

LIMITED LICENSE LEGAL TECHNICIAN (LLLT) BOARD

UPDATE: August 2019

Outreach & Press

Press:

July 3, 2019 - [The California State Bar is Considering Allowing Non-Lawyers \(And Skynet\) To Practice Law \(Above The Law\)](#)

July 10, 2019 - [No More Lawyers? CA Bar Endorses Legal Technicians, Legal Tech](#) (FindLaw)

July 15, 2019 - [Nonlawyers could offer legal advice and partly own law firms under these California proposals](#) (ABA Journal)

July 18, 2019 - [Legal Services Market to be Driven by Globalization...](#) (PR Newswire)

August 1, 2019 - [Massachusetts should take fresh look at non-lawyer delivery of legal services](#) (Massachusetts Lawyers Weekly)

Statistics & Other Events

Recent Events:

- LLLT Supplemental Education: Online Sessions July 17 – August 14, 2019; In-Person Sessions were held on August 2 and 3, 2019
- Summer 2019 LLLT Exam Applicants: 4 applicants sat for Family Law exam; 2 applicants sat for Professional Responsibility Exam

LLLT Statistics:

- Number of current LLLTs: 42
- 4 LLLTs are inactive
- 1 LLLT is suspended

Meetings

Recent:

- July 8, 2019 LLLT Board Meeting, Family Law Workgroup Meeting, & New Practice Area Meeting

Upcoming:

- September 9, 2019 LLLT Board meeting



LEARNING AND COMPETENCY OUTCOMES FOR LICENSED PARALEGAL PRACTITIONERS

(1) GENERAL LEARNING AND COMPETENCY OUTCOMES

For any of the designated practice areas, paralegal practitioners should understand and be professionally competent in the following:

- (1) **Basic Knowledge of Substantive Law.** Though LPP's should not advise clients on the specific exercise of rights outside their approved practice areas, LLPs should be aware that clients will look to them as a source of information about the client's rights generally. LPPs should have sufficient knowledge and experience to be able to recognize that a client may have additional legal rights or responsibilities that lie outside the purview of the LPP's practice. Further, LPPs must understand their strict responsibility to encourage clients in such cases to follow up with a competent, licensed attorney.
- (2) **Legal ethics generally.** The rules and principles of ethical conduct governing the legal profession generally, and the specific rules of practice and principles of professional and ethical conduct governing paralegals and paralegal practitioners.
- (3) **Rules governing the unauthorized practice of law.** The principles that dictate, and the specific rules and laws that regulate, the distinction between the "practice of law" allowed only by licensed attorneys and other kinds of legal services that paralegal practitioners are authorized to provide. A strong understanding of the concept that, when there is any doubt about where that line is, the LPP should refrain from providing that service, counsel the client accordingly, and when requested and appropriate, refer the client to one or more competent attorneys.
- (4) **Client intake and interviewing.** The principles and skills necessary for client intake and interviewing, and direct experience in that skill through simulation courses, clinical internships or similar training. This includes the knowledge and skills necessary to know what information is needed, and how to obtain that information, including how to articulate clear, precise, relevant and objective questions; the listening skills necessary to understand client responses and needs; the ability to re-formulate questions that have not been answered (or not answered fully), and to analyze and formulate appropriate follow-up questions; and the knowledge and skills necessary to analyze and identify what additional documents and other information are necessary to serve the client, and where to obtain it.
- (5) **Providing appropriate information to clients.** Subject to 2, above, the ability to articulate relevant and appropriate information to the client in a clear and precise way, and the listening skills necessary to make sure the information

has been understood fully, and to reframe the information as appropriate if it was not understood, or understood completely. Direct experience in that skill through simulation courses, clinical internships or similar training

- (6) **Reading and analytical skills.** The ability to read documents carefully and precisely, and to understand their relevance to the applicable legal and other related issues facing the client.
- (7) **Writing skills.** Subject to the rule that paralegal practitioners may only “write” for clients in limited contexts (e.g., court-approved legal forms but not original legal documents, and settlement summaries from mediated negotiations but not originally prepared settlement documents), the ability to complete forms and prepare other permitted documents in language that is clear and precise and responsive to the documents and issues facing the client.
- (8) **Research skills.** Subject to 2, above, the knowledge and skills necessary to obtain any factual or other information necessary to fulfill the LPP’s obligations to the client, including library research skills, computer and internet skills, investigative skills, etc.
- (9) **Negotiation and Mediation Skills.** Subject to 2, above, LPPs must demonstrate sufficient knowledge of the negotiation and mediation processes, basic negotiation and mediation theories, and best practices to allow the LPP to assist clients in negotiated and mediated agreements. Such knowledge should include an understanding of various proposed ethical guidelines in the areas of negotiation and mediation such as the Ethical Guidelines for Settlement Negotiations propagated by the Litigation Section of the ABA in 2002 and the Model Standards of Conduct for Mediators approved by the ABA House of Delegates on August 9, 2005. LPPs must understand that they can only assist clients with negotiated or mediated agreements to the extent that such agreements address issues that fall within the LPP’s limited practice areas.
- (10) **General knowledge of the legal system and legal terminology.** A sufficient understanding of the legal system, including common legal terminology, to understand the context in which the paralegal practitioner serves clients and to serve them competently and professionally, to understand fully what matters are beyond the competence and licensure of the paralegal practitioner, and to refer clients to appropriate sources of help (including attorney referrals and referrals to appropriate public officials or other sources of information and assistance) for those matters beyond the licensing and competence of the paralegal practitioner.
- (11) **Knowledge of the court system, relevant administrative tribunals, and relevant procedures.** Sufficient knowledge of the judicial and

administrative systems (state and, as appropriate, federal), and the rules of procedure in those systems, including rules and procedures regarding proper service of process and other legal documents, and responses thereto, to provide competent assistance within the bounds of permissible services, and to provide information (but not legal advice) to clients about the usual or likely course of proceedings that may affect them. This should include, at a minimum, a basic familiarity with the Utah Rules of Civil Procedure and the Utah Rules of Appellate Procedure, and the Utah Rules of Evidence, as well as the rules of any specialty tribunal (civil or administrative) in which the LPP might practice.

(2) SUBSTANCE-SPECIFIC LEARNING AND COMPETENCY OUTCOMES

- (1) **Generally.** In each designated practice area, paralegal practitioners should understand and be professionally competent in the following:
 - a. **General knowledge of the area of law.** For each of the designated areas of practice for which a paralegal practitioner seeks licensure, a sufficient knowledge of the general principles of law, terminology, sources of law (including relevant statutes, regulations, policies and procedures, most significant cases), and major kinds of legal proceedings and remedies to understand fully the context and implications of those services the paralegal practitioner is permitted to provide, and to understand fully the limits of those services.
 - b. **Knowledge and understanding of relevant forms.** LPPs must demonstrate the following as regarding the court-approved forms the LPP is licensed to complete and submit on behalf of a client.
 - i. Detailed familiarity with each of the court-approved forms.
 - ii. A clear understanding of which forms are appropriate for which circumstances and requested relief.
 - iii. The ability to evaluate a client's situation and successfully determine the correct form to use to address the issue and to request relief.
 - iv. The ability to determine which kinds of relief or other services are not properly addressed by an approved form thereby residing beyond the paralegal practitioner's competence and licensure.
 - c. **Experience and demonstrated proficiency in completing each of the relevant forms in the area of law.** Direct experience in applying that skill through simulation courses, clinical internships or similar training.

(2) **Knowledge in the area of Landlord-Tenant Law.** In addition to the general requirements above, prospective LPPs desiring to work in the area of Landlord-Tenant Law must demonstrate the following.

- a. **Ability to appropriately respond to eviction attempts.** Sufficient knowledge of the process and remedies available to clients responding to attempts at eviction prior to formal legal action with the court. Knowledge and skills required include the following.
 - i. **Negotiation.** Sufficient knowledge of the negotiation process and basic negotiation theories and best practices.
 - ii. **Rights of tenants and landlords.** Sufficient knowledge of the rights of both landlords and tenants under Utah law.
 - iii. **Legitimate debts.** Sufficient knowledge and experience to recognize legitimate debts and to assist clients in avoiding unreasonable costs in court. Sufficient knowledge to be able to provide clients with information regarding the creation and implementation of move-out plans, payment plans, or both as options to meet the requirements of a legitimate debt.
 - iv. **Underlying concerns.** An awareness that landlord-tenant disputes can be a gateway to short- or long-term homelessness. The knowledge and ability to inform clients about available resources. The ability to recognize and provide information to clients regarding the proximate and far-reaching effects of out-of-court agreements.
- b. **Providing clients with information regarding settlement offers.** LPPs should demonstrate an understanding of how the ethical guidelines, mediation principles, and settlement efforts generally apply in landlord-tenant cases. LPPs should have a strong understanding that a settlement requires compromise on both sides and the skill to accurately communicate that to clients. The ability to understand and inform clients about the effects and requirements of a settlement agreement.
- c. **Ability to competently answer a complaint.** LPPs must have sufficient knowledge of applicable legal principles and rules, including those from statutes, case law, and rules applicable to landlord-tenant claims in Utah, to competently respond to a complaint. This includes the ability to recognize when a response to a complaint will exceed the limited practice of an LPP and must be referred to a licensed attorney. Such legal principles and rules include but are not limited to:

- i. Time to answer a complaint;
 - ii. Affirmative defenses;
 - iii. Counterclaims;
 - iv. Waiver of defenses or counterclaims
 - v. Defective parties;
 - vi. Defective service;
 - vii. Defective notice;
 - viii. Payment;
 - ix. Tender;
 - x. Waiver by acceptance of rent;
 - xi. Compliance with notice;
 - xii. Breach of warranty of habitability
 - xiii. Violations of the Utah Fit Premises Act;
 - xiv. Violation of local fit premises;
 - xv. Rent offset;
 - xvi. Retaliatory eviction;
 - xvii. Constructive eviction;
 - xviii. Failure to mitigate;
 - xix. Unconscionable deceptive acts;
 - xx. Landlord-tenant relationship;
 - xxi. Violations of discrimination law;
 - xxii. Subsidized housing violations;
 - xxiii. Failure to reasonably accommodate a disabled tenant;
 - xxiv. Substantial compliance with the terms of a lease;
 - xxv. Abuse of process;
 - xxvi. Failure to follow mobile home statute;
 - xxvii. Failure to return deposit;
 - xxviii. Conversion of property;
 - xxix. Soldiers and Sailors Act; and
 - xxx. Landlord overcharging in subsidized housing.
- d. **Ability to navigate discovery.** Sufficient knowledge of the discovery process and the rules governing the discovery process, and the ability to

successfully draft discovery requests and to appropriately respond to discovery requests.

- e. **Knowledge of when, why, and how to file a Motion to Set Aside Judgment.** Understand rules regarding timelines and other reasons for setting aside a judgment as set forth in the Utah Rules of Civil Procedure.

(3) **Knowledge in the area of Collection Law.** In addition to the general requirements above, prospective LPPs desiring to work in the area of Collections Law must demonstrate the following.

- a. **Ability to appropriately respond to out-of-court collection efforts.** Sufficient knowledge of the process and remedies available to clients responding to attempts to collect debts prior to formal legal action with the court. Knowledge and skills required include:
 - i. **Negotiation.** Sufficient knowledge of the negotiation process and basic negotiation theories and best practices.
 - ii. **Rights of debtors.** Sufficient knowledge of the rights of debtors regarding the collection process and familiarity with parameters of the Fair Debt Collection Practices Act (“FDCPA”).
 - iii. **Basic familiarity with landlord-tenant eviction statutes.** Knowledge and skills to recognize when a collection matter has landlord-tenant implications as well.
 - iv. **Legitimate debts.** Sufficient knowledge and experience to recognize legitimate debts and assist clients in avoiding an increase of a legitimate debt. Assist clients in understanding that unnecessarily obtrusive positions with no legitimate defense (i.e. filing fees, court costs, collection fees, additional attorney’s fees missing time from work to attend hearings) are likely to significantly increase the ultimate cost of a legitimate debt.
 - v. **Underlying concerns.** Sufficient knowledge and ability to provide clients with information regarding the possibility that an early call to a creditor or collection agency to negotiate a settlement of a debt before there are collection fees, court costs, attorney’s fees, continuing interest, and penalties.
- b. **Providing clients with information regarding settlement offers.** A strong understanding that a settlement requires compromise on both sides and the skill to accurately communicate that to clients. An understanding of how economics plays into settlement discussions and agreements. The ability to understand and inform clients about the effects

and requirements of a settlement agreement. Prospective LPPs should take a cooperative approach to settlement rather than adversarial. Adversarial cases will most likely have to be referred to an attorney.

- c. **Ability to competently answer a complaint.** A knowledge of an ability to completely and competently answer a complaint.
 - i. **Time to Respond.** Knowledge and understanding of the 10-Day Summons, 20-Day Summons, and 30-Day Summons Rules (URCP Rules 3(a)(2) and 12).
 - ii. **Defenses.** Understand affirmative defenses and counterclaims.
 - 1. Sufficient knowledge of and ability to understand and include compulsory counterclaims (URCP Rule 13) in an answer. Have a clear understanding of when a compulsory counterclaim mandates the involvement of a licensed attorney. Clearly understand that a party waives all defenses and objections not raised either by motion or by answer (URCP Rule 12(h)). Understand the exception to such waiver.
 - 2. Sufficient knowledge of and ability to understand and, as appropriate, include all compulsory and permissive counterclaims (URCP Rule 13) in an answer.
 - iii. **Statutes of Limitation.** Clearly understand the effect of applicable Statutes of Limitation (Utah Code Ann. 70A-3-118). Know the differences on statutes regarding written contracts, oral contracts, and checks.
 - iv. **Family Expense Statute.** Clearly understand what qualifies as a family expense (Utah Code Ann. 30-2-9). Know the circumstances under which a spouse can be sued for an obligation contracted by the other spouse.
- d. **Ability to navigate discovery.** Sufficient knowledge of the discovery process and the rules governing the discovery process, and the ability to successfully draft discovery requests and to appropriately respond to discovery requests. Strong understanding of the rules regarding initial disclosures (URCP Rule 26) and Interrogatories (URCP Rule 33).
- e. **Ability to identify motions to be filed and the form for each motion.** Clearly understand URCP Rule 7. In particular, understand the uses and timelines of. A Motion to Set Aside a Judgment (URCP Rule 60(b)). Understand applicable time limits (within 90 days of the

judgment) and the acceptable reasons for asking a court to set aside a judgment.

(4) **Knowledge in the area of Divorce & Family Law.** In addition to the general requirements above, prospective LPPs desiring to work in the area of Divorce and Family Law should understand and be competent in the following:

- a. Jurisdiction and Venue (determining the right state/county)
- b. Divorce and Child Custody
 - i. Divorce Education / Orientation Courses (when / where if children are involved)
 - ii. Initial Paperwork for filing – Vital Stats, Child Support Worksheets, Child Location Worksheet, Petition, Summons.
 - iii. Custody – Sole vs. Joint Legal Custody in the context of the full range of family types (understanding and being able to explain the differences, pros/cons to each arrangement) and when the involvement of a licensed attorney is necessary.
 - iv. Parent Time (options below or something in between)
 1. Utah Code 30-3-35
 2. Utah Code 30-3-35.1
 3. 50/50 Parent-time (different ways 50/50 can be accomplished)
 4. Utah Code 30-3-37 (relocation options)
 5. Supervised Parent Time (when appropriate)
 - v. Parenting Plans (Required in Joint Custody Situations)
 - vi. Custody Evaluations (when needed, how to select an evaluator, scope of evaluation) and when the involvement of a licensed attorney is necessary.
 - vii. Child Support
 1. Determining Incomes
 2. Determining Incomes when a Party is not forthcoming with financial information
 3. Discovery Issues
 4. Navigating Child Support Worksheets
 - a. How Parent Time affects Child Support
 - b. Children from prior relations
 5. Circumstances / time frame for updating / modifying child support
 - viii. Alimony a. Utah Code 30-3-5(8)
 - ix. Division of Retirement
 1. Qualified Domestic Relations Orders (QDRO) and that the involvement of a licensed attorney is necessary.

- x. Division of Real Property
 - 1. Timeframe for Refinancing or Selling real properties to remove the other party's name from the financial obligation and understanding when the involvement of a licensed attorney is necessary.
 - 2. Issues on mortgage if one party remains in home and understanding when the involvement of a licensed attorney is necessary.
 - 3. Quit Claim Deed and understanding when the involvement of a licensed attorney is necessary.
- xi. Division of Personal Property – knowing how to divide accounts, protecting joint accounts from future credit problems.
 - 1. QDRO (dividing 401(k) accounts) and that the involvement of a licensed attorney is necessary.
- xii. Mediation (if can't initially settle / selecting a mediator)
- xiii. Final Paperwork – Settlement, Findings, Decree of Divorce, Affidavit of Jurisdiction/Grounds, Affidavit of Income
- xiv. Enforcement
 - 1. Orders to Show Cause
- xv. Petition to Modify

(3) ETHICS

- (a) **Rules Governing Licensed Paralegal Practitioners.** All LPPs should have a detailed understanding of the rules governing LPPs, including Article 3 (Standards of Licensed Paralegal Practitioner Professionalism and Civility), Article 4 (Mandatory Continuing Licensed Paralegal Practitioner Education), Article 5 (Licensed Paralegal Practitioner Discipline and Disability), Article 6 (Standards for Imposing Licensed Paralegal Practitioner Sanctions), Article 7 (Admissions Standards and Procedures for Licensed Paralegal Practitioners), Article 9 (Licensed Paralegal Practitioners' Fund for Client Protection), Article 10 (Interest on Licensed Paralegal Practitioners' Trust Accounts), Article 11 (Resolution of Fee Disputes for Licensed Paralegal Practitioners), and particularly Article 12 (Licensed Paralegal Practitioner Rules of Professional Conduct).
- (b) **Basic principles of LPP ethics, professionalism and civility.** Although LPPs should be familiar with all aspects of the above rules, training programs should ensure in particular that LPPs understand the following major concepts regarding the ethical aspects of practice and client representation:
 - (i) The standards of care and other duties LPPs must exercise on behalf of their clients, including what constitutes reasonable diligence, prudence, objectivity, judgment and advocacy on behalf

of a client in terms of legal knowledge, research, thoroughness of preparation, and other steps necessary to ensure that the client's interests are advanced and protected.

- (ii) The difference between mandatory ("shall") and advisory ("should") standards in the rules of ethics governing LPPs.
- (iii) The limits of LPP licensing and authority, and the appropriate duty of informing the client and other measures to take when a client needs or requests representation beyond those limits.
- (iv) The nature of the LPP-client relationship, when it is created, when and how it is or can be declined or terminated, and the duties that arise from that relationship; and the duty to ensure that clients understand the nature and limits of that relationship, and that the LPP is not an attorney.
- (v) The nature of the LPP duties to former clients.
- (vi) The LPPs duty of reasonable consultation and communication with clients.
- (vii) The concept of and importance of informed consent.
- (viii) The concept and importance of client confidentiality and privilege, and when confidentiality can or should be breached.
- (ix) The permissible and appropriate fee arrangements LPPs can enter into with clients.
- (x) LPP duties regarding client funds and other property held by the LPP on behalf of the client.
- (xi) The nature of business relationships within which LPPs may practice, and the constraints associated with those relationships.
- (xii) The meaning and implications of various disciplinary sanctions and how they affect the ability to practice as an LPP, including delicensure, suspension, interim suspension, reprimand, admonition, and restitution.
- (xiii) The concept of conflict of interest, what constitutes an inappropriate conflict, and the appropriate steps to prevent or mitigate any conflicts.
- (xiv) The principle that LPPs, as well as attorneys and other key players in the legal system, are officers of the legal system and have duties and responsibilities to the system of justice as well as their clients, including the duty of candor to courts and other tribunals, honesty and fairness, and the duty to avoid frivolous or otherwise non-meritorious claims or arguments.
- (xv) The appropriate roles of third-party neutrals and how that differs from advocacy roles, and the differences between negotiation, mediation, arbitration and adjudication.
- (xvi) The concept and limits of "zealous" advocacy on behalf of clients, and the responsibility to balance that role against principles of justice, professionalism and civility to opposing parties and counsel.
- (xvii) The principles governing and limiting communications with other represented and unrepresented individuals.

- (xviii) The nature of organizational clients, how they differ from individual clients, and the implications of those differences for purposes of client representation.
 - (xix) The importance of pro bono representation and other measures to improve access to justice for under-represented parties.
 - (xx) The principles and rules governing and limiting advertising and other measures to obtain clients, including appropriate information about the nature, scope, and limitations of the LPP's practice, including the approved areas of practice.
 - (xxi) The importance of negotiating settlement agreements fairly and representing the agreement fairly and accurately in reducing settlement negotiations to writing.
 - (xxii) How to address situations in which a client wants the LPP to do something unethical or illegal.
- (c) **Associated concepts of law.** To the extent they have not learned them in connection with the substantive areas of knowledge identified above, LPPs should understand the basic meaning and significance of the following general legal principles, as necessary to understand and apply all of the relevant rules governing LPP practice:
- (i) Ex parte communications and other inappropriate means of communicating with or influencing tribunals.
 - (ii) Default judgments.
 - (iii) The difference between civil and criminal proceedings, and the implications of those differences.
 - (iv) Statutes of limitations, and why they are important.
 - (v) The meaning and significance of burden of proof, and differences between various standards of proof and why they are significant, including: probable cause, preponderance of the evidence, substantial evidence, clear and convincing evidence.
 - (vi) Procedures for and standards of appellate review, including de novo review, the arbitrary and capricious standard, abuse of discretion.
 - (vii) Basic principles of equity, including irreparable harm.
 - (viii) The nature of trusts and the role and duties of trustees.
 - (ix) The nature of receiverships and the roles and duties of receivers.
 - (x) The concept and elements of fraud, unlawful or otherwise wrongful conversion and embezzlement.
 - (xi) The nature and importance of bonds, sureties, insurance and subrogation provisions or agreements.
 - (xii) The nature of liens.
 - (xiii) The difference between objective and subjective knowledge or beliefs.
 - (xiv) The difference between fact and inference.
 - (xv) The concepts of relevance and materiality.
 - (xvi) Contingency fees and the difference between them and hourly fees, fixed fees, or other kinds of fee arrangements.

- (xvii) The concepts of jurisdiction and the authority and limits of the courts and other tribunals relevant to the LPP's practice.
- (xviii) The concept of negligence (and the difference between negligent and intentional or willful conduct).

BECOME A LIMITED LICENSE LEGAL TECHNICIAN

A NEW CAREER IN THE LAW

Did you know that you can practice family law *without* a law degree?

INNOVATIVE AFFORDABLE ACCESSIBLE MEANINGFUL

Like lawyers, Legal Technicians can provide clients with legal advice and complete court documents, but their scope of practice is limited.

Think of them as being similar to a nurse practitioner who can treat patients and prescribe medication independently but do not do everything a doctor can.

Legal Technicians currently practice in family law with plans to expand to other practice areas.

WHY BECOME A LEGAL TECHNICIAN?

- You can practice law with three years of education for under \$15,000.
- You can help those who may not be able to afford a lawyer.
- You can have your own business or work for a law firm.

Colleges approved to teach the core legal education include:

- Edmonds Community College
- Highline College
- Portland Community College
- Spokane Community College
- Tacoma Community College
- University of Washington Continuum College
- Whatcom Community College

"Trying to find a high-quality, affordable alternative to hiring an expensive attorney was extremely frustrating. Call after call led me to a dead end. Finding [my Legal Technician] was like finding a pot of gold at the end of the rainbow... talking with her put me at ease immediately, and I finally felt a sense of relief during a very difficult time."

Client Testimonial

If you have further questions, need assistance, or want to learn more, contact:

WASHINGTON STATE BAR ASSOCIATION

1325 4th Avenue, Suite 600, Seattle, WA 98101-2539
206-727-8289 ■ email: lllt@wsba.org ■ web: wsba.org/LLLT

THE PATHWAY TO A LEGAL TECHNICIAN LICENSE

1. COMPLETE EDUCATION

A. Associate Level Degree (or higher) with core legal education: 45 credit hours at an ABA or LLLT Board approved paralegal program that includes the following:

Course	Credits
Civil Procedure	8
Contracts	3
Interviewing & Investigation Techniques	3
Intro to Law & Legal Process	3
Law Office Procedures & Technology	3
Legal Research, Writing, & Analysis	8
Professional Responsibility	3
Legal Studies Electives	14*
Total	45

*Take enough legal studies electives to complete your 45 credits.

B. Practice Area Education: Family Law
15 credits over three quarters through UW Law School Distance Learning (online)

2. TAKE & PASS EXAMINATIONS

- A. PCC Exam:** Administered by the National Federation of Paralegal Associations.
- B. Practice Area Exam:** A family law exam administered by the WSBA.
- C. Professional Responsibility Exam:** An ethics exam administered by the WSBA.

3. ESTABLISH WORK EXPERIENCE

3,000 hours of legal work experience
(approximately 18 months full time)

- Supervised by a licensed lawyer
- Within three years before or 40 months after passing the practice area examination

Any discrepancy or conflict between the information provided here and the rules and regulations set by the Washington Supreme Court, or the bylaws and policies of the Washington State Bar Association, is unintentional and will be resolved in favor of strict compliance with the rules, regulations, bylaws, and policies.

WASHINGTON STATE
BAR ASSOCIATION

BECOME A LIMITED LICENSE LEGAL TECHNICIAN

A NEW CAREER IN THE LAW

Are you a paralegal with
10 years or more of experience?
You're on the fast track!

INNOVATIVE AFFORDABLE ACCESSIBLE MEANINGFUL

Like lawyers, Legal Technicians can provide clients with legal advice and complete court documents, but their scope of practice is limited.

Think of them as being similar to a nurse practitioner who can treat patients and prescribe medication independently but do not do everything a doctor can.

Legal Technicians currently practice in family law with plans to expand to other practice areas.

WHY BECOME A LEGAL TECHNICIAN?

- You can practice law with three years of education for under \$15,000.
- You can help those who may not be able to afford a lawyer.
- You can have your own business or work for a law firm.

"Trying to find a high-quality, affordable alternative to hiring an expensive attorney was extremely frustrating. Call after call led me to a dead end. Finding [my Legal Technician] was like finding a pot of gold at the end of the rainbow... talking with her put me at ease immediately, and I finally felt a sense of relief during a very difficult time."

Client Testimonial

If you have further questions, need assistance, or want to learn more, contact:

WASHINGTON STATE BAR ASSOCIATION

1325 4th Avenue, Suite 600, Seattle, WA 98101-2539
206-727-8289 ■ email: lllt@wsba.org ■ web: wsba.org/LLLT

THE PATHWAY TO A LEGAL TECHNICIAN LICENSE WITH A LIMITED TIME WAIVER

1. COMPLETE EDUCATION

Practice Area Education: Family Law
15 credits over three quarters through
UW Law School Distance Learning (online)

LIMITED TIME WAIVER

Waiver of associate degree and core education, if you have:

1. Passed the NFPA PACE Exam OR NALA Certified Paralegal Exam OR NALS Professional Paralegal Exam and have active certification

- AND -

2. 10 years of substantive law-related (paralegal) experience supervised by a licensed lawyer

Apply for waiver until **December 31, 2023**

2. TAKE & PASS EXAMINATIONS

- A. PCC Exam:** Administered by the National Federation of Paralegal Associations.
- B. Practice Area Exam:** A family law exam administered by the WSBA.
- C. Professional Responsibility Exam:** An ethics exam administered by the WSBA.

3. ESTABLISH WORK EXPERIENCE

3,000 hours of legal work experience
(approximately 18 months full time)

- Supervised by a licensed lawyer
- Within three years before or 40 months after passing the practice area examination

Any discrepancy or conflict between the information provided here and the rules and regulations set by the Washington Supreme Court, or the bylaws and policies of the Washington State Bar Association, is unintentional and will be resolved in favor of strict compliance with the rules, regulations, bylaws, and policies.

APR 28

LIMITED PRACTICE RULE FOR LIMITED LICENSE LEGAL TECHNICIANS

A. Purpose. The Civil Legal Needs Study (2003), commissioned by the Supreme Court, clearly established that the legal needs of the consuming public are not currently being met. The public is entitled to be assured that legal services are rendered only by qualified trained legal practitioners. Only the legal profession is authorized to provide such services. The purpose of this rule is to authorize certain persons to render limited legal assistance or advice in approved practice areas of law. This rule shall prescribe the conditions of and limitations upon the provision of such services in order to protect the public and ensure that only trained and qualified legal practitioners may provide the same. This rule is intended to permit trained Limited License Legal Technicians to provide limited legal assistance under carefully regulated circumstances in ways that expand the affordability of quality legal assistance which protects the public interest.

B. Definitions. For purposes of this rule, the following definitions will apply:

- (1) “APR” means the Supreme Court’s Admission to Practice Rules.
- (2) “LLLT Board” means the Limited License Legal Technician Board.
- (3) “Lawyer” means a person licensed as a lawyer and eligible to practice law in any United States jurisdiction.
- (4) “Limited License Legal Technician” (LLLT) means a person qualified by education, training, and work experience who is authorized to engage in the limited practice of law in approved practice areas of law as specified by this rule and related regulations.
- (5) “Paralegal/legal assistant” means a person qualified by education, training, or work experience; who is employed or retained by a lawyer, law office, corporation, governmental agency, or other entity; and who performs specifically delegated substantive law-related work for which a lawyer is responsible.
- (6) “Reviewed and approved by a Washington lawyer” means that a Washington lawyer has personally supervised the legal work and documented that supervision by the Washington lawyer’s signature and bar number.
- (7) “Substantive law-related work” means work that requires knowledge of legal concepts and is customarily, but not necessarily, performed by a lawyer.
- (8) “Supervised” means a lawyer personally directs, approves, and has responsibility for work performed by the Limited License Legal Technician.
- (9) “Washington lawyer” means a person licensed and eligible to practice law in Washington and who is an active or emeritus pro bono lawyer member of the Bar.
- (10) Words of authority:

- (a) “May” means “has discretion to,” “has a right to,” or “is permitted to.”
- (b) “Must” or “shall” means “is required to.”
- (c) “Should” means “recommended but not required.”

C. Limited License Legal Technician Board

(1) *Establishment.* There is hereby established a Limited License Legal Technician Board (LLLT Board). The LLLT Board shall consist of 15 voting members appointed by the Supreme Court, and one nonvoting ex officio member who is a representative of the Washington State Board of Community and Technical Colleges. At least 11 members shall be Washington lawyers, LLLTs, or LPOs. Of those 11 members, at least 9 shall be active lawyers or LLLTs, and no more than 2 may be LPOs, or judicial or emeritus pro bono lawyers or LLLTs. Four members of the LLLT Board shall be Washington residents who do not have a license to practice law. Appointments shall be for staggered three year terms. No member may serve more than two consecutive full three year terms. The validity of the Board’s actions is not affected if the Board’s makeup differs from the stated constitution due to a temporary vacancy in any of the specified positions.

(2) *LLLT Board Responsibilities.* The LLLT Board shall be responsible for the following:

(a) Recommending practice areas of law for LLLTs, subject to approval by the Supreme Court;

(b) Working with the Bar and other appropriate entities to select, create, maintain, and grade the examinations required under this rule which shall, at a minimum, cover the rules of professional conduct applicable to LLLTs, rules relating to the attorney-client privilege, procedural rules, and substantive law issues related to approved practice areas;

(c) Approving education and experience requirements for licensure in approved practice areas;

(d) Establishing and overseeing committees and tenure of members;

(e) Establishing and maintaining criteria for approval of educational programs that offer LLLT core curriculum; and

(f) Such other activities and functions as are expressly provided for in this rule.

(3) *Rules and Regulations.* The LLLT Board shall propose rules, regulations and amendments to these rules and regulations, to implement and carry out the provisions of this rule, for adoption by the Supreme Court.

(4) *Administration.* The Bar shall provide reasonably necessary administrative support for

the LLLT Board. All notices and filings required by these Rules, including applications for admission as an LLLT, shall be sent to the headquarters of the Bar.

(5) *Expenses of the LLLT Board.* Members of the LLLT Board shall not be compensated for their services but shall be reimbursed for actual reasonable and necessary expenses incurred in the performance of their duties according to the Bar's expense policies.

D. [Reserved.]

E. [Reserved.]

F. Scope of Practice Authorized by Limited Practice Rule. The Limited License Legal Technician shall ascertain whether the issue is within the defined practice area for which the LLLT is licensed. If it is not, the LLLT shall not render any legal assistance on this issue and shall advise the client to seek the services of a lawyer. If the issue is within the defined practice area, the LLLT may render the following limited legal assistance to a pro se client:

- (1) Obtain relevant facts, and explain the relevancy of such information to the client;
- (2) Inform the client of applicable procedures, including deadlines, documents which must be filed, and the anticipated course of the legal proceeding;
- (3) Inform the client of and assist with applicable procedures for proper service of process and filing of legal documents;
- (4) Provide the client with self-help materials prepared by a Washington lawyer or approved by the LLLT Board, which contain information about relevant legal requirements, case law basis for the client's claim, and venue and jurisdiction requirements;
- (5) Review documents or exhibits that the client has received and explain them to the client;
- (6) Select, complete, file, and effect service of forms that have been approved by the State of Washington, either through a governmental agency or by the Administrative Office of the Courts or the content of which is specified by statute; federal forms; forms prepared by a Washington lawyer; or forms approved by the LLLT Board; and advise the client of the significance of the selected forms to the client's case;
- (7) Perform legal research;
- (8) Draft letters setting forth legal opinions that are intended to be read by persons other than the client;
- (9) Draft documents beyond what is permitted in paragraph (6), if the work is reviewed and approved by a Washington lawyer;

(10) Advise the client as to other documents that may be necessary to the client's case, and explain how such additional documents or pleadings may affect the client's case;

(11) Assist the client in obtaining necessary records, such as birth, death, or marriage certificates.

(12) Communicate and negotiate with the opposing party or the party's representative regarding procedural matters, such as setting court hearings or other ministerial or civil procedure matters;

(13) Negotiate the client's legal rights or responsibilities, provided that the client has given written consent defining the parameters of the negotiation prior to the onset of the negotiation; and

(14) Render other types of legal assistance when specifically authorized by the scope of practice regulations for the approved practice area in which the LLLT is licensed.

G. Conditions Under Which A Limited License Legal Technician May Provide Services

(1) A Limited License Legal Technician must personally perform the authorized services for the client and may not delegate these to a nonlicensed person. Nothing in this prohibition shall prevent a person who is not a licensed LLLT from performing translation services;

(2) Prior to the performance of the services for a fee, the Limited License Legal Technician shall enter into a written contract with the client, signed by both the client and the Limited License Legal Technician that includes the following provisions:

(a) An explanation of the services to be performed, including a conspicuous statement that the Limited License Legal Technician may not represent the client in court, formal administrative adjudicative proceedings, or other formal dispute resolution process or negotiate the client's legal rights or responsibilities, unless permitted under GR 24(b) or specifically authorized by the scope of practice regulations for the approved practice area in which the LLLT is licensed;

(b) Identification of all fees and costs to be charged to the client for the services to be performed;

(c) A statement that upon the client's request, the LLLT shall provide to the client any documents submitted by the client to the Limited License Legal Technician;

(d) A statement that the Limited License Legal Technician is not a lawyer and may only perform limited legal services. This statement shall be on the first page of the contract in minimum twelve-point bold type print;

(e) A statement describing the Limited License Legal Technician's duty to protect the

confidentiality of information provided by the client and the Limited License Legal Technician's work product associated with the services sought or provided by the Limited License Legal Technician;

(f) A statement that the client has the right to rescind the contract at any time and receive a full refund of unearned fees. This statement shall be conspicuously set forth in the contract; and

(g) Any other conditions required by the rules and regulations of the LLLT Board.

(3) A Limited License Legal Technician may not provide services that exceed the scope of practice authorized by this rule, and shall inform the client, in such instance, that the client should seek the services of a lawyer.

(4) A document prepared by an LLLT shall include the LLLT's name, signature, and license number beneath the signature of the client. LLLTs do not need to sign sworn statements or declarations of the client or a third party, and do not need to sign documents that do not require a signature by the client, such as information sheets.

H. Prohibited Acts. In the course of dealing with clients or prospective clients, a Limited License Legal Technician shall not:

(1) Make any statement that the Limited License Legal Technician can or will obtain special favors from or has special influence with any court or governmental agency;

(2) Retain any fees or costs for services not performed;

(3) Refuse to return documents supplied by, prepared by, or paid for by the client, upon the request of the client. These documents must be returned upon request even if there is a fee dispute between the Limited License Legal Technician and the client;

(4) Represent or advertise, in connection with the provision of services, other legal titles or credentials that could cause a client to believe that the Limited License Legal Technician possesses professional legal skills beyond those authorized by the license held by the Limited License Legal Technician;

(5) Represent a client in court proceedings, formal administrative adjudicative proceedings, or other formal dispute resolution process, unless permitted by GR 24 or specifically authorized by the scope of practice regulations for the approved practice area in which the LLLT is licensed;

(6) Provide services to a client in connection with a legal matter in another state, unless permitted by the laws of that state to perform such services for the client;

(7) Represent or otherwise provide legal or law related services to a client, except as permitted by law, this rule or associated rules and regulations;

(8) Conduct or defend a deposition;

(9) Initiate or respond to an appeal to an appellate court; and

(10) Otherwise violate the Limited License Legal Technician Rules of Professional Conduct.

I. Continuing Licensing Requirements

(1) *Continuing Education Requirements.* Each active Limited License Legal Technician must complete a minimum number of credit hours of approved or accredited education, as prescribed by APR 11.

(2) *Financial Responsibility.* Each LLLT shall show proof of ability to respond in damages resulting from his or her acts or omissions in the performance of services permitted under APR 28 by:

(a) submitting an individual professional liability insurance policy in the amount of at least \$100,000 per claim and a \$300,000 annual aggregate limit;

(b) submitting a professional liability insurance policy of the employer or the parent company of the employer who has agreed to provide coverage for the LLLT's ability to respond in damages in the amount of at least \$100,000 per claim and a \$300,000 annual aggregate limit; or

(c) submitting proof of indemnification by the LLLT's government employer.

(3) *License Fees and Assessments.* Each Limited License Legal Technician must pay the annual license fee established by the Board of Governors, subject to review by the Supreme Court, and any mandatory assessments as ordered by the Supreme Court. Provisions in the Bar's Bylaws regarding procedures for assessing and collecting lawyer license fees and late fees, and regarding deadlines, rebates, apportionment, fee reductions, and exemptions, and any other issues relating to fees and assessments, shall also apply to LLLT license fees and late fees. Failure to pay may result in suspension from practice pursuant to APR 17.

(4) *Trust Account.* Each active Limited License Legal Technician shall annually certify compliance with Rules 1.15A and 1.15B of the LLLT Rules of Professional Conduct. Such certification shall be filed in a form and manner as prescribed by the Bar and shall include the bank where each account is held and the account number. Failure to certify may result in suspension from practice pursuant to APR 17.

J. Existing Law Unchanged. This rule shall in no way modify existing law prohibiting the unauthorized practice of law.

K. Professional Responsibility and Limited License Legal Technician-Client Relationship

(1) Limited License Legal Technicians acting within the scope of authority set forth in this rule shall be held to the standard of care of a Washington lawyer.

(2) Limited License Legal Technicians shall be held to the ethical standards of the Limited License Legal Technician Rules of Professional Conduct, which shall create an LLLT IOLTA program for the proper handling of funds coming into the possession of the Limited License Legal Technician.

(3) The Washington law of attorney-client privilege and law of a lawyer's fiduciary responsibility to the client shall apply to the Limited License Legal Technician-client relationship to the same extent as it would apply to an attorney-client relationship.

L. Confidentiality and Public Records. GR 12.4 shall apply to access to LLLT Board records.

M. Inactive Status. An LLLT may request transfer to inactive status after being admitted. An LLLT on inactive status is required to pay an annual license fee as established by the Board of Governors and approved by the Supreme Court.

N. Reinstatement to Active Status. An LLLT on inactive status may return to active status by filing an application and complying with the procedures set forth for lawyer members of the Bar in the Bar's Bylaws.

O. Voluntary Resignation. Any Limited License Legal Technician may request to voluntarily resign the LLLT license by notifying the Bar in such form and manner as the Bar may prescribe. If there is a disciplinary investigation or proceeding then pending against the LLLT, or if the LLLT has knowledge that the filing of a grievance of substance against such LLLT is imminent, resignation is permitted only under the provisions of the applicable disciplinary rules. An LLLT who resigns the LLLT license cannot practice law in Washington in any manner, unless they are otherwise licensed or authorized to do so by the Supreme Court.

[Adopted effective September 1, 2012; Amended effective August 20, 2013; February 3, 2015; June 21, 2016; September 1, 2017, June 4, 2019.]

APPENDIX APR 28. REGULATIONS OF THE APR 28 LIMITED LICENSE LEGAL TECHNICIAN BOARD

REGULATION 1. [Reserved.]

REGULATION 2. APPROVED PRACTICE AREAS—SCOPE OF PRACTICE AUTHORIZED BY LIMITED LICENSE LEGAL TECHNICIAN RULE

In each practice area in which an LLLT is licensed, the LLLT shall comply with the provisions defining the scope of practice as found in APR 28 and as described herein.

A. Issues Beyond the Scope of Authorized Practice.

An LLLT has an affirmative duty under APR 28(F) to inform clients when issues arise that are beyond the authorized scope of the LLLT's practice. When an affirmative duty under APR 28(F) arises, then the LLLT shall inform the client in writing that:

1. the issue may exist, describing in general terms the nature of the issue;
2. the LLLT is not authorized to advise or assist on this issue;
3. the failure to obtain a lawyer's advice could be adverse to the client's interests; and
4. the client should consult with a lawyer to obtain appropriate advice and documents necessary to protect the client's interests.

After an issue beyond the LLLT's scope of practice has been identified, if the client engages a lawyer with respect to the issue, then an LLLT may prepare a document related to the issue only if a lawyer acting on behalf of the client has provided appropriate documents and written instructions for the LLLT as to whether and how to proceed with respect to the issue. If the client does not engage a lawyer with respect to the issue, then the LLLT may prepare documents that relate to the issue if

the client informs the LLLT how the issue is to be determined and instructs the LLLT how to complete the relevant portions of the document, and

above the LLLT's signature at the end of the document, the LLLT inserts a statement to the effect that the LLLT did not advise the client with respect to any issue outside of the LLLT's scope of practice and completed any portions of the document with respect to any such issues at the direction of the client.

B. Domestic Relations.

1. *Domestic Relations, Defined.* For the purposes of these Regulations, domestic relations shall include only the following actions: (a) divorce and dissolution, (b) parenting and support, (c) parentage or paternity, (d) child support modification, (e) parenting plan modification, (f)

domestic violence protection orders, (g) committed intimate relationships only as they pertain to parenting and support issues, (h) legal separation, (i) nonparental and third party custody, (j) other protection or restraining orders arising from a domestic relations case, and (k) relocation.

2. *Scope of Practice for LLLT's—Domestic Relations.* LLLTs licensed in domestic relations may render legal services to clients as provided in APR 28(F) and this regulation, except as prohibited by APR 28(H) and Regulation 2(B).

(a) Unless an issue beyond the scope arises or a prohibited act would be required, LLLTs may advise and assist clients with initiating and responding to actions and related motions, discovery, trial preparation, temporary and final orders, and modifications of orders.

(b) LLLT legal services regarding the division of real property shall be limited to matters where the real property is a single family residential dwelling with owner equity less than or equal to twice the homestead exemption (*see* RCW 6.13.030). LLLTs shall use the form for real property division as approved by the LLLT Board.

(c) LLLTs may advise as to the allocation of retirement assets for defined contribution plans with a value less than the homestead exemption, and as provided in United States Internal Revenue Code (IRC) sections 401a; 401k; 403b; 457; and Individual Retirement Accounts as set forth in IRC section 408.

(d) LLLTs may include language in a decree of dissolution awarding retirement assets as described in APR 28 Regulation 2(B)(2)(c) when the respondent defaults, when the parties agree on the award, or when the court awards the assets following trial. The award language in the decree shall identify (1) the party responsible for having the qualified domestic relations order (QDRO) or supplemental order prepared and by whom, (2) how the cost of the QDRO or supplemental order preparation is to be paid, (3) by what date the QDRO or supplemental order must be prepared, and (4) the remedy for failure to follow through with preparation of the QDRO or supplemental order.

(e) LLLTs may prepare paper work and accompany and assist clients in dispute resolution proceedings including mediation, arbitration, and settlement conferences where not prohibited by the rules and procedures of the forum.

(f) LLLTs, when accompanying their clients, may assist and confer with their pro se clients at depositions.

(g) LLLTs may present to a court agreed orders, uncontested orders, default orders, and accompanying documents.

(h) LLLTs, when accompanying their clients, may assist and confer with their pro se clients and respond to direct questions from the court or tribunal regarding factual and procedural issues at the hearings listed below:

i. domestic violence protection orders and other protection or restraining orders arising

from a domestic relations case;

ii. motions for temporary orders, including but not limited to temporary parenting plans, child support, maintenance, and orders to show cause;

iii. enforcement of domestic relations orders;

iv. administrative child support;

v. modification of child support;

vi. adequate cause hearings for nonparental custody or parenting plan modifications;

vii. reconsiderations or revisions;

viii. trial setting calendar proceedings with or without the client when the LLLT has confirmed the available dates of the client in writing in advance of the proceeding.

3. *Prohibited Acts.* In addition to the prohibitions set forth in APR 28(H), in the course of rendering legal services to clients or prospective clients, LLLTs licensed to practice in domestic relations:

a. shall not render legal services to more than one party in any domestic relations matter;

b. shall not render legal services in:

i. defacto parentage actions;

ii. actions that involve 25 U.S.C. chapter 21, the Indian Child Welfare Act of 1978, or chapter 13.38 RCW, the Washington State Indian Child Welfare Act;

iii. division or conveyance of formal business entities, commercial property, or residential real property except as permitted by Regulation 2(B);

iv. preparation of QDROs and supplemental orders dividing retirement assets beyond what is prescribed in Regulation 2(B)(2)(d);

v. any retirement assets whereby the decree effectuates the division or the implementation of the division of the asset;

vi. bankruptcy, including obtaining a stay from bankruptcy;

vii. disposition of debts and assets, if one party is in bankruptcy or files a bankruptcy during the pendency of the proceeding, unless: (a) the LLLT's client has retained a lawyer to represent him/her in the bankruptcy, (b) the client has consulted with a lawyer and the lawyer has provided written instructions for the LLLT as to whether and how to proceed regarding the

division of debts and assets in the domestic relations proceeding, or (c) the bankruptcy has been discharged;

viii. property issues in committed intimate relationship actions;

ix. major parenting plan modifications and nonparental custody actions beyond the adequate cause hearing unless the terms are agreed to by the parties or one party defaults;

x. the determination of Uniform Child Custody Jurisdiction and Enforcement Act issues under chapter 26.27 RCW or Uniform Interstate Family Support Act issues under chapter 26.21A RCW unless and until jurisdiction has been resolved;

xi. objections or responses in contested relocation actions; and

xii. final revised parenting plans in relocation actions except in the event of default or where the terms have been agreed to by the parties.

REGULATION 3. EDUCATION REQUIREMENTS FOR LLLT APPLICANTS AND APPROVAL OF EDUCATIONAL PROGRAMS

An applicant for admission as an LLLT shall satisfy the following education requirements:

A. Core Curriculum.

1. *Credit Requirements.* An applicant for licensure shall have earned 45 credit hours as required by APR 3. The core curriculum must include the following required subject matters with minimum credit hours earned as indicated:

1. Civil Procedure, minimum 8 credit hours;
2. Contracts, minimum 3 credit hours;
3. Interviewing and Investigation Techniques, minimum 3 credit hours;
4. Introduction to Law and Legal Process, minimum 3 credit hours;
5. Law Office Procedures and Technology, minimum 3 credit hours;
6. Legal Research, Writing and Analysis, minimum 8 credit hours; and
7. Professional Responsibility, minimum 3 credit hours.

The core curriculum courses in which credit for the foregoing subject matters is earned shall satisfy the curricular requirements approved by the LLLT Board and published by the Bar. If the required courses completed by the applicant do not total 45 credit hours, then the applicant may earn the remaining credit hours by taking legal or paralegal elective courses. All core

curriculum course credit hours must be earned at an ABA approved law school, an educational institution with an ABA approved paralegal program, or at an educational institution with an LLLT core curriculum program approved by the LLLT Board under the Washington State LLLT Educational Program Approval Standards.

For purposes of satisfying APR 3(e)(2), one credit hour shall be equivalent to 450 minutes of instruction.

2. *LLLT Educational Program Approval Requirements for Programs Not Approved by the ABA.* The LLLT Board shall be responsible for establishing and maintaining standards, to be published by the Association, for approving LLLT educational programs that are not otherwise approved by the ABA. Educational programs complying with the LLLT Board's standards shall be approved by the LLLT Board and qualified to teach the LLLT core curriculum.

B. Practice Area Curriculum. An applicant for licensure in a defined practice area shall have completed the prescribed curriculum and earned course credits for that defined practice area, as set forth below and in APR 3(e). Each practice area curriculum course shall satisfy the curricular requirements approved by the LLLT Board and published by the Bar.

1. *Domestic Relations.*

a. Prerequisites: Prior to enrolling in the domestic relations practice area courses, applicants shall complete the following core courses: Civil Procedure; Interviewing and Investigation Techniques; Introduction to Law and Legal Process; Legal Research, Writing, and Analysis; and Professional Responsibility.

b. Credit Requirements: Applicants shall complete 5 credit hours in basic domestic relations subjects and 10 credit hours in advanced and Washington specific domestic relations subjects.

C. Required Supplemental Education. The LLLT Board has discretion to require all LLLTs to complete supplemental education in order to maintain their licenses due to changes in the permitted scope of practice for LLLTs. The LLLT Board shall provide notice to LLLTs of the supplemental education requirement and the deadline for completion of the requirement, allowing at least 12 months to complete the required supplemental education. LLLTs may be administratively suspended pursuant to the procedures set forth in APR 17 if they fail to comply with the supplemental education requirements by the stated deadline.

REGULATION 4. LIMITED TIME WAIVERS

A. Limited Time Waiver, Defined. For the limited time between the date the Board begins to accept applications and December 31, 2023, the LLLT Board shall grant a waiver of the minimum associate-level degree requirement and/or the core curriculum education requirement set forth in APR (3) if an applicant meets the requirements set forth in Regulation 4(B). The LLLT Board shall not grant waivers for applications filed after December 31, 2023. The LLLT Board shall not waive the practice area curriculum requirement. The limited time waiver application will be separate from the application process for admission set forth in these

regulations.

B. Waiver Requirements and Applications. To qualify for the limited time waiver, an applicant shall pay the required fee, submit the required waiver application form and, and provide proof, in such form and manner as the Bar requires, that he/she has:

1. Passed an LLLT Board approved national paralegal certification examination;
2. Active certification from an LLLT Board approved national paralegal certification organization; and
3. Completed 10 years of substantive law-related experience supervised by a licensed lawyer within the 15 years preceding the application for the waiver. Proof of 10 years of substantive-law related experience supervised by a licensed lawyer shall include the following:
 - (a) the name and bar number of the supervising lawyer(s),
 - (b) certification by the lawyer that the work experience meets the definition of substantive law-related work experience as defined in APR 28, and
 - (c) the dates of employment or service.

C. Review of Limited Time Waiver Application. The Bar shall review each limited time waiver application to determine if the application meets the waiver requirements. Any application that does not meet the limited time waiver requirements as established by this Regulation shall be denied by the Bar on administrative grounds, with a written statement of the reason(s) for denial.

D. Review of Denial. An applicant whose application for waiver has been denied by the Bar may request review by the LLLT Board chair. Such request shall be filed with the Bar within 14 days of the date of the notification of denial. The applicant shall be provided with written notification of the chair's decision, which is not subject to review.

E. Expiration of Limited Time Waiver Approval. Approval of the limited time waiver application shall expire December 31, 2025. After expiration of the approval, any subsequent application for licensure by the applicant shall meet all of the standard requirements for admission without waiver.

REGULATION 5. [Reserved.]

REGULATION 6. [Reserved.]

REGULATION 7. [Reserved.]

REGULATION 8. [Reserved.]

REGULATION 9. SUBSTANTIVE LAW-RELATED WORK EXPERIENCE REQUIREMENT

Each applicant for licensure as a limited license legal technician shall show proof of having completed 3,000 hours of substantive law-related work experience supervised by a licensed lawyer as required by APR 5(c). The experience requirement shall be completed no more than three years before and 40 months after the date of the LLLT practice area examination that the applicant passed. The proof shall be provided in such form as the Bar requires, but shall include at a minimum:

1. the name and bar number of the supervising lawyer;
2. certification that the work experience meets the definition of substantive law-related work experience as defined in APR 28;
3. the total number of hours of substantive law-related work experience performed under the supervising lawyer; and
4. certification that the requisite work experience was acquired within the time period required by this regulation.

REGULATION 10. ADDITIONAL PRACTICE AREAS

A. Application for Additional Practice Area. An LLLT seeking admission in an additional practice area must complete and file with the Bar:

1. a completed practice area application in a form and manner prescribed by the Bar;
2. evidence in a form and manner prescribed by the Bar demonstrating completion of the practice area curriculum required under Regulation 3(B); and
3. a signed and notarized Authorization, Release, and Affidavit of Applicant.

B. Additional Practice Area Prelicensure Requirements. An LLLT who is seeking licensure in an additional practice area shall:

1. take and pass the additional practice area examination;
2. pay the annual license fee as stated in the fee schedule; and
3. file any and all licensing forms required for active LLLTs.

The requirements above shall be completed within one year of the date the applicant is notified of the practice area examination results. If an LLLT fails to satisfy all the requirements for licensure in an additional practice area within this period, the LLLT shall not be eligible for licensure in the additional practice area without submitting a new application and retaking the

practice area examination.

C. Order Admitting LLLT to Limited Practice in Additional Practice Area. After examining the recommendation and accompanying documents transmitted by the Bar, the Supreme Court may enter such order in each case as it deems advisable. For those LLLTs it deems qualified, the Supreme Court shall enter an order admitting them to limited practice in the additional practice area.

D. Voluntary Termination of Single Practice Area License. An LLLT licensed in two or more practice areas may request to voluntarily terminate a single practice area by notifying the Bar in writing. After terminating the practice area license, the LLLT shall not accept any new clients or engage in work as an LLLT in any matter in the terminated practice area. The Bar will notify the LLLT of the effective date of the termination.

REGULATION 11. [Reserved.]

REGULATION 12. [Reserved.]

REGULATION 13. [Reserved.]

REGULATION 14. [Reserved.]

REGULATION 15. [Reserved.]

REGULATION 16. [Reserved.]

REGULATION 17. [Reserved.]

REGULATION 18. [Reserved.]

REGULATION 19. [Reserved.]

REGULATION 20. AMENDMENT AND BOARD POLICIES

These Regulations may be altered, amended, or repealed by vote of the LLLT Board on approval of the Supreme Court. The LLLT Board has ongoing authority to adopt policies for the administration of the LLLT program consistent with APR 28 and these Regulations.

[Adopted effective August 20, 2013; Amended effective September 3, 2013; March 31, 2015; June 21, 2016; November 22, 2016; September 1, 2017; June 4, 2019.]