

LIMITED LICENSE LEGAL TECHNICIAN (LLLT) BOARD

UPDATE: June 2019

Outreach & Press

Press:

[May 21, 2019 - New Mexico Considers Non-Lawyer Legal Providers](#)

[May 22, 2019 - New Mexico to study letting non-lawyers give legal help](#)

[May 22, 2019 - State Supreme court to look into non-lawyers for legal services](#)

[May 24, 2019 - Potential changes to Washington state court rules could spur online legal services](#)

[May 28, 2019 - Facing shortage of lawyers in some areas, this state is considering licensing legal technicians](#)

[June 2, 2019 - Legal Deserts Push NM to Consider Nonlawyer Services](#)

[June 2, 2019 - Ohio should settle with debt settlement services](#)

[June 3, 2019 - A Divorce Without Lawyers Is Hard; Does It Have To Be?](#)

Recent Events:

- May 15, 2019: BTC Career Fair
- May 28, 2019: LLLT Legal Lunchbox
- June 4-5, 2019: College/Career Fair at Olympic Middle School & Cascade Middle School

Upcoming Events:

- June 14-16, 2019: Access to Justice Convention, Spokane, WA

Statistics & Other Events

- Number of current LLLTs: 40
- 3 LLLTs are inactive
- 1 LLLT is suspended

Meetings

Recent:

- May 13, 2019 and May 28, 2019 LLLT Board meetings
- May 15, 2019: Annual meeting with Washington Supreme Court
- May 20, 2019 Family Law Workgroup meeting

Upcoming:

- July 8, 2019 Family Law Workgroup meeting and LLLT Board meeting



LLLT BOARD MEETING SCHEDULE FY 2020

Meeting Date
October 7, 2019
November 18, 2019
December 9, 2019
January 13, 2020
February 3, 2020
March 16, 2020
April 13, 2020
May 11, 2020
June 8, 2020
July 13, 2020
August 10, 2020
September 14, 2020



Washington LLLT Educational Program Approval Standards

Preamble

These Washington Limited License Legal Technician (LLLT) Educational Program Approval Standards (“Standards”) have been adopted by the Washington state Limited License Legal Technician Board as the official criteria for approval of programs that offer the LLLT core education in Washington State. The authority to grant and withdraw approval is vested in the LLLT Board pursuant to Admission and Practice Rule (APR) ~~28D(3)~~[28C\(2\)\(e\)](#) and [Appendix APR 28 Regulation 3.A.2.](#)

The LLLT Board is committed to the improvement of the LLLT profession and the legal profession in general through the fostering of high standards for LLLT and paralegal education. In addition, the LLLT Board is committed to the availability of accessible and affordable education. These Standards have been adopted to further those commitments.

Consistent with APR ~~28D3(e)~~ and [Appendix APR 28 Regulation 3](#), an LLLT education program under these Standards is a legal studies program that offers all the required LLLT core education courses with course content as approved by the LLLT Board and offers sufficient legal studies elective courses that prepare students to take and pass the LLLT core exam.

Section 1 – Definitions; Application

Standard (“S”) 1-1

For purposes of these Standards:

- a) “APR” means the Washington Supreme Court’s Admission and Practice Rules;
- b) “Board” means the Washington state APR 28 Limited License Legal Technician Board;
- c) “Classroom instruction” means instruction that takes place in a classroom, face-to-face, live synchronous online format, or other educational setting where the instructor and students interact in real time;
- d) “Director” means the person at the institution who has ultimate responsibility for, and authority over, the Program;
- e) “Hybrid instruction” means a learning environment that is a combination of classroom and online instruction;
- f) “LLLT” means a person qualified to engage in the limited practice of law in approved practice areas as defined by APR 28B(4) and pursuant to APR 28;
- g) “LLLT core education” means 45 quarter credit hours of core curriculum instruction in legal studies as set forth in APR ~~28D(3)(b)~~[3\(e\)\(2\)\(B\)](#) and Appendix APR 28 Regulation 3A;
- h) “Online instruction” means any asynchronous learning environment that is not classroom instruction as defined above;
- i) “Paralegal” means a person, qualified by education, training, or work experience who, under the supervision of a lawyer, performs specifically-delegated substantive legal work for which a lawyer is responsible; and



- j) "Program" means an educational entity or unit within the educational institution that provides the LLLT core education including sufficient legal studies elective courses that prepare students to take and pass the LLLT core exam.

S1-2

In order to become and remain endorsed, a Program must demonstrate that it meets the criteria set forth in these Standards. The application for approval outlines the supporting documentation and information that must be provided to demonstrate a Program's satisfaction of these Standards. There will be a fee schedule included on the application. The LLLT Board or its delegate will maintain a regular application review schedule.

S1-3

A Program provisionally or fully approved by the American Bar Association (ABA) and offering the LLLT core education requirements is deemed endorsed and exempt from these Standards, unless the ABA withdraws its approval.

Section 2 – Program Management

S2-1

The Program must have published, measurable goals related to the LLLT education that are assessed on a regular basis with changes made to the Program and curriculum as needed.

S2-2

An Advisory Committee must meet at least twice annually. The Advisory Committee is comprised of practicing lawyers from the public and private sector, practicing LLLTs from the public and private sector (if and when available), paralegals with civil practice experience, faculty, school administrators, at least one member of the public from the community the Program serves, and an LLLT student (optional). The Advisory Committee shall be responsible for:

- (a) assisting in selecting additional Advisory Committee members as needed;
- (b) advising regarding admission standards for students;
- (c) advising in selecting competent instructors;
- (d) informing the Program about changes and trends in the legal field;
- (e) assessing the job market and developing career opportunities for LLLTs and other legal professionals;
- (f) creating awareness of the Program; and
- (g) assessing the effectiveness of the Program in terms of meeting curriculum objectives, meeting the needs of the legal community, and evaluating graduate job placement and success.

Minutes of the meetings must reflect the substance of discussion related to the Program and the names of those in attendance.

S2-3

The institution must have, for both students and employees, a publicly-stated non-discrimination policy consistent with federal and state law and a policy for the accommodation of persons with disabilities. The Program or its parent institution must have in place a diversity and inclusion plan that promotes, ensures and encourages a safe and inclusive learning environment.



Section 3 – Program Design

S3-1

Programs must be offered at the post-secondary level by law schools, four-year colleges or universities, two-year colleges, or technical/vocational schools. The institution offering the core education must be accredited by a regional accrediting agency that is recognized for higher education accreditation by the U.S. Department of Education or the Council for Higher Education Accreditation.

S3-2

The institution must maintain a program that is designed to qualify its graduates to complete the LLLT requirements.

S3-3

The Program’s curriculum must incorporate instructional methods that emphasize critical thinking, teamwork, information literacy, competent oral and written communication skills commensurate with those expected in the legal profession, technical skills, and development of the practical skills needed to work as LLLTs, paralegals, or other legal professionals in the legal community the Program serves.

S3-4

The Program must engage in regular, structured, and documented assessments of how well the Program is meeting its stated goals. The assessment plan must include: (1) the method by which students evaluate the faculty and the courses, which may include instructional materials and assessment methodology; (2) the method by which the Program assesses student and graduate satisfaction with the program; (3) graduates’ perceptions of how well the Program prepared them for work as an entry-level LLLT or paralegal; (4) the frequency with which each type of assessment is conducted; (5) the date the assessment was last conducted; (6) a description of the analysis conducted of the assessment results; (7) a summary of actions taken in response to the assessment results; and (8) the method by which the results are shared with the faculty and Advisory Committee. The assessment may also include the employment community’s satisfaction with the Program’s graduates.

S3-5

Programs must:

- (a) require successful completion of the LLLT core education requirements as defined in APR 28;
- (b) require that LLLT core education courses balance theoretical teachings with practical, skills-based course content;
- (c) align the course content of each required LLLT core education course with the course content as established and published by the LLLT Board;
- (d) require successful completion of at least ten semester or 15 quarter credits of in classroom instruction; and
- (e) offer sufficient legal studies elective courses on subjects included in the LLLT core exam to meet the LLLT core education requirements.

S3-6

Programs must have a written transfer policy for accepting any LLLT core education courses that will be substituted in lieu of LLLT core education courses otherwise required and taught by the Program. The policy must include criteria for accepting courses in transfer, procedures to protect the academic quality and integrity of the program, and must set limits on the number of LLLT core education courses that will be



accepted in transfer. Limits are set by the institution. Credit is granted at the discretion of the Program Director.

S3-7

The LLLT Program director and faculty must design online and hybrid online courses taking into account the constraints imposed by online delivery to ensure that there is:

- (a) technical training on and orientation to any alternative learning systems provided to and required of faculty prior to their assignment as instructor for a course that uses such a system;
- (b) technical support available to students and faculty;
- (c) interaction between faculty members and students and among students;
- (d) a system to verify the identity of the student submitting work or taking an examination;
- (e) a determination of whether the online instruction meets the credit hour requirements of S3-8 based on a careful review of a detailed outline of the online activities for each online or hybrid online course, including hours allocated to each activity. Such online activities may include lectures, discussions, quizzes, diagnostic exercises, assignments and tests.
- (f) no dilution of the course objectives and outcomes for the purpose of allowing delivery by online means;
- (g) faculty accessibility to students through means appropriate for the online format to provide feedback promptly to students regarding their assignments and questions; and
- (h) assessment of the effectiveness of the online format.

S3-8

For purposes of these Standards, one quarter credit hour is at a minimum equivalent to 450 minutes of classroom instruction as defined in [APR 28D\(3\)Appendix APR 28 Regulation 3.A.1.](#)

Section 4 – Faculty

S4-1

The Director and instructors in the Program must possess education, knowledge, and experience about the LLLT or paralegal professions, the utilization of LLLTs or paralegals in the delivery of legal services, and be knowledgeable in the areas in which they are providing instruction. Until such time as there is sufficient LLLT experience to relate, instructors may instead rely on the legal profession in general.

S4-2

The Program instructors must meet at least twice annually with 100% attendance. Unless otherwise delegated, the agenda is set by the Program Director, who presides over the meeting. Meetings of the faculty must address issues beyond the area of program administration and class management to include such areas as program and course delivery modalities, teaching techniques and effectiveness, and learning outcome relevance and assessment. Minutes of the meetings must reflect the substance of the discussions and the names of those in attendance.

S4-3

Ultimate responsibility for, and authority over, a Program must be administered by a full-time faculty member or administrator of the institution.

S4-4

The Director of the Program must have adequate support, including budgetary and administrative support, to accomplish the goals and objectives of the Program.



Section 5 – Program Services

S5-1

All program literature, material, and information whether oral, print, or electronic must:

- (a) identify that it is offered to prepare graduates for employment as LLLTs, paralegals, or other law-related occupations;
- (b) inform students and potential students that LLLTs may provide limited legal services directly to the public only as permitted under APR 28 and Appendix APR 28 Regulations; and
- (c) advertise truthfully, accurately and not mislead by statement or omission regarding any aspect of the Program, the LLLT profession, or job opportunities.

S5-2

After having been endorsed, programs may advertise that they are endorsed by the LLLT Board to offer the LLLT core education.

S5-3

The Program must have a process for educating students and graduates about satisfying the core education requirements and about employment opportunities as an LLLT, paralegal, or other legal paraprofessional.

Section 6 – Library and Legal Resources

S6-1

The Program must provide to all program students, either electronically or through access to a library, current resources that are relevant to and adequate for the courses being taught. The Program can satisfy this Standard by providing student-specific accounts to an electronic research service.

S6-2

At a minimum, the Program must provide access to:

- (a) The Revised Code of Washington, the Washington Administrative Code, and Washington Court Rules;
- (b) The reporter(s) for the Washington state appellate courts or the Pacific reporter along with Washington Practice and other corresponding digests and resources to validate those sources;
- (c) A current legal encyclopedia and current legal dictionary;
- (d) Texts, practice manuals and/or form books appropriate to each LLLT course;
- (e) Resources and legal materials about developments and current issues in the LLLT and paralegal professions;
- (f) Relevant federal materials such as the United States Code and federal case law and reporters; and
- (g) A citator resource to check on the currency and validity of primary source materials for Federal and Washington State law.

Section 7 - Facilities

S7-1

The classrooms, offices, library, computer labs, and other facilities of the Program must accommodate and support a variety of teaching methods and learning activities and provide for adequate study space.



S7-2

Adequate office space must be supplied to faculty for the purposes of discharging required work. In addition, space must be made available for private faculty-student consultation.

Section 8 - Implementation, Amendment and Review

S8-1

The Board may delegate to a third party its authority to endorse Programs pursuant to Section S1-2 of these Standards. Entities to which the Board may delegate its authority must have significant experience in reviewing and overseeing the programmatic activities of colleges or universities. Any delegation must be in writing and clearly identify what actions the Board expects the delegate to take. The Board may revoke any delegation by giving written notice to the delegate.

S8-2

The Board or its delegate shall make publicly available detailed information on what should be contained in an application and supporting materials pursuant to Section S1-2 of these Standards.

S8-3

The Board or its delegate may require applying parties to pay fees related to review and approval. Fees shall be used to discharge some of the costs associated with reviewing the application and supporting materials submitted by the applying party. In setting fees the Board and its delegate shall make best efforts to balance both the need to recoup the costs of review and interest in encouraging educational institutions to consider providing LLLT core education.

S8-4

Applying parties are expected to provide all required application information in as clear and complete a manner as possible. The Board or its delegate will provide regularly scheduled informational meetings. At these meetings the parties may discuss what is needed in the application and supporting materials, preferred format, timeframe for submissions and any other matters the parties deem relevant.

S8-5

The Board or its delegate may conduct a site visit or visits as part of the application and review process.

S8-6

Applying parties during the application process and, if successful, thereafter must promptly send written notification to the Board or its delegate when any substantial changes take place in its Program. Substantial changes include, but are not limited to, departure of faculty or key staff, changes in course offerings, significant changes in enrollment etc.

S8-7

The Board or its delegate shall make best efforts to render a decision on an application within 180 days of receiving a complete application and supporting materials. Notice of acceptance or rejection of an application must be promptly communicated to the applying party.

S8-8

The Board shall periodically review and when necessary amend these Standards.



S8-9

An approved LLLT Program has an ongoing obligation to assure that it is in compliance with the Standards as adopted, including all amendments as they become effective and all interpretations as they become available on the LLLT website.



Questions from NFPA and Steve's Responses

1. Are the LLLTs required to maintain the NFPA CRP credentials, which they receive upon passing the Paralegal Core Competency Exam ("PCCE"), which is used as one of the three exams for LLLT licensure? **No, LLLT's are not required to maintain the NFPA CRP credentials, but they are required to have continuing legal education classes much the same as lawyers.**
2. Are the LLLTs encouraged or required to maintain a paralegal credential which was relied upon to apply for the LLLT program, such as the RP credentials used as part of an educational waiver? **No**
3. Can an individual work as both a paralegal and a licensed technician and vice versa? **Yes. The license doesn't prevent an LLLT from engaging in other professional activities.**
4. If #3 is yes, how does that assumption correlate with the ABA's definition of a paralegal, who cannot practice law and must be supervised by an attorney? **An LLLT has a license to practice law issued by the State Supreme Court in a limited capacity. They are not required to be supervised by a lawyer. They can practice law in their limited capacity. If they exceed their authority they can be disciplined in the same manner as a lawyer.**
5. If #3 is yes, how would the general public determine when an individual was acting in one capacity (acting as a Legal Technician) or when they were acting in the other (as a paralegal)? **A LLLT is required by the rules of professional conduct (which are virtually the same as apply to lawyers) that apply to them to inform a client that they are acting as a LLLT and they must disclose on all documents that they prepare for the client that they are a LLLT and give their LLLT # issued to them by the State Supreme Court.**
6. Lastly, and somewhat nuanced, but does an individual who has maintained paralegal credentials create additional confusion for the general public if they also hold a license to practice law? **I don't think so in light of the fact the LLLT's duty to disclose that they are a LLLT. Additionally, we are finding that LLLT's are proud to disclose to their clients and the public that they are a LLLT and have a license to practice law in a limited capacity issued by the State Supreme Court.**

Sorry about the delay in responding. I would be more than happy to talk to you most any time about these issues.

I very much appreciate your questions. In as much as this is the first license of it's type in the country (or the world for that matter) we are always interested in questions that may help us to improve the regulation of the license.