

LIMITED LICENSE LEGAL TECHNICIAN (LLLT) BENCH CARD

LLLTs in the Courtroom

*LLLTs can give legal advice and assist their clients
in the Courtroom as authorized by APR 28*

When

The Washington Supreme Court, under Appendix APR 28, Regulation 2(B)(2)(h), has authorized LLLTs to assist and confer with their pro se clients at certain hearings:

- Motion for Temporary Family Law Orders
- Enforcement of Domestic Relations Orders
- Civil Protection Orders arising from a domestic relations case
- Modification of Child Support
- Reconsiderations or Revisions
- Adequate Cause for Parenting Plan Modifications
- Agreed and Default Minor Guardianships

With or without their client, LLLTs may also:

- Present agreed, uncontested, and default orders¹
- Attend trial setting calendar proceedings²

¹ See Appendix APR 28, Regulation 2(B)(2)(g)

² See Appendix APR 28, Regulation 2(B)(2)(h)(viii)

How

Clients assisted by LLLTs are considered self-represented and should advance their own legal arguments.

- LLLTs may answer only direct factual and procedural questions from the court and only in the types of hearings listed above on this bench card.
- LLLTs cannot present their pro se client's cases or make legal arguments in court.

VERIFICATION > LLLTs are licensed members of the Washington State Bar Association, who are sworn in by taking the Oath of LLLT found in APR 5(i), and are provided a bar card with their license number. Verify a LLLT license by searching the Legal Directory at www.wsba.org.

QUESTIONS about LLLTs and APR 28?

Contact the Washington State Bar Association at 800-945-9722 or email LLLT@wsba.org.

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LIMITED LICENSE LEGAL TECHNICIAN (LLLT) BENCH CARD (CONT.)

About

APR 28 authorizes LLLTs to represent pro se clients in matters concerning family law. Some of the issues a LLLT may assist with are divorce/legal separation, paternity/parentage, parenting-plan modifications, child-support modifications, agreed and default minor guardianships, and civil protection orders arising from a domestic relations case.

In brief, LLLTs may render these legal services to a pro se client:³

- Obtaining relevant facts and records and reviewing documents or exhibits and explaining them to the client
- Informing the client of applicable procedures, including deadlines, and documents that must be filed
- Informing and assisting with service of process and filing of legal documents
- Selecting, advising on significance of selection, completing, filing, and effecting service of forms that have been approved under APR 28 as well as forms prepared by a Washington lawyer
- Performing legal research
- Drafting letters setting forth legal opinions
- Drafting documents beyond what is permitted if the work is reviewed and approved by a Washington lawyer
- Negotiating the client's legal rights or responsibilities, provided that the client has given written consent defining the parameters
- Communicating and negotiating with the opposing party or the party's representative regarding procedural matters

³ See APR 28 for the full text and description of all services LLLTs may provide.

FAQs

Q. Do LLLTs file a notice of appearance?

A. No. LLLTs assist pro se clients who appear on their own behalf. See *LLLT RPC 1.0B(h) and 1.16 Comment [1]*.

Q. Do LLLTs accept service on behalf of their clients?

A. No. Clients of LLLTs are pro se and therefore must be served directly. See *LLLT RPC 1.0B(h)*.

Q. May LLLTs speak on behalf of their clients in court?

A. 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 in Appendix APR 28, Regulation 2 (B)(2)(h)(i)-(ix).

Q. Do LLLTs have to comply with ethical rules?

A. Yes. The LLLT RPCs are based on lawyer RPCs and require similar ethical requirements for LLLTs.

Q. What protection do LLLT clients have from potential LLLT malpractice?

A. LLLTs are required to have professional liability insurance. See *APR 28(1)(2)*. In the event of professional dishonest conduct, LLLT clients are eligible for seeking a gift from the Client Protection Fund.

Q. Can LLLTs provide legal services to two parties in the same case?

A. No. LLLTs cannot render legal services to more than one party in any domestic relations matter. See *Appendix APR 28, Regulation 2(B)(3)(a)*.

Q. Can LLLTs provide legal services in de facto parentage actions?

A. No. LLLTs cannot render legal services in de facto parentage actions. See *Appendix APR 28, Regulation 2(B)(3)(b)(i)*.