

LIMITED LICENSE LEGAL TECHNICIAN (LLLT) BOARD

Meeting Minutes for April 18, 2024

Virtual Meeting
1:00 p.m.

LLLT Board Members in Attendance:

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| <input checked="" type="checkbox"/> Sarah Bové | <input type="checkbox"/> Crystal Lambert |
| <input type="checkbox"/> Margaret Bridewell | <input checked="" type="checkbox"/> Phyllis Lykken |
| <input checked="" type="checkbox"/> Christy Carpenter | <input checked="" type="checkbox"/> Jennifer Ortega |
| <input checked="" type="checkbox"/> Steve Crossland, Chair | <input checked="" type="checkbox"/> Nicole Searing |
| <input checked="" type="checkbox"/> John Darling | |
| <input checked="" type="checkbox"/> Nancy Ivarinen, Vice Chair | |

Liaisons in Attendance

- Kristina Larry, BOG Liaison
- Cathy Biestek, WSBA Staff Liaison

Other WSBA Staff in Attendance:

- Renata de Carvalho Garcia, Chief Regulatory Counsel
- Bobby Henry, RSD Associate Director
- Terra Nevitt, Executive Director
- Kat Skinner, Law Clerk Lead
- Anne Trent, Paralegal

PUBLIC SESSION

Call to Order / Preliminary Matters

The meeting was called to order at 1:03 p.m. by Chair Steve Crossland.

APR 28 Regulation amendments regarding guardianship

The Board discussed an order issued by the Washington Supreme Court that approved amendments to APR 28 and Appendix APR 28 Regulation 2(B). The Court adopted the LLLT Board's suggested amendment to Appendix APR 28 Regulation 2(B) replacing "nonparental and third-party custody" with "agreed or default minor guardianships or guardianships arising out of a familial relationship." This amendment was necessary because the Washington State Legislature repealed the nonparental custody statute for minors (RCW 26.10 et seq.) effective January 1, 2021, and replaced it with Article 2 of the Uniform Guardianship Act (RCW 11.130.185 et seq.).

The LLLT Board has recently learned that some LLLTs may be interpreting the amendments to Appendix APR 28 Regulation 2(B)(1)(i) to expand the permissible scope of practice for LLLTs to guardianships beyond those involving minors. This was not the Board's intention when suggesting the amendments. The purpose of the amendments was to accommodate the legislative changes described above. The



Board does not consider the amendments to fundamentally change the scope of assistance LLLTs may provide.

The Board voted to approve the GR 9 that WSBA staff drafted (as amended to remove specific reference to statute) and send it to the Supreme Court. The GR 9 outlines the technical changes requested for expedited Court review. Staff to draft transmittal or cover letter for the Board to review that will be sent to Court with GR 9 materials.

Notice to LLLTs regarding APR 28 amendments

The Board reviewed and voted to approve the notice that will be sent to LLLTs regarding the APR 28 amendments. WSBA staff will add the date that the GR 9 cover letter is sent to the Supreme Court, then email the notice to all active, inactive, and pro bono LLLTs.

Family Law Practice Area Committee LLLT education proposal

Jennifer Ortega presented to the Board the FLPA Committee's proposal and for a CLE regarding minor guardianships that will take place on October 17, 2024 and required to be completed for licensing prior to February 2, 2026. (See attached proposal). The Board reviewed and voted to approve the proposal as drafted.

Board Member and Public Comments

Adjournment

The meeting adjourned at 2:25 p.m. by Chair Steve Crossland

Respectfully submitted,

Cathy Biestek,
WSBA Staff Liaison to LLLT Board