court that you are not licensed in Washington and that you were suspended from the Indiana Bar in 2003. The Court contacted you on March 23, at which time you told the Clerk you were only "helping" Mr. S ██████.

You are not a lawyer. Counseling others as to their legal rights, completing legal documents which affect the rights of another person, representing another person in court, and negotiating legal rights or responsibilities on behalf of another are all included in the GR 24 definition of the practice of law. RCW 2.48.180(2)(a) states that a non-lawyer practicing law or holding himself out as entitled to do so constitutes the unauthorized practice of law. You were engaging in the unauthorized practice of law when you represented yourself to the court and to Mr. A [REDACTED] as Mr. S [REDACTED]'s attorney and signed a legal document, the Continuance, which affected Mr. S [REDACTED] legal rights. At this time, pursuant to GR 25(f)(4)(B), we request that you enter into a written agreement with this Board, to refrain from the following conduct:

- ◆ Holding yourself out as entitled to practice law;
- ◆ Giving advice or counsel to others as to their legal rights or the legal rights or responsibilities of others;
- ◆ Selecting, drafting, or completing legal documents or agreements which affect the legal rights of another entity or person(s);
- ◆ Representing another entity or person(s) in a court, or in a formal administrative adjudicative proceeding in which or other formal dispute resolution process or in an administrative proceeding in which legal pleadings are filed or a record is established as the basis for judicial review. Any activity which is defined as the practice of law in GR 24;
- ◆ Negotiating legal rights or responsibilities on behalf of another entity or person(s)

We further ask you to stipulate that in the event you violate this agreement, you agree that this stipulation, evidence of your further violation, the investigative report to the Board of your past violations, the original complaint, your response, and all other evidence of such violations shall be turned over to the appropriate County Prosecutor's Office with a request from the Board that that office institute a criminal proceeding against you.

In the event you do not return this stipulation as signed and agreed to within 15 days of the mailing of this letter, the Board will issue its report and consider turning over its investigation along with a request for prosecution to the County Prosecutor's Office.

We are hopeful that we will be able to resolve these matters by stipulation. If you are willing to so stipulate, please sign and date your signature and have your signature witnessed by a person over the age of eighteen, who will also sign as the witness. The signed letter should be returned to the Board within 15 days.

Thank you in advance for your anticipated cooperation.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'Steve Crossland', written in a cursive style.

Steve Crossland, Chair
Practice of Law Board

JS:as

cc: S [REDACTED] E. A [REDACTED]